



DAVID CHIU  
City Attorney

SUPERVISOR OF RECORDS

Direct Dial: (415) 554-4700

Email: [supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)

## MEMORANDUM

TO: Honorable Members  
Sunshine Ordinance Task Force

FROM: Hugo Cabrera  
Deputy City Attorney

DATE: October 27, 2025

RE: Twenty-Fifth Annual Report of the Supervisor of Records  
January 1 to December 31, 2024

---

The City Attorney's Office submits this report to the Sunshine Ordinance Task Force pursuant to San Francisco's Sunshine Ordinance (S.F. Admin. Code §67.21(h)). The law requires the Supervisor of Records to prepare an annual tally and report for the Sunshine Ordinance Task Force on each petition brought before the Supervisor of Records for access to records. Section 67.21(h) states:

The report shall at least identify for each petition the record or records sought, the custodian of those records, the ruling of the supervisor of public records, whether any ruling was overturned by a court and whether orders given to custodians of public records were followed. The report shall also summarize any court actions during that period regarding petitions the Supervisor has decided. At the request of the Sunshine Ordinance Task Force, the report shall also include copies of all rulings made by the supervisor of public records and all opinions issued.

Reporting period: This report covers petitions brought before the Supervisor of Records between January 1 – December 31, 2024 (the "reporting period").

Custodian of Records: For the custodian of records, the report generally gives the name of the employee or employees who responded to the request.

Court actions: There have been no court decisions issued regarding determinations by the Supervisor of Records for the reporting period.

Orders issued: There have been no orders from the Supervisor of Records issued to any City department whose records were the subject of a petition.

Court Decisions Interpreting or Applying the San Francisco Sunshine Ordinance: There have been no court decisions interpreting or applying the Sunshine Ordinance for the reporting period.

Summary of Filings: In total, the Supervisor of Records received 13 petitions during the reporting period. Of those 13 petitions, the Supervisor of Records denied five petitions, found that it lacked jurisdiction to resolve two of the petitions, and for the remaining six petitions, found that

**MEMORANDUM**

TO: Honorable Members  
Sunshine Ordinance Task Force  
DATE: October 27, 2025  
PAGE: 2  
RE: Twenty-Fifth Annual Report of the Supervisor of Records  
January 1 to December 31, 2024

---

the petitions were moot because the department had already produced the requested documents or responded to the petitioner's inquiry.

DESCRIPTION OF PETITIONS AND THEIR DISPOSITION

1. Petitioner: Rosa L.  
Department: Department of Emergency Management  
Records sought: Documents associated with Department of Emergency Management HSOC operations.  
Custodian of Records: Jackie Thornhill  
Determination: Petition denied because the department produced revised documents with many redactions removed, and the Supervisor of Records agreed with the department's remaining redactions.  
Date Petition Received: March 1, 2024  
Date of Determination: April 23, 2024

A copy of the decision and petition are included on pages 1-23 of the Appendix.

2. Petitioner: Matthew Mitchell  
Department: Department of Building Inspection  
Records sought: Supporting documents for building code violations of properties owned by the nonprofit Homerise (f/k/a Community Housing Partnership) from 1/1/18 to 3/12/24  
Custodian of Records: Patrick Hannan  
Determination: Moot because the department responded and produced all responsive records to the requester on April 5, 2024, after the petition was filed.  
Date Petition Received: March 21, 2024  
Date of Determination: April 23, 2024

A copy of the decision and petition are included on pages 24-29 of the Appendix.

3. Petitioner: William Fernandes  
Department: San Francisco Police Department ("SFPD")

**MEMORANDUM**

TO: Honorable Members  
Sunshine Ordinance Task Force  
DATE: October 27, 2025  
PAGE: 3  
RE: Twenty-Fifth Annual Report of the Supervisor of Records  
January 1 to December 31, 2024

---

Records sought: Records pertaining to the recent closure of Senator Diane Feinstein’s funeral to the public, as reported in the Forbes article titled “Feinstein Funeral Closed to Public After Security Concerns.”

Custodian of Records: Lt. Chris Beauchamp

Determination: Moot because the department responded to the requester after the petition was submitted and confirmed it had no responsive records.

Date Petition Received: March 25, 2024

Date of Determination: June 6, 2024

A copy of the decision and petition are included on pages 30-39 of the Appendix.

4. Petitioner: Matthew Lotocki

Department: SFPD, Public Utilities Commission (“SFPUC”), and Municipal Transportation Agency (“SFMTA”)

Records sought: Records pertaining to proposed or finalized placement of fixed or semi-fixed Automated License Plate Reader (“ALPR”) cameras in San Francisco by SFPD, including the ALPR map

Custodian of Records: Lt. Chris Beauchamp

Determination: Petition denied because the materials requested were exempt from disclosure as privileged and were properly withheld.

Date Petition Received: April 6, 2024

Date of Determination: July 17, 2024

A copy of the decision and petition are included on pages 40-49 of the Appendix.

5. Petitioner: Suzie Safdie

Department: Recreation and Park

Records sought: Records pertaining to Presidio Wall Pickleball

Custodian of Records: Beverly Ng

Determination: Petition denied because the department responded to the request and the Supervisor of Records confirmed that the department produced all responsive records.

**MEMORANDUM**

TO: Honorable Members  
Sunshine Ordinance Task Force  
DATE: October 27, 2025  
PAGE: 4  
RE: Twenty-Fifth Annual Report of the Supervisor of Records  
January 1 to December 31, 2024

---

Date Petition Received: April 8, 2024

Date of Determination: May 6, 2024

A copy of the decision and petition are included on pages 50-73 of the Appendix.

6. Petitioner: "Basil"  
Department: Mayor's Office on Disability  
Records sought: Records pertaining to service dogs  
Custodian of Records: John Koste  
Determination: Moot because the department responded to the requester and produced responsive records on 4/17/24 and 4/18/24, after the petition was submitted.  
Date Petition Received: April 15, 2024  
Date of Determination: June 11, 2024

A copy of the decision and petition are included on pages 74-77 of the Appendix.

7. Petitioner: "Basil"  
Department: Library  
Records sought: Service dogs protocol  
Custodian of Records: Margot Shaub  
Determination: Petition denied because the department responded to the request and the Supervisor of Records confirmed that the department produced all responsive records.  
Date Petition Received: May 30, 2024  
Date of Determination: July 17, 2024

A copy of the decision and petition are included on pages 78-81 of the Appendix.

8. Petitioner: Matthew Lotocki  
Department: SFPD, SFMTA, and SFPUC  
Records sought: Records pertaining to PRA requests to SFMTA and SFPUC for records of: (1) applications for permits and (2) issued permits, submitted to and granted by the SFPUC/SFMTA from the SFPD for the purposes of

**MEMORANDUM**

TO: Honorable Members  
Sunshine Ordinance Task Force  
DATE: October 27, 2025  
PAGE: 5  
RE: Twenty-Fifth Annual Report of the Supervisor of Records  
January 1 to December 31, 2024

---

installing Automated License Plate Reader (“ALPR”) cameras on city infrastructure.

Custodian of Records: Lt. Chris Beauchamp (SFPD); Desiree Almendral (PUC); and Caroline Celaya (SFMTA)

Determination: Petition denied because the records requested were exempt from disclosure as privileged and were properly withheld.

Date Petition Received: June 17, 2024

Date of Determination: July 17, 2024

A copy of the decision and petition are included on pages 82-87 of the Appendix.

9. Petitioner: Jeffrey Kline  
Department: Treasure Island Development Authority  
Records sought: Records pertaining to annual revenues from the Treasure Island Project to the General Fund  
Custodian of Records: Peter Summerville  
Determination: Petition denied because the department responded to the request and the Supervisor of Records confirmed that the department produced all responsive records.  
Date Petition Received: July 16, 2024  
Date of Determination: August 5, 2024

A copy of the decision and petition are included on pages 88-98 of the Appendix.

10. Petitioner: Rick Sanders  
Department: SFPD  
Records sought: The station location assignments, units, divisions, and staff photographs of SFPD staff Custodian of Records  
Custodian of Records: Lt. Chris Beauchamp  
Determination: Petition denied because the Supervisor of Records confirmed that SFPD did not improperly withhold documents or improperly redact documents.  
Date Petition Received: August 15, 2024  
Date of Determination: September 17, 2024

**MEMORANDUM**

TO: Honorable Members  
Sunshine Ordinance Task Force  
DATE: October 27, 2025  
PAGE: 6  
RE: Twenty-Fifth Annual Report of the Supervisor of Records  
January 1 to December 31, 2024

---

A copy of the decision and petition are included on pages 99-110 of the Appendix.

11. Petitioner: Barbara Tassa  
Department: Office of Cannabis  
Records sought: All records related to the proposed project at 1719 Wallace Ave, including but not limited to Lucon Inc, Khanh Luu, Khan Lu, Kenny Lu, Muki Barkan, Fiona Lee; Inncon Design.  
Custodian of Records: Yuliya Shchegolev  
Determination: Moot because the department produced unredacted copies of the requested records on October 29, 2024, after the petition was submitted.  
Date Petition Received: October 24, 2024  
Date of Determination: November 14, 2024

A copy of the decision and petition are included on pages 111-122 of the Appendix.

12. Petitioner: Matt Mitchell  
Department: Office of the Medical Examiner  
Records sought: Full autopsy reports (including coroner's investigative notes) for various individuals found deceased at 25 Essex St, San Francisco, CA 94105  
Custodian of Records: David Serrano Sewell  
Determination: Moot because the department produced the requested documents after the petition was submitted.  
Date Petition Received: November 4, 2024  
Date of Determination: November 15, 2024

A copy of the decision and petition are included on pages 123-125 of the Appendix.

13. Petitioner: Sara Yousuf  
Department: District Attorney's Office  
Records sought: Defendant names, case numbers and outcomes of all cases tried by the District Attorney's Office in

**MEMORANDUM**

TO: Honorable Members  
Sunshine Ordinance Task Force  
DATE: October 27, 2025  
PAGE: 7  
RE: Twenty-Fifth Annual Report of the Supervisor of Records  
January 1 to December 31, 2024

---

November 2024, including trials, mistrials, hung juries  
and cases that resolved by plea or dismissal during trial

Custodian of Records: Nikki Moore

Determination: Moot because the department produced the requested  
documents after the petition was submitted.

Date Petition Received: December 10, 2024

Date of Determination: January 13, 2025

A copy of the decision and petition are included on pages 126-132 of the Appendix.

## APPENDIX

### TWENTY-FIFTH ANNUAL REPORT OF THE SUPERVISOR OF RECORDS

<u>Petition Number</u>	<u>Petitioner</u>	<u>Page(s)</u>
1	Rosa L.	1-23
2	Matthew Mitchell	24-29
3	William Fernandes	30-39
4	Matthew Lotocki	40-49
5	Suzie Safdie	50-73
6	“Basil”	74-77
7	“Basil”	78-81
8	Matthew Lotocki	82-87
9	Jeffrey Kline	88-98
10	Rick Sanders	99-110
11	Barbara Tassa	111-122
12	Matthew Mitchell	123-125
13	Sara Yousuf	126-132

## Supervisor Records (CAT)

---

**From:** Rosa L [Personal Information]  
**Sent:** Friday, March 1, 2024 10:24 AM  
**To:** Supervisor Records (CAT)  
**Cc:** SOTF (BOS)  
**Subject:** CAT public records complaint

To the CAT: please see below and investigate this ASAP, this request has already been delayed since 2022 (!!). The SOTF recently ruled that the city violated the Sunshine Ordinance by delaying response to this request, and now that the records have finally been released they were done so without proper justifications for each withholding. More importantly, the justification regarding 1041(a)(2) is not a standard that has been set in any prior public records request I have filed over the years. Is it now the position of the CAT that "emails from members of the public to public safety officials, including SFPD" making claims about the law at "specific locations associated with the home or business addresses of the reporting individuals" is subject to automatic withholding per DEM's claim below, and that there is no requirement to justify how the withholding outweighs public interest?

If this is not the case please notify DEM to correct course ASAP as this impacts ongoing reporting about homelessness.

If this is the case I would like to appeal, please let me know either way.

Thanks.

----- Forwarded message -----

**From:** DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>  
**Date:** Fri, Mar 1, 2024 at 9:42 AM  
**Subject:** Re: Follow up re: Complaint #23016  
**To:** Rosa L [Personal Information]  
**CC:** Records, Supervisor (CAT) <[Supervisor.records@sfcityatty.org](mailto:Supervisor.records@sfcityatty.org)>, SOTF (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>

I explained our justification for the redactions and will await guidance from the City Attorney's Office and/or Sunshine Ordinance Task Force on next steps for this appeal.

Best,  
Jackie

Public Records Team  
San Francisco Department of Emergency Management  
[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)

---

**From:** Rosa L [Personal Information]  
**Sent:** Friday, March 1, 2024 9:33 AM  
**To:** DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>  
**Cc:** Records, Supervisor (CAT) <[Supervisor.records@sfcityatty.org](mailto:Supervisor.records@sfcityatty.org)>; SOTF (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>  
**Subject:** Re: Follow up re: Complaint #23016

Hi, it is my understanding that minimal withholding should be the default, and if information is redacted it should be justified with reference to the corresponding law, but ultimately that law also has to be justified. In this case "the

necessity for preserving the confidentiality of his or her identity outweighs the necessity for disclosure in the interest of justice” is not a given. That condition needs to be fulfilled for the withholding to be warranted. In this case I appeal the withholdings because it is not the case that everyone who complains about encampments is an informer who requires confidentiality that outweighs the necessity for disclosure in the interest of justice. No other department has made this claim in the past and neither has DEM.

There are also cases including page 253 where an email address is redacted even though the person whose email address is redacted is not discussing violations of law.

I would like the city attorney to open a case to explore this so I am cc-ing them accordingly.

Thanks

On Fri, Mar 1, 2024 at 8:29 AM DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)> wrote:

Hi Rosa,

I'm glad to go through the whole document and justify each redaction if that would be helpful. Obviously that would take some time and I figured you'd already waited long enough for this one so wanted to get it out ASAP.

The main justification for redactions throughout is that these records include numerous emails from members of the public to public safety officials, including SFPD, reporting specific violations of law at specific locations associated with the home or business addresses of the reporting individuals. (We also redacted the faces of individuals who are accused of crimes throughout to protect their privacy.)

“Disclosure of the identity of the informer is against the public interest because the necessity for preserving the confidentiality of his or her identity outweighs the necessity for disclosure in the interest of justice.” Evid. Code 1041(a)(2).

The City Attorney's Good Government Guide states that “when...a citizen complains about a person making a public disturbance, disclosure of the identity of the complainant could lead to retaliation against or harassment of the complainant.” (Pg 116-117)

Also glad to review specific examples from the doc as you suggest - when you reference "text messages" I assume you're referring to pages 151-161 which include a text conversation between Sam Dodge and Santiago Lerma? If so, the only redaction made to that conversation was for a personal text with no relation to DEM or either individual's work as a city employee.

Best,  
Jackie

Public Records Team  
San Francisco Department of Emergency Management  
[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)

---

**From:** Rosa L <**Personal Information**>

**Sent:** Friday, March 1, 2024 8:14 AM

**To:** DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>

**Cc:** SOTF (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>

**Subject:** Re: Follow up re: Complaint #23016

Hi, thank you for the work and the response. The release contains numerous records that appear to be unjustifiably redacted. The law requires minimal withholding by default, and that any redactions that are made must be justified (Sec. 67.27 of the Sunshine Ordinance).

As an example, it appears that names, organizations, affiliations, and pronouns of people who emailed the Supervisor are being redacted with no reference to the law. It is not the case that this information is exempt by default.

That is only an example, however. Again the default should be minimal and justified redactions in any documents be it email, text message, photo, etc.

Please [review the law](#) ahead of redacting the results of the other public records requests I have made/will make to DEM to avoid potential duplication of work in the future.

In the case of this specific request I don't need the entire document re-reviewed, I'll let you know if there are specific cases to avoid making the work burdensome.


For example the one thing I would like is unredacted text messages or justifications for the redactions.

Thanks

On Fri, Mar 1, 2024 at 7:44 AM DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)> wrote:

Hi Rosa,

Good news, I made quicker progress than anticipated and this response is now complete. I just shared you on the final document as it is too large to attach to an email, and am also including a link here. Please let me know if that doesn't work.

 [Rosa L 3-1-24 Final.pdf](#)

Best,  
Jackie

Public Records Team  
San Francisco Department of Emergency Management  
[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)

---

From: DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>

Sent: Thursday, February 29, 2024 10:03 AM

To: Rosa L <**Personal Information**>

Cc: SOTF (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>

Subject: Re: Follow up re: Complaint #23016

Hi Rosa,

Just wanted to provide an update, we are almost done with redactions and City Attorney review. I had hoped to close this out this week, but their office flagged one more issue that requires additional redactions a couple days ago which I am now working to complete.

I'm optimistic we can close this out next week. Thank you for your patience.

Best,  
Jackie

Public Records Team  
San Francisco Department of Emergency Management  
[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)

---

**From:** DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>  
**Sent:** Wednesday, February 14, 2024 11:58 AM  
**To:** Rosa L **Personal Information**  
**Cc:** SOTF, (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>  
**Subject:** Re: Follow up re: Complaint #23016

Hi Rosa,

I hope this finds you well, I'm reaching out to provide a quick update on your most recent request.

I have compiled all remaining responsive records including all responsive emails and some additional texts I found. I just shared the resulting document with the City Attorney's office for guidance on some questions about what exactly we can redact.

Once I have guidance on redactions I will complete them as soon as possible, although the document containing the remaining records is over 350 pages long so I'm not sure exactly how long it will take.

Please don't hesitate to be in touch in the meantime and I'm glad to provide additional updates throughout the process.

Best,  
Jackie

Public Records Team  
San Francisco Department of Emergency Management  
[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)

---

**From:** DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>  
**Sent:** Wednesday, February 7, 2024 6:08 PM  
**To:** Rosa L **Personal Information**  
**Cc:** SOTF, (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>  
**Subject:** Re: Follow up re: Complaint #23016

Sounds good thank you, the only potentially outstanding records from your recent request are Director Carroll's emails. I have a couple hours blocked off on my calendar next Monday to search her account and compile any responsive emails.

Once I do so the only remaining hurdles (assuming she has responsive emails) will be CAT review and redactions, I'll do my best to get that one closed out by end of next week then will start to revisit the requests from 23016 in reverse chronological order.

Best,  
Jackie

Public Records Team  
San Francisco Department of Emergency Management  
[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)

---

From: Rosa L **Personal Information**  
Sent: Wednesday, February 7, 2024 5:54 PM  
To: DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>  
Cc: SOTF, (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>  
Subject: Re: Follow up re: Complaint #23016

My preference is to continue fulfilling the more recent requests and then return to those in case 23016, thank you.

On Tue, Feb 6, 2024 at 7:16 PM DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)> wrote:

Thanks Rosa, I do not dispute that we have failed to fully respond to specific requests in the past. If you'd like us to prioritize revisiting and fully responding to those requests I am glad to do so, it would be helpful to have some guidance on the order in which you'd like us to prioritize outstanding requests.

I appreciate your follow up and look forward to receiving guidance from you and the task force on how best to proceed. I sincerely hope to resolve any outstanding records requests left open by my predecessors and look forward to maintaining the record of timely responses I've established since joining the department.

Best,  
Jackie

Get [Outlook for iOS](#)

---

From: Rosa L **Personal Information**  
Sent: Tuesday, February 6, 2024 7:09:24 PM  
To: DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>  
Cc: SOTF, (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>  
Subject: Re: Follow up re: Complaint #23016

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi,

Case 23016 was discussed in length at the prior SOTF complaints committee hearing. The 10/25 request yielded 16 documents total which were released to me twice by accident. No other documents were released and I was not told it was closed. The 12/21 request yielded some results after the prior SOTF complaints committee hearing but I was not told it was closed and I have no idea how many records are left to release.

The claim that "the evidence reflects DEM staff have made good faith efforts at every juncture to comply with our obligations under the Sunshine Ordinance and respond to all requests from this party in a timely, complete manner" is false. I have already provided evidence that DEM failed for more than an entire calendar year to provide me with public records responsive to two of my requests. This was clearly argued at the prior SOTF hearing which is why the item is on the consent agenda with a recommendation to find a violation.

Further, a quick scan of past requests immediately shows three other untimely responses. I have attached them as screenshots. The first is from October 2021, before the "ongoing litigation" referenced by DEM, and it shows several months passing before the request was responded to. The second screenshot is a request from 2022 showing DEM failed to respond at all within 10 days as required by law and did not respond until I reminded them. The third is from April 2023 and shows DEM again failing to respond within 10 days, requiring me to remind them.

I will remind the SOTF members that when DEM references "ongoing litigation" they are referring to the city of San Francisco being sued for allegedly violating people's constitutional rights by conducting homeless sweeps. This lawsuit comes in part *as the result of public records work*. The fact that the department is being sued for allegedly violating the constitution does not justify its violation of the Sunshine Act. Several other city departments respond to requests on time.

Thanks.

On Tue, Feb 6, 2024 at 4:39 PM DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)> wrote:

Good afternoon,

In the interest of transparency and efficiency, I thought it might be helpful to send an update on this complaint before tomorrow's meeting.

I was finally able to make time to review the complaint and all relevant records in detail today and I understand that there are two requests in question as part of this complaint - one filed on 10/25/22 and another filed on 12/21/22. For context, I started at the department last July so I have to work with the records left by my predecessors to determine the status of requests filed prior to my time here.

