
GIS Data Access: Public Records Precedent Set in California

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Details of the recent California Court of Appeal's decision in favor of open, low-cost access to GIS base data layers developed by a county government in that state are discussed in an article by Bruce Joffe of the Open Data Consortium posted on the GIScafe website.

Many have viewed this case as a test for the types of barriers and scale of fees that government can charge to provide existing GIS data to interested parties making public records requests. The Courts decision which is consistent with the data sharing philosophy that led to the creation and maintenance of Utah's State Geographic Information Database (SGID), can be viewed on line at <http://www.courtinfo.ca.gov/opinions/documents/H031658.PDF>.

Key findings:

- The public interest in disclosure outweighs the public interest in nondisclosure.
- There is no [California] statutory basis either for copyrighting the GIS basemap or for conditioning its release on a licensing agreement.