

GARDEN GROVE CITY COUNCIL

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE ESTABLISHING A POLICY AUTHORIZING THE RELEASE OF LAW ENFORCEMENT RECORDS EXEMPT FROM DISCLOSURE UNDER THE CALIFORNIA PUBLIC RECORDS ACT IN CERTAIN CIRCUMSTANCES INVOLVING ELECTED PUBLIC OFFICIALS

WHEREAS, the California Public Records Act requires that all City records be open to inspection by the public unless an exemption applies;

WHEREAS, exempt records may still be released to the public subject to City Council policy and the circumstances affecting the propriety of disclosure or nondisclosure;

WHEREAS, public officials are stewards of the public's trust in the public's governing institutions;

WHEREAS, public service ethics is not only about doing the right thing, but also about the public's confidence that indeed the right thing has been done;

WHEREAS, public servants must maintain a high standard of ethical conduct that promotes public confidence that public officials' actions are motivated solely by the public's interest;

WHEREAS, police investigatory files are exempt from disclosure subject to various specific exceptions, and their release to the public may be warranted in certain circumstances, when elected public officials are involved and no other exemption applies, to promote transparency and to promote public confidence.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF GARDEN GROVE DOES HEREBY RESOLVE AS FOLLOWS:

1. Notwithstanding the exemption in Government Code section 6254(f), the City Clerk and Police Department records staff may release law enforcement complaints and investigatory records, including code enforcement records, involving elected public officials whenever no other exemption applies and disclosure would not interfere with an active law enforcement or code enforcement investigation.

2. This policy and resolution shall be applicable and effective only to records prepared and events occurring after its adoption by the City Council.

Adopted this 27th day of October, 2015.

MAYOR

ATTEST:

CITY CLERK