Upon my review, I was able to find one batch of records shared in response to the 10/25 request and it is unclear if this constitutes a complete response. Given the amount of time that has elapsed since this request was received/processed and staff turnover, I would need to initiate a new search for records to determine whether we responded completely.

I was unable to find a response to the 12/21 request, Rosa please let me know if you did receive a response at any point or if I am misstating any of these facts. I would also need to initiate a new search for records to adequately respond to this request. It seems this one may have fell through the cracks, possibly due to its similarity to the 10/25 request and the fact that the point person for records was on leave at the time.

If you would like us to revisit these requests I am glad to do so, however that would require us to pause processing of the most recent outstanding request from 12/4/23, for which we have provided rolling responses on 12/28 and 1/25. Due to the significant volume of requests we receive from other parties and limited staff availability, we do not currently have capacity to process more than one broad request from an individual requester at a time.

I should point out that in the time since these requests were submitted, this party has filed an additional nine requests with the department. Additionally, we have either closed or responded in a timely manner to every request filed since I joined the department, and I also closed out an outstanding request from 5/24/23 when it was brought to my attention. I am glad to provide supporting documentation of these additional requests and our responses if helpful.

This is relevant because Administrative Code, Chapter 26, Article III, Section 67.29-5, Subsection (e) states that *"officials are not in violation of subsections (b) or (c) ... if they have made a good faith effort to comply with their obligations thereunder."* I assert that the evidence reflects DEM staff have made good faith efforts at every juncture to comply with our obligations under the Sunshine Ordinance and respond to all requests from this party in a timely, complete manner, despite their broad scope and the need for City Attorney review due to ongoing litigation.

I look forward to your guidance on how to proceed.

Sincerely,

**Jackie Thornhill** (she/her/hers)  
Public Relations Officer  
Department of Emergency Management  
[Jackie.Thornhill@sfgov.org](mailto:Jackie.Thornhill@sfgov.org) | (415) 530-7460

Are you prepared? Visit [SF72.org](https://www.sf72.org)!

Text your zip code to 888-777 to sign up for emergency text alerts.

## Supervisor Records (CAT)

---

**From:** Kimberlin, Kate (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Tuesday, April 23, 2024 11:01 AM  
**To:** 'Rosa L'; Supervisor Records (CAT)  
**Subject:** RE: CAT public records complaint

Dear Rosa L.,

Thank you for your inquiry. The Supervisor of Records is responsible for evaluating petitions that assert a City department has either improperly withheld or redacted responsive material in response to a public records request. In this case, the Supervisor of Records has reviewed your petition and the Department of Emergency Management's ("DEM") nearly 400-page production. In the course of our investigation, DEM determined it would withdraw the majority of its redactions. DEM has now made a new production to you without those redactions. The Supervisor of Records has reviewed the new production and concurs with the remaining designated redactions. We therefore consider this petition closed. If you have further concerns about DEM's new production of documents, you may file a new petition for us to consider.



Very truly,

Kate Kimberlin (she/her)  
Deputy City Attorney  
Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

**From:** Rosa L **Personal Information**  
**Sent:** Friday, April 19, 2024 1:53 PM  
**To:** Supervisor Records (CAT) <supervisor.records@SFCITYATTY.ORG>  
**Subject:** Re: CAT public records complaint

Thank you, can your office also please answer the question in my original email? I pasted it below as well:

"Is it now the position of the CAT that "emails from members of the public to public safety officials, including SFPD" making claims about the law at "specific locations associated with the home or business addresses of the reporting individuals" is subject to automatic withholding per DEM's claim below, and that there is no requirement to justify how the withholding outweighs public interest?"

Can you please clarify that matter for me?

Thanks.

On Mon, Apr 15, 2024 at 9:59 AM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Hello Rosa L.,

Thank you for checking in. I was out last week, but am working on this matter today. I have been in communication with the department and expect they will be making a new production to you shortly. I appreciate your patience.

Very truly,



Kate Kimberlin (she/her)

Deputy City Attorney

Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

**From:** Rosa L. **Personal Information**  
**Sent:** Friday, April 12, 2024 4:45 PM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Cc:** SOTF (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>  
**Subject:** Re: CAT public records complaint

Hi any update on this? Or an estimate for when I might hear back?

On Wed, Apr 3, 2024 at 12:54 PM Rosa L. **Personal Information** wrote:

Hi, thank you for the update. I understand that the production is long but also I'm unsure why it requires full review, could you please clarify? This is a standard production and I've received dozens of similar ones over the past several years from several SF agencies. I'm concerned about setting a standard in which every DEM production will now require weeks-long reviews from the CAT on top of year-long delays from DEM on top of hearings with the SOTF (in this case I already won my hearing but still don't have the records). By any reasonable measure these are prohibitive delays. I would appreciate the CAT providing DEM with guidance to comply with the minimum withholding requirement and justify any exceptions clearly and specifically rather than placing the burden on petitioners to spend over a year fighting for emails only to spend another several weeks petitioning blanket exemptions.

Thanks.

On Tue, Apr 2, 2024 at 1:53 PM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Dear Rosa L.,

I wanted to provide you an update since this petition has now been pending for one month. I have now had an opportunity to review the document production, which (as you know) was nearly 400 pages in length and expect to have a more substantive response to you soon. Thank you for your continued patience as we evaluate this large volume of material.

Very truly,



Kate Kimberlin (she/her)

Deputy City Attorney

Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

---

**From:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>

**Sent:** Friday, March 8, 2024 5:34 PM

**To:** 'Rosa L' **Personal Information**

**Cc:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>

**Subject:** RE: CAT public records complaint

Dear Rosa L.,

Thank you for your email. We are still working on your SOR petition and will update you as soon as we complete our work on the matter. We thank you for your understanding and patience.



**Odaya Buta-Scott** (*she/her/hers*)

Office of City Attorney David Chiu

[odaya.butata@sfcityatty.org](mailto:odaya.butata@sfcityatty.org), [www.sfcityattorney.org](http://www.sfcityattorney.org)

Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

This message and any attachments are solely for the intended recipient and may include privileged or confidential information. If you have received this communication in error, please notify me immediately, and permanently delete this message and any attachments. Thank you.

**From:** Rosa L **Personal Information**  
**Sent:** Thursday, March 7, 2024 1:17 PM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** Re: CAT public records complaint

Hi, can you please provide an update on this? Thanks.

On Fri, Mar 1, 2024 at 12:40 PM Rosa L **Personal Information** wrote:

Thank you. Many of the redactions are especially egregious including this one in the screenshot which redacts the recipient's information for no apparent reason. I don't have capacity to argue case by case about the long list of redactions in the production- I would appreciate if the minimum withholding stipulation were complied with by default and the burden of justifying redactions be placed on the city. In the meantime, given the substantial delays in producing results, the city should avoid citing Evid. Code § 1041 (especially as a blanket justification as DEM did) for day to day emails that are unrelated to active judicial cases without proper justification about how the withholding outweighs public interest. Otherwise the impact is a significant delay in the public's access to records as we are forced to justify our right to have them, which is the opposite of the intent of the law.

**From:** [DEM Records Request](#)  
**To:** [REDACTED]  
**Cc:** [Carroll, Maryellen \(DEM\)](#)  
**Subject:** Re: Immediate Disclosure Request  
**Date:** Friday, November 17, 2023 9:10:37 AM  
**Attachments:** [Oct\\_Nov\\_2023\\_HSQC\\_Summary.xlsx](#)

---

Hi Karin,

Please see attached. The dashboard at the bottom of this page titled "Operations to Address Encampments" contains more complete data: <https://sf.gov/data/healthy-streets-data-and-information>

Public Records Team  
San Francisco Department of Emergency Management  
[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)

On Fri, Mar 1, 2024 at 11:33 AM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Dear Rosa L,

We write to acknowledge receipt of your petition. We will look into the matter and follow up if we have questions. Thank you.

Sincerely,



**Odaya Buta-Scott** (*she/her/hers*)

Office of City Attorney David Chiu

[odaya.but@sfcityatty.org](mailto:odaya.but@sfcityatty.org), [www.sfcityattorney.org](http://www.sfcityattorney.org)

Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

This message and any attachments are solely for the intended recipient and may include privileged or confidential information. If you have received this communication in error, please notify me immediately, and permanently delete this message and any attachments. Thank you.

**From:** Rosa L **Personal Information**  
**Sent:** Friday, March 1, 2024 10:24 AM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Cc:** SOTF (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>  
**Subject:** CAT public records complaint

To the CAT: please see below and investigate this ASAP, this request has already been delayed since 2022 (!!). The SOTF recently ruled that the city violated the Sunshine Ordinance by delaying response to this request, and now that the records have finally been released they were done so without proper justifications for each withholding. More importantly, the justification regarding 1041(a)(2) is not a standard that has been set in any prior public records request I have filed over the years. Is it now the position of the CAT that “emails from members of the public to public safety officials, including SFPD” making claims about the law at “specific locations associated with the home or business addresses of the reporting individuals” is subject to automatic withholding per DEM’s claim below, and that there is no requirement to justify how the withholding outweighs public interest?

If this is not the case please notify DEM to correct course ASAP as this impacts ongoing reporting about homelessness.

If this is the case I would like to appeal, please let me know either way.

Thanks.

----- Forwarded message -----

**From:** DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>  
**Date:** Fri, Mar 1, 2024 at 9:42 AM  
**Subject:** Re: Follow up re: Complaint #23016  
**To:** Rosa L **Personal Information**  
**CC:** Records, Supervisor (CAT) <[Supervisor.records@sfcityatty.org](mailto:Supervisor.records@sfcityatty.org)>, SOTF (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>

I explained our justification for the redactions and will await guidance from the City Attorney's Office and/or Sunshine Ordinance Task Force on next steps for this appeal.

Best,

Jackie

Public Records Team

San Francisco Department of Emergency Management

[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)

---

**From:** Rosa L <Personal Information>

**Sent:** Friday, March 1, 2024 9:33 AM

**To:** DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>

**Cc:** Records, Supervisor (CAT) <[Supervisor.records@sfcityatty.org](mailto:Supervisor.records@sfcityatty.org)>; SOTF (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>

**Subject:** Re: Follow up re: Complaint #23016

Hi, it is my understanding that minimal withholding should be the default, and if information is redacted it should be justified with reference to the corresponding law, but ultimately that law also has to be justified. In this case “the necessity for preserving the confidentiality of his or her identity outweighs the necessity for disclosure in the interest of justice” is not a given. That condition needs to be fulfilled for the withholding to be warranted. In this case I appeal the withholdings because it is not the case that everyone who complains about encampments is an informer who requires confidentiality that outweighs the necessity for disclosure in the interest of justice. No other department has made this claim in the past and neither has DEM.

There are also cases including page 253 where an email address is redacted even though the person whose email address is redacted is not discussing violations of law.

I would like the city attorney to open a case to explore this so I am cc-ing them accordingly.

Thanks

On Fri, Mar 1, 2024 at 8:29 AM DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)> wrote:

Hi Rosa,

I'm glad to go through the whole document and justify each redaction if that would be helpful. Obviously that would take some time and I figured you'd already waited long enough for this one so wanted to get it out ASAP.

The main justification for redactions throughout is that these records include numerous emails from members of the public to public safety officials, including SFPD, reporting specific violations of law at specific locations associated with the home or business addresses of the reporting individuals. (We also redacted the faces of individuals who are accused of crimes throughout to protect their privacy.)

"Disclosure of the identity of the informer is against the public interest because the necessity for preserving the confidentiality of his or her identity outweighs the necessity for disclosure in the interest of justice." Evid. Code 1041(a)(2).

The City Attorney's Good Government Guide states that "when...a citizen complains about a person making a public disturbance, disclosure of the identity of the complainant could lead to retaliation against or harassment of the complainant." ([Pg 116-117](#))

Also glad to review specific examples from the doc as you suggest - when you reference "text messages" I assume you're referring to pages 151-161 which include a text conversation between Sam Dodge and Santiago Lerma? If so, the only redaction made to that conversation was for a personal text with no relation to DEM or either individual's work as a city employee.

Best,

Jackie

Public Records Team

San Francisco Department of Emergency Management

[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)

---

**From:** Rosa L **Personal Information**  
**Sent:** Friday, March 1, 2024 8:14 AM

**To:** DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>

**Cc:** SOTF (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>

**Subject:** Re: Follow up re: Complaint #23016

Hi, thank you for the work and the response. The release contains numerous records that appear to be unjustifiably redacted. The law requires minimal withholding by default, and that any redactions that are made must be justified (Sec. 67.27 of the Sunshine Ordinance).

As an example, it appears that names, organizations, affiliations, and pronouns of people who emailed the Supervisor are being redacted with no reference to the law. It is not the case that this information is exempt by default.

That is only an example, however. Again the default should be minimal and justified redactions in any documents be it email, text message, photo, etc.

Please [review the law](#) ahead of redacting the results of the other public records requests I have made/will make to DEM to avoid potential duplication of work in the future.

In the case of this specific request I don't need the entire document re-reviewed, I'll let you know if there are specific cases to avoid making the work burdensome.

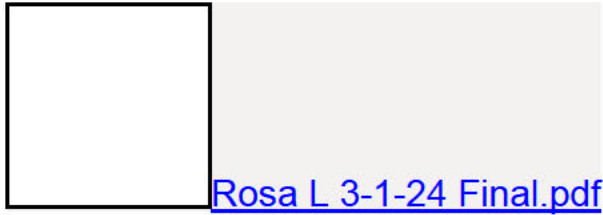
For example the one thing I would like is unredacted text messages or justifications for the redactions.

Thanks

On Fri, Mar 1, 2024 at 7:44 AM DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)> wrote:

Hi Rosa,

Good news, I made quicker progress than anticipated and this response is now complete. I just shared you on the final document as it is too large to attach to an email, and am also including a link here. Please let me know if that doesn't work.



Best,

Jackie

Public Records Team

San Francisco Department of Emergency Management

[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)

---

**From:** DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>

**Sent:** Thursday, February 29, 2024 10:03 AM

**To:** Rosa L **Personal Information**

**Cc:** SOTF (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>

**Subject:** Re: Follow up re: Complaint #23016

Hi Rosa,

Just wanted to provide an update, we are almost done with redactions and City Attorney review. I had hoped to close this out this week, but their office flagged one more issue that requires additional redactions a couple days ago which I am now working to complete.

I'm optimistic we can close this out next week. Thank you for your patience.

Best,

Jackie

Public Records Team

San Francisco Department of Emergency Management

[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)

---

**From:** DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>

**Sent:** Wednesday, February 14, 2024 11:58 AM

**To:** Rosa L **Personal Information**

**Cc:** SOTF, (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>

**Subject:** Re: Follow up re: Complaint #23016

Hi Rosa,

I hope this finds you well, I'm reaching out to provide a quick update on your most recent request.

I have compiled all remaining responsive records including all responsive emails and some additional texts I found. I just shared the resulting document with the City Attorney's office for guidance on some questions about what exactly we can redact.

Once I have guidance on redactions I will complete them as soon as possible, although the document containing the remaining records is over 350 pages long so I'm not sure exactly how long it will take.

Please don't hesitate to be in touch in the meantime and I'm glad to provide additional updates throughout the process.

Best,

Jackie

Public Records Team

San Francisco Department of Emergency Management

[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)

---

**From:** DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>

**Sent:** Wednesday, February 7, 2024 6:08 PM

**To:** Rosa L **Personal Information**

**Cc:** SOTF, (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>

**Subject:** Re: Follow up re: Complaint #23016

Sounds good thank you, the only potentially outstanding records from your recent request are Director Carroll's emails. I have a couple hours blocked off on my calendar next Monday to search her account and compile any responsive emails.

Once I do so the only remaining hurdles (assuming she has responsive emails) will be CAT review and redactions, I'll do my best to get that one closed out by end of next week then will start to revisit the requests from 23016 in reverse chronological order.

Best,

Jackie

Public Records Team

San Francisco Department of Emergency Management

[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)

---

**From:** Rosa L **Personal Information**

**Sent:** Wednesday, February 7, 2024 5:54 PM

**To:** DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>

**Cc:** SOTF, (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>

**Subject:** Re: Follow up re: Complaint #23016

My preference is to continue fulfilling the more recent requests and then return to those in case 23016, thank you.

On Tue, Feb 6, 2024 at 7:16 PM DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)> wrote:

Thanks Rosa, I do not dispute that we have failed to fully respond to specific requests in the past. If you'd like us to prioritize revisiting and fully responding to those requests I am glad to do so, it would be helpful to have some guidance on the order in which you'd like us to prioritize outstanding requests.

I appreciate your follow up and look forward to receiving guidance from you and the task force on how best to proceed. I sincerely hope to resolve any outstanding records requests left open by my predecessors and look forward to maintaining the record of timely responses I've established since joining the department.

Best,

Jackie

Get [Outlook for iOS](#)

---

From: Rosa L **Personal Information**  
Sent: Tuesday, February 6, 2024 7:09:24 PM  
To: DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)>  
Cc: SOTF, (BOS) <[sotf@sfgov.org](mailto:sotf@sfgov.org)>  
Subject: Re: Follow up re: Complaint #23016

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi,

Case 23016 was discussed in length at the prior SOTF complaints committee hearing. The 10/25 request yielded 16 documents total which were released to me twice by accident. No other documents were released and I was not told it was closed. The 12/21 request yielded some results

after the prior SOTF complaints committee hearing but I was not told it was closed and I have no idea how many records are left to release.

The claim that "the evidence reflects DEM staff have made good faith efforts at every juncture to comply with our obligations under the Sunshine Ordinance and respond to all requests from this party in a timely, complete manner" is false. I have already provided evidence that DEM failed for more than an entire calendar year to provide me with public records responsive to two of my requests. This was clearly argued at the prior SOTF hearing which is why the item is on the consent agenda with a recommendation to find a violation.

Further, a quick scan of past requests immediately shows three other untimely responses. I have attached them as screenshots. The first is from October 2021, before the "ongoing litigation" referenced by DEM, and it shows several months passing before the request was responded to. The second screenshot is a request from 2022 showing DEM failed to respond at all within 10 days as required by law and did not respond until I reminded them. The third is from April 2023 and shows DEM again failing to respond within 10 days, requiring me to remind them.

I will remind the SOTF members that when DEM references "ongoing litigation" they are referring to the city of San Francisco being sued for allegedly violating people's constitutional rights by conducting homeless sweeps. This lawsuit comes in part *as the result of public records work*. The fact that the department is being sued for allegedly violating the constitution does not justify its violation of the Sunshine Act. Several other city departments respond to requests on time.

Thanks.

On Tue, Feb 6, 2024 at 4:39 PM DEM Records Request <[RecordsRequestDEM@sfgov.org](mailto:RecordsRequestDEM@sfgov.org)> wrote:

Good afternoon,

In the interest of transparency and efficiency, I thought it might be helpful to send an update on this complaint before tomorrow's meeting.

I was finally able to make time to review the complaint and all relevant records in detail today and I understand that there are two requests in question as part of this complaint - one filed on 10/25/22 and another filed on 12/21/22. For context, I started at the department last July

so I have to work with the records left by my predecessors to determine the status of requests filed prior to my time here.

Upon my review, I was able to find one batch of records shared in response to the 10/25 request and it is unclear if this constitutes a complete response. Given the amount of time that has elapsed since this request was received/processed and staff turnover, I would need to initiate a new search for records to determine whether we responded completely.

I was unable to find a response to the 12/21 request, Rosa please let me know if you did receive a response at any point or if I am misstating any of these facts. I would also need to initiate a new search for records to adequately respond to this request. It seems this one may have fell through the cracks, possibly due to its similarity to the 10/25 request and the fact that the point person for records was on leave at the time.

If you would like us to revisit these requests I am glad to do so, however that would require us to pause processing of the most recent outstanding request from 12/4/23, for which we have provided rolling responses on 12/28 and 1/25. Due to the significant volume of requests we receive from other parties and limited staff availability, we do not currently have capacity to process more than one broad request from an individual requester at a time.

I should point out that in the time since these requests were submitted, this party has filed an additional nine requests with the department. Additionally, we have either closed or responded in a timely manner to every request filed since I joined the department, and I also closed out an outstanding request from 5/24/23 when it was brought to my attention. I am glad to provide supporting documentation of these additional requests and our responses if helpful.

This is relevant because Administrative Code, Chapter 26, Article III, Section 67.29-5, Subsection (e) states that "*officials are not in violation of subsections (b) or (c) ... if they have made a good faith effort to comply with their obligations thereunder.*" I assert that the evidence reflects DEM staff have made good faith efforts at every juncture to comply with our obligations under the Sunshine Ordinance and respond to all requests from this party in a timely, complete manner, despite their broad scope and the need for City Attorney review due to ongoing litigation.

I look forward to your guidance on how to proceed.

Sincerely,

**Jackie Thornhill** (she/her/hers)

Public Relations Officer

Department of Emergency Management  
[Jackie.Thornhill@sfgov.org](mailto:Jackie.Thornhill@sfgov.org) | (415) 530-7460

Are you prepared? Visit [SF72.org](http://SF72.org)!

Text your zip code to 888-777 to sign up for emergency text alerts.

