



Legislation Text

File #: 14-1429, **Version:** 1

Chief Administrative Office and County Counsel recommending the Board receive and file a report on the California Public Records Act (Government Code § 6252 et seq.) and the County's process in responding to requests.

Fiscal Impact/Change to Net County Cost

There is no change to Net County Cost associated with this item.

Background

Government Code Section 6252 et seq, commonly referred to as the California Public Records Act, expresses the Legislature's desire that the conduct of the public's business be done transparently and openly. Specifically, the CRPA "finds and declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state." Accordingly, "Public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record," except where exemptions are permitted (i.e. HIPPA, attorney-client privilege). In such cases, "Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law."

The Act is specific in how an agency is to respond to a request of public records. For example, under California Government Code § 6253(c), the agency has ten (10) days to determine whether the records requested are "disclosable public records in the possession of the agency" and "notify the person making the request of the determination and the reasons therefor." If it is determined that the records requested are not disclosable public records, the agency (County) must provide an explanation. There are other requirements and exceptions provided for in the law which help carry out the intent and spirit of the law.

In April, the County saw a substantial increase the number of Public Records Act requests submitted. In an effort to ensure timely responses to these requests, and also track the resources required to respond, the Chief Administrative Office set up a process by which those requests that were inter-departmental or required extensive searching of documents be coordinated through the CAO. Staff within the CAO was to work with Departments to gather requested documentation and provide an appropriate response. In the seven months since that process has been put into place the CAO compiled a log of hours spent on PRAs and kept records detailing correspondence with those members of the public requesting county records.

Reason for Recommendation

The Board has requested a report on the County's process in responding to California Public Records requests.

Clerk of the Board Follow Up Actions

N/A

Contact

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