

# California Public Records Act (PRA) Request Guide

*Your Right to Know: A Step-by-Step Guide for Requesting Public Records in California*

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## Part 1: Introduction

Every Californian has the right to access public records held by state and local government agencies. This is guaranteed under the **California Public Records Act (CPRA)**, found in **Government Code § 7920.000 et seq.** (See Addendum)

This guide is designed to help everyday people like you make public records requests clearly, legally, and successfully. You don't need to be a lawyer to ask for information that belongs to the people.

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## Part 2: What Are Public Records?

**Definition:** According to **Gov. Code § 7920.530**, public records include “any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by any state or local agency regardless of physical form.” (See Addendum)

### Examples of public records:

- Emails between government officials
- Election system logs or reports
- Budgets and contracts
- Police reports and audits
- Permits and licenses

### Records that may be exempt:

- Personnel files
- Certain law enforcement investigations
- Medical or private data protected by law

Even if a record contains exempt information, the **non-exempt portions must be disclosed** under **Gov. Code § 7922.525(b)**. (See Addendum)

Additionally, agencies must state **specific facts demonstrating the exemption** for each denial. See **Gov. Code § 7922.530(a)** and supporting case law such as **Haynie v. Superior Court (2001) 26 Cal.4th 1061**. (See Addendum)

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## Part 3: How to Submit a Request

### Step-by-Step:

1. **Identify the agency** that holds the records (e.g., county elections office, police department).
2. **Write a request.** Include:
  - A clear description of the records. Fishing with vague general descriptions usually fails and cause you frustration and a waste of time. Be clear in what you want. You can call the office and ask for help identifying the record you are looking for. This is the law, and they are required to do so. Many government agencies do not understand the law and may fight you, so it is always best to be prepared to have them research the law or read it to them. Make sure you can tell them the statute or case law information to confirm what the law is saying.
  - Preferred format electronic or paper. If electronic be clear of the format i.e. pdf, csv, txt or other. If you know the system's native format you can ask for that; example json or xlm. Some systems export in various formats. Knowing those formats and asking for which you prefer would be best.
  - Date range (if applicable). Too wide of a range is not always possible as election records are held for 22 mos. and many types of records have their own records retention schedule see included [Records Retentions booklet](#).
  - A statement that the request is made under the **California Public Records Act**
3. **Submit your request.**
  - Email, mail, or use the agency's online portal (if available).
  - Keep a copy of your request and confirmation of submission. This is a must because many times, they claim they did not receive it or lost it. If you submit through a portal take a screen shot of your submission and keep your records organized.

### Sample request:

"Pursuant to the California Public Records Act (Gov. Code § 7920.000 et seq.), I request access to any and all audit logs from the county's election management system for the period of October 1 to November 30, 2020. I request these records in a .csv electronic format."

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## Part 4: Timeline and Agency Response

**Gov. Code § 7922.535(a):** The agency must respond **within 10 calendar days** to let you know if they have records that can be disclosed. They can only extend by **14 more days** in “unusual circumstances.” (See Addendum) **This is thoroughly abused by government agencies up to 6 months. Only a court case or complaint up to the top could solve this abuse. Patience usually prevails. It seems they think they can wait you out, but you must be persistent to get the records**

**Gov. Code § 7922.530(a):** If records are denied, the agency **must provide the legal basis** for the denial and identify the specific exemption used, with **specific facts** justifying the refusal. (See Addendum)

**Haynie v. Superior Court (2001)** affirms that agencies must do more than cite an exemption—they must justify the denial with a **fact-specific explanation**. (See Addendum)

**Gov. Code § 7922.545:** Records must be provided promptly once the agency decides they are disclosable. (See Addendum)

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## Part 5: When Agencies Say Records Don’t Exist

Sometimes agencies claim they don’t have a record you know exists.

### How to respond:

- Politely explain **why you believe the record exists** (e.g., “This election software is certified for use in California and, per its documentation, automatically logs all admin activity.”)
- Ask if the record might exist under a different name or system
- Reiterate your request in light of your clarification

**Supporting law:** ~~Gov. Code § 7922.535(c)~~ allows a requester to challenge the adequacy of the agency’s search or the validity of the claim that records do not exist. **This law has been deleted/amended per (SB 1034)** Try to challenge as most do not know this. (See Addendum)

**Tip:** Keep your tone constructive. Most clerks are just doing their job and appreciate clarity.

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## Part 6: When Agencies Deny Access

If denied:

1. **Ask for the exact exemption code** and the agency's reasoning.
2. **Request partial disclosure** of non-exempt material (**Gov. Code § 7922.525(b)**).  
(See Addendum)
3. **Follow up with a narrowed request** or appeal to a supervisor.
4. Consider contacting the **First Amendment Coalition** or a local attorney if stonewalled.
5. Read example of exempted records response: [Records-Cast Vote-Audit Log-Exemptions](#)

### Example response for request for partial portions:

“Thank you for your response. I respectfully request that any non-exempt portions of the document be provided as required under Gov. Code § 7922.525(b).”

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## Part 7: Your Rights Are Protected

Remember:

- You don't have to explain **why** you want the records
- You can ask for **electronic copies** and **metadata**
- You can appeal or challenge unreasonable denials or delays

The California Constitution guarantees the public's right to access government information under [Article I, Section 3\(b\)](#). (See Addendum)

Stay respectful, clear, and persistent. It's your right.

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## Part 8: Helpful Resources

- **Welcome to the California Legislative Information website:**  
<https://leginfo.legislature.ca.gov/>
- **First Amendment Coalition:** <https://firstamendmentcoalition.org>
- **Sample PRA Letters:** [FAC website](#)
- **Attorney General's PRA Guide:** <https://oag.ca.gov>
- **Charging for Records GC section 7922.575(b)**
- **Different follow up responses**

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- [List of GC used to Exempt that do not apply to most election records](#)
  - [Government Records Retention Guidelines](#) Details Document Types
  - [Haynie\\_v\\_Superior\\_Court-\(2001\)\\_Highlighted](#) Summary
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## Addendum: Legal References

[Gov. Code § 7920.000 et seq.](#) – Full Public Records Act Structure

[Gov. Code § 7920.530](#) – Definition of Public Records

[Gov. Code § 7922.525\(b\)](#) – Disclosure of Non-Exempt Portions of Records

[Gov. Code § 7922.530\(a\)](#) – Denial of Access Must Include Specific Reason

**Haynie v. Superior Court (2001) 26 Cal.4th 1061** – Agencies Must Give Specific Justifications ([Link in Part 8 above](#))

[Gov. Code § 7922.535\(a-b\)](#) – 10-Day Response Rule

~~\* [Gov. Code § 7922.535\(c\)](#) – Challenge to Claim That Records Do Not Exist~~ Ammended based on SB 1034 **Legislatively designed to hide records.**

[Gov. Code § 7922.545](#) – Prompt Disclosure Once Determined

[California Constitution Art. I, Section 3](#) Referred to in Part 7

[County Election Official contact per the Secretary of State](#). List of every Counties contact

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## Record Retention Summary: [Link to Full Records Retention Booklet \(in Part 8\)](#)

- **Personnel:** 4-30 years
- **Financial:** 4-7 years
- **Licenses:** Until expiration + 2 years
- **Contracts:** Permanent or 10+ years
- **Media:** 100 days to 1 year
- **Election Records:** 22 months minimum for federal elections

*End of Guide*