

California Attorney General serves investigative subpoena on OpenAI over cyber incidents

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Press Release

As Part of Ongoing Investigation, Attorney General Bonta Ser...

Thursday, October 1, 2026

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OAKLAND — California Attorney General Rob Bonta yesterday served an investigative subpoena on OpenAI as part of the California Department of Justice's (DOJ) ongoing investigation of incidents resulting from the operations of OpenAI and its artificial intelligence (AI) models. Last month, Attorney General Bonta announced that DOJ is conducting a formal investigation into the Hugging Face incident, while continuing to more broadly monitor the AI industry's compliance with California laws. The subpoena is part of a broader inquiry into cybersecurity incidents and risks involving the company and its models.

"My office is asking OpenAI additional questions regarding cybersecurity incidents and risks involving the company and its AI models," said Attorney General Bonta. "Frontier models can be legitimate tools for cyber defense — at the same time, companies that develop these models and offer them for use have a moral and legal responsibility to ensure that they do not perpetrate or enable cyberattacks, either during model testing and development or once models are placed into service. Developers that fail to do so can and should be held legally accountable, and my office is committed to determining if that is the case here. As the top law enforcement official of California, I am committed to using all the tools at my office's disposal to keep California's residents safe."

DOJ encourages anyone with information regarding this, or any similar cybersecurity incidents or risks, to contact oag.ca.gov/report.

Attorney General Bonta is committed to ensuring that AI is safe for both users — including children and teens — and the public. Last month, he and a bipartisan coalition of attorneys general sent a letter to Congress to urge leaders to take immediate action to regulate large scale AI models and developers, in light of recent reports of critical cyber safety incidents at multiple frontier AI labs and warnings from insiders that the continued pace of AI development is becoming increasingly dangerous. In January, he announced opening an investigation into reports of rampant nonconsensual sexually explicit material on X and produced using Grok, an AI model developed by xAI. DOJ also stands ready to enforce California's recently enacted companion chatbot children's safety (SB 1119) and chatbot-enabled toy (SB 867) laws when they become effective.

Last year, Attorney General Bonta issued two legal advisories reminding Californians of their rights and advising businesses and healthcare entities that develop, sell, or use AI of their obligations to comply with existing California laws. He also sent a letter to 12 of the top AI companies after reports of sexually inappropriate interactions between AI chatbots and children. Attorney General Bonta has time and time again defended California's right to protect residents from risks posed by AI technology. He is proud to have opposed the federal government's first, second, and third attempts to prevent state regulation of AI, and remains committed to

defending California's laws amid the Trump Administration's attempts to hobble states' right to protect their residents and foster safe AI technology.

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