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Superior Court of California,  
County of Los Angeles  
4/07/2023 12:11 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By S. Ruiz, Deputy Clerk

11 Attorneys for Plaintiff  
12 Deputy District Attorney Michele Hanisee

13 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 FOR THE COUNTY OF LOS ANGELES

15 STANLEY MOSK COURTHOUSE

16 Deputy District Attorney MICHELE  
17 HANISEE, an individual,

18 Plaintiff,

19 v.

20 STATE OF CALIFORNIA; and DOES 1  
21 through 25, inclusive,

22 Defendants.

CASE NO: 23STCV07718

COMPLAINT FOR DAMAGES AND  
INJUNCTIVE RELIEF FOR:

- 1) VIOLATION OF CALIFORNIA'S INFORMATION PRIVACY ACT;
- 2) VIOLATION OF RIGHT TO PRIVACY UNDER ARTICLE 1, SECTION 1 OF THE CALIFORNIA CONSTITUTION;
- 3) INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS;
- 4) NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS; AND
- 5) PUBLIC DISCLOSURE OF PRIVATE FACTS

REQUEST FOR TRIAL BY JURY

23 COMES NOW Plaintiff MICHELE HANISEE, who alleges as follows:

24 INTRODUCTION

25 1. Plaintiff Deputy District Attorney Michele Hanisee is a veteran Los Angeles  
26 County Deputy District Attorney. In her 23-year career as a crime fighter, she has prosecuted  
27 some of the worst criminals, including dozens of murderers, countless members of violent street  
28 gangs and other criminal syndicates, and other felons with no regard for human life or civil  
society.

2. Because of the important role she plays in fighting crime in Los Angeles County,

1 California public policy recognizes the danger she faces in her job. Thus, express public policy  
2 has made it illegal for government employees to release personally identifying information about  
3 her and other crime fighters, including judges, law enforcement officers, and other public  
4 officials.

5 3. This public policy underscores the fear that she and others who keep violent  
6 criminals off our streets have to contend with on a daily basis; if her address and other personal  
7 identifying information were released to members of the public, she would be subject to  
8 intimidation, retribution, and violence by the very people she prosecutes or by their criminal  
9 associates.

10 4. Because of the ever-present danger she faces, Plaintiff carries a firearm for  
11 protection under a concealed carry weapons (“CCW”) permit, as do many judges, law  
12 enforcement officers, correctional officers, and other crime fighters.

13 5. As a result of a political stunt by California Attorney General Rob Bonta,  
14 Plaintiff’s and thousands of other crime fighters’ personally identifying information contained in  
15 CCW permit data was publicly released in June 2022. And although the Attorney General has  
16 spent the subsequent months downplaying or flat-out ignoring the harmful effect his stunt had on  
17 the lives of all affected Californians who hold or applied for CCW permits, for crime fighters like  
18 Plaintiff, the danger is acute. She and others like her have had to constantly fear for their lives  
19 because some of the criminals they arrested, testified against, prosecuted, or sentenced now have  
20 their home addresses and other personally identifying information. And given that the Internet is  
21 forever, past and future criminal defendants will have ready access to such information for the  
22 foreseeable future.

23 6. The Attorney General’s Office has gone completely silent on how it plans to  
24 handle this massive privacy breach, including how it is going to protect all of the public officials  
25 it endangered like Plaintiff. This has left local prosecutor’s offices, law enforcement agencies,  
26 and courthouse officials scrambling to find ways to identify their vulnerable employees and figure  
27 out methods to protect them. Having been reasonably patient to see what the Attorney General’s  
28 Office would do to help her and other affected crime fighters, and having watched it do nothing,

1 Plaintiff is now forced to sue to both prevent another politically motivated leak like this from  
2 happening again. She also seeks to compel some action by the state to protect her safety or  
3 otherwise compensate her for having to pay for her own increased security measures to mitigate  
4 the harm caused by the Attorney General's Office.

