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SAN BERNARDINO

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GREGORY C. DEVEREAUX
Chief Executive Officer

January 13, 2014

The Honorable Katcho Achadjian
Chair, Assembly Local Government Committee
1020 N. Street Room 157
Sacramento, CA 95814

RE: AB 194 – Open meeting: protections for public criticism: penalties for violations
As Introduced 1/28/13 - **OPPOSE**

Dear Assembly Member Achadjian:

The County of San Bernardino regrettably must express opposition to AB 194 (Campos), which would make it a misdemeanor for a member of a local legislative body, while acting as chairperson of the legislative body, to prohibit public criticism protected under the Ralph M. Brown Act (Brown Act).

The Brown Act already prohibits members of a local legislative body from disallowing public criticism of the legislative body’s policies, programs, or procedures during a public meeting. In addition, a legislative body or any of its members who knowingly deprives the public of information it is entitled to is guilty of a misdemeanor under current law. The Brown Act sufficiently addresses the need for openness and transparency in local governments and should remain intact without revisions.

AB 194 would have a chilling effect on local governments’ ability to set reasonable limits on public comment to ensure efficiency while conducting the public’s business. Legislative board chairs have an important responsibility to maintain order and conduct business during public meetings, and AB 194 would interfere with that duty by potentially subjecting them to criminal prosecution for enforcing reasonable public comment rules, such as time limits or requiring speakers to address topics within the legislative body’s purview. The County of San Bernardino is committed to providing the public with the guarantees of transparency provided by the Brown Act and to conducting organized and civil meetings, and AB 194 would interfere with that commitment to the public.

For these reasons, the County of San Bernardino must respectfully oppose AB 194. If you have any questions, please contact Josh Candelaria, Director of Governmental and Legislative Affairs, at (909) 387-4281 or jcandelaria@sbcounty.gov.

Sincerely,

JANICE RUTHERFORD
Board of Supervisors Chair
Second District Supervisor
County of San Bernardino

cc: Each Member and Consultant, Assembly Local Government Committee
County of San Bernardino Legislative Delegation.