## Supervisor Records (CAT)

---

**From:** Matthew McLean Mitchell **Personal Information**  
**Sent:** Thursday, March 21, 2024 3:30 PM  
**To:** Supervisor Records (CAT)  
**Subject:** Records Petition

Dear Supervisor of Records,

I'd like to file a petition regarding a CPRA request I made with Department of Building Inspection to inspect the supporting documents for building code violations of properties owned by the nonprofit HomeRise (formerly Community Housing Partnership) from January 1 2018 to the present (March 12 2024). I submitted this request on March 12, 2024.

Under the CPRA, records must be available for inspection during the regular office hours of the agency. I was told that I would have to file a formal public records request through the City's online portal instead of being allowed to inspect relevant records in person.

Feel free to reach me by phone (**Personal Information**) or email.

Best,  
Matt Mitchell

## Supervisor Records (CAT)

---

**From:** Kimberlin, Kate (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Tuesday, April 23, 2024 11:12 AM  
**To:** 'Matthew McLean Mitchell'; Supervisor Records (CAT)  
**Subject:** RE: Records Petition

Dear Mr. Mitchell,

The Supervisor of Records has completed its investigation of your petition. On April 5, during the course of our investigation, the Department of Building Inspection (DBI) completed its production of records to you. The Supervisor of Records has reviewed that production and is not aware of any additional, withheld materials. If you believe that the production from DBI is still deficient, please let us know. Otherwise, we will consider this Petition closed.



Very truly,

Kate Kimberlin (she/her)  
Deputy City Attorney  
Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

**From:** Matthew McLean Mitchell **Personal Information**  
**Sent:** Wednesday, April 10, 2024 3:09 PM  
**To:** Supervisor Records (CAT) <supervisor.records@SFCITYATTY.ORG>  
**Subject:** Re: Records Petition

Thank you for the update.

Matt Mitchell

On Wed, Apr 10, 2024 at 12:22 PM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Hello Mr. Mitchell,

Thank you for your email, and apologies for the delay. We need more time to work on your petition. We will send an update as soon as we can.

Thank you for your patience.



**Odaya Buta-Scott** (*she/her/hers*)

Office of City Attorney David Chiu

[odaya.buta@sfcityatty.org](mailto:odaya.buta@sfcityatty.org), [www.sfcityattorney.org](http://www.sfcityattorney.org)

Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

This message and any attachments are solely for the intended recipient and may include privileged or confidential information. If you have received this communication in error, please notify me immediately, and permanently delete this message and any attachments. Thank you.

**From:** Matthew McLean Mitchell **Personal Information**  
**Sent:** Monday, April 8, 2024 8:56 AM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** Re: Records Petition

Dear Kate,

Following up to see if there has been any movement on my petition.

Best,

Matt

On Tue, Apr 2, 2024 at 5:03 PM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Hello Matt,

I have been working to investigate your petition and expect to have a response to you this week. Thank you for your patience.

Very truly,



Kate Kimberlin (she/her)

Deputy City Attorney

Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

**From:** Matthew McLean Mitchell **Personal Information**  
**Sent:** Tuesday, April 2, 2024 2:30 PM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** Re: Records Petition

Dear Odaya Buta-Scott,

Following up to see if there has been any movement on my petition.

Best,

Matt

On Fri, Mar 22, 2024 at 2:05 PM Matthew McLean Mitchell **Personal Information** wrote:

Dear Odaya Buta-Scott,

Thank you for your response. I look forward to hearing from you.

Best,

Matt

On Fri, Mar 22, 2024 at 12:50 PM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Dear Matt Mitchell,

We write to acknowledge receipt of your petition. We will look into the matter and follow up if we have any questions.

Thank you.



**Odaya Buta-Scott** (*she/her/hers*)

Office of City Attorney David Chiu

[odaya.butata@sfcityatty.org](mailto:odaya.butata@sfcityatty.org), [www.sfcityattorney.org](http://www.sfcityattorney.org)

Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

This message and any attachments are solely for the intended recipient and may include privileged or confidential information. If you have received this communication in error, please notify me immediately, and permanently delete this message and any attachments. Thank you.

**From:** Matthew McLean Mitchell **Personal Information**  
**Sent:** Thursday, March 21, 2024 3:30 PM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** Records Petition

Dear Supervisor of Records,

I'd like to file a petition regarding a CPRA request I made with Department of Building Inspection to inspect the supporting documents for building code violations of properties owned by the nonprofit HomeRise (formerly Community Housing Partnership) from January 1 2018 to the present (March 12 2024). I submitted this request on March 12, 2024.

Under the CPRA, records must be available for inspection during the regular office hours of the agency. I was told that I would have to file a formal public records request through the City's online portal instead of being allowed to inspect relevant records in person.

Feel free to reach me by phone Personal Information or email.

Best,  
Matt Mitchell

## Supervisor Records (CAT)

---

**From:** 153120-96779259@requests.muckrock.com  
**Sent:** Monday, March 25, 2024 7:23 AM  
**To:** Supervisor Records (CAT)  
**Subject:** RE: California Public Records Act Request #P131712-102223

San Francisco Police Department  
PRA Office  
1245 3rd Street  
SF, CA 94158

March 25, 2024

This is a follow up to request number P131712-102223:

Supervisor.Records@sfcityatty.org

The city department to which you made your request: SFPD

The record or records you requested:

Pursuant to the California Public Records Act, I hereby request the following records:

I am writing to request information related to the recent closure of Senator Dianne Feinstein's funeral to the public, as reported in the Forbes article titled "Feinstein Funeral Closed to Public After Security Concerns," published on October 5, 2023. The article can be accessed at the following URL: <https://www.forbes.com/sites/anafaguy/2023/10/05/feinstein-funeral-closed-to-public-after-security-concerns/?sh=2b5a5077a60f>

Specifically, I am seeking any records, documents, emails, memoranda, or communications related to credible security threats that led to the decision to close the funeral to the public. This includes but is not limited to:

Any written or electronic correspondence or communications discussing the security concerns that led to the closure of the funeral.

Any reports, assessments, or analyses conducted to evaluate the security threats.

Any decisions, directives, or official orders regarding the closure of the funeral.

Any information related to the timeline of events leading up to the decision to close the funeral.

Any communications with relevant law enforcement agencies, security organizations, or federal authorities regarding the security concerns and response.

If any requested records or information cannot be provided within the California Public Records Act timeframe, please inform me of the expected date of availability.

If you deny any part of this request, please provide a written explanation for each denied item, citing the specific legal basis for denial.

I would like to request a newsmedia fee waiver as this request is in the public interest and subject to historical preservation and large distribution.

The date of your request: 10/11/2023

An explanation as to why you believe the decision to withhold or redact records is unlawful:

Untimely Response/processing

Your contact information and preferred means of contact.

Email: 153120-96779259@requests.muckrock.com

William Fernandes

View request history, upload responsive documents, and report problems here:

[https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency\\_login%252Fsan-francisco-police-department-367%252Fthreat-index-153120%252F%253Femail%253DSupervisor.Records%252540sfcityatty.org&url\\_auth\\_token=AAAhlqz\\_6HzFpF9QbtVNX CgHbA%3A1rolET%3Alzj7GEJgyscBIQZYE-Ac1Y00YK9Qu1aTor9d5cS6NSg](https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-police-department-367%252Fthreat-index-153120%252F%253Femail%253DSupervisor.Records%252540sfcityatty.org&url_auth_token=AAAhlqz_6HzFpF9QbtVNX CgHbA%3A1rolET%3Alzj7GEJgyscBIQZYE-Ac1Y00YK9Qu1aTor9d5cS6NSg)

If prompted for a passcode, please enter:

HYPNUUVN

Filed via MuckRock.com

E-mail (Preferred): 153120-96779259@requests.muckrock.com

PLEASE NOTE OUR NEW ADDRESS

For mailed responses, please address (see note):

MuckRock News

DEPT MR 153120

263 Huntington Ave

Boston, MA 02115

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

---

On Feb. 27, 2024:

Subject: RE: California Public Records Act Request #P131712-102223

Status Request.

Request Number: P131712-102223

Thanks,

---

On Oct. 23, 2023:

Subject: San Francisco Police Public Records Request :: P131712-102223

Dear William Fernandes:

Thank you for your interest in public records of the San Francisco Police Department ("SFPD").

The San Francisco Police Department ("SFPD") received your request, dated October 22, 2023 and given the reference number P131712-102223 for tracking purposes.

Record(s) Requested: To Whom It May Concern:

Pursuant to the California Public Records Act, I hereby request the following records:

I am writing to request information related to the recent closure of Senator Dianne Feinstein's funeral to the public, as reported in the Forbes article titled "Feinstein Funeral Closed to Public After Security Concerns," published on October 5, 2023. The article can be accessed at the following URL: <https://www.forbes.com/sites/anafaguy/2023/10/05/feinstein-funeral-closed-to-public-after-security-concerns/?sh=2b5a5077a60f>

Specifically, I am seeking any records, documents, emails, memoranda, or communications related to credible security threats that led to the decision to close the funeral to the public. This includes but is not limited to:

Any written or electronic correspondence or communications discussing the security concerns that led to the closure of the funeral.

Any reports, assessments, or analyses conducted to evaluate the security threats.

Any decisions, directives, or official orders regarding the closure of the funeral.

Any information related to the timeline of events leading up to the decision to close the funeral.

Any communications with relevant law enforcement agencies, security organizations, or federal authorities regarding the security concerns and response.

If any requested records or information cannot be provided within the California Public Records Act timeframe, please inform me of the expected date of availability.

If you deny any part of this request, please provide a written explanation for each denied item, citing the specific legal basis for denial.

I would like to request a newsmedia fee waiver as this request is in the public interest and subject to historical preservation and large distribution.

ChatGPT FOIA Projects

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

William Fernandes

Upload documents directly:

[https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency\\_login%252Fsan-francisco-police-department-367%252Fthreat-index-153120%252F%253Femail%253Dsanfranciscopd%252540govqa.us&url\\_auth\\_token=AAAlhg5Bs8g3eL6eHSy\\_S-rHsGw%3A1quokt%3AWBekjr1FCrS3-uj1xapUllpXd4qOKf33QbazDZy\\_SJ8](https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-police-department-367%252Fthreat-index-153120%252F%253Femail%253Dsanfranciscopd%252540govqa.us&url_auth_token=AAAlhg5Bs8g3eL6eHSy_S-rHsGw%3A1quokt%3AWBekjr1FCrS3-uj1xapUllpXd4qOKf33QbazDZy_SJ8)

Your request is being forwarded to the appropriate department(s) for processing and you will be notified once the request is complete.

You can monitor request progress at the link below. Thank you for using the San Francisco Public Records Center.

San Francisco Police Department

---

On Oct. 11, 2023:

Subject: California Public Records Act Request: Threat Index

To Whom It May Concern:

Pursuant to the California Public Records Act, I hereby request the following records:

I am writing to request information related to the recent closure of Senator Dianne Feinstein's funeral to the public, as reported in the Forbes article titled "Feinstein Funeral Closed to Public After Security Concerns," published on October 5, 2023. The article can be accessed at the following URL: <https://www.forbes.com/sites/anafaguy/2023/10/05/feinstein-funeral-closed-to-public-after-security-concerns/?sh=2b5a5077a60f>

Specifically, I am seeking any records, documents, emails, memoranda, or communications related to credible security threats that led to the decision to close the funeral to the public. This includes but is not limited to:

Any written or electronic correspondence or communications discussing the security concerns that led to the closure of the funeral.

Any reports, assessments, or analyses conducted to evaluate the security threats.

Any decisions, directives, or official orders regarding the closure of the funeral.

Any information related to the timeline of events leading up to the decision to close the funeral.

Any communications with relevant law enforcement agencies, security organizations, or federal authorities regarding the security concerns and response.

If any requested records or information cannot be provided within the California Public Records Act timeframe, please inform me of the expected date of availability.

If you deny any part of this request, please provide a written explanation for each denied item, citing the specific legal basis for denial.

I would like to request a newsmedia fee waiver as this request is in the public interest and subject to historical preservation and large distribution.

ChatGPT FOIA Projects

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

William Fernandes

View request history, upload responsive documents, and report problems here:

[https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency\\_login%252Fsan-francisco-police-department-367%252Fthreat-index-153120%252F%253Femail%253DSupervisor.Records%252540sfcityatty.org&url\\_auth\\_token=AAAIhlqz\\_6HzFpF9QbtVNX CgHbA%3A1rolET%3Alzj7GEJgyscBIQZYE-Ac1Y00YK9Qu1aTor9d5cS6NSg](https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-police-department-367%252Fthreat-index-153120%252F%253Femail%253DSupervisor.Records%252540sfcityatty.org&url_auth_token=AAAIhlqz_6HzFpF9QbtVNX CgHbA%3A1rolET%3Alzj7GEJgyscBIQZYE-Ac1Y00YK9Qu1aTor9d5cS6NSg)

If prompted for a passcode, please enter:

HYPNUUVN

Filed via MuckRock.com

E-mail (Preferred): 153120-96779259@requests.muckrock.com

PLEASE NOTE OUR NEW ADDRESS

For mailed responses, please address (see note):

MuckRock News

DEPT MR 153120

263 Huntington Ave

Boston, MA 02115

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



## Supervisor Records (CAT)

---

**From:** Kimberlin, Kate (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Thursday, June 6, 2024 1:57 PM  
**To:** '153120-96779259@requests.muckrock.com'  
**Cc:** Supervisor Records (CAT)  
**Subject:** RE: California Public Records Act Request #P131712-102223

Dear Requestor:



We have completed our review of this petition and understand that SFPD has responded that they do not have responsive documents as the City was not responsible for making the decision to close the funeral to the public. We therefore consider this petition resolved and will be closing the matter.

Very truly,

Kate Kimberlin (she/her) (for Supervisor of Records)  
Deputy City Attorney  
Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

**From:** 153120-96779259@requests.muckrock.com <153120-96779259@requests.muckrock.com>  
**Sent:** Thursday, May 16, 2024 7:14 PM  
**To:** Supervisor Records (CAT) <supervisor.records@SFCITYATTY.ORG>  
**Cc:** Supervisor Records (CAT) <supervisor.records@SFCITYATTY.ORG>  
**Subject:** RE: California Public Records Act Request #P131712-102223

San Francisco Police Department  
PRA Office  
1245 3rd Street  
SF, CA 94158

May 16, 2024

This is a follow up to request number P131712-102223:

Following up on SFPD FOIA.

View request history, upload responsive documents, and report problems here:

[https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency\\_login%252Fsan-francisco-police-department-367%252Fthreat-index-153120%252F%253Femail%253Dsupervisor.records%252540sfcityatty.org&url\\_auth\\_token=AAAIhlqz\\_6HzFpF9QbtVNXCgHbA%3A1s7n6X%3AnHae37Cgs59xl8\\_3UwFHCGUXYY6WbcMQwCczmN0t43U](https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-police-department-367%252Fthreat-index-153120%252F%253Femail%253Dsupervisor.records%252540sfcityatty.org&url_auth_token=AAAIhlqz_6HzFpF9QbtVNXCgHbA%3A1s7n6X%3AnHae37Cgs59xl8_3UwFHCGUXYY6WbcMQwCczmN0t43U)

If prompted for a passcode, please enter:

HYPNUUVN

Filed via MuckRock.com

E-mail (Preferred): 153120-96779259@requests.muckrock.com

PLEASE NOTE OUR NEW ADDRESS

For mailed responses, please address (see note):

MuckRock News

DEPT MR 153120

263 Huntington Ave

Boston, MA 02115

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

---

On April 3, 2024:

Subject: RE: California Public Records Act Request #P131712-102223

Awaiting Production.

Thanks Kate.

---

On April 3, 2024:

Subject: RE: California Public Records Act Request #P131712-102223

Thank you. Did SFPD produce the requested documents? Or, are you still awaiting production?

[cid:image003.jpg@01DA859D.D43E66F0]Kate Kimberlin (she/her)

Deputy City Attorney

Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

---

On April 3, 2024:

Subject: RE: California Public Records Act Request #P131712-102223

Thanks for your response. My contact in relation to this foia sent to the SFPD was for non-compliance for the requisite timeframe for performance.

---

On April 2, 2024:

Subject: RE: California Public Records Act Request #P131712-102223

Dear Requestor:

This email serves to acknowledge receipt of your below request. It is not clear from your communication, however, whether you are petitioning the Supervisor of Records because you are claiming that the department did not respond at all? Or, are you claiming that the department withheld responsive documents? Please clarify the nature of your complaint so that we can better assist.

Thank you,

[cid:image003.jpg@01DA84F1.A5E56530]Kate Kimberlin (she/her)  
Deputy City Attorney  
Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

---

On March 25, 2024:  
Subject: RE: California Public Records Act Request #P131712-102223  
Supervisor.Records@sfcityatty.org

The city department to which you made your request: SFPD  
The record or records you requested:  
Pursuant to the California Public Records Act, I hereby request the following records:

I am writing to request information related to the recent closure of Senator Dianne Feinstein's funeral to the public, as reported in the Forbes article titled "Feinstein Funeral Closed to Public After Security Concerns," published on October 5, 2023. The article can be accessed at the following URL: <https://www.forbes.com/sites/anafaguy/2023/10/05/feinstein-funeral-closed-to-public-after-security-concerns/?sh=2b5a5077a60f>

Specifically, I am seeking any records, documents, emails, memoranda, or communications related to credible security threats that led to the decision to close the funeral to the public. This includes but is not limited to:

Any written or electronic correspondence or communications discussing the security concerns that led to the closure of the funeral.

Any reports, assessments, or analyses conducted to evaluate the security threats.

Any decisions, directives, or official orders regarding the closure of the funeral.

Any information related to the timeline of events leading up to the decision to close the funeral.

Any communications with relevant law enforcement agencies, security organizations, or federal authorities regarding the security concerns and response.

If any requested records or information cannot be provided within the California Public Records Act timeframe, please inform me of the expected date of availability.

If you deny any part of this request, please provide a written explanation for each denied item, citing the specific legal basis for denial.

I would like to request a newsmedia fee waiver as this request is in the public interest and subject to historical preservation and large distribution.

The date of your request: 10/11/2023

An explanation as to why you believe the decision to withhold or redact records is unlawful:

Untimely Response/processing

Your contact information and preferred means of contact.

Email: 153120-96779259@requests.muckrock.com

William Fernandes

---

On Oct. 11, 2023:

Subject: California Public Records Act Request: Threat Index

To Whom It May Concern:

Pursuant to the California Public Records Act, I hereby request the following records:

I am writing to request information related to the recent closure of Senator Dianne Feinstein's funeral to the public, as reported in the Forbes article titled "Feinstein Funeral Closed to Public After Security Concerns," published on October 5, 2023. The article can be accessed at the following URL: <https://www.forbes.com/sites/anafaguy/2023/10/05/feinstein-funeral-closed-to-public-after-security-concerns/?sh=2b5a5077a60f>

Specifically, I am seeking any records, documents, emails, memoranda, or communications related to credible security threats that led to the decision to close the funeral to the public. This includes but is not limited to:

Any written or electronic correspondence or communications discussing the security concerns that led to the closure of the funeral.

Any reports, assessments, or analyses conducted to evaluate the security threats.

Any decisions, directives, or official orders regarding the closure of the funeral.

Any information related to the timeline of events leading up to the decision to close the funeral.

Any communications with relevant law enforcement agencies, security organizations, or federal authorities regarding the security concerns and response.

If any requested records or information cannot be provided within the California Public Records Act timeframe, please inform me of the expected date of availability.

If you deny any part of this request, please provide a written explanation for each denied item, citing the specific legal basis for denial.

I would like to request a newsmedia fee waiver as this request is in the public interest and subject to historical preservation and large distribution.

ChatGPT FOIA Projects

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

William Fernandes

View request history, upload responsive documents, and report problems here:

[https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency\\_login%252Fsan-francisco-police-department-367%252Fthreat-index-153120%252F%253Femail%253Dsupervisor.records%252540sfcityatty.org&url\\_auth\\_token=AAAIhlqz\\_6HzFpF9QbtVNXCGHbA%3A1s7n6X%3AnHae37Cgs59xl8\\_3UwFHCGUXYY6WbcMQwCczmN0t43U](https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-police-department-367%252Fthreat-index-153120%252F%253Femail%253Dsupervisor.records%252540sfcityatty.org&url_auth_token=AAAIhlqz_6HzFpF9QbtVNXCGHbA%3A1s7n6X%3AnHae37Cgs59xl8_3UwFHCGUXYY6WbcMQwCczmN0t43U)

If prompted for a passcode, please enter:

HYPNUUVN

Filed via MuckRock.com

E-mail (Preferred): 153120-96779259@requests.muckrock.com

PLEASE NOTE OUR NEW ADDRESS

For mailed responses, please address (see note):

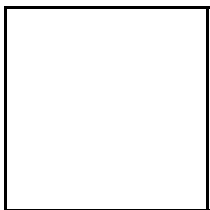
MuckRock News

DEPT MR 153120

263 Huntington Ave

Boston, MA 02115

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



April 6, 2024

**VIA EMAIL**

Attn. General Government Team  
City Attorney – Supervisor of Records  
City Hall, Room 234  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102  
[Supervisor.Records@sfcityatty.org](mailto:Supervisor.Records@sfcityatty.org)

Hello,

This is a petition for determination if a record is public, submitted pursuant to the San Francisco Sunshine Ordinance.

Under the Sunshine Ordinance, a custodian of a public record shall comply with a request for copies of records, or if they believe a record is exempt, the custodian shall justify the withholding with the express provisions of the Sunshine Ordinance<sup>1</sup>. If a record custodian fails to comply, the requestor may petition the supervisor of records, the City Attorney, for a determination if the records are public<sup>2</sup>. The San Francisco City Attorney's office shall act to protect and secure the rights of the people of San Francisco to access public information<sup>3</sup>.