5 JURISDICTION AND VENUE

6 7. This Court has jurisdiction over all causes of action asserted in this Complaint  
7 under Article VI, section 10 of the California Constitution because the causes of action below are  
8 not given by statute to other trial courts or administrative agencies. The amount in controversy  
9 exceeds \$25,000.00.

10 8. The injuries suffered by Plaintiff alleged herein were suffered in Los Angeles  
11 County, California.

12 PARTIES

13 9. Plaintiff Deputy District Attorney MICHELE HANISEE was and is a veteran  
14 prosecutor for the County of Los Angeles, as well as resides within the County. She has  
15 prosecuted hundreds of felony cases, including dozens of murder cases and cases where the death  
16 penalty was sought and imposed. She has imprisoned members of criminal syndicates and violent  
17 repeat offenders. At the time her injuries first began, she held a CCW permit.

18 10. Defendant the STATE OF CALIFORNIA (the "State") is the sovereign  
19 government of California. Among its executive offices is the Office of the Attorney General,  
20 over which Attorney General Rob Bonta presides as the chief law enforcement officer of the  
21 State. Included within the Office of the Attorney General is the California Department of Justice,  
22 which is responsible, *inter alia*, for maintaining data and information regarding CCW permit  
23 holders, including private, personally identifiable information, as well as enforcing laws relating  
24 to firearms generally and CCW permit holders specifically. Defendant State has offices within  
25 Los Angeles County, including offices of the Department of Justice.

26 11. Plaintiff is informed and believes, and on that basis alleges, that at all times  
27 mentioned herein, defendants named or fictitiously designated, and each of them, were the agents,  
28 servants, employees or joint venturers of the other defendants, and each of them, and were, at all

1 mentioned times, acting within the course and scope of such agency, employment, or joint venture  
2 relationship.

3 12. Plaintiff is informed and believes, and upon such information and belief, alleges  
4 that each of the defendants named herein as DOES 1 through 25, were employees of Defendant  
5 State who were responsible for, either intentionally or negligently, in the public release of  
6 Plaintiff's and other CCW permit holders' private identifying information. Thus, on information  
7 and belief, DOES 1 through 25, and each of them, are in some manner negligent or otherwise  
8 tortiously or statutorily responsible for the injuries hereinafter alleged. Plaintiff does not  
9 presently know the true names and capacities of the defendants sued herein as DOES 1 through  
10 25. Plaintiff will seek leave of the Court to amend the complaint to allege DOE defendants' true  
11 names and capacities once Plaintiff ascertains them.

12 ALLEGATIONS APPLICABLE TO ALL CAUSES OF ACTION

13 13. In June 2022, the United States Supreme Court issued its landmark *New York State*  
14 *Rifle & Pistol Association, Inc. v. Bruen* decision, which reaffirmed an individual's right to carry  
15 a firearm in public for self-defense.

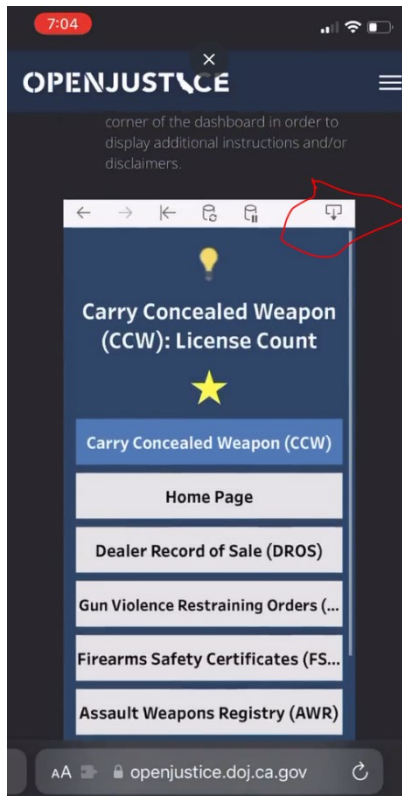
16 14. California's Executive and Legislative branches, including Attorney General  
17 Bonta, were incensed by the decision. They issued press releases decrying the decision and  
18 issued a flurry of legislation designed to water down or make the exercise of the right to carry a  
19 weapon for self-defense a nullity.

