



CITY ATTORNEY

CITY OF DURHAM

Guidance for Advisory Boards

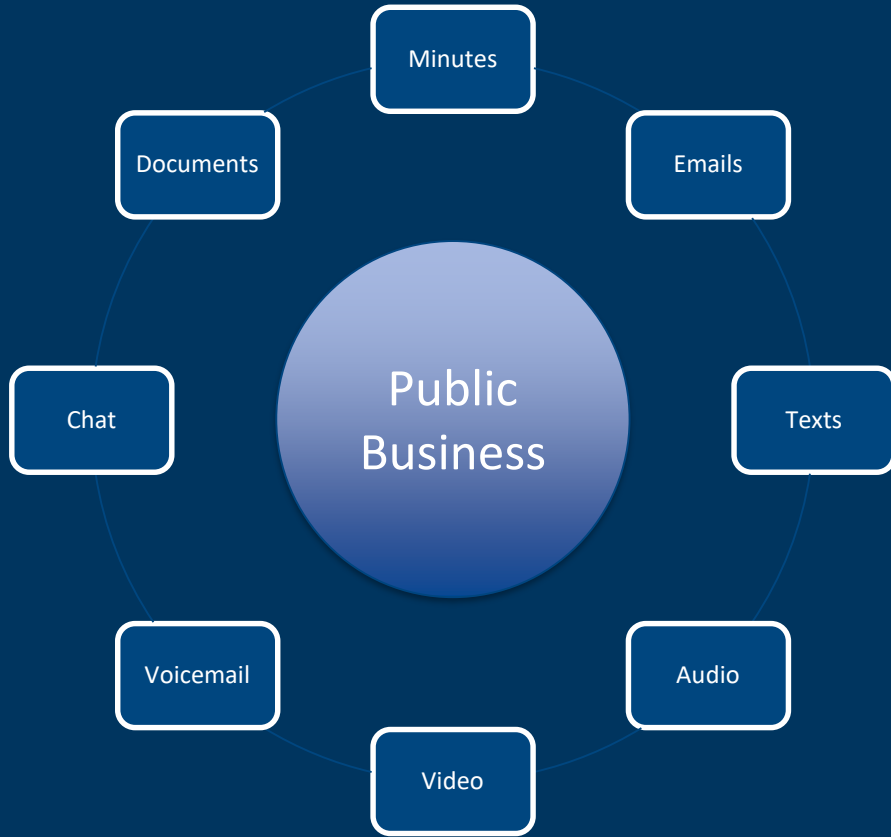


Public Record Laws

What are Public Record Laws?

- Laws governing the maintenance and accessibility of public records. Public records compiled by the government are the property of the people and are obtainable by the people at their request.
- Why?
 - Gives public access
 - Open government
- Non-compliance?
 - Can create legal remedies for people who have been denied access
 - Can diminish public trust and generate negative publicity

What is a Public Record?



All material made or received through the transaction of public business, depending on its content and disregarding its physical form or location



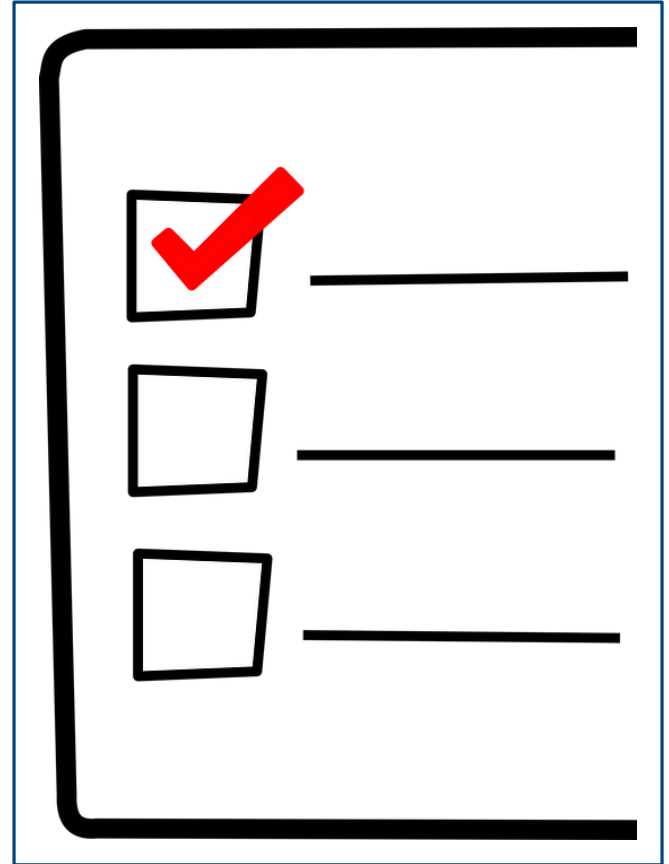
Public Records for BCCs

Board members maintain and keep any public records not already in the custody of the City, including:

- Meeting Minutes
- Other documents reviewed or made at meetings
- Emails, photos, texts or videos that have connection with public business
- Social media posts may be subject to public records law
 - Contact the City Clerk Office staff to request archiving of social media information.

Takeaways

1. *ALL* chats, texts, instant messages, and other written communication become public record if they address “the transaction of public business.”
2. Be careful to not conduct meetings without protecting/archiving public records.
3. If there is a question whether material should be maintained, it is always better to maintain it.





Thank you for your service!