On March 22, 2024 I submitted a public records request under the California Public Records Act and the San Francisco Sunshine Ordinance to the San Francisco Police Department ("SFPD"), seeking:

*[...] records related to proposed or finalized placement of fixed or semi-fixed Automated License Plate Reader ("ALPR") cameras in San Francisco by the San Francisco Police Department. This can include, but is not limited to:*

- Document(s) describing criteria for proposed locations*
- Document(s) listing or showing specific locations for consideration*
- Presentation(s) describing the proposed ALPR program that mention placement.*

On March 27, 2024 the SFPD released one responsive record, but a map showing the location of all ALPR cameras in the city ("ALPR Map") was withheld under Government Code Section 7923.600(a). A copy of the SFPD's initial denial letter is attached as Exhibit A. I disagreed with

---

<sup>1</sup> San Francisco Administrative Code, Chapter 67.21, subd. (b)

<sup>2</sup> Ibid., subd. (d)

<sup>3</sup> Ibid., subd. (i)

the SFPD's determination that the record was exempt from disclosure, and included my reasoning in a letter sent to the SFPD, a copy of which is attached as Exhibit B. The SFPD then released two more responsive records, but did not release the ALPR Map, and instead sent me a letter reaffirming their position that the record is exempt. A copy of that second denial is attached as Exhibit C.

While the SFPD's latest stance is that the ALPR Map is an "investigatory or security file", that also does not pass muster as it's not part of any file. A file here would be a collection of documents compiled for a specific purpose, such as an investigation, incident, or event. The ALPR Map does not refer to any investigation, as the California Supreme Court addressed in *American Civil Liberties Union Foundation v. Superior Court* (2017) 3 Cal.5th 1032. They found that the underlying ALPR data was not an "investigatory record" because the ALPR scans "are not conducted as part of a targeted inquiry into any particular crime or crimes", but rather "with an expectation that the vast majority of the data collected will prove irrelevant for law enforcement purposes." (*Ibid* at p.1042.) The data produced by ALPR cameras were not part of any specific investigation, but rather for mass data collection. Likewise, the position of the ALPR cameras relates to the mass data collection, not to any specific investigation to which the map could be a file to. Notwithstanding that the ALPR Map isn't part of any file, it's even more so not part of a security file. Security files deal with threats that have not yet occurred, while investigations refer to crimes that have already occurred.

In light of the above, I hope that you will find that the ALPR Map is in fact a public record disclosable under the Sunshine Ordinance.

Thank you,

A black and white image of a handwritten signature in cursive script, which reads "Matthew Lotocki".

Matthew Lotocki



CITY AND COUNTY OF SAN FRANCISCO  
**POLICE DEPARTMENT**  
HEADQUARTERS  
1245 3<sup>RD</sup> Street  
San Francisco, California 94158



**LONDON N. BREED**  
MAYOR

**WILLIAM SCOTT**  
CHIEF OF POLICE

March 26, 2024

Via email **Personal Information**

Matthew Lotocki

San Francisco, CA

RE: Public Records Request, dated March 22, 2024, Reference # P149739-032224

Dear Matthew Lotocki:

The San Francisco Police Department (SFPD) received your Public Records Act request, dated March 22, 2024.

*You requested, "I am seeking records related to proposed or finalized placement of fixed or semi-fixed Automated License Plate Reader ("ALPR") cameras in San Francisco by the San Francisco Police Department. This can include, but is not limited to: - Document(s) describing criteria for proposed locations - Document(s) listing or showing specific locations for consideration - Presentation(s) describing the proposed ALPR program that mention placement.."*

In acknowledgement of your request, please see our responses below.

A responsive record is included with this correspondence. Please note that SFPD has asserted, and intends to assert, all privileges available by law to maintain confidentiality as to the compiled ALPR map depicting the location of all installed ALPR cameras. While individual ALPR cameras will be visible from the street and not concealed, the compiled map of all locations is more sensitive than the individual locations that comprise it. The compiled ALPR map would allow criminals, particularly those participating in organized crime groups, to structure their movements to avoid the network of ALPR cameras, would expose the network to either targeted or widespread vandalism or disruption, or would expose Flock engineers to harassment or attack during the installation and implementation phase of the project. The map is a record of security and intelligence information that is protected under Cal. Govt. Code section 7923.600(a).

If you have any questions, please contact the Legal Division at (415) 837-7394.

Thank you for your courtesy in this regard.

Sincerely,

Lt. Chris Beauchamp #561  
SFPD - Legal Division  
Desk - (415)837-7150

March 27, 2024  
**VIA EMAIL**

RE: Public Records Request # P149739-032224

Hello,

This letter is a follow up to the partial denial on March 26<sup>th</sup> of the public records request listed above. While one responsive record was released, it appears that one or multiple other responsive records (namely the “compiled ALPR map”) was withheld under Government Code Section 7923.600(a), and possibly Section 7922.000.

The California Public Records Act is to be construed broadly when in favor of the people’s right of access, and narrowly construed when limiting the people’s right of access. (*Sander v. Superior Court* (2018) 26 Cal. App. 5th 651, 654; Cal. Const., art. I, § 3 subd. (b), par. (2).)

Government Code Section 7923.600(a) exempts from disclosure “records of intelligence information or security procedures of ...[a] local police agency”. However, a map of ALPR cameras does not fit either of those definitions. Such a map is not a “security procedure”. Further, this section does not consider “intelligence information” to mean all information reasonably related to criminal activity, as such a conclusion would “effectively exclude the law enforcement function of state and local governments from any public scrutiny under the California [Public Records] Act”. (*American Civil Liberties Union Foundation v. Deukmejian* (1982) 32 Cal. 3d 440, 449) Instead, “intelligence information” focuses on confidential sources and confidential information related to criminal activity. (*Ibid.* at p. 453) As you note, the ALPR cameras being installed in San Francisco are visible from the street, not concealed, and publicly touted<sup>1</sup>, making them hardly confidential. Furthermore, the ALPR data generated from the cameras are not themselves investigative records or intelligence records. (*American Civil Liberties Union Foundation v. Superior Court* (2017), 3 Cal. 5th 1032, 1042). The positions of such cameras would similarly not be investigative records or intelligence records.

Also cited was the possibility of (1) criminals intentionally avoiding ALPR cameras, (2) bad actors targeting the ALPR cameras for vandalism or disruption, and (3) Flock engineers being harrassed or attacked during the installation phase. I am interpreting those concerns as justification for withholding under Section 7922.000. “[A] mere assertion of possible endangerment does not ‘clearly outweigh’ the public interest in access to ... records.” (*Long Beach Police Officers Assn. v. City of Long Beach* (2014) 59 Cal. 4th 59, 74 (citing *CBS, Inc. v. Block* (1986) 42 Cal. 3d 646, 652)) Furthermore, the idea that criminals might avoid ALPR

---

<sup>1</sup> <https://www.sf.gov/news/san-francisco-begins-installing-automated-license-plate-readers-disrupt-organized-theft-and>

cameras ignores a similar scenario where law-abiding citizens wish to plan their routes to avoid such cameras due to concerns over mass-surveillance. While criminals have the option to install fraudulent paper plates (or even no plates at all), law abiding citizens generally avoid that approach.

Additionally, there is ample public interest in disclosure of an ALPR map. While law enforcement likely contents that ALPR cameras are a helpful crime-fighting tool, they have severe privacy implications. The placement of ALPR cameras sheds light on the degree of over-policing certain communities face. They also inform individuals about how often their movements are tracked by the SFPD as they drive throughout the city.

In light of the points above, I hope you will reconsider this denial so that it does not need to be litigated. I would appreciate a response by April 3<sup>rd</sup> with the department's intentions.

Thank you,

A black rectangular box containing a white handwritten signature that reads "Matthew Lotocki".

Matthew Lotocki



**LONDON N. BREED**  
MAYOR

CITY AND COUNTY OF SAN FRANCISCO  
**POLICE DEPARTMENT**  
HEADQUARTERS  
1245 3<sup>RD</sup> Street  
San Francisco, California 94158



**WILLIAM SCOTT**  
CHIEF OF POLICE

April 2, 2024

Matthew Lotocki  
Personal Information

**Re: Public Records Request  
P149739-032224**

Dear Mr. Lotocki:

I write you in response to your March 27, 2024 letter objecting to the San Francisco Police Department’s determination to withhold records in the above-referenced public records request. In short, you object to the Department’s reliance upon Government Code section 7923.600(a) because the requested ALPR maps constitute neither a “security procedure” nor “intelligence information.” After considering your arguments, we remain at our initial conclusion: the maps qualify as security files and the Department is permitted to withhold them.

Government Code section 7923.600(a) permits a police department to withhold various types of records, including “any investigatory or security files compiled by any other state or local police agency.” The act does not specifically define these terms. The statute’s plain meaning, however, leads us to conclude that the ALPR maps qualify as security files. The maps are created, in part, to ensure the security, integrity, and safety of the system and the personnel who operate and maintain it. Release of ALPR maps could expose the system to vandalism or disruption, could expose engineers to harassment or attack during the installation, implementation, or maintenance of the project, and could allow criminals to avoid detection armed with knowledge of potential system blind spots.

Withholding the records is consistent with the purpose of the exemption, which “secures evidence and investigative techniques . . . and in effect makes such investigations possible.”<sup>1</sup> Furthermore, records dealing with “security and safety procedures” are “clearly exempt.”<sup>2</sup>

<sup>1</sup> *Dixon v. Superior Court*, 170 Cal.App.4th 1271, 1276 (2009).

<sup>2</sup> *Northern Cal. Police Practices Project v. Craig*, 90 Cal.App.3d 116, 121-22 (1979); see also 79 Ops. Cal. Atty. Gen. 206 (1996) (“Documents or portions of documents that deal with security and safety procedures need not be disclosed. Any information that would compromise the security of the GREAT system would be exempt from disclosure.”).

Thank you for your attention to this matter.

Sincerely,

*/s/STEVEN BETZ*

**STEVEN M. BETZ**  
Staff Attorney  
Risk Management Office

cc: Lieutenant Christopher Beauchamp

**Buta-Scott, Odaya (CAT)**

---

**From:** Kimberlin, Kate (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Wednesday, July 17, 2024 1:06 PM  
**To:** 'Matthew Lotocki'  
**Cc:** Supervisor Records (CAT)  
**Subject:** RE: Sunshine Ordinance Supervisor of Records Petition

Dear Mr. Lotocki,

Thank you for your patience as we investigated your petitions to the Supervisor of Records regarding related records requests to the SFPD, SFPUC, and SFMTA. We also appreciate your offer to combine these petitions for purposes of our investigation and response.

Our investigation has revealed that the departments have not improperly withheld documents in violation of the Sunshine Ordinance. The materials you requested are exempt from disclosure under California Government Code section 7923.600(a) and California Evidence Code section 1040. We will therefore consider your petitions dated April 6 and June 17, 2024 closed.

Very truly,



**Kate G. Kimberlin** (*she/her*)  
Deputy City Attorney  
Office of City Attorney David Chiu  
[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** Matthew Lotocki **Personal Information**

**Sent:** Monday, June 17, 2024 8:00 AM  
**To:** Supervisor Records (CAT) <supervisor.records@SFCITYATTY.ORG>  
**Subject:** Re: Sunshine Ordinance Supervisor of Records Petition

Hello,

Please see attached an additional petition regarding similar requests to the SFMTA and SFPUC. Please use reasonable judgement to see if the SFPD and SFMTA/SFPUC petitions should be combined or kept separate, given the overlap in legal questions. Either way, given that the original petition is over 2 months old, I would appreciate an estimated date of completion.

Thank you,

Matthew Lotocki

On Thu, Jun 6, 2024 at 2:01 PM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Mr. Lotocki,

My apologies – I thought that we had responded that we are in receipt of your petition. I will provide a response shortly.

Very truly,



Kate Kimberlin (she/her)

Deputy City Attorney

Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

**From:** Matthew Lotocki **Personal Information**  
**Sent:** Thursday, May 30, 2024 1:58 PM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** Re: Sunshine Ordinance Supervisor of Records Petition

Hello,

The record request in the above matter came before the Sunshine Ordinance Task Force's Education, Outreach and Training Committee on May 28, 2024. The committee noted that no response from the Supervisor of Records was given, and referred the matter to the full task force, but not to be scheduled until a response on the petition was given. Can you please confirm receipt of my petition, and advise when a response will be given?

Thank you,

Matthew Lotocki

On Sat, Apr 6, 2024 at 3:34 PM Matthew Lotocki **Personal Information** wrote:

Hello,

Please find enclosed a petition for the Supervisor of Records.

Thank you,

Matthew Lotocki

## Supervisor Records (CAT)

---

**From:** Suzette Z Safdie **Personal Information**  
**Sent:** Monday, April 8, 2024 4:46 PM  
**To:** Supervisor Records (CAT)  
**Subject:** SFRPD records  
**Attachments:** Fw\_ A note of thanks\_Redacted.pdf; Request for policy regarding private schools email.pdf; San Francisco Policy on After School Field Allocations.pdf; Afterschool Field Allocation Priorities and Policies 2010[14].doc

Supervisor of records,

1. All emails from the 5 families who have complained about Presidio Wall Pickleball. One of the documents ( see enclosed) was redacted in the strangest place. I am asking for your review to see if there was something that was hidden that should not have been.
2. I asked for a list of donations to date from the SF Parks Alliance but only received a link that only shows 2021 and 2022 donations.
3. I requested to see proof as to when the policy for private school usage of tennis courts was uploaded to their system or to send me the work doc so that I could see when it was created but I have not received that either. In 2022 (email enclosed of request) I received a document that was dated 2010 where tennis was not listed. Now I received a pdf that says 2017 where tennis was added. Why didn't they send me the 2017 document in 2022. Both documents enclosed.
4. The following documents have not been delivered from the request dated 3/21/24
  - the breakdown in cost to paint pickleball lines at Moscone courts 3 and 4
  - paperwork showing which budget/fund did the cost of resurfacing, painting and lining for tennis only at the Presidio Wall tennis courts 3 and 4.
  - Cost breakdown and detailed list of how the \$50,000 from Supervisor Stefani's allocation is being used.
  - The email where someone complained about urination in driveways or the proof that it happened since it was reported on the news as fact.

Please call with any questions.

Best,  
Suzy Safdie  
**Personal Information**

[REDACTED]

**From:** Natasha Dolby <[REDACTED]>  
**Sent:** Thursday, March 28, 2024 3:48 PM  
**To:** John Maniscalco <john@m-architecture.com>  
**Cc:** Ketcham, Dana (REC) <dana.ketcham@sfgov.org>; Ng, Beverly (REC) <beverly.ng@sfgov.org>; Madland, Sarah (REC) <sarah.madland@sfgov.org>; mary tesluk <[REDACTED]>; Victoria Raiser <[REDACTED]>; Anna Morfit <[REDACTED]>; Holly Peterson <[REDACTED]>  
**Subject:** Re: A note of thanks

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Indeed-- many many thanks, Sarah, Beverly and Dana.

It is so nice to see tennis being played in those front courts again-- they do look beautiful, and it has made a significant difference... noise and traffic have decreased!

I still hold on to hope that we can start games at 8 am on weekends (and this was at the heart of my email to Supervisor Stefani's office back in the day)... is there a way to put that as an item to be discussed with the PB/Tennis Trio Conversations?

Thank you,

Natasha

On Thu, Mar 28, 2024 at 11:21 AM John Maniscalco <[REDACTED]> wrote:  
Sarah, Beverly, and Dana -

I wanted to reach out to express our gratitude for the follow through at courts 3 and 4 at PW. The finished product is beautiful, they are well-occupied by players, lessons, and the school teams throughout the day, and the positive effect of the change is significant from both a sound and congestion perspective.

I know this was not an easy commitment to make and stand by, but wanted to be sure to let

you know how meaningful it is for those of us that live adjacent to the courts. We are very grateful for your work on this.

Best -  
John

**John Maniscalco AIA NCARB**  
John Maniscalco Architecture | jmA

[REDACTED]

o: [REDACTED]  
c: [REDACTED]

[M-Architecture.com](http://M-Architecture.com)

**Subject:** RE: pickleball

**Date:** Thursday, September 8, 2022 at 1:24:36 PM Pacific Daylight Time

**From:** Ng, Beverly (REC)

**To:** Suzette Safdie

**CC:** Hans Carter, Springer Teich, Bill Lafferty, Dan Landy, Lilly Murphy, Summers, Ashley (REC), Commission, Recpark (REC)

Hi Suzy,

## Never received proof of a policy

Dana reached out to our Commission Liaison to look through archives because this was before Dana's time with the department. We'll loop back with you shortly.

Beverly

---

**From:** Suzette Safdie **Personal Information**

**Sent:** Wednesday, September 7, 2022 6:53 PM

**To:** Ng, Beverly (REC) <beverly.ng@sfgov.org>

**Cc:** Hans Carter **Personal Information**; Springer Teich **Personal Information**; Bill Lafferty **Personal Information**; Dan Landy **Personal Information**; Lilly Murphy **Personal Information**;

Summers, Ashley (REC) <ashley.summers@sfgov.org>; Commission, Recpark (REC)

<recpark.commission@sfgov.org>

**Subject:** Re: pickleball

Beverly,

Before I respond to this could you send me the policy documents that I asked for regarding the private schools? If it's a 30 year old policy, surely there must be some documentation.

Best,  
Suzy

Sent from my iPhone

On Sep 7, 2022, at 6:11 PM, Ng, Beverly (REC) <[beverly.ng@sfgov.org](mailto:beverly.ng@sfgov.org)> wrote:

Dear Suzy,

I hope you had a nice long weekend. Thank you again for your patience as I pull information together from our permits division.

When we spoke on Friday, I suggested you join the pickleball working group. Especially since you mentioned that you know both Bill and Hans personally. I've included the working group on this email in hopes they will encourage you to attend a meeting (which I usually schedule for late in the month, I will include you in the scheduling email). In addition to our working group, we also have three supervisor's office (District 1, 2, 4) as well as our Rec and Park commissioner Vanita Louie. They usually attend if their schedule

allows.

Over the years, we have had several folks join and drop off but always welcome more folks to provide a different perspective. Majority of the questions you bring up are important and have been addressed in the working group in years past. I'm going to provide a recap of what we talked about in the working group to your questions below in **blue font** in your original email. I encourage you to attend at least one meeting so you can collaborate with the working group. I think you will find that Rec and Park has been accessible to the pickleball community in these meetings over the last 5 years and we work to find solutions where we can.

All the best –

Beverly

---

**From:** Suzette Safdie **Personal Information**  
**Sent:** Saturday, September 3, 2022 8:24 AM  
**To:** Ng, Beverly (REC) <[beverly.ng@sfgov.org](mailto:beverly.ng@sfgov.org)>  
**Cc:** Ginsburg, Phil (REC) <[phil.ginsburg@sfgov.org](mailto:phil.ginsburg@sfgov.org)>; Summers, Ashley (REC) <[ashley.summers@sfgov.org](mailto:ashley.summers@sfgov.org)>; Commission, Recpark (REC) <[recpark.commission@sfgov.org](mailto:recpark.commission@sfgov.org)>  
**Subject:** Re: pickleball

Hi Beverly,

I guess I didn't hear you say Golden Gate Park courts when I asked if you and Dana went out to other cities to see how they have been dealing with the growth of pickleball.

I am fully aware of what Dana and her staff's job duties are but it doesn't seem like small baby steps is the answer here for pickleball since it is the fastest growing sport in America. Actually probably worldwide but can't be certain of that.

Looking forward to receiving the paperwork that I asked for.

Thanks,  
Suzy

---

**From:** "Ng, Beverly (REC)" <[beverly.ng@sfgov.org](mailto:beverly.ng@sfgov.org)>  
**Date:** Friday, September 2, 2022 at 11:00 PM

**To:** Suzette Safdie **Personal Information**>

**Cc:** "Ginsburg, Phil (REC)" <[phil.ginsburg@sfgov.org](mailto:phil.ginsburg@sfgov.org)>, "Summers, Ashley (REC)" <[ashley.summers@sfgov.org](mailto:ashley.summers@sfgov.org)>, "Commission, Recpark (REC)" <[recpark.commission@sfgov.org](mailto:recpark.commission@sfgov.org)>

**Subject:** Re: pickleball

Hi Suzy,

Thank you for the quick and thorough reply. I will come back to you after the Labor Day weekend to clarify further on all of this (*FYI: On the phone today, I said that I understood staff research and visit sites during the planning process for the Golden Gate Tennis Center project. I did not say that I visited pickleball sites in other cities for work purposes. But on personal time have visited in Berkeley with my sister-in-law and in Sunnyvale with my cousin.*)

In our conversation today, it was a delight to hear you and I are Wash Eagle alumnus. As a SF native, I am proud of the work that our department has done for the public. I started with the department 5 years ago, so the importance of the pickleball community has been with me from the start. Please understand that staff like Dana work incredibly hard, especially during a pandemic when the demand for all things park and recreation increased by ten folds. Her work encompasses a multitude of issues from various groups (pickleball, volleyball, swim teams, soccer, tennis, baseball, basketball, marathon runners, wedding venues, preschool program, special events, etc), clubhouse tenants, legal hearing, contract agreements, etc; and I help her where I can. Therefore, I provided responses for questions directed for her.