20 15. For his part, Attorney General Bonta issued a press release four days after the  
21 *Bruen* decision announcing that the Department of Justice would be hosting and publishing a web  
22 portal filled with CCW permit holders' data. The announced purpose of the web portal was to  
23 provide an interactive and easily searchable user experience that would promote public access to  
24 information about the holders of CCW permits, the issuance of gun violence restraining orders,  
25 and other information related to firearms laws in California. The stated goal of publishing this  
26 information was to increase "transparency" and "public trust." The real reason was that the  
27 Attorney General wanted to be seen as "doing something" immediately following a Supreme  
28 Court decision that was anathema to the firearms views of Bonta and other politicians in

1 Sacramento.

2 16. Thus, on the same day Bonta made his announcement—June 27, 2022—the  
3 Department of Justice took the firearms data web portal live. The information was published at  
4 <<https://openjustice.doj.ca.gov/>>.

5 17. From the moment the portal launched, any member of the public who accessed it  
6 was able to download the portal’s underlying data in the form of Excel spreadsheets. This was not  
7 a flaw or a bug, but a feature. For example, if someone clicked on the download icon located at  
8 the top right-hand side of the portal, it would download onto the user’s computer an electronic  
9 spreadsheet file of whatever data had been selected. Thus, when a member of the public chose to  
10 download CCW permit holder information, the portal allowed such data to be downloaded in an  
11 electronic spreadsheet containing information about CCW permit holders and applicants for a  
12 particular county or in an electronic spreadsheet containing such information about holders and  
13 applicants for the entire state.



27 18. The information about CCW permit holders and applicants that could be  
28 downloaded by the public from the portal on a county-by-county or a statewide basis included

1 each CCW permit holder's or applicant's name, contained in a line item along with:

- 2 a. Their address;
- 3 b. Their date of birth;
- 4 c. Their gender;
- 5 d. Their CCW License Number;
- 6 e. The issue dates of their permit;
- 7 f. Their DOJ-assigned Criminal Identification and Information (CII) Number;
- 8 g. The type of CCW permit they were issued or applied for. This included the  
9 categories "judge," "custodial officer," "reserve officer," "place of  
10 employment," or "standard"; and
- 11 h. The status of their license.

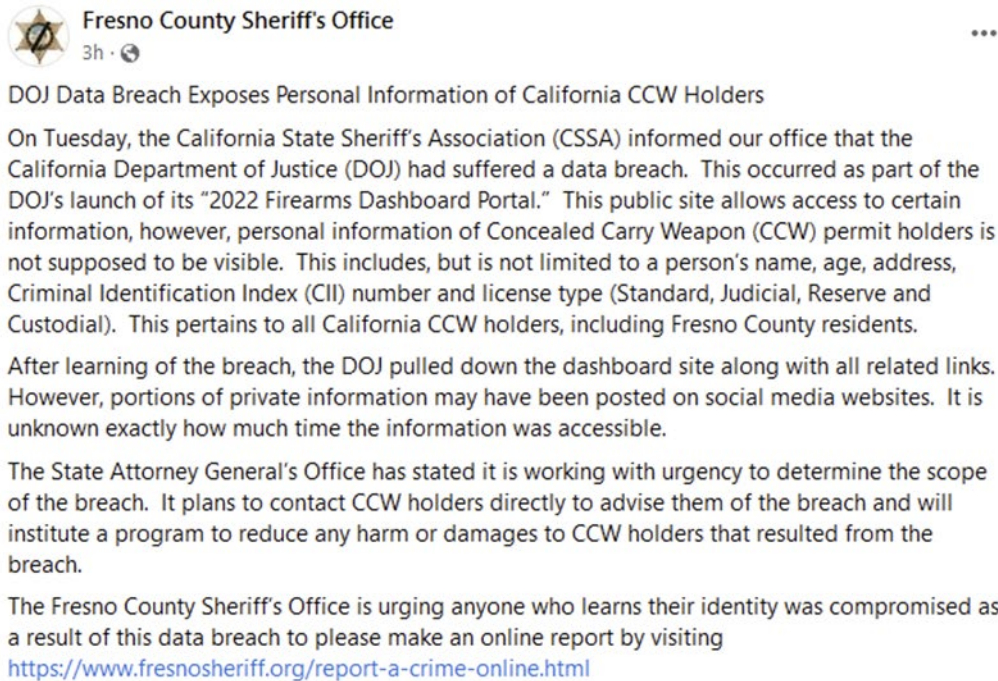
12 19. During the afternoon and evening of June 27, 2022, information began  
13 disseminating on Internet message boards and on social media about the private information that  
14 was being made available on the portal. People on social media began tagging the Attorney  
15 General's verified Twitter account asking for him to respond to the situation. During the evening  
16 of June 27<sup>th</sup>, the portal was taken offline, but it inexplicably went back online again. When it  
17 went online the second time on the evening of the 27<sup>th</sup>, the download icon was no longer present  
18 on the portal. Yet the issue of the availability of private information was still not resolved, as data  
19 could still be accessed for each individual county by hovering over it and clicking another icon to  
20 access the underlying spreadsheet.

