



April 7, 2020

Guidance to Local Leagues Regarding Suspending Transparency Rules

Some governments -- cities, counties, school districts, special districts, as well the state government -- in California are either reducing or completely suspending transparency rules. We understand that governments have limited resources, and that the current crisis means their already thin resources are stretched even more thinly.

League principles, state law, and the California Supreme Court support the need for governmental transparency. "The League of Women Voters believes that democratic government...requires that governmental bodies protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible." The California Government Code section 6250 states that access to information is "a fundamental and necessary right of every person in this state." Further, The California Supreme Court has held that "[o]penness in government is essential to the functioning of a democracy." *International Federation of Professional & Technical Engineers, Local 21, AFL-CIO v. Superior Court* 165 P.3d 488, 42 Cal.4th 319 (2007).

The LWVC urges local Leagues to monitor their local governments, and push back if their government attempts to suspend transparency rules.

Public access to meetings and to information about government business is just as crucial in times of crisis as in any other time. Government must remain functional in these times, and the people have the right to know about how that government is operating – how it is wielding power.

Delayed responses to requests for public records may be inevitable. However these requests should not be totally ignored. Government is obliged to take reasonable measures to make its records available to the public.

Leagues should urge all reasonable measures be taken to ensure that governments continue to provide information to the public and the press.

Governments should not be allowed to take advantage of the opportunity that this crisis provides to make major decisions without public input if these decisions can reasonably be postponed.

More resources from the First Amendment Coalition are available at firstamendmentcoalition.org/covid-19.