Thank you for your patience. I do encourage you to join the working group with Bill and Hans. Dana and I are always here to listen and provide support. Have a nice long holiday weekend.

All the best - Beverly

---

**From:** Suzette Safdie **Personal Information**

**Sent:** Friday, September 2, 2022 9:43 PM

**To:** Ng, Beverly (REC) <[beverly.ng@sfgov.org](mailto:beverly.ng@sfgov.org)>

**Cc:** Ginsburg, Phil (REC) <[phil.ginsburg@sfgov.org](mailto:phil.ginsburg@sfgov.org)>; Summers, Ashley (REC) <[ashley.summers@sfgov.org](mailto:ashley.summers@sfgov.org)>; Commission, Recpark (REC) <[recpark.commission@sfgov.org](mailto:recpark.commission@sfgov.org)>

**Subject:** Re: pickleball

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Beverly,

Thank you for the phone call. I'm only sorry that it took an email to Phil. I'm not clear why you had to answer questions that were addressed to Dana. Regarding the messages that I left, it seems as though the department needs to learn how to forward calls to your cell phone if you are working remotely. Hard to believe that there isn't a system in place where you could call in for your messages. Sadly, I think SF is behind in many things.

I need to respond to a few things and add to your recap.

**Regarding your first paragraph-**

You and Dana have been working hard for 5 years.

1. We have 6 permanent pickleball courts that don't require a fee.
2. Rec and Park has only supplied 4 roll on nets to the community. The rest were provided by the community by fundraising. **Starting in August 2018, Rec and Park worked with the pickleball community to respond to their needs by creating a pickleball working group. The pickleball working group requested that we provide pickleball lines and authorize them to put a storage locker in place to hold nets. We did that. Starting in 2022, the pickleball community expressed frustration at having to set up a nets. We researched options for pickleball nets that should be sturdy enough to withstand use outside and provided those nets in June of 2022. We placed 2 at Presidio Wall and 2 at Richmond. The pickleball working group was extremely happy that we did this. At the same time, they had explored the same option, using funds that they had collected from players who had come to the group play times and made suggested donations over the years. The pickleball working group told us that they already had 4 at Presidio Wall which is why we only provided 2. The goals was to have the movable nets set up on the two back courts which have more space and are used significantly for pickleball.**
3. Golden Gate Park might as well be a private club. Have you ever tried to get a reservation there? I called in to complain that bots are actually making the reservations yet they haven't changed the process. A verification is needed to prove you are not a bot. **This is the issue faced by tennis players throughout the system. Our tennis courts book out throughout the city within 3 minutes of becoming available. We have a great demand for both pickleball and tennis courts.**
4. Balancing the diversity- How balanced is it when you have 6 pickleball courts with 24 people on courts playing and you have about 60 people waiting to play while the two tennis courts have 4 people on it. I would say this is a big indicator that a better job of balancing needs to be done. What other sport in the city has that many people participating in such a small area? **Rec and Park knows that at certain peak times, the group play is busy for pickleball. The public will not see similar lines for tennis since courts are booked in advance online so only those playing tennis show up. We have expanded our free online reservation system to now allow pickleball players to book a set court with friends. Please note that tennis players are limited in terms of how many**

**courts they can book in a week.**

5. Adding pickleball lines without providing nets does not make a pickleball court. A tennis court without a net is not a tennis court but those are permanently installed. **As described above, we have worked with the pickleball working group to expand options.**
6. Other cities are adding indoor pickleball courts through the Rec and Park (not on gym floors). **We do not currently have funding for any indoor projects.**

### **Visiting Presidio Wall sites**

My understanding is that the last time anyone was out counting was 2019. My question was if Dana had ever gone out to see what it is like on a typical day there. You said yes, but I am hearing otherwise. **Correct in 2019, we did a count. Many of our staff has gone to each of our courts. We understand that the community loves playing and we support it.**

### **Private Schools**

I would like to see the written policy that has been around for 30 years. Please send it to me when you have a chance. Perhaps it's time to change the policy since this policy is burdening public spaces. Public schools are in a different league from private schools. Could I get a list of the public and private schools that are using courts and which courts are being used by them? Private schools can use the courts that are less used even if they have to hop in the school's van to get there. This is something Dana should be able to figure out easily. I could understand if it's a public school since they don't own vans but private schools do and the sense of entitlement that they want to be able to walk to the court is a bit sickening. A public entity should not be feeding into this sense of entitlement. **Our city department provides access to courts and fields to school-based teams from San Francisco whether they are public or private between 3:30pm and 6pm. However, public school-based teams ALWAYS get priority in terms of locations so that students can easily walk to games and practices and don't need transportation. The issue with tennis courts is that practices need to happen on sites with ideally 4 (but can also make it work with 3) courts in order to make sense for the team and coach. We do not have any more sites with 3 or more courts that are not already being used by schools in the city. Several schools from the north part of the city go all the way to Crocker to practice. We have already addressed this issue with the working group.**

### **Private Instructors**

You said that this is very hard to enforce. It is my understanding that certain people were asked to "tattletale" when they see this happening. When I heard this, I was flabbergasted as it sounds like someone is asking a community member to do a city employee's job.

It would not be hard to enforce if the person in charge of permits would actually come down on any given day to see it happening. It is not my objective to takeaway anyone's livelihood but I can imagine who the complaints that Dana mentioned are coming from regarding making reservations for tennis courts. **We do not have the resources to put a monitor on every court every day to see lessons. From when we started the tennis reservation system, we asked members of the public to report to us the day, time and court where they saw a lesson. We**

can then look up the reservation and suspend the account if we see a pattern of issues.

### **Stern Grove & Future Dedicated Pickleball Sites**

That's great about Richmond Playground. Which two sites did they previously reject and what was the reason they rejected it? **The pickleball working group was focused on sites in the northwest section of the city (preferably in District 1). The staff evaluated sites based on the preestablished pickleball working group policy (wrap around fencing, restroom, and parking) and provided these two sites: Argonne Playground and Cabrillo Playground. Rec and Park did not get a clear reason on why those sites did not work from the group.**

I think it makes sense to have a lot of permanent courts (12) at Stern Grove even if the bathrooms come later. **Stern Grove would only hold 6 courts (we are seeing if we can fit 8) We have been very clear that a restroom coming later on is not feasible in current budgets, as construction cost have been at \$1 Million and more, due to the need to add new water and sewer lines. That is why we felt that we should hold on installing permanent courts at Stern Grove and instead add roller nets to this site while we found better locations that already met the pickleball working group policy for permanent courts. We discussed this with the working group.**

You may think you have more success on multi-use courts but it creates animosity and the roller nets have a short life. A few of them have been broken and guess who has to fix them? Not Rec and Park. **If there are issues with our roller nets, we would like to learn about them. We believe that animosity can be avoided by fixed use times.**

Regarding the hostile pickleball player who assaulted a tennis player. Name left out of the email. From what I heard it was not on an actual court. Perhaps it was a personal matter. Of all the courts that I have visited, I have never seen a pickleball player get hostile with a tennis player even if the tennis player was acting inappropriate or complaining about something like using the door near the tennis court instead of walking around to the other side. Apologizes are always made if a ball goes near their court. Tennis players feel that the courts are theirs and they don't want to share even if they are not being used. As I wrote to Dana, I have driven around many tennis courts at different times of the day and see them empty. It's time to make a change to serve more people in the community.

I asked if you visited other cities to see how they are dealing with the pickleball courts. You said that you and Dana did. Which ones did you visit? **addressed on my late Friday evening email**

Will the Indian Basin project have permanent pickleball courts? Seems like it's going to be a large area to work with. **The India Basin project was designed taking into account local community needs and interest. There has been an extensive community process lead by local non-profit groups over the years for this project. At the end of their community outreach process, it does not include tennis or pickleball courts. We actually have a significant number**

of courts in the south part of the city. The congestion of users has really been in the north and west parts of the city.

Here are some links for you to look at what other cities are doing for the pickleball community which by the way now has an average age of 35 not 55.

<https://www.fostercity.org/parksrec/page/foster-city-pickleball>

<https://www.walnutcreekpickleballclub.com>

<https://www.novato.org/government/parks-recreation-community-services/parks-facilities/hill-recreation-area?locale=en>

<https://www.pbatsp.com>

This one converted tennis courts to make 18 pickleball courts and kept some courts for tennis. They did the calculations I'm sure to see what was equitable.

Finally, it seems like the lingo from the Rec and Park when it comes to pickleball is.....we are trying our best, we are working hard, we are searching etc. I just can't imagine that it took 5 years to get 5 permanent courts all while a 27.5 million dollar park was being built. I understand that there are a lot of terrible things going on in the city right now but I also know that pickleball is an important sport for many people, for many reasons. It's a social sport, it's a sport that a grandfather or grandmother can play with their grandchildren. A sport where a 60 year old could have a great conversation with a 20 year old while waiting to play. A sport that keeps kids off their computers. A sport that keeps people of all ages in shape. You don't have to be super athletic to play. Everyone is always friendly. Winning isn't the main objective when playing. There is constant praising on the court from opponents if a good shot was played.

Everyday there is a new article about pickleball. I suggest you read some of them to see how important it is for San Francisco to not fall behind.

Best,  
Suzy

---

**From:** "Ng, Beverly (REC)" <[beverly.ng@sfgov.org](mailto:beverly.ng@sfgov.org)>

**Date:** Friday, September 2, 2022 at 5:47 PM

**To:** Suzette Safdie **Personal Information**

**Cc:** "Ginsburg, Phil (REC)" <[phil.ginsburg@sfgov.org](mailto:phil.ginsburg@sfgov.org)>, "Summers, Ashley (REC)" <[ashley.summers@sfgov.org](mailto:ashley.summers@sfgov.org)>, "Commission, Recpark (REC)"

<[recpark.commission@sfgov.org](mailto:recpark.commission@sfgov.org)>

**Subject:** pickleball

Hi Suzy,

Again, my humble apologies on my late response. You can squarely put the blame on me and nobody else.

I'm glad we got to connect over the phone today. You have my cell phone Personal Information  
[REDACTED] you can call me at any time and day to talk about pickleball.

Just to recap, what we chatted about:

Our Rec and Park staff have been working hard to find ways to accommodate more pickleball opportunities throughout the city. The Pickleball working group that I started with Dana about 5 years ago was instrumental in guiding the department on way to provide more pickleball. As a department we try to balance the diversity of recreational activities throughout our park system. During this time we have *dedicated pickleball courts at Louis Sutter and Golden Gate Park, added pickleball lines to create multi-striped courts at 10 sites (this includes Stern Grove), created dedicated pickleball play hours at 5 sites (this include presidio wall and parkside), facilitated pickleball equipment, continue to expand pickleball opportunities every time there is a court renovation pickleball lines are added, and indoor pickleball hours at gyms: Richmond, Hamilton, Eureka Valley, Glen Park and Upper Noe Rec Centers.*

**Visiting Presidio Wall sites** – staff have gone out to count and visit and evaluate the usage. We also have great feedback from the working group of the usage increase that we have been trying to address.

**Private Schools** – For the last 30 years, all SF High School teams (public and private) participating in state sponsored leagues receive free access to recreational space from tennis courts, soccer fields, or baseball diamonds. As long as the school is based in SF, the city does not charge for use under the terms of the long-standing policies.

**Private Instructors** - Private instructors are not allowed to use reservations as an option for their business model. We have encouraged tennis and pickleball players to report it directly to us so we can enforce.

**Stern Grove & Future Dedicated Pickleball Sites** – We recently covered this topic last month with the Pickleball Working Group (we meet every month). We are looking at Richmond Playground for a dedicated site, the working group is interested. We are having the working group revisit two sites, that we provided as dedicated pickleball sites that they rejected. We are also re-exploring the policy that the working group and department developed together for dedicated sites (i.e. Stern Grove without a restroom).

I am working on this with the group to understand what is possible. With multiuse courts (tennis & pickleball), we have more opportunities and success. We are lining Buena Vista court this Fall.

You are welcome to join the pickleball working group, especially since you already know Hans and Bill, I'm sure they would welcome you. I haven't set the date yet for the September meeting; it is usually at the end of the month.

Again – my personal apologies. If you need anything else or want to chat through more items, you can call my cell.

All the best,

Beverly

---

**Beverly Ng**

Deputy Director of Policy and Public Affairs

San Francisco Recreation and Park Department  
City & County of San Francisco  
McLaren Lodge in Golden Gate Park  
501 Stanyan Street | San Francisco, CA | 94117  
E-mail: [Beverly.Ng@sfgov.org](mailto:Beverly.Ng@sfgov.org)  
Direct: (415) 831-6852

<image001.jpg> Visit us at [sfrecpark.org](http://sfrecpark.org)  
Like us on [Facebook](#)  
Follow us on [Twitter](#)  
Watch us on [sfRecParkTV](#)  
Sign up for our [e-News](#)

San Francisco Policy on After School Field Allocations  
2010 updated in 2017

The afterschool hours (3 pm to 6:30 pm) are the most congested time on our athletic fields. As a result access is limited to youth only. Our goal is to provide an opportunity to allow all San Francisco children the opportunity to play and we balance all requests to do our best to accommodate everyone. We implement this policy as follows:

1. School Teams (No Fees for Fields Except as Noted)
  - a. Each San Francisco based high school and middle school will be provided fields to accommodate up to one team per school in each of the following sports
    - i. Girls Soccer
    - ii. Boys Soccer
    - iii. Girls Softball
    - iv. Baseball
    - v. Girls Tennis
    - vi. Boys Tennis
  - b. Seasons- The season for each sport are:
    - i. High School
      1. Girls Soccer – Spring (except Catholic High Schools in Winter)
      2. Boys Soccer – Fall (except Catholic High Schools in Winter)
      3. Girls Softball – Spring
      4. Baseball- Spring
      5. Girls Tennis – Fall
      6. Boys Tennis - Spring
    - ii. SFUSD Middle School
      1. Girls Soccer – Winter
      2. Boys Soccer- Winter
      3. Girls Softball – Fall
      4. Baseball – Fall
    - iii. Private Middle School
      1. Girls Soccer – Winter/Spring
      2. Boys Soccer - Fall
  - c. Priority
    - i. School home league game fields
      1. SFUSD teams receive first priority with the goal to have games close to their schools provided fields can be used efficiently
      2. Other schools receive game fields after the SFUSD allocations
      3. No weekend games unless excess availability (see below)
    - ii. Practice fields
      1. High Schools receive 2 practices per week and 3 if possible
      2. Middle Schools receive a maximum of 2 practices per week
      3. Practices range from 1 to 1.5 hours and size of practice areas vary by location and demand
      4. School practices are expected to use the early time slots (3:30 to 5) leaving later times for younger youth teams where players are coming from a variety of schools

5. SFUSD teams receive first priority with the goal to have practices close to their schools due to limitations on access to transportation
  6. Overlapping of school seasons (fall, winter and spring) practices will result in reduction in practice availability.
    - a. For instance – winter soccer goes through mid-February but Spring practices start in late January
- d. Other Requests
- i. JV Teams – space for JV game fields will be provided based on availability. No separate practice fields for JV teams
  - ii. Preseason Practices – preseason practices (extra practices before games start) will be provided based on availability (generally using game slots since seasons have not started)
  - iii. New Sports – schools wishing to start new sports will be provided space based on availability. Schools should discuss with RPD field availability before announcing any new sports.
  - iv. Nonleague Games – space for nonleague games will be provided based on availability (fees apply)
  - v. Weekend games or night games – based on availability (fees apply)
  - vi. Extra practices (based on availability determined only 2 weeks prior) (fees apply)
2. Youth Teams and Programs (not covered by above)
- a. Youth Programs include
    - i. Top Priority (No Fees)
      1. SFRPD Neighborhood Programs serving kids in neighborhoods
      2. SFRPD approved public benefit programs that meet the following standards
        - a. Run by volunteers (but individual paid coaches are allowed)
        - b. Limited to SF resident children
    - ii. Lowest Priority (based on availability and fees apply)
      1. For Profit Programs
  - b. Seasons of RPD and Approved Benefit Programs
    - i. Fall:
      1. SFYS/Mission Fall League
      2. CYO boys soccer historic program
      3. Football Programs – Brown Bombers, Seahawks and Jr 49ers
      4. RPD Flag Football Program
    - ii. Winter
      1. CYO girls soccer
      2. Competitive soccer practices only (based on availability)
    - iii. Spring
      1. Youth Baseball/Softball Programs (SFYBL, Little League and Parish)
      2. SFYS/Mission Spring League
      3. Lacrosse League
  - c. Priority
    - i. Games are all held on weekends except a limited number of spring youth baseball games on weeknights based on availability
    - ii. Practices
      1. Number/Time: Range from 1 1-hour per week to 2 1.5 hours per week based on availability and sport

- a. Based on age of team- older teams get longer and more days
  - b. Based on type of team – developmental teams get more days
  - c. Based on sport- baseball teams limited to 1 one hour practice/week due to limited number of diamonds
2. Times are either
- a. Younger teams/Baseball Teams:
    - i. 3:30-4:30, 4:30-5:30,5:30-6:30, 6:30-7:30
  - b. Older Ground Sports Teams
    - i. 3:30 to 5 or 5 to 6:30
    - ii. Expectation that they will use the 5:00-6:30 slot
3. Areas Provided
- a. Soccer/Lacrosse teams –
    - i. Older teams 4 per pitch or
    - ii. Younger teams - small grass area
  - b. Baseball-
    - i. Older teams – diamond
    - ii. Younger teams grass areas
4. Locations- Priority on providing local fields to teams from underserved and low income communities that do not have access to transportation

#### New Programs and Changes

- New programs can only be considered if both conditions are met:
  - 1. They serve a need not served by other programs
  - 2. Adequate space or we will need to cut another program
- Due to the fact that we are close to capacity, any changes require consideration and balancing of who will be impacted since to change one thing will generally require us to change or reduce allocations to others to make it fit

## San Francisco Policy on After School Field Allocations (2010)

The afterschool hours (3 pm to 6:30 pm) are the most congested time on our athletic fields. As a result access is limited to youth only. Our goal is to provide an opportunity to allow all San Francisco children the opportunity to play and we balance all requests to do our best to accommodate everyone. We implement this policy as follows:

1. School Teams (No Fees for Fields Except as Noted)
  - a. Each San Francisco based high school and middle school will be provided fields to accommodate up to one team per school in each of the following sports
    - i. Girls Soccer
    - ii. Boys Soccer
    - iii. Girls Softball
    - iv. Baseball
  - b. Seasons- The season for each sport are:
    - i. High School
      1. Girls Soccer – Spring (except Catholic High Schools in Winter)
      2. Boys Soccer – Fall (except Catholic High Schools in Winter)
      3. Girls Softball – Spring
      4. Baseball- Spring
    - ii. SFUSD Middle School
      1. Girls Soccer – Winter
      2. Boys Soccer- Winter
      3. Girls Softball – Fall
      4. Baseball – Fall
    - iii. Private Middle School
      1. Girls Soccer – Winter/Spring
      2. Boys Soccer - Fall
  - c. Priority
    - i. School home league game fields
      1. SFUSD teams receive first priority with the goal to have games close to their schools provided fields can be used efficiently
      2. Other schools receive game fields after the SFUSD allocations
      3. No weekend games unless excess availability (see below)
    - ii. Practice fields
      1. High Schools receive 2 practices per week and 3 if possible (other days are game days)
      2. Middle Schools receive a maximum of 2 practices per week
      3. Practices range from 1 to 1.5 hours and size of practice areas vary by location and demand

4. School practices are expected to use the early time slots (3:30 to 5) leaving later times for younger youth teams where players are coming from a variety of schools
  5. SFUSD teams receive first priority with the goal to have practices close to their schools due to limitations on access to transportation
  6. Overlapping of school seasons (fall, winter and spring) practices will result in reduction in practice availability.
    - a. For instance – winter soccer goes through mid-February but Spring practices start in late January
- d. Other Requests
- i. JV Teams – space for JV game fields will be provided based on availability. No separate practice fields for JV teams
  - ii. Preseason Practices – preseason practices (extra practices before games start) will be provided based on availability (generally using game slots since seasons have not started)
  - iii. New Sports – schools wishing to start new sports will be provided space based on availability. Schools should discuss with RPD field availability before announcing any new sports.
  - iv. Nonleague Games – space for nonleague games will be provided based on availability (fees apply)
  - v. Weekend games or night games – based on availability (fees apply)
  - vi. Extra practices (based on availability determined only 2 weeks prior) (fees apply)
2. Youth Teams and Programs (not covered by above)
- a. Youth Programs include
    - i. Top Priority (No Fees)
      1. SFRPD Neighborhood Programs serving kids in neighborhoods
      2. SFRPD approved public benefit programs that meet the following standards
        - a. Run by volunteers (but individual paid coaches are allowed)
        - b. Limited to SF resident children
    - ii. Lowest Priority (based on availability and fees apply)
      1. For Profit Programs
  - b. Seasons of RPD and Approved Benefit Programs
    - i. Fall:
      1. SFYS/Mission Fall League
      2. CYO boys soccer
      3. Football Programs – Brown Bombers, Seahawks and Jr 49ers
      4. RPD Flag Football Program
    - ii. Winter
      1. CYO girls soccer

2. Competitive soccer practices only (based on availability)
- iii. Spring
  1. Youth Baseball/Softball Programs (SFYBL, Little League and Parish)
  2. SFYS/Mission Spring League
  3. Lacrosse League
- c. Priority
  - i. Games are all held on weekends except a limited number of spring youth baseball games on weeknights based on availability
  - ii. Practices
    1. Number/Time: Range from 1 1-hour per week to 2 1.5 hours per week based on availability and sport
      - a. Based on age of team- older teams get longer and more days
      - b. Based on type of team – developmental teams get more days
      - c. Based on sport- baseball teams limited to 1 one hour practice/week due to limited number of diamonds
    2. Times are either
      - a. Younger teams/Baseball Teams:
        - i. 3:30-4:30, 4:30-5:30, 5:30-6:30, 6:30-7:30
      - b. Older Ground Sports Teams
        - i. 3:30 to 5 or 5 to 6:30
        - ii. Expectation that they will use the 5:00-6:30 slot
    3. Areas Provided
      - a. Soccer/Lacrosse teams –
        - i. Older teams 4 per pitch or
        - ii. Younger teams - small grass area
      - b. Baseball-
        - i. Older teams – diamond
        - ii. Younger teams grass areas
    4. Locations- Priority on providing local fields to teams from underserved and low income communities that do not have access to transportation

#### New Programs and Changes

- New programs can only be considered if both conditions are met:
  1. They serve a need not served by other programs
  2. Adequate space or we will need to cut another program
- Due to the fact that we are close to capacity, any changes require consideration and balancing of who will be impacted since to change one thing will generally require us to change or reduce allocations to others to make it fit

Note: The plan by SFUSD High Schools to move boys and girls soccer to winter will require a reassessment of the above allocations

## Supervisor Records (CAT)

---

**From:** Kimberlin, Kate (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Monday, May 6, 2024 11:22 AM  
**To:** 'Suzette Safdie'; Supervisor Records (CAT); Coolbrith, Elizabeth (CAT); CityAttorney (CAT)  
**Subject:** RE: SFRPD records

Dear Ms. Safdie,

Thank you for your inquiry. The Supervisor of Records does not have the ability to determine whether a department has produced all records where, as here, the department asserts they are not withholding records. The Supervisor of Records is only able to determine whether a department has improperly withheld or redacted a record due to a claim of confidentiality or privilege. Here, SFRPD claims that they have produced all documents responsive to your request. We understand that you have asked SFRPD for information about donations, but if the department does not have records responsive to that request, they are not required under either the Public Records Act or the Sunshine Ordinance to respond to questions for information.