21 20. The Department of Justice did not permanently take down the portal until the  
22 morning of June 28, 2022, after it had been publishing private CCW permit holders' personal  
23 information, including Plaintiff's, for well over twelve hours. As of the afternoon of June 28,  
24 2022, the Portal's site read "Website temporarily unavailable - Please try again in a few minutes."

25 21. On the afternoon of June 28<sup>th</sup>, the Attorney General's Office issued a press release  
26 stating "We are investigating an exposure of individuals' personal information connected to the  
27 DOJ Firearms Dashboard. Any unauthorized release of personal information is unacceptable. We  
28 are working swiftly to address this situation and will provide additional information as soon as

1 possible.”

2 22. As communicated by the Fresno County Sheriff’s Office and in subsequent  
3 Department of Justice correspondence, the Department of Justice began immediately  
4 mischaracterizing the June 27-28 publication of the web portal as a “breach.”



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25 *(Screenshot of the Fresno County Sheriff’s Twitter feed of a tweet made on June 28, 2022)*

26 23. Despite the Orwellian attempt to characterize the Department of Justice’s  
27 intentional publication of the information as a “breach,” it was patent that the Department of  
28 Justice *twice* intentionally took the web portal live and published the information. Thus, far from

1 being a “hack” or “breach” of the Department of Justice’s servers as they attempted to  
2 characterize it, the publication of the CCW permit holders’ personal information—and the  
3 functionality allowing members of the public to download or access that information—was a  
4 deliberate act by the Department of Justice. Nobody stole a password and nobody found a  
5 backdoor into a server as Attorney General Bonta would like the public to believe. Rather, in a  
6 cynical attempt to publicly appear to be on the “right side” of a political debate following a  
7 controversial court decision, the Attorney General and DOES 1 through 25 made a deliberate  
8 decision to publish the data which included private or personal identifying information. The only  
9 fact that is unknown is whether the decision to include all CCW permit holders’ and applicants’  
10 home address, date of birth, and CII information on the portal was itself deliberate or accidental.  
11 So too, it is unknown whether to include any information about prosecutors, judges, and law  
12 enforcement officers was also deliberate or accidental.

13         24. The Attorney General commissioned a purported investigation of the “leak,” hiring  
14 an outside law firm. A report was made public of the investigation on November 30, 2022.  
15 Although the report attempted to paint the Attorney General and the DOJ as innocents, it did  
16 admit that the decision to publish the databases containing the protected information was done  
17 intentionally by unnamed DOJ employees or DOE contractors. And nothing in the report  
18 identified any steps the Department of Justice intended to take to protect crimefighters like  
19 Plaintiff.

