

CALIFORNIA HORSE RACING BOARD
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CALIFORNIA PUBLIC RECORDS ACT GUIDELINES

INTRODUCTION

These *California Public Records Act Guidelines* contain guidelines for requesting access to inspect and/or obtain copies of public records maintained by the California Horse Racing Board (Board).

In enacting the California Public Records Act, the Legislature stated that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. In 2004, this policy was made part of the Constitution of the State of California. In furtherance of this principle, it is the policy of the state that governmental records shall be disclosed to the public upon request, unless there is a specific reason not to do so.

Generally, all records held by state agencies are public and must be made available to the public promptly upon request. However, the Legislature has recognized the need to balance the public's right to know against competing constitutional rights to privacy and the government's need to perform its functions in a reasonably efficient manner. Consequently, the California Public Records Act contains several exemptions from disclosure and incorporates several other statutes that prohibit state employees from disclosing certain types of public records. The California Public Records Act also establishes reasonable procedures providing for prompt disclosure while allowing state agencies the time to locate records and to determine which records, if any, are exempt from disclosure.

It is the Board's policy to provide all members of the public convenient access to its records and to promptly make the fullest possible disclosure of its records. Board staff is available to assist persons requesting records to make focused and effective requests that reasonably describe identifiable records. Some Board records are exempt from disclosure under the California Public Records Act. Therefore, whether a request to review records is made in person, by mail, or by other means, it may be necessary for staff to review the requested records to determine whether those exemptions apply before the records can be made available for viewing or copies can be provided.

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HOW TO REQUEST ACCESS TO A PUBLIC RECORD

Written requests to inspect or to obtain a copy of a public record should be addressed to: **California Horse Racing Board, 1010 Hurley Way, Suite 300, Sacramento, CA 95825, Attention Public Records Coordinator**, or by **Facsimile to 916-263-6042**. The written request need not be in any particular form, but should sufficiently describe the requested records to enable Board staff to identify and locate the records sought. The request should include a telephone number where the person requesting the record can be reached to discuss the request.

If you wish to make a public records request in person, you may appear in person at the Board office and do so. It will help our staff to better help you if you would first contact our **Public Records Coordinator at 916 263-6000**.

BOARD'S RESPONSE TO PUBLIC RECORDS REQUESTS

If the records are clearly disclosable, they will be made available as soon as possible. However, in most cases, staff will have to review the records to determine whether all or part may be privileged, confidential, or otherwise exempt from disclosure. Within 10 days from the date the request is received, the Board will determine whether the request, in whole or in part, seeks copies of disclosable public records in the Board's possession and notify the requestor of such determination. In unusual circumstances, the 10-day time limit may be extended up to an additional 14 days by written notice to the requestor, setting forth the reason for the time extension. The Board may request additional information if the request is not specific enough to permit the identification of the requested records. If the Board determines to comply with the request, the records will be made available as promptly as is reasonably practicable. While the Board will disclose identifiable and existing records, the Board is not required to synthesize, manufacture, or summarize records, i.e., develop new records in response to a request.

Your request may be denied if the records you are seeking to inspect are determined to be privileged, confidential or otherwise exempt from disclosure, or are not found in the Board's possession. You will be notified if a determination is made to deny your request.

REQUESTS TO VIEW PUBLIC RECORDS

Public records may be reviewed at Board's office during regular office hours, which are generally weekdays from 8:00 a.m. to 5:00 p.m., excluding holidays. Persons interested in viewing public records are encouraged to make an appointment in advance. Appointments can be made by contacting the **Public Records Coordinator at 916-263-6000**. Please be aware that the Public Records Act does not provide a right for the public to enter or inspect Board offices or files.

Appointments are not mandatory, but they will help Board staff facilitate the request. If you have made an appointment, please arrive at the Board's office at your appointment time. You will be directed to a designated area of the office, where the requested files will be available for your review. Failure to make an appointment in advance may result in a delay while the records are located and reviewed.

Please be aware that it is a crime to steal, remove, destroy, mutilate, deface, alter, or falsify Board records. In some cases, Board staff may be assigned to observe the record review in order to protect the integrity of the record. Your assistance in maintaining the integrity of the Board's records is appreciated.

REQUESTS FOR COPIES OF PUBLIC RECORDS

The Board will make copies of records for members of the public upon request. The California Public Records Act provides that copies of records will be made promptly available upon payment of fees that cover the direct costs of duplication.

Members of the public may also pay bonded copy service companies to come to the Board's office to make copies. If you wish to bring your own copier to the Board's office, we recommend that you call in advance to make arrangements.

A public record that is not exempt from disclosure that is in an electronic format will be made available in an electronic format, if requested, but only if it does not jeopardize the security or integrity of the record or any proprietary software. The requestor will be charged the cost of producing an electronic copy of the record.

YOU MAY CHALLENGE THE BOARD'S DETERMINATION NOT TO DISCLOSE RECORDS

Under the California Public Records Act any person may seek injunctive or declarative relief in any court of competent jurisdiction to enforce the right to inspect or to receive a copy of any public record.

These guidelines are to be posted in a conspicuous public place at the office of the Board. They are available free of charge to any person who requests them. These guidelines are also available on the Board's website (www.chrb.ca.gov).