

From: "McKinzie, Alana (CDPH-CID-DCDC)" <Alana.McKinzie@cdph.ca.gov>
Date: Mon, 20 Aug 2007 13:43:07 -0700
To: <dbmooney@dcn.org>
Conversation: PRA from Donald R. Mooney / WNV
Subject: PRA from Donald R. Mooney / WNV

Hello Mr. Mooney,

Your Public Records Act fax dated August 8, 2007 was referred to me for response.

The attached documents are in response to items 1 and 2.

With respect to item 3 of your request, these records will not be disclosed. The records you requested are the prepublication drafts of an article being authored by Dr. Vicki Kramer and other employees of CDPH for publication in a professional, scientific journal. CDPH has determined that these prepublication drafts are exempt from disclosure pursuant to Government Code section 6255 on the ground that the public interest in withholding this draft from public scrutiny prior to its publication outweighs the public's interest in disclosure of the draft.

The publication of research in professional or scientific journals provides the opportunity for researchers to present their findings and conclusions to their colleagues and the public, and for the public to comment on the researcher's findings and conclusions. It also assures, through the processes of peer review and editorial evaluation, that the findings and conclusions are objective and clearly presented. The prepublication release of a draft scientific article has the potential to cause confusion among the public through the release of potentially incomplete, biased or poorly written findings and conclusions. It would also invite undue pressure on the authors and perhaps the publisher from outside parties not involved in the peer review and editorial process to change the study findings or conclusions.

Government scientists are important and active participants in the scientific debate surrounding a wide range of scientific and technical issues. Their involvement in the scientific debate is not limited to the preparation and submission of articles to professional and scientific journals. They are often called upon to peer-review the scientific work of academic and other non-governmental colleagues. If, by virtue of their affiliation with government agencies subject to the California Public Records Act, government scientists were to be required to disclose the draft contents of scientific findings and conclusions in their possession, it is very likely that these scientists would lose their voice in the scientific debate. Thus, the public has a strong interest in the nondisclosure of

prepublication scientific articles in the possession of government agencies. Accordingly, CDPH has determined that the prepublication drafts described in item 3 of your request are not subject to disclosure under the Public Records Act and will not be made available to you.

These records satisfy your request.
Thank you,

Alana K. McKinzie
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