

**COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY**

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Purpose

To establish Board Policy affirming the principles of access to County records in conformance with the California Constitution, the California Public Records Act, and other applicable law.

Background

In 1968, the California State Legislature enacted the California Public Records Act (CPRA) (Government Code Section 7920.000). The Legislature, mindful of the right of individuals to privacy, found and declared that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in the State. Accordingly, the California Public Records Act sets forth specific procedures for an agency's handling of requests for records, establishes various exemptions from disclosure requirements, and provides special, accelerated judicial remedies for persons who wish to challenge an agency's decision to withhold records.

In 2004, California voters approved Proposition 59, amending and incorporating into Article 1, Section 3 of the California Constitution the principles of access and privacy established by the California Public Records Act and case law.

In 2022, the Board directed the Clerk of the Board of Supervisors to establish a centralized Public Records Act Unit as the main point of contact for the public to request records and coordinate with departments on providing timely responses to requests. The Board also directed the County implement a software solution for the public to submit requests, as well as for staff to manage and route requests.

The Board of Supervisors desires to establish a formal written policy affirming the principles of access to County records in conformance with the California Constitution, the California Public Records Act, and applicable court decisions.

Policy

It is the policy of the Board of Supervisors that:

1. County officers and employees will adhere to the principles and procedures established by the California Constitution, the California Public Records Act, and other applicable statutes and court decisions, ensuring that every person who requests access to County public records is afforded such access within the confines of the law.
2. The Clerk of the Board of Supervisors shall be the main point of contact for the public to request records and coordinate with departments on providing timely responses to requests.
 - (a) County departments shall designate a person or persons as the CPRA Coordinator for the department. The CPRA Coordinator shall be responsible for responding to CPRA requests.

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- (b) The Chief Administrative Officer and the Clerk of the Board of Supervisors shall establish policies and procedures for handling requests for records under the CPRA.
- (c) The Clerk of the Board of Supervisors shall maintain a Public Records Request Center (PRRC) system for processing and tracking CPRA requests that shall facilitate disclosure of records to the public without inhibiting the County's compliance with the CPRA.
3. To that end, County officers and employees who are responsible for handling of records and requests for records shall:
- (a) be familiar with the provisions of this Board Policy and other relevant County authorities as might be enacted or adopted, including, but not limited to County ordinances, Chief Administrative Officer (CAO) Administrative Manual provisions, and group, departmental and office directives;
- (b) avail themselves of training opportunities as might be presented by the Clerk of the Board of Supervisors, County Counsel, and other County resources that relate to providing access to records under the California Constitution, the California Public Records Act, other applicable statutes, court decisional law, and relevant County ordinances, rules and regulations;
- (c) ensure that CPRA requests are responded to timely and according to the CPRA and the County's practices and procedures; and,
- (d) ensure that CPRA requests are processed using the County's Public Records Request Center (PRRC) system; however, departments can provide responses directly to the public if in the public interest, and departments can opt out of the PRRC to accommodate operational needs for certain record types upon approval by the Clerk of the Board of Supervisors and County Counsel.

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Sunset Date

This policy will be reviewed for continuance by 12-31-31. References

- B/S Action 5-25-76 (59)
- B/S Action 6-22-76 (129)
- B/S Action 10-30-84 (88)
- B/S Action 9-27-88 (60)
- B/S Action 11-29-94 (40)
- B/S Action 6-12-07 (14)
- B/S Action 12-09-08 (33)
- B/S Action 11-08-11 (24)
- B/S Action 10-30-18 (23)
- B/S Action 10-08-24 (##)

CAO Reference

1. County Counsel
2. Clerk of the Board of Supervisors