

Public Officials Not Required to Disclose Private Communications

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Under the Public Records Act, public officials and employees do not have to make public any communications sent or received on their personal devices using private accounts, a court ruled yesterday.

CASE SNAPSHOT

In *City of San Jose v. Superior Court*, a member of the public asserted the right to inspect certain communications of city officials and staff members, including those transmitted on personal electronic devices using private accounts.

Those messages - voicemails, emails, and texts - concerned city business but were not stored on city servers and were not directly accessible by the city.

The California Court of Appeal ruled that disclosure was not required by the Public Records Act as the statute is currently written.

If you have questions, or would like more information on how this ruling may affect your agency and projects, please contact Gena Stinnett at kbowman@rwglaw.com, or any member of our Public Law Domain Practice.