Public Records Act
Pacific Grove Police Department Supervisor’s Meeting 3/21/2019

Public Records
- Lots of Rules
  - FOIA, Constitution, Codes, Case Law
  - Freedom of Information Act
    - Disclose government information for public scrutiny.
  - California Public Records Act
    - 1968 – Codified Government Codes §6250-6276
    - Access to information concerning the people’s business is fundamental and necessary right of every person in California, regardless of physical form or characteristic.

Public Records
- Must Exist (no need to create)
- Any writing containing information related to the conduct of the public’s business
  - Prepared, Used, Owned, Retained
- Regardless of Form
  - Hard Copy, Electronic, Photographic, E-Mail, Film, Letters, Audio, etc.
- Regardless of Location
  - TracNet, S Drive, Google, Offices, Patrol, City Hall

§6254 Exemptions
- (a) Drafts, Notes, (b) Pending Litigation (c) Personnel, Medical Files – Privacy, etc.
- (f) Investigatory Files of Local Police
  - Except: Basic Arrest Information
  - Except: Victims, Authorized Rep, Insurance
  - Unless: Disclosure Would Endanger Safety of Involved Parties or Successful Completion of Investigation
- Officer’s Analysis or Conclusions
- Other Exemptions: Juvenile, Sexual Assaults etc.

CA State Constitution
All people are by nature free and independent and have inalienable rights. Among those enjoying and defending life and liberty, acquiring, possessing and obtaining safety, happiness and privacy.

**Public employees have less privacy in their professional capacity**

Most Recent Law Change
- SB1421 - Effective January 1, 2019
- Records of Officer Involved Shootings
- Records of Officer Use of Force that Results in Death or Great Bodily Injury
- Records of Sustained Incidents involving Sexual Assault against a Member of the Public
- Records of Sustained Incidents of Dishonesty

Public Records Procedures
- Must Respond with in 10 days (14 day ext.)
Not Required to be in Writing
Agency Must Assist Requester
Office Hours for Inspection
Exact Copies & Reasonable Fees

**PGPD Procedure**
- (16) hour POST PRA Course
- Routine Report Requests Completed by PSTs:
  - Traffic Collisions (Non-Fatal)
  - Property Crimes & Information Reports
  - Arrest & Media Logs
- Records Supervisor
  - Most Others (CAP, Juveniles, etc.)
- Admin Services Manager
  - Supervisor Guidance & Formal PRAs (ACLU)
- City Attorney