20         25. Plaintiff has faithfully served the people of the State for almost a quarter of a  
21 century. Like many crime fighters and other public servants, she willingly entered into such  
22 service relying upon the express and implied promises made in California public policy to protect  
23 from disclosure the private, personal identifying information collected by the State and its  
24 subdivisions from judges, prosecutors, and correctional and law enforcement officers. If she  
25 protected the State, the State promised to protect her and her family. Yet, here it absolutely  
26 failed, and, through Bonta’s subsequent inaction, ran away from any effort to fulfill its promise.

27         26. Among the express public policies forbidding the disclosure of Plaintiff’s and  
28 other public officials’ information by the State to the public are Civil Code section 1798, et seq.



1 (the “Information Practices Act”) and Government Code section 6254.21. Among the implied  
2 policies preventing such disclosure are the right of privacy recognized under Article I, section 1 of  
3 the California Constitution, Government Code section 6254(u)’s exception from the Public  
4 Records Act of the release of prosecutors’ and other public servants’ CCW permit information in  
5 response to a Public Records Act request, and the Penal Code prohibition against public release of  
6 individuals’ CII information under Penal Code sections 11076 and 13201.

7 27. Plaintiff is an appointed official within the meaning of Government Code section  
8 6254.1(f).

9 28. Plaintiff’s private, personal, and protected information was included in the June  
10 27-28 publication on the web portal, including her home address, date of birth, and CII Number.  
11 As a faithful servant of the people, Plaintiff neither consented to nor did she ever expect the  
12 State’s chief law enforcement officer or its chief law enforcement agency to publicly publish her  
13 personal information, including her home address and date of birth derived from her CCW permit  
14 application. Notwithstanding the political motivations behind the Attorney General’s publication  
15 of the web portal, she did expect that once he understood that his decision to publish the portal  
16 had endangered the safety of thousands of public servants like her, Bonta would take swift action  
17 to protect them. He shockingly has not, and as a result, Plaintiff sues for and is entitled to the  
18 relief set forth in the causes of action below.

19 29. Plaintiff certainly did not give her written consent to have her home address posted  
20 on the Internet.

21 30. For those claims and causes of action where it is required, Plaintiff has complied  
22 with all administrative prerequisites to bringing suit, including the claims presentment  
23 requirements of the Government Claims Act, except that for those individuals sued fictitiously  
24 herein, she has been unable to identify them in any claims presentment due to the Attorney  
25 General’s lack of transparency or follow-through regarding the investigation he has purported to  
26 undertake into the publication of the web portal.

1 FIRST CAUSE OF ACTION

2 Violation of California’s Information Privacy Act (Civil Code section 1798, et seq.)

3 Against Defendant State of California and DOES 1 through 25

4 31. Plaintiff incorporates and realleges Paragraphs 1 through 30 as if fully set forth  
5 herein.

6 32. On June 27 and 28, 2022, Defendants, and each of them, disclosed or caused to be  
7 disclosed to the public the personal information of Plaintiff as described hereinabove, including  
8 information protected under Section 1798.3.

9 33. On information and belief, thousands of individuals downloaded spreadsheets  
10 generated by the State’s web portal containing Plaintiff’s personal information.

11 34. As a result of the disclosure of the information, Plaintiff has been injured in her  
12 emotional health and her physical safety and has expended or will have to expend significant  
13 amounts to safeguard herself and her family.

14 35. As a result of the disclosures and the injuries resulting therefrom, Plaintiff is  
15 entitled to an injunction preventing further disclosure of her information by Defendants and each  
16 of them.

17 36. As a result of the disclosures and the injuries resulting therefrom, Plaintiff is  
18 entitled to monetary damages from Defendants, and each of them, for general and special  
19 damages, all in an amount according to proof, but no less than the jurisdictional minimum of this  
20 Court.

21 SECOND CAUSE OF ACTION

22 Violation of Article I, section 1 of the California Constitution

23 Against Defendant State of California and DOES 1 through 25

24 37. Plaintiffs incorporate and reallege Paragraphs 1 through 30 as if fully set forth  
25 herein.