With respect to your new request to SFRPD, if the department does not or has not responded in a timely manner or you believe they are improperly withholding or redacting documents, you are welcome to submit a new petition.

Very truly,

Kate Kimberlin (she/her)  
Deputy City Attorney  
Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

---

**From:** Suzette Safdie **Personal Information**>  
**Sent:** Wednesday, May 1, 2024 8:03 PM  
**To:** Supervisor Records (CAT) <supervisor.records@SFCITYATTY.ORG>; Coolbrith, Elizabeth (CAT) <Elizabeth.Coolbrith@sfcityatty.org>; CityAttorney (CAT) <cityattorney@SFCITYATTY.ORG>  
**Subject:** Re: SFRPD records

Kate,

It looks as though you are dropping this even though they have not completed the request. Is that correct? I have asked them for the information but they did not supply the donation records from the Park Alliance as I wrote in my last email to you.

I have a new request as well that I created through the nextrequest site but I am sending this to you now because RPD just posted their intentions about the \$5 fee for court reservations yesterday, giving the public only 2 days to respond to this. Furthermore, they have stated things in this proposal that are not true. There was no outreach and there was no discussion with stakeholders. The commission is voting on this tomorrow. It is a very underhanded tactic.

I am requesting all documentation including all emails, voicemails and minutes from any meetings where the proposed \$5 fee for tennis and pickleball courts was discussed. This would include the working group and the tennis coalition meetings.

I also want to see all emails and/or documentation of any outreach done regarding the \$5 proposed fee stated in this document.

<https://sfrecpark.org/DocumentCenter/View/23753/Item-3-Staff-Report-Court-Reservation-Fee-Final-050224>

---

**From:** Kimberlin, Kate (CAT) <[Kate.Kimberlin@sfcityatty.org](mailto:Kate.Kimberlin@sfcityatty.org)> on behalf of Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>

**Date:** Tuesday, April 30, 2024 at 11:42 AM

**To:** 'Suzette Safdie' **Personal Information** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>

**Subject:** RE: SFRPD records

Dear Ms. Safdie,

We have checked with SF RecPark and they are not withholding documents regarding the resurfacing project fund and the dates of donations from SF Parks Alliance. All documents have been produced. Please feel free to follow up with the RecPark department directly if you have additional questions about what was produced or if you have additional requests for them.

Very truly,



Kate Kimberlin (she/her)  
Deputy City Attorney  
Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

---

**From:** Suzette Safdie **Personal Information**  
**Sent:** Monday, April 29, 2024 4:17 PM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** Re: SFRPD records

Kate,

They never answered my question regarding the resurfacing project fund. Where did that money come from? They copied and pasted the fund but did not show where it came from.

They also never gave me the to date donations from the park alliance.

Best,  
Suzy

Sent from my iPhone

On Apr 29, 2024, at 3:34 PM, Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Dear Ms. Safdie:

We have investigated the status of your three public records requests to the Recreation and Parks Department and have concluded that the department has not improperly withheld or redacted any material in their responses to you. We understand that all responsive records from the department have been produced and therefore consider this petition closed. If you still believe that the department has improperly withheld any responsive material, please let us know.

Very truly,

<image005.jpg>

Kate Kimberlin (she/her) (for Supervisor of Records)  
Deputy City Attorney  
Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

---

**From:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Sent:** Wednesday, April 17, 2024 4:48 PM  
**To:** 'Suzette Safdie' **Personal Information**  
**Cc:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** RE: SFRPD records

Ms. Safdie,

Thank you for your quick response. We would like to acknowledge the receipt of the below email and the attachments you sent to us today. We will update soon.

Best,  
Odaya

<image008.jpg>

**Odaya Buta-Scott (she/her/hers)**  
Office of City Attorney David Chiu  
(415) 554-5960 Office Direct Line  
[odaya.butas@sfcityatty.org](mailto:odaya.butas@sfcityatty.org), [www.sfcityattorney.org](http://www.sfcityattorney.org)  
Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

This message and any attachments are solely for the intended recipient and may include privileged or confidential information. If you have received this communication in error, please notify me immediately, and permanently delete this message and any attachments. Thank you.

---

**From:** Suzette Safdie **Personal Information**  
**Sent:** Wednesday, April 17, 2024 2:39 PM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Cc:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** Re: SFRPD records

Odaya,

1. I requested the paperwork showing who paid for the resurfacing of courts 3 and 4 at Presidio Wall. I have not received this information and the work has already been completed. They should have this answer already. There are tennis people saying that it was paid for by one of the neighbors in which case this sounds like bribery or reward for taking away pickleball from the community.
2. I am asking you why the top of the enclosed email was redacted? This was an unusual place to redact a large block like that. I also never received the emails from RPD to the neighbors. I asked for all communication.
3. The two other documents enclosed in this email- one, given to me in 2022 dated 2010 and the other, given to me from my latest request, dated 2017. Something is off about that. Why didn't they give me the 2017 on in 2022. They have different names. I asked to see the actual date when this was created since I am unable to see that, they need to show me when it was uploaded to their system or send the original word doc that still shows that information.
4. I asked for the paperwork showing the expense of lining the courts at Moscone but the cost was just written out instead of showing invoices for completed work.
5. I asked for proof of the accusation that people were urinating in the driveways. I did not receive that information.

Best,  
Suzy

---

**From:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Date:** Wednesday, April 17, 2024 at 11:02 AM  
**To:** 'Suzette Z Safdie' **Personal Information**  
**Cc:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** RE: SFRPD records

Dear Ms. Safdie:

We have reviewed your email and it is not clear to the Supervisor of Records what you are asking us to do. The Supervisor of Records responds to petitions concerning requests for documents made to City departments, but where the petitioner believes a department has either improperly withheld a document or part of a document based on privilege or confidentiality. Here, it is not clear to us that you have issued a request for documents to the Recreation and Parks department or, if you have, whether you are petitioning the Supervisor of Records for assistance with the production. Please clarify whether: (1) you have already submitted your requests for documents to Recreation and Parks, and (2) if you have already done so, what you are asking the Supervisor of Records to assist with?

Sincerely,

<image010.jpg>

**Odaya Buta-Scott (she/her/hers)**

Office of City Attorney David Chiu

[odaya.but@sfcityatty.org](mailto:odaya.but@sfcityatty.org), [www.sfcityattorney.org](http://www.sfcityattorney.org)

Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

This message and any attachments are solely for the intended recipient and may include privileged or confidential information. If you have received this communication in error, please notify me immediately, and permanently delete this message and any attachments. Thank you.

---

**From:** Suzette Z Safdie **Personal Information**

**Sent:** Monday, April 8, 2024 4:46 PM

**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>

**Subject:** SFRPD records

Supervisor of records,

1. All emails from the 5 families who have complained about Presidio Wall Pickleball. One of the documents ( see enclosed) was redacted in the strangest place. I am asking for your review to see if there was something that was hidden that should not have been.
2. I asked for a list of donations to date from the SF Parks Alliance but only received a link that only shows 2021 and 2022 donations.
3. I requested to see proof as to when the policy for private school usage of tennis courts was uploaded to their system or to send me the work doc so that I could see when it was created but I have not received that either. In 2022 (email enclosed of request) I received a document that was dated 2010 where tennis was not listed. Now I received a pdf that says 2017 where tennis was added. Why didn't they send me the 2017 document in 2022. Both documents enclosed.
4. The following documents have not been delivered from the request dated 3/21/24

the breakdown in cost to paint pickleball lines at Moscone courts 3 and 4

paperwork showing which budget/fund did the cost of resurfacing, painting and lining for tennis only at the Presidio Wall tennis courts 3 and 4.

Cost breakdown and detailed list of how the \$50,000 from Supervisor Stefani's allocation is being used.

The email where someone complained about urination in driveways or the proof that it happened since it was reported on the news as fact.

Please call with any questions.

Best,

Suzy Safdie

**Personal Information**

## Supervisor Records (CAT)

---

**From:** Basil **Personal Information**  
**Sent:** Sunday, April 14, 2024 11:27 AM  
**To:** Supervisor Records (CAT)  
**Subject:** Problems with records requests Mayors office on disabilities (MOD)

Hello,

I made 4 records requests from MOD about a month ago and they are not responding. I consider this a denial. They have not given any indication of need for more time or anything.

Can you help.

## Supervisor Records (CAT)

---

**From:** Kimberlin, Kate (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Tuesday, June 11, 2024 12:31 PM  
**To:** 'Basil'  
**Cc:** Supervisor Records (CAT)  
**Subject:** RE: This is the only response I have gottent from MOD

Dear Requestor:

We have investigated your inquiries relating to NextRequest file numbers 24-1658, 24-1660, and 24-1674. The Mayor's Office on Disability provided responsive records to you on April 17 and 18. We therefore consider this petition resolved.

Thank you,



**Kate G. Kimberlin** (*she/her*)  
Deputy City Attorney  
Office of City Attorney David Chiu  
[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** Basil <Personal Information>  
**Sent:** Monday, April 15, 2024 3:34 PM  
**To:** Supervisor Records (CAT) <supervisor.records@SFCITYATTY.ORG>  
**Subject:** RE: This is the only response I have gottent from MOD



Safari

File

Edit

View

History

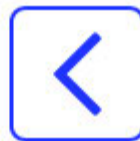
Bookma



Public Record Requests

# City and County of San Francisco

M



## Requ

4 of 13 with filters acti

### Dates

Received

March 18, 2024 via w

As you can see, on all of these they never stated a need for an extension. And now they are lying to me about that.

On Monday, April 15th, 2024 at 3:06 PM, Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)> wrote:

Hello,

Please provide copies of the requests you made to the department so that I may investigate. Without that information, we are unable to proceed further.

Thank you,



Kate Kimberlin (she/her)

Deputy City Attorney

Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

**From:** Basil <Personal Information>

**Sent:** Monday, April 15, 2024 11:48 AM

**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>

**Subject:** This is the only response I have gottent from MOD

"Hi,

This is to acknowledge the receipt of your request for records dated March 18, 2024.

Thank you,"

No mention of time. This was a month ago.

## Coolbrith, Elizabeth (CAT)

---

**From:** Basil **Personal Information**  
**Sent:** Thursday, May 30, 2024 3:01 PM  
**To:** CityAttorney (CAT)  
**Subject:** sunshine laws violation by the library - public records request

I believe the library is in violation of the sunshine ordinances regarding public records requests.

This request specifically 24-3085

They provided one responsive record to my request and then closed it. I know for a fact more are in their possession. And it wasn't until I told them that that they said that they have others that are "attorney/client privilege" They are supposed to disclose if they have exempt records at the time of answering.

Please review.

Also, I think both MOD and the library are withholding records inappropriately.

**Buta-Scott, Odaya (CAT)**

---

**From:** Kimberlin, Kate (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Wednesday, July 17, 2024 1:10 PM  
**To:** 'Basil'; Supervisor Records (CAT)  
**Subject:** RE: sunshine laws violation by the library - public records request

Dear Requestor:

The Supervisor of Records has reviewed the additional material you provided to us on June 11, 2024 and conducted a further investigation of your petition. We have confirmed that the Library has produced all responsive materials. We will therefore be closing this petition.

Very truly,



**Kate G. Kimberlin** (*she/her*)  
Deputy City Attorney  
Office of City Attorney David Chiu  
[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** Basil **Personal Information**

**Sent:** Tuesday, June 11, 2024 12:46 PM

**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>

**Subject:** RE: sunshine laws violation by the library - public records request

They withheld this for example, which should have been supplied. It is proof they are acting in extremely bad faith. Naomi Jelks is a library employee obviously.

On Tuesday, June 11th, 2024 at 12:42 PM, Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)> wrote:

Dear Requestor:

The role of the Supervisor of Records is to determine whether a department has improperly withheld or redacted documents responsive to a request for public records. If you are aware of a document that the Library has withheld and would like us to investigate the matter further, please provide additional details.

Thank you,



**Kate G. Kimberlin** (*she/her*)

Deputy City Attorney

Office of City Attorney David Chiu

[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** Basil **Personal Information**

**Sent:** Tuesday, June 11, 2024 12:39 PM

**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>

**Subject:** RE: sunshine laws violation by the library - public records request

I have evidence that they did not provide all responding records. Would you like to see it?

On Tuesday, June 11th, 2024 at 12:35 PM, Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)> wrote:

Dear Requestor:

We have investigated your petition regarding request 24-3085 and determined that the library has already provided you the only responsive, non-privileged document. Neither the Sunshine Ordinance nor the California Public Records Act require a responding department that withholds records to create a privilege log. We therefore consider this petition closed.

Thank you,



**Kate G. Kimberlin** (*she/her*)

Deputy City Attorney

Office of City Attorney David Chiu

[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** Basil < >  
**Sent:** Thursday, May 30, 2024 3:01 PM  
**To:** CityAttorney (CAT) <[cityattorney@SFCITYATTY.ORG](mailto:cityattorney@SFCITYATTY.ORG)>  
**Subject:** sunshine laws violation by the library - public records request

I believe the library is in violation of the sunshine ordinances regarding public records requests.

This request specifically 24-3085

They provided one responsive record to my request and then closed it. I know for a fact more are in their possession. And it wasn't until I told them that that they said that they have others that are "attorney/client privilege" They are supposed to disclose if they have exempt records at the time of answering.

Please review.

Also, I think both MOD and the library are withholding records inappropriately.

June 17, 2024

**VIA EMAIL**

Attn. General Government Team  
City Attorney – Supervisor of Records  
City Hall, Room 234  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102  
[Supervisor.Records@sfcityatty.org](mailto:Supervisor.Records@sfcityatty.org)

Hello,

This is a renewal for a previous petition for determination if a record is public, alongside a new petition, submitted pursuant to the San Francisco Sunshine Ordinance.

On April 6, 2024 I submitted a petition to the Supervisor of Records, regarding my March 22, 2024 public records request to the San Francisco Police Department, seeking generally the locations of ALPR cameras throughout the city. The matter came before the Sunshine Ordinance Task Force’s Education, Outreach and Training Committee on May 28, 2024. The committee referred the matter to the full board, and directed the matter to be calendared only after the petition was responded to by this office. I have not received a determination yet, and request an update.

I also submit here an additional petition for a determination if a record is public, regarding two related requests. On April 4, 2024, I submitted two identical requests to the San Francisco Municipal Transportation Agency (“SFMTA”) and the San Francisco Public Utilities Commission (“SFPUC”), request numbers 24-2062 and 24-2063 respectively. The requests sought:

*[...] records of (1) applications for permits and (2) issued permits, submitted to and granted by the [SFPUC/SFMTA] from the San Francisco Police Department for the purposes of installing Automated License Plate Reader (“ALPR”) cameras on city infrastructure.*

The SFPUC initially responded that they had no responsive records. The SFMTA initially invoked a 14 day extension, and then later responded that they also had no responsive records, as “[t]he SFMTA does not issue permits to the SFPD.” I then expanded my requests to both the SFMTA and SFPUC to include:

*[...] records related to the request or approval for the installation of ALPR cameras by the SFPD (and their ALPR vendor, Flock Safety), especially if those records contain locations that the cameras will be installed.*

The SFPUC responded that “[w]hile we found a responsive record, the SFPUC is withholding the map of ALPR camera locations and records containing those locations because they are exempt from disclosure under Cal. Govt. Code section 7923.600(a); Cal. Evidence Code 1040. The locations of the ALPR cameras are security and intelligence information of a local police agency and not subject to disclosure.” No documents were released.

The SFMTA responded that “[t]he SFMTA is withholding the map of ALPR camera locations and records containing those locations because they are exempt from disclosure under Cal. Govt. Code section 7923.600(a); Cal. Evidence Code 1040. The locations of the ALPR cameras are security and intelligence information of a local police agency and not subject to disclosure.” However, the SFMTA did release 87 responsive records. These documents ranged from redacted lists of poles, engineering structural analyses regarding cameras on certain poles with the pole locations redacted, and email chains featuring heavy redactions.

I incorporate into this petition my arguments made in my previous petition for determination regarding the inapplicability of Government Code section 7923.600(a) to the SFPD’s map of ALPR cameras. There, I showed why the ALPR camera locations were not “records of intelligence” or “investigatory or security files”. Here, the SFMTA and SFPUC are not a “police agency”. The only way that Government Code section 7923.600(a) could therefore apply to these records is if the records are “investigatory or security files compiled by any other state or local agency for correctional, law enforcement, or licensing purposes.” The records created by the SFMTA and SFPUC are not themselves for law enforcement purposes. Instead, their purpose is to coordinate and approve placement of the devices on poles (ensuring that the poles are owned by the SFMTA or SFPUC, that the ALPR units do not impede visibility of existing signs or signals, and that poles are engineered to withstand the additional loads from the devices). Therefore, Government Code section 7923.600(a) is inapplicable to the SFMTA and SFPUC’s records.

Next, we turn to the SFMTA and SFPUC’s claims under Evidence Code section 1040. Section 1040 gives a public agency the privilege to refuse to disclose “official information” under two conditions: where it is otherwise prohibited by federal or state law, or where disclosure of the information is against public interest when weighing the factors. Firstly, the locations of the ALPR cameras are not official information. As defined in section 1040(a), “official information” means information acquired in confidence by a public employee in the course of his or her duty and not open, or officially disclosed, to the public prior to the time the claim of privilege is made.” Here, the locations of ALPR cameras are open and officially disclosed by their placement in public view. The cameras are easily identifiable, and not concealed.

Even if the locations were considered official information, “[t]he information privilege [...] is expressly conditional, not absolute.” (*Marylander v. Superior Court* (2000) 81 Cal. App. 4th 1119, 1125.) The SFMTA and SFPUC are unable to satisfy withholding under the privilege under either prong of Evidence Code section 1040(b). Regarding the first prong, disclosing the

location of ALPR cameras is not prohibited by federal or state law. In order for a statute to be applicable under Evidence Code section 1040(b)(1), “[it] must do more than merely make information confidential or limit its disclosure to the public” (*Los Angeles Unified School Dist. v. Trustees of Southern California IBEW-NECA Pension Plan* (2010), 187 Cal. App. 4th 621, 630.) Assuming *arguendo* that the locations of ALPR cameras are exempt under Government Code section 7923.600(a), that alone would not be enough to justify privilege here. Exemptions to the California Public Records Act are permissive, not mandatory. They allow nondisclosure but do not prohibit disclosure. (*Marken v. Santa Monica-Malibu Unified School Dist.* (2012) 202 Cal. App. 4th 1250, 1262.) In fact, many cities and towns in California, such as San Diego<sup>1</sup>, Foster City<sup>2</sup>, Monterey<sup>3</sup>, and Fremont<sup>4</sup> publicly post the locations of their ALPR cameras on the internet.

Regarding the second prong, the disclosure of the locations of ALPR cameras is not against the public interest. The balancing test in Evidence Code section 1040 analyses the same elements as the catch-all exemption of Government Code section 7922.000. (*CBS, Inc. v. Block* (1986) 42 Cal. 3d. 646, 656.) The burden of demonstrating a need for nondisclosure is on the agency. *Id.* The interest of the public agency, in this case the SFMTA, SFPUC, and SFPD, may not be considered. (Evidence Code, § 1040(b)(2).)

