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San Francisco, CA 94109

December 16, 2025

## Commission Streamlining Task Force

Re: Sunshine Ordinance Task Force (“SOTF”): Keep its status and structure intact.

Honorable Task Force Members:

I have been active for more than thirty years with sunshine advocacy organizations such as the Society of Professional Journalists (“SPJ”), the First Amendment Coalition, San Franciscans for Sunshine and the Pacific Media Workers Guild (The NewsGuild-Communications Workers of America Local 39521). And I served from 2002 to 2014 on the Sunshine Ordinance Task Force. I write here as an individual.

I applaud your recommendation to retain the SOTF in perpetuity as a stand-alone, policy-level body.

However, changes that you propose regarding the system of appointing SOTF members and the qualifications for serving thereon are, to say the least, troubling: They would allow the Board of Supervisors to pack more SOTF seats with members who have little or no knowledge of sunshine law or who oppose government transparency, paving the way to backroom deal-making. I am not suggesting that any current Supervisor holds that intention, but some former Supervisors have, in fact, done just that, and it is possible that a future Supervisor(s) will be similarly bent.

You have suggested:

1. Stripping outside organizations of their nominating authority for certain SOTF seats.

The SPJ’s Northern California Chapter (“SPJ NorCal”) nominates an attorney for seat 1, which is absolutely essential, first because it assures that the SOTF has a voting-member attorney who is knowledgeable in sunshine law and favors government transparency, and second because the quality and quantity of assistance that the City Attorney’s Office should under law provide to the SOTF have varied. SPJ NorCal also nominates journalists for seats 2 and 4, the latter seat designated for a minority-community representative. These assignments, too, are essential, as they provide voting members whose jobs entail public record searches and/or reporting on public body meetings.

LWVSF nominates for seat 5 a citizen with participation and/or demonstrated interest in local government – experience vital for serving effectively on the SOTF.

Keeping those nominating authorities in place is our only assurance that at least four SOTF members are sunshine-savvy and favor government transparency.

2. Reducing to “desirable” from mandatory status the qualifications for serving on the SOTF. This would serve no purpose other than to allow the Board of Supervisors to appoint members with little or no knowledge of sunshine law.

Ask yourselves: If a City official or agency illegally withholds or redacts a public record that you have requested, or if you are illegally barred from a public body meeting, and you desire remedy without having to sue, would you not want to take your case to a quasi-adjudicative body whose members were well-grounded in the laws of government transparency?

The SOTF is such a body. In fact, of the five entities empowered to act on sunshine-related complaints, the SOTF is the only one consistently willing to hold scofflaws to account.

3. Changing qualifications to serve on the SOTF to body-level from seat-specific. This, coupled with the proposed lowering of the bar on members' qualifications, could result in a SOTF with members lacking the legal and procedural knowledge necessary to effect sunshine justice.

As you are aware, a City Charter provision that San Francisco voters approved in November, 2018, allows the Board of Supervisors to amend the Sunshine Ordinance in ways that would not conflict with the Ordinance's purpose and intent. As someone who participated in drafting the current Ordinance – which the voters approved, 58% to 42%, in November, 1999 – I offer that the three suggestions immediately foregoing would absolutely flout its purpose and intent.

You suggest also a six-term limit for SOTF voting-member tenure. Term limits are a bad idea: If a member is serving well, let that person remain in office.

Further, I strongly urge that you recommend staggering SOTF members' terms in order to ensure some continuity in substantial and procedural knowledge from one two-year span to the next. Terms should start and end in odd-numbered years for odd-numbered seats and in even-numbered years for even-numbered seats.

Respectfully submitted,  
Richard A. Knee

Cc: Board of Supervisors (via Clerk of the Board); Sunshine Ordinance Task Force (via SOTF Administrator).

Bcc: Various interested parties.