26 38. On June 27 and 28, 2022, Defendants, and each of them, disclosed or caused to be  
27 disclosed to the public the private information of Plaintiff as described hereinabove, including  
28

1 information protected under the implied right of privacy recognized in Article I, section 1 of the  
2 California Constitution.

3 39. At the time Defendants caused to be disseminated Plaintiff's private information,  
4 Plaintiff had a privacy interest in her home address, her date of birth, and her CII information, as  
5 evidenced by the public policies recognizing such interests set forth in Government Code section  
6 6254(u), Penal Code sections 11076 and 13201, and Vehicle Code section 1808.21.

7 40. At the time Defendants disseminated or caused to be disseminated Plaintiff's  
8 private information, Plaintiff had a reasonable expectation, based on the aforementioned public  
9 policies and her inclusion in the class of persons to be protected under those policies, that the  
10 information would be kept private and not disseminated by Defendants.

11 41. As the Attorney General himself has represented in writing, the dissemination of  
12 Plaintiff's and other CCW permit holders' information was a serious invasion of their privacy. It  
13 was so serious as to cause Plaintiff to fear for her life and for the life of her family members.

14 42. As a result of the disclosure of the information, Plaintiff has been injured in her  
15 emotional health and her physical safety and has expended or will have to expend significant  
16 amounts to safeguard herself and her family.

17 43. As a result of the disclosures and the injuries resulting therefrom, Plaintiff is  
18 entitled to monetary damages for general and special damages, all in an amount according to  
19 proof, but no less than the jurisdictional minimum of this Court.

20 44. Where any DOE Defendant is proven to have acted in a capacity other than his or  
21 her capacity as an employee or official of Defendant State or any of its departments or  
22 subdivisions, Plaintiff is entitled, in addition to other damages and remedies sought against  
23 Defendants, for an award of exemplary damages from such DOE or DOES under Civil Code  
24 section 1798.53.

25 THIRD CAUSE OF ACTION

26 Intentional Infliction of Emotional Distress

27 Against Defendant State of California and DOES 1 through 25

28 45. Plaintiff incorporates and realleges Paragraphs 1 through 30 as if fully set forth

1 herein.

2 45. Under California Government Code section 820(a), Defendants, and each of them,  
3 are liable for injuries caused by their acts or omissions to the same extent as a private person.

4 46. Under California Government Code sections 815.2 and 815.4, the State of  
5 California is liable for injuries proximately caused by acts or omission of its employees and  
6 independent contractors within the scope of their employment or contracted work. Upon  
7 information and belief, at all times material to this complaint, the Doe Defendants were employed  
8 by, or were independent contractors for, the State of California and were under the State's  
9 direction and control when they engaged in the conduct described herein. Because the acts of  
10 these Doe Defendants were committed within the course of their employment and/or independent  
11 contractor relationship with the State of California, the State of California is therefore liable for  
12 their intentionally wrongful conduct described herein.

13 47. Defendants' release of the confidential name and home address information of  
14 CCW permit holders, such as Plaintiff, onto the open internet with no access restrictions  
15 whatsoever, is outrageous conduct.

16 48. Defendants' outrageous conduct was intended to cause the CCW permit holders  
17 whose information was exposed, such as Plaintiff, emotional distress, and/or acted with reckless  
18 disregard for whether emotional distress could result from the release of the information.

19 49. Plaintiff has experienced and continues to experience emotional distress, including  
20 but not limited to nervousness, anxiety, and worry, because of Defendants' release of her home  
21 address information to the open internet.

22 50. Defendants' conduct in releasing Plaintiff's home address information was a  
23 substantial factor in causing Plaintiff severe and ongoing emotional distress, including but not  
24 limited to nervousness, anxiety, and worry.

1 FOURTH CAUSE OF ACTION

2 Negligent Infliction of Emotional Distress

3 Against Defendant State of California and DOES 1 through 25

4 51. Plaintiff incorporates and realleges Paragraphs 1 through 30 as if fully set forth  
5 herein.