The SFPD cited three concerns associated with disclosure: the possibility of (1) criminals intentionally avoiding ALPR cameras, (2) bad actors targeting the ALPR cameras for vandalism or disruption, and (3) Flock engineers being harassed or attacked during the installation phase. Just as those reasons are not sufficient enough for withholding under Government Code section 7922.000, they are insufficient here. “[A] mere assertion of possible endangerment does not ‘clearly outweigh’ the public interest in access to ... records.” (*Long Beach Police Officers Assn. v. City of Long Beach* (2014) 59 Cal. 4th 59, 74 (citing *CBS, Inc. v. Block* (1986) 42 Cal. 3d 646, 652).) Furthermore, the idea that criminals might avoid ALPR cameras ignores a similar scenario where law-abiding citizens wish to plan their routes to avoid such cameras due to concerns about mass surveillance. The public has a right to understand how mass surveillance affects them. It’s worth noting that in the CEQA Exemption Determination from the San Francisco Planning Commission, the SFPD writes that an estimated 49 cameras, more than any other neighborhood, will be placed in Bayview/Hunters Point where I reside.

In light of the above, I hope that you will find that the locations of ALPR cameras in documents possessed by the SFMTA and SFPUC are in fact a public records disclosable under the San Francisco Sunshine Ordinance.

Thank you,

Matthew Lotocki

---

<sup>1</sup> <https://webmaps.sandiego.gov/portal/apps/webappviewer/index.html?id=0bedcccd5d9d4a48a8cdc65d14aa5f32>

<sup>2</sup> <https://www.fostercity.org/police/page/automated-license-plate-reader-faqs>

<sup>3</sup> <https://haveyoursaymonterey.org/22657/widgets/74993/documents/50162>

<sup>4</sup> <https://www.fremontpolice.gov/crime-prevention/video-surveillance-cameras/community-camera-project-and-alprs>

## Coolbrith, Elizabeth (CAT)

---

**From:** Kimberlin, Kate (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Wednesday, July 17, 2024 1:06 PM  
**To:** 'Matthew Lotocki'  
**Cc:** Supervisor Records (CAT)  
**Subject:** RE: Sunshine Ordinance Supervisor of Records Petition

Dear Mr. Lotocki,

Thank you for your patience as we investigated your petitions to the Supervisor of Records regarding related records requests to the SFPD, SFPUC, and SFMTA. We also appreciate your offer to combine these petitions for purposes of our investigation and response.

Our investigation has revealed that the departments have not improperly withheld documents in violation of the Sunshine Ordinance. The materials you requested are exempt from disclosure under California Government Code section 7923.600(a) and California Evidence Code section 1040. We will therefore consider your petitions dated April 6 and June 17, 2024 closed.

Very truly,



**Kate G. Kimberlin** (*she/her*)  
Deputy City Attorney  
Office of City Attorney David Chiu  
[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** Matthew Lotocki **Personal Information**

**Sent:** Monday, June 17, 2024 8:00 AM  
**To:** Supervisor Records (CAT) <supervisor.records@SFCITYATTY.ORG>  
**Subject:** Re: Sunshine Ordinance Supervisor of Records Petition

Hello,

Please see attached an additional petition regarding similar requests to the SFMTA and SFPUC. Please use reasonable judgement to see if the SFPD and SFMTA/SFPUC petitions should be combined or kept separate, given the overlap in legal questions. Either way, given that the original petition is over 2 months old, I would appreciate an estimated date of completion.

Thank you,

Matthew Lotocki

On Thu, Jun 6, 2024 at 2:01 PM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Mr. Lotocki,

My apologies – I thought that we had responded that we are in receipt of your petition. I will provide a response shortly.

Very truly,



Kate Kimberlin (she/her)

Deputy City Attorney

Office of City Attorney David Chiu

The information in this email is confidential and may be protected by the attorney/client privilege and/or the attorney work product doctrine. If you are not the intended recipient of this email or received this email inadvertently, please notify the sender and delete it.

**From:** Matthew Lotocki **Personal Information**  
**Sent:** Thursday, May 30, 2024 1:58 PM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** Re: Sunshine Ordinance Supervisor of Records Petition

Hello,

The record request in the above matter came before the Sunshine Ordinance Task Force's Education, Outreach and Training Committee on May 28, 2024. The committee noted that no response from the Supervisor of Records was given, and referred the matter to the full task force, but not to be scheduled until a response on the petition was given. Can you please confirm receipt of my petition, and advise when a response will be given?

Thank you,

Matthew Lotocki

On Sat, Apr 6, 2024 at 3:34 PM Matthew Lotocki **Personal Information** wrote:

Hello,

Please find enclosed a petition for the Supervisor of Records.

Thank you,

Matthew Lotocki

## Buta-Scott, Odaya (CAT)

---

**From:** Buta-Scott, Odaya (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Wednesday, July 17, 2024 10:28 AM  
**To:** [REDACTED]  
**Cc:** CityAttorney (CAT); Supervisor Records (CAT)  
**Subject:** RE: Petition to SoR to determine if TIDA is withholding public records in violation of the Sunshine Ordinance

Hello,

Thank you for your email. The Supervisor of Records has received your petition. Kindly note that the correct email address is [supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org) and not [Supervisor.Records@cityatty.org](mailto:Supervisor.Records@cityatty.org). We will look into the matter and follow up if we have questions.

Sincerely,



**Odaya Buta-Scott** (*she/her/hers*)  
Office of City Attorney David Chiu  
[odaya.buta@sfcityatty.org](mailto:odaya.buta@sfcityatty.org), [www.sfcityattorney.org](http://www.sfcityattorney.org)  
Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

This message and any attachments are solely for the intended recipient and may include privileged or confidential information. If you have received this communication in error, please notify me immediately, and permanently delete this message and any attachments. Thank you.

**From:** JB Kline <[REDACTED]>  
**Sent:** Tuesday, July 16, 2024 8:24 PM  
**To:** CityAttorney (CAT) <[cityattorney@SFCITYATTY.ORG](mailto:cityattorney@SFCITYATTY.ORG)>  
**Subject:** Fwd: Petition to SoR to determine if TIDA is withholding public records in violation of the Sunshine Ordinance

To Whom It May Concern:

The email address provided on your webpage seems to have bounced my Petition to the Supervisor of Records.  
<https://www.sfcityattorney.org/good-government/sunshine-appeals/>

Please advise how I can submit my Sunshine Ordinance Petition.

Thank you!

JBK

----- Forwarded message -----  
**From:** JB Kline <[REDACTED]>  
**Date:** Mon, Jul 15, 2024 at 4:51 PM

Subject: Petition to SoR to determine if TIDA is withholding public records in violation of the Sunshine Ordinance  
To: <[Supervisor.Records@cityattty.org](mailto:Supervisor.Records@cityattty.org)>

To Whom It May Concern,

On May 29, 2024, I sent an email request to the Treasure Island Development Authority for records of, or information about, annual revenues from the Treasure Island Project to the General Fund. In early April, I'd requested that TIDA provide a copy of the "Study" of projected TI Project revenues to the General Fund that was the basis for statements made in the Resolution mentioned in my records request. After some delay, TIDA staff sent me a link to a document containing a Fiscal Impact Analysis from 2016, which was obviously and hopelessly out of date.

Unfortunately, instead of helping to identify relevant records, on June 10th, TIDA staff asked for "the specific resolution/resolution language" I was "referencing"-- even after I'd explained in my June 6th email that Project revenue to the General Fund was mentioned in the (March) "Resolution to Amend and Restate the 2011 Disposition and Development Agreement between the Treasure Island Community Development [developers of the TI Project] and TIDA".

Incidentally, this Resolution included the demand that the Board of Supervisors approve \$246M from the General Fund to 'bail out' the TI Project, which expenditures, the authors of the Resolution claimed, would in turn be fully funded by projected net recurring revenue from the Project to the general Fund-- but their claims were based on projections from this totally outdated 2016 "Study".

On June 11, I responded by email to TIDA staff's requests for 'clarification':

*"I wish to see any reports from TIDA, TICD, OEWD, Planning, or the Office of the Controller, of the actual net recurring Project revenue sent to the GF for these two Fiscal Years, FY22-23 and FY23-24, to confirm whether there is a significant shortfall between the projected Project revenue to the GF and the actual Project revenue to the GF during these two years.*

*Such critically important financial records must exist, and TIDA's repeated delays in providing copies of them may, on its face, be seen as an attempt to hide TIDA's potential malfeasance, or even possible fraud. Consequently, and pursuant to Chapter 67 of the San Francisco Administrative Code to protect the public's interest in open government, I insist that TIDA provide these requested records ASAP."*

On June 18th, TIDA staff responded that "TIDA has completed review and does not have any records relevant to your request for "the actual net recurring Project revenue sent to the GF for these two Fiscal Years, FY22-23 and FY23-24.".

Curiously, the subsequent paragraph in that email was in a different and smaller typeface, which suggests that it had been 'cut & pasted' from another (internal) email:

A process in which actual Project net recurring revenue to the City's General Fund is determined is not required to be calculated on [sic] annual basis specifically for Treasure Island in either of the two listed FYs, therefore no TIDA records exist to respond to this request. The fiscal impact analysis you reference was a study based on projected revenues and expenses generated by the Treasure Island project over time, and as such, it does not represent actual net revenues. An updated fiscal impact analysis will be completed this Fall and we'll be happy to provide you a copy of that once it is released.

In retrospect, it appears that TIDA staff may have been prodded or instructed to pressure or trick me into making an overly specific request so that TIDA could avoid complying with my original records request due to the above

technicality/misdirection. TIDA staff certainly could have helpfully suggested that I contact the Controller's Office to seek such records.

However, roughly an hour before TIDA staff responded, I had sent a different, and very specific records request with the subject line "updated Sunshine records request for TI Project Annual Reports", in which I recapped the previous 19 days of email exchanges, and stated:

"Since TIDA appears to be unwilling to provide the information requested, I'm updating my Sunshine request to ask for specific records that are required by the DDA Financing Plan (Exhibit EE). Section 1.6 Recordkeeping (a) Annual Reports, pages EE-10 & 11, states:

*(i) Commencing as of the date that Developer obtains the Major Phase Approval for the Initial Major Phase and ending on the later of (A) the date on which Developer has received the final Certificate of Completion for all of the Infrastructure and Stormwater Management Controls and (B) the earlier of (i) the date on which Developer has been reimbursed for all Qualified Project Costs and (ii) the date on which there are no further Gross Revenues available to reimburse Developer for Qualified Project Costs, Developer shall prepare and deliver to Authority an annual financial report on the Project no later than four (4) months following the end of each Developer Fiscal Year for which a report is due (each, an "Annual Report"). If Developer obtains a Major Phase Approval less than six (6) months before the end of a Developer Fiscal Year, Developer may include reporting for that Major Phase in the Annual Report for the next Developer Fiscal Year. If any Annual Report shows any material discrepancy, then Developer must correct the discrepancy in its Records, and Developer and the Authority agree to meet and confer on the best method for correcting any overpayment or underpayment by the end of the next quarter in the Developer Fiscal Year.*

*(ii) Annual Reports must include the following information, reported separately for each Major Phase for which a Major Phase Approval has been obtained and in the aggregate for the Project as a whole: (A) updated estimates of and actual Project Costs, Qualified Project Costs, and Gross Revenues; (B) if applicable, variances from the prior Annual Report; (C) a statement reflecting the application of any Net Cash Flow that Developer has received during the prior Developer Fiscal Year; (D) a statement of Qualified Project Costs reimbursed from Funding Sources; (E) a statement of Qualified Project Costs previously incurred but not yet reimbursed from the Funding Sources; (F) new development expected to occur or that is occurring, the assessed value of which is expected to be included on the secured real property tax roll for the next Fiscal Year; and (G) any sales of Lots under article 17 of the DDA that are expected to occur and the assessed value of which is expected to be included on the secured real property tax roll for the next Fiscal Year.*

**The Initial Project Phase was approved in 2015, so I'm requesting all such Annual Reports, as described above, from 2015 through 2023."**

On 28th, a full ten days later, I got this response from TIDA staff:

"TIDA has completed [sic] review for records relevant to your request for *"all annual financial reports on the project delivered to TIDA by the Master Developer from 2015 through 2023, as defined in the DDA Financing Plan (Exhibit EE). Section 1.6 Recordkeeping (a) Annual Reports, pages EE-10 & 11"*.

Records responsive to your request are as follows, and attached:

- 2020 TICD Treasure Island Annual Financial Report – attached as PDF"

On July 1st, I emailed TIDA staff, and Cc'd TIDA Director Beck and the City Attorney:

*Am I to understand that during the past eight years since the Project began, TICD has provided TIDA with only one Annual Report, just for the year 2020? If this is correct, then it appears that TICD is not complying with the DDA, which requires an Annual Report every year, as stipulated in the section of the DDA copied in my prior email. This should be of concern to the BoS, who relied on TIDA's representations of material facts in their recent decision to approve resolutions to amend the DDA and DA.*

*Consequently, I ask for confirmation that this is, in fact, the only Annual Report provided by TICD to TIDA, and if so, for a full explanation for this non-compliance in providing such financial disclosures as are required by the DDA. If you are not able to comply with my request, I ask that Director Beck respond directly, since he has been Cc'd these emails from my end.*

Since there hasn't been any response from TIDA during the past two weeks, I'm filing this Petition with you, the Supervisor of Records, to determine if the records I've requested from TIDA are indeed considered "public records" under the Sunshine Ordinance.

Due to the apparent delay, misdirection, noncompliance, and/or incomplete compliance of TIDA with the Sunshine Ordinance-- and specifically, in TIDA providing only one, the 2020 TICD Annual Financial Report, out of the past nine years of Reports required by the DDA, and neglecting to provide the most crucial Reports from the past three years, 2021, 2022, and 2023 -- I believe that TIDA is in violation of the San Francisco Administrative Code Section 27.21 subparts (a), (b), and (c). These alleged violations are documented in the ten pages worth of emails between myself and TIDA, which I've printed out, scanned, and attached as a .pdf document for your review.

Please let me know if you have any questions, and thank you for your time and attention!

Respectfully,

Jeffrey B.Kline  
25 year resident in **Personal Information** and  
recognized by the TIDA Board as a community advocate

**Personal Information**  
[Redacted]

## Supervisor Records (CAT)

---

**From:** Kimberlin, Kate (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Monday, August 5, 2024 9:54 AM  
**To:** 'JB Kline'  
**Cc:** Supervisor Records (CAT)  
**Subject:** RE: Petition to SoR to determine if TIDA is withholding public records in violation of the Sunshine Ordinance  
**Attachments:** RE\_ FW\_ Records request for annual revenues from the TI Project to the General Fund.pdf; RE\_ updated Sunshine records request for TI Project Annual Reports.pdf

Dear Mr. Kline,

The Supervisor of Records endeavors to respond to all petitions within 10 days, but that is not always possible given the requirement that we diligently investigate each inquiry. In this instance, some of the individuals we needed to work with were out of town until late last week.

The Supervisor of Records has now completed its inquiry. The TIDA states that it has produced all records in its possession that are responsive to your two separate records requests. I have attached TIDA's responses here as well. TIDA states that it is not withholding responsive documents on the basis of any claimed privilege or confidentiality. The role of the Supervisor of Records is to determine "whether the record requested, or any part of the requested, is public." Admin. Code sec. 67.10(d). Because TIDA is not asserting that any record or part of a record you requested is not public, the Supervisor of Records cannot take any further action. We therefore consider this petition closed.

Very truly,



**Kate G. Kimberlin** (*she/her*)  
Deputy City Attorney  
Office of City Attorney David Chiu  
[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** JB Kline **Personal Information**

**Sent:** Friday, August 2, 2024 2:19 PM

**To:** Supervisor Records (CAT) <supervisor.records@SFCITYATTY.ORG>

**Cc:** david.chiu@sfgov.org

**Subject:** Re: Petition to SoR to determine if TIDA is withholding public records in violation of the Sunshine Ordinance

Dear Mrs. Odaya Buta-Scott,

I apologize in advance if I'm not using the correct or preferred appellation, so please feel free to correct me. It has been 16 days since you acknowledged that the Supervisor of Records had received my petition, so I'm at a loss to understand why there has been no response to my petition, given that Section 67.21(d) requires a response from you "within 10 days".

This is concerning, in that it appears there may be a conflict of interest at play here, since the City Attorney's Office regularly represent and defends City agencies such as TIDA, and given that I suggested in my petition that TIDA may be guilty of malfeasance, or even fraud, in apparently withholding or misrepresenting material facts from decision makers.

Therefore, I must insist that you respond immediately and explain this unwarranted delay.

Regards,

Jeff Kline

On Wed, Jul 17, 2024 at 1:20 PM JB Kline <[REDACTED]> wrote:

Hello Ms.Buta-Scott,

Thank you!

Sincerely,

Jeff Kline

On Wed, Jul 17, 2024 at 10:28 AM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Hello,

Thank you for your email. The Supervisor of Records has received your petition. Kindly note that the correct email address is [supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org) and not [Supervisor.Records@cityatty.org](mailto:Supervisor.Records@cityatty.org). We will look into the matter and follow up if we have questions.

Sincerely,



**Odaya Buta-Scott** (*she/her/hers*)

Office of City Attorney David Chiu

[odaya.buta@sfcityatty.org](mailto:odaya.buta@sfcityatty.org), [www.sfcityattorney.org](http://www.sfcityattorney.org)

Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

This message and any attachments are solely for the intended recipient and may include privileged or confidential information. If you have received this communication in error, please notify me immediately, and permanently delete this message and any attachments. Thank you.

**From:** JB Kline **Personal Information**

**Sent:** Tuesday, July 16, 2024 8:24 PM

**To:** CityAttorney (CAT) <[cityattorney@SFCITYATTY.ORG](mailto:cityattorney@SFCITYATTY.ORG)>

**Subject:** Fwd: Petition to SoR to determine if TIDA is withholding public records in violation of the Sunshine Ordinance

To Whom It May Concern:

The email address provided on your webpage seems to have bounced my Petition to the Supervisor of Records.  
<https://www.sfcityattorney.org/good-government/sunshine-appeals/>

Please advise how I can submit my Sunshine Ordinance Petition.

Thank you!

JBK

----- Forwarded message -----

**From:** JB Kline **Personal Information**

**Date:** Mon, Jul 15, 2024 at 4:51 PM

**Subject:** Petition to SoR to determine if TIDA is withholding public records in violation of the Sunshine Ordinance

**To:** <[Supervisor.Records@cityatty.org](mailto:Supervisor.Records@cityatty.org)>

To Whom It May Concern,

On May 29, 2024, I sent an email request to the Treasure Island Development Authority for records of, or information about, annual revenues from the Treasure Island Project to the General Fund. In early April, I'd requested that TIDA provide a copy of the "Study" of projected TI Project revenues to the General Fund that was the basis for statements made in the Resolution mentioned in my records request. After some delay, TIDA staff sent me a link to a document containing a Fiscal Impact Analysis from 2016, which was obviously and hopelessly out of date.

Unfortunately, instead of helping to identify relevant records, on June 10th, TIDA staff asked for "the specific resolution/resolution language" I was "referencing"-- even after I'd explained in my June 6th email that Project revenue to the General Fund was mentioned in the (March) "Resolution to Amend and Restate the 2011 Disposition and Development Agreement between the Treasure Island Community Development [developers of the TI Project] and TIDA".

Incidentally, this Resolution included the demand that the Board of Supervisors approve \$246M from the General Fund to 'bail out' the TI Project, which expenditures, the authors of the Resolution claimed, would in turn be fully funded by projected net recurring revenue from the Project to the general Fund-- but their claims were based on projections from this totally outdated 2016 "Study".

On June 11, I responded by email to TIDA staff's requests for 'clarification':

*"I wish to see any reports from TIDA, TICD, OEWD, Planning, or the Office of the Controller, of the actual net recurring Project revenue sent to the GF for these two Fiscal Years, FY22-23 and FY23-24, to confirm whether there is a significant shortfall between the projected Project revenue to the GF and the actual Project revenue to the GF during these two years.*

*Such critically important financial records must exist, and TIDA's repeated delays in providing copies of them may, on its face, be seen as an attempt to hide TIDA's potential malfeasance, or even possible fraud. Consequently, and pursuant to Chapter 67 of the San Francisco Administrative Code to protect the public's interest in open government, I insist that TIDA provide these requested records ASAP."*

On June 18th, TIDA staff responded that "TIDA has completed review and does not have any records relevant to your request for "the actual net recurring Project revenue sent to the GF for these two Fiscal Years, FY22-23 and FY23-24.".

Curiously, the subsequent paragraph in that email was in a different and smaller typeface, which suggests that it had been 'cut & pasted' from another (internal) email:

A process in which actual Project net recurring revenue to the City's General Fund is determined is not required to be calculated on [sic] annual basis specifically for Treasure Island in either of the two listed FYs, therefore no TIDA records exist to respond to this request. The fiscal impact analysis you reference was a study based on projected revenues and expenses generated by the Treasure Island project over time, and as such, it does not represent actual net revenues. An updated fiscal impact analysis will be completed this Fall and we'll be happy to provide you a copy of that once it is released.

In retrospect, it appears that TIDA staff may have been prodded or instructed to pressure or trick me into making an overly specific request so that TIDA could avoid complying with my original records request due to the above technicality/misdirection. TIDA staff certainly could have helpfully suggested that I contact the Controller's Office to seek such records.

