

6 Practical Tips for CPRA Requests

1

Redact Third Party Information

Produce all reasonably segregable portions of records only after redacting third party identifying information.

2

Most exemptions are discretionary

Most CPRA exemptions permit, rather than require an agency to withhold records. Unless an exemption is mandatory, the agency may choose whether to disclose the record.

3

Voluntary disclosure to one member of the public waives any exemption.

If a public agency voluntarily and knowingly discloses a record to one member of the public, that disclosure effectively waives any exemption. However, inadvertent disclosure does not constitute a waiver.

4

Do not create a new record if one does not exist

The CPRA does not require public agencies to generate new substantive records to satisfy a request.

5

Fees

- You may may not charge for record inspection but may charge direct costs of copying records or a statutory fee if applicable (Cal. Gov't Code § 7922.530(a)).

6

Consult legal counsel

- Navigating the CPRA can be confusing. When in doubt, consult with your attorney to discuss your response obligations.