6 52. Under California Government Code section 820(a), Defendants, and each of them,  
7 are liable for injuries caused by their acts or omissions to the same extent as a private person.

8 53. Under California Government Code sections 815.2 and 815.4, the State of  
9 California is liable for injuries proximately caused by acts or omission of its employees and  
10 independent contractors within the scope of their employment or contracted work. Upon  
11 information and belief, at all times material to this complaint, DOE Defendants were employed  
12 by, or were independent contractors for, the State of California and were under the State's  
13 direction and control when they engaged in the conduct described herein. Because the acts of  
14 these DOE Defendants were committed within the course of their employment and/or  
15 independent contractor relationship with the State of California, the State of California is  
16 therefore liable for their negligent conduct described herein.

17 54. The State of California and DOE Defendants were under a duty, given their access  
18 to the sensitive and confidential home address information pertaining to deputy District Attorney  
19 CCW permit holders including Plaintiff, to be careful with that information, to protect its  
20 confidentiality, and at minimum to ensure that it is not published to the entire world through the  
21 open internet with no access restrictions. The public policy establishing the sensitivity of such  
22 information and the need for those who have access to it to avoid its disclosure is well established  
23 and clear. The relationship between Defendants, as possessors of that information, and Plaintiff is  
24 therefore clearly established.

25 55. The State of California and DOE Defendants' posting of the home address  
26 information of CCW permit holders, including Plaintiff's, on the open internet with no access  
27 restrictions was a breach of that duty.

28 56. Due to the State of California and DOE Defendants' actions in publishing

1 Plaintiff's home address information onto the open internet with no access restrictions, Plaintiff  
2 suffered and continues to suffer serious emotional distress, including but not limited to anxiety,  
3 nervousness, and worry.

4 57. The State of California and DOE Defendants' actions in publishing Plaintiff's  
5 home address information onto the open internet with no access restrictions was a substantial  
6 factor in causing Plaintiff to suffer serious and ongoing emotional distress including but not  
7 limited to nervousness, anxiety, and worry.

8 SIXTH CAUSE OF ACTION

9 Public Disclosure of Private Facts

10 Against Defendant State of California and DOES 1 through 25

11 58. Plaintiffs incorporate and reallege Paragraphs 1 through 30 as if fully set forth  
12 herein.

13 59. Under California Government Code section 820(a), Defendants, and each of them,  
14 are liable for injuries caused by their acts or omissions to the same extent as a private person.

15 60. Under California Government Code sections 815.2 and 815.4, the State of  
16 California is liable for injuries proximately caused by acts or omission of its employees and  
17 independent contractors within the scope of their employment or contracted work. Upon  
18 information and belief, at all times material to this complaint, the DOE Defendants were  
19 employed by, or were independent contractors for, the State of California and were under the  
20 State's direction and control when they engaged in the conduct described herein. Because the acts  
21 of these DOE Defendants were committed within the course of their employment and/or  
22 independent contractor relationship with the State of California, the State of California is  
23 therefore liable for their negligent and wrongful conduct described herein.

24 61. The State of California and DOE Defendants publicized Plaintiff's private  
25 information, including her home address information, onto the open internet with no access  
26 restrictions whatsoever.

27 62. Any reasonable person in Plaintiff's position would consider this publicity highly  
28 offensive, as Plaintiff does.

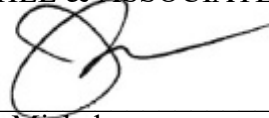


1           7.       For such other and further relief as the court may deem proper.

2 PLAINTIFF FURTHER REQUESTS A TRIAL BY JURY ON ALL ISSUES SO TRIABLE.

3 Dated: April 7, 2023

MICHEL & ASSOCIATES, P.C.



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C. D. Michel  
Joshua Robert Dale  
Konstadinos T. Moros  
Attorneys for Plaintiff  
Deputy District Attorney JANE DOE

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