However, roughly an hour before TIDA staff responded, I had sent a different, and very specific records request with the subject line "updated Sunshine records request for TI Project Annual Reports", in which I recapped the previous 19 days of email exchanges, and stated:

"Since TIDA appears to be unwilling to provide the information requested, I'm updating my Sunshine request to ask for specific records that are required by the DDA Financing Plan (Exhibit EE). Section 1.6 Recordkeeping (a) Annual Reports, pages EE-10 & 11, states:

*(i) Commencing as of the date that Developer obtains the Major Phase Approval for the Initial Major Phase and ending on the later of (A) the date on which Developer has received the final Certificate of Completion for all of the Infrastructure and Stormwater Management Controls and (B) the earlier of (i) the date on which Developer has been reimbursed for all Qualified Project Costs and (ii) the date on which there are no further Gross Revenues available to reimburse Developer for Qualified Project Costs, Developer shall prepare and deliver to Authority an annual financial report on the Project no later than four (4) months following the end of each Developer Fiscal Year for which a report is due (each, an "Annual Report"). If Developer obtains a Major Phase Approval less than six (6) months before the end of a Developer Fiscal Year, Developer may include reporting for that Major Phase in the Annual Report for the next Developer Fiscal Year. If any Annual Report shows any material discrepancy, then Developer must correct the discrepancy in its Records, and Developer and the Authority agree to meet and confer on the best method for correcting any overpayment or underpayment by the end of the next quarter in the Developer Fiscal Year.*

*(ii) Annual Reports must include the following information, reported separately for each Major Phase for which a Major Phase Approval has been obtained and in the aggregate for the Project as a whole: (A) updated estimates of and actual Project Costs, Qualified Project Costs, and Gross Revenues; (B) if applicable, variances from the prior Annual Report; (C) a statement reflecting the application of any Net Cash Flow that Developer has received during the prior Developer Fiscal Year; (D) a statement of Qualified Project Costs reimbursed from Funding Sources; (E) a statement of Qualified Project Costs previously incurred but not yet reimbursed from the Funding Sources; (F) new development expected to occur or that is occurring, the assessed value of which is expected to be included on the secured real property tax roll for the next Fiscal Year; and (G) any sales of Lots under article 17 of the DDA that are expected to occur and the assessed value of which is expected to be included on the secured real property tax roll for the next Fiscal Year.*

**The Initial Project Phase was approved in 2015, so I'm requesting all such Annual Reports, as described above, from 2015 through 2023."**

On 28th, a full ten days later, I got this response from TIDA staff:

"TIDA has completed [sic] review for records relevant to your request for "all annual financial reports on the project delivered to TIDA by the Master Developer from 2015 through 2023, as defined in the DDA Financing Plan (Exhibit EE). Section 1.6 Recordkeeping (a) Annual Reports, pages EE-10 & 11".

Records responsive to your request are as follows, and attached:

- 2020 TICD Treasure Island Annual Financial Report – attached as PDF"

On July 1st, I emailed TIDA staff, and Cc'd TIDA Director Beck and the City Attorney:

*Am I to understand that during the past eight years since the Project began, TICD has provided TIDA with only one Annual Report, just for the year 2020? If this is correct, then it appears that TICD is not complying with the DDA, which requires an Annual Report every year, as stipulated in the section of the DDA copied in my prior email. This should be of concern to the BoS, who relied on TIDA's representations of material facts in their recent decision to approve resolutions to amend the DDA and DA.*

*Consequently, I ask for confirmation that this is, in fact, the only Annual Report provided by TICD to TIDA, and if so, for a full explanation for this non-compliance in providing such financial disclosures as are required by the DDA. If you are not able to comply with my request, I ask that Director Beck respond directly, since he has been Cc'd these emails from my end.*

Since there hasn't been any response from TIDA during the past two weeks, I'm filing this Petition with you, the Supervisor of Records, to determine if the records I've requested from TIDA are indeed considered "public records" under the Sunshine Ordinance.

Due to the apparent delay, misdirection, noncompliance, and/or incomplete compliance of TIDA with the Sunshine Ordinance-- and specifically, in TIDA providing only one, the 2020 TICD Annual Financial Report, out of the past nine years of Reports required by the DDA, and neglecting to provide the most crucial Reports from the past three years, 2021, 2022, and 2023 -- I believe that TIDA is in violation of the San Francisco Administrative Code Section 27.21 subparts (a), (b), and (c). These alleged violations are documented in the ten pages worth of emails between myself and TIDA, which I've printed out, scanned, and attached as a .pdf document for your review.

Please let me know if you have any questions, and thank you for your time and attention!

Respectfully,

Jeffrey B.Kline

25 year resident in **Personal Information** and

recognized by the TIDA Board as a community advocate

Personal Information

[REDACTED]

[REDACTED]

## Supervisor Records (CAT)

---

**From:** Rick Sanders **Personal Information**  
**Sent:** Thursday, August 15, 2024 10:35 AM  
**To:** Supervisor Records (CAT)  
**Subject:** Re: Complaint about SFPD disclosure failure

Please confirm receipt of the forwarded petition sent on August 9th, along with the additional information below regarding the withholding of officers' photographs:

Govt. Code § 7927.705 provides that the CPRA "does not require disclosure of records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege."

It's not clear that Labor Code section 1051 qualifies as a provision of law that prohibits disclosure of officers' photographs in response to a public records request.

With an exception not relevant here, section 1051 makes it unlawful to require "as a condition precedent to securing or retaining employment, that an employee or applicant for employment be photographed or fingerprinted by any person who desires his or her photograph or fingerprints for the purpose of furnishing the same or information concerning the same or concerning the employee or applicant for employment to any other employer or third person," when "these photographs and fingerprints could be used to the detriment of the employee or applicant for employment." Labor Code § 1051.

As far as I know, there is no case law interpreting section 1051. However, an opinion of the California Attorney General has discussed the statute. As the California Supreme Court has said, "Opinions of the Attorney General, while not binding, are entitled to great weight." *California Ass'n. of Psychology Providers v. Rank*, 51 Cal. 3d 1, 17 (1990).

According to the Attorney General's opinion (No. 12-1101, 97 Ops. Cal. Atty Gen. 5), section 1051 is "rooted" in former "anti-blacklisting law" and was designed "to prohibit the practice of fingerprinting and photographing of employees and applicants for employment for purposes of interfering with their future employment," based on findings that during the 1920s "organizations of employers [were] requiring all employees employed by their members to go to certain private detective agencies to have their fingerprints and photographs taken, with the understanding that no one is to be employed in the particular trade or calling but those men approved by this detective agency."

Therefore, as noted by the Attorney General, "the prohibition against photographs and fingerprints was part of the statute's anti-blacklisting purpose." Given the statute's "historical focus on countering anti-labor conduct," the Attorney General said "it is not surprising that it fell out of use after the 1935 enactment of the National Labor Relations Act." Nonetheless, the Attorney General noted the statute could be interpreted "as a bar against the taking of fingerprints and photographs by an employer for the purpose of furnishing them to a third party," although other statutes make exceptions in some circumstances.

While section 1051 might bar the initial taking of a photograph of an employee for the specific purpose of giving it to a third party, it does not necessarily prohibit an employer from taking such a photograph for another purpose or disclosing that photograph under the CPRA.

**Once a public agency photographs an employee, presumably the photograph is a public record that is subject to the CPRA.** By its terms, section 1051 arguably does not clearly prevent the agency from disclosing the photograph in response to a CPRA request.

Under the California Constitution, "A statute, court rule, or other authority ... shall be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access." Cal. Const. Art. 1, § 3(b)(2). This "interpretive rule" requires that in case of any doubt, a court must interpret the law "in a way that maximizes the public's access to information unless the Legislature has expressly provided to the contrary." *Sierra Club v. Superior Court*, 57 Cal. 4th 157, 175 (2013) (cleaned up). Therefore, in case of any doubt, section 1051 should arguably be construed narrowly to prevent it from being used to prevent access to public records.

In summary, officer photos should be considered public record by default. Please advise SFPD to release them along with the station location assignments per the original public records request.

Thank you.

On Fri, Aug 9, 2024 at 2:28 PM Rick Sanders **Personal Information** wrote:

To Whom It May Concern,

I am writing to appeal SFPD's decision to withhold the station location assignments, units, divisions, and staff photographs of SFPD staff. See the request reference and attached responses below. The text of the original request is in the attached PDF.

Staff photographs are regularly posted publicly by SFPD, whether it's [command staff](#), swearing-in [photos](#), [awards](#), etc. Previous cases have established that, generally, the identity of police officers are disclosable public records (*Commission on Peace Officer Standards and Training v. Superior Court* (2007) 42 Cal.4th 278). If law enforcement agencies use officer photographs for positive publicity purposes, the agencies should also disclose photographs upon request under the California Public Records Act. These records are public by default without proper justification for withholding.

Further, SFPD cites Cal. Evidence Code 1040 to justify failing to disclose station location assignments. That code indicates records should be disclosed unless "there is a necessity for preserving the confidentiality of the information that outweighs the necessity for disclosure in the interest of justice." That necessity cannot reasonably apply blanketly to all staff. SFPD lists station captains already on its [website](#) and regularly releases the stations and division assignments in the email signatures, including the once I am forwarding in which Lieutenant Christopher Beauchamp lists the Legal Division, or these ones below which have been released in the past. Cal. Govt. Code § 7923.600 doesn't seem to apply to the requested records at all.

Sergeant Christina E. O'Bannon (Johnson) #420  
Captain's Staff  
Ingleside Police Station  
San Francisco Police Department

Captain Nicole Jones #339  
San Francisco Police Department  
Ingleside Station  
1 Sgt. John V. Young Lane  
San Francisco, CA 94112  
(415) 404-4030  
nicole.h.jones@sfgov.org

Please have the city release these records to me ASAP.

Thanks.

----- Forwarded message -----

From: **SANFRANCISCOPD Support** <[sanfranciscopd@govqa.us](mailto:sanfranciscopd@govqa.us)>

Date: Fri, Aug 9, 2024 at 1:33 PM

Subject: Public Records Request :: P164975-080224

To: **Personal Information**

**Attachments:**

[P164975 - 08.09.24 sfpd response.pdf](#)

[pra.xlsx](#)

--- Please respond above this line ---



August 09, 2024

Via email **Personal Information**

RE: Public Records Request, dated August 02, 2024, Reference # P164975-080224

Dear Rick Sanders:

In response to your request, please see attached document(s).

Sincerely,

Lieutenant Christopher Beauchamp # 561  
Officer in Charge  
Risk Management - Legal Division

---

To monitor the progress or update this request please log into the [SFPD Public Records Center](#).

---

**This is an auto-generated email and has originated from an unmonitored email account. Please DO NOT REPLY.**

---

## Supervisor Records (CAT)

---

**From:** Kimberlin, Kate (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Tuesday, September 17, 2024 11:28 AM  
**To:** 'Rick Sanders'  
**Cc:** Supervisor Records (CAT)  
**Subject:** RE: Complaint about SFPD disclosure failure

Dear Requestor:

I apologize for the delayed response. I was unexpectedly out of the office and unable to provide an update during that time.

The Supervisor of Records has completed its review of this matter and has determined that SFPD has not improperly redacted or withheld documents. We therefore consider this Petition closed.

Very truly,



**Kate G. Kimberlin** (*she/her*)  
Deputy City Attorney  
Office of City Attorney David Chiu  
[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** Rick Sanders **Personal Information**

**Sent:** Sunday, September 15, 2024 9:49 PM  
**To:** Supervisor Records (CAT) <supervisor.records@SFCITYATTY.ORG>  
**Subject:** Re: Complaint about SFPD disclosure failure

Hi, please advise about the status of this request.

Thanks.

On Mon, Aug 26, 2024 at 4:18 PM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Dear Mr. Sanders,

We are in receipt of your email. You have sent us several significant updates to this petition, including on August 18. We are working to respond as soon as possible.

Sincerely,



**Kate G. Kimberlin** (*she/her*)

Deputy City Attorney

Office of City Attorney David Chiu

[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** Rick Sanders **Personal Information**  
**Sent:** Monday, August 26, 2024 3:46 PM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>; Buta-Scott, Odaya (CAT) <[Odaya.Buta@sfcityatty.org](mailto:Odaya.Buta@sfcityatty.org)>; Kimberlin, Kate (CAT) <[Kate.Kimberlin@sfcityatty.org](mailto:Kate.Kimberlin@sfcityatty.org)>  
**Subject:** Re: Complaint about SFPD disclosure failure

Can the CAT please provide an update on this?

Thanks.

On Mon, Aug 19, 2024 at 9:40 AM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

I meant to say that we will update as soon as possible. Thank you!



**Odaya Buta-Scott** (*she/her/hers*)

Office of City Attorney David Chiu

(415) 554-5960 Office Direct Line

[odaya.buta@sfcityatty.org](mailto:odaya.buta@sfcityatty.org), [www.sfcityattorney.org](http://www.sfcityattorney.org)

Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

This message and any attachments are solely for the intended recipient and may include privileged or confidential information. If you have received this communication in error, please notify me immediately, and permanently delete this message and any attachments. Thank you.

---

**From:** Supervisor Records (CAT)  
**Sent:** Monday, August 19, 2024 9:30 AM  
**To:** 'Rick Sanders' **Personal Information**  
**Subject:** RE: Complaint about SFPD disclosure failure

Thank you, Mr. Sanders. We have received the below email you sent to us yesterday (08/18).

We will update as soon.

Sincerely,



**Odaya Buta-Scott** (*she/her/hers*)

Office of City Attorney David Chiu

[odaya.butata@sfcityatty.org](mailto:odaya.butata@sfcityatty.org), [www.sfcityattorney.org](http://www.sfcityattorney.org)

Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

This message and any attachments are solely for the intended recipient and may include privileged or confidential information. If you have received this communication in error, please notify me immediately, and permanently delete this message and any attachments. Thank you.

**From:** Rick Sanders <**Personal Information**>  
**Sent:** Sunday, August 18, 2024 3:08 PM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** Re: Complaint about SFPD disclosure failure

Thank you, in addition to photographs the original petition was also regarding unit and station assignments. See the information below and please confirm receipt of this email.

The California Supreme Court held that records containing the names, employing departments, and hiring and termination dates of California police officers were not exempt from disclosure as personnel, with limited exceptions for undercover officers whose safety or effectiveness would be threatened by disclosure. *Commission on Peace Officer Standards and Training v. Superior Court*, 42 Cal. 4th 278, 284 (2007).

The CPRA contains an exemption for "records of complaints to, or investigations conducted by, or records of intelligence information or security procedures of, the office of the Attorney General and the Department of Justice, the Office of Emergency Services and any state or local police agency, or any investigatory or security files compiled by any other state or local police agency, or any investigatory or security files compiled by any other state or local agency for correctional, law enforcement, or licensing purposes." Govt. Code § 7923.600(a).

A law enforcement agency's own investigatory records, such as its reports, notes & findings about alleged crimes, are generally exempt under § 7923.600. *Haynie v. Superior Court*, 26 Cal. 4th 1061, 1068-70 (2001). The exemption covers "only those investigations undertaken for the purpose of determining whether a violation of law may occur or has occurred. If a violation or potential violation is detected, the exemption also extends to records of investigations conducted for the purpose of uncovering information surrounding the commission of the violation and its agency." *Id.* at 1071.

I don't know of any case law holding that a police department's duty roster of station assignments qualifies as a record of an investigation or part of an investigatory or security file under section 7923.600.

When a court is "determining whether the CPRA applies, or whether an exemption has been established, the California Constitution instructs that a statutory provision 'shall be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access.'" *Edais v. Superior Court*, 87 Cal. App. 5th 530, 538 (2023) (quoting Cal. Const., Art. 1, § 3(b)(2)).

This "interpretive rule" requires that in case of any doubt, a court must interpret the law "in a way that maximizes the public's access to information unless the Legislature has *expressly* provided to the contrary." *Sierra Club v. Superior Court*, 57 Cal. 4th 157, 175 (2013) (cleaned up).

### **Official information privilege**

Evidence Code §§ 1040, 1041 codify an "official information privilege" in California. "Official information" means "information acquired in confidence by a public employee in the course of his or her duty and not open, or officially disclosed, to the public prior to the time the claim of privilege is made." Evid. Code § 1040(a). Absent a law specifically prohibiting disclosure, a public entity may withhold such information if "[d]isclosure of the information is against the public interest because there is a necessity for preserving the confidentiality of the information that outweighs the necessity for disclosure in the interest of justice." Evid. Code § 1040(b)(2).

For purposes of public disclosure under the CPRA, the weighing process provided by Evid. Code § 1040 parallels the catchall exemption of the CPRA. *CBS, Inc. v. Block*, 42 Cal. 3d 646, 656 (1986). Under the catchall exemption, an agency may justify withholding a public record "by demonstrating ... that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record." Govt. Code § 7922.000.

This "provision contemplates a case-by-case balancing process, with the burden of proof on the proponent of nondisclosure to demonstrate a clear overbalance on the side of confidentiality." *American Civil Liberties Union Foundation v. Superior Court*, 3 Cal. 5th 1032, 1043 (2017).

Another court has explained why the catchall exemption must be narrowly applied:

We remain mindful that openness in the activities of government is fundamental to the exercise of our constitutional rights and our ability to function as a democracy. Courts must be alert to contentions by government entities that exaggerate the interest in nondisclosure, lest they be used as a pretext for keeping information secret for improper reasons, such as to avoid embarrassment over mistakes, incompetence, or wrongdoing. After all, to some extent any request for disclosure of public records will place a burden on government. Both the voters and their elected officials have established the general policy that this burden is well worth bearing in order to keep democracy vital. If the catchall provision of the CPRA becomes a loophole used to improperly keep public records from the people, the important purposes of the CPRA would be undermined.

*Los Angeles Unified School Dist. v. Superior Court*, 228 Cal. App. 4th 222, 250 (2014).

The California Supreme Court has confirmed there is a "strong public interest in knowing how the government spends its money" & noted that access to public records is necessary "to expose corruption, incompetence, inefficiency, prejudice, and favoritism." *International Federation of Professional & Technical Engineers, Local 21, AFL-CIO v. Superior Court*, 42 Cal. 4th 319, 333 (2007). That rationale might apply to disclosure of duty rosters & station assignments to enable the public to verify that officers are properly employed & paid & not receiving any favoritism or benefiting from corruption.

Additionally, "a court applying [the catchall exemption] cannot allow 'vague safety concerns' to foreclose the public's right of access." *ACLU Found.*, 3 Cal. 5th 1032, 1043 (2017) (cleaned up); see also *Long Beach Police Officers Ass'n v. City of Long Beach*, 59 Cal. 4th 59, 74 (2014) ("Vague safety concerns that apply to all officers involved in shootings are insufficient to tip the balance against disclosure of officer names."); *CBS*, 42 Cal. 3d at 652 ("A mere assertion of possible endangerment does not 'clearly outweigh' the public interest in access to these records.").

Please inform SFPD to release the records requested.

On Fri, Aug 16, 2024 at 8:26 AM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Dear Mr. Sanders:

We are in receipt of your petition, but did not receive any communication from you on August 9. Our first email from you is from last night, August 15. We will investigate your petition and respond as soon as possible.

Very truly,



**Kate G. Kimberlin** (*she/her*)

Deputy City Attorney

Office of City Attorney David Chiu

[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** Rick Sanders **Personal Information**  
**Sent:** Thursday, August 15, 2024 10:35 AM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** Re: Complaint about SFPD disclosure failure

Please confirm receipt of the forwarded petition sent on August 9th, along with the additional information below regarding the withholding of officers' photographs:

Govt. Code § 7927.705 provides that the CPRA "does not require disclosure of records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege."

It's not clear that Labor Code section 1051 qualifies as a provision of law that prohibits disclosure of officers' photographs in response to a public records request.

With an exception not relevant here, section 1051 makes it unlawful to require "as a condition precedent to securing or retaining employment, that an employee or applicant for employment be photographed or fingerprinted by any person who desires his or her photograph or fingerprints for the purpose of furnishing the same or information concerning the same or concerning the employee or applicant for employment to any other employer or third person," when "these photographs and fingerprints could be used to the detriment of the employee or applicant for employment." Labor Code § 1051.

As far as I know, there is no case law interpreting section 1051. However, an opinion of the California Attorney General has discussed the statute. As the California Supreme Court has said, "Opinions of the Attorney General, while not binding, are entitled to great weight." California Ass'n. of Psychology Providers v. Rank, 51 Cal. 3d 1, 17 (1990).

According to the Attorney General's opinion (No. 12-1101, 97 Ops. Cal. Atty Gen. 5), section 1051 is "rooted" in

former “anti-blacklisting law” and was designed “to prohibit the practice of fingerprinting and photographing of employees and applicants for employment for purposes of interfering with their future employment,” based on findings that during the 1920s “organizations of employers [were] requiring all employees employed by their members to go to certain private detective agencies to have their fingerprints and photographs taken, with the understanding that no one is to be employed in the particular trade or calling but those men approved by this detective agency.”

Therefore, as noted by the Attorney General, “the prohibition against photographs and fingerprints was part of the statute’s anti-blacklisting purpose.” Given the statute’s “historical focus on countering anti-labor conduct,” the Attorney General said “it is not surprising that it fell out of use after the 1935 enactment of the National Labor Relations Act.” Nonetheless, the Attorney General noted the statute could be interpreted “as a bar against the taking of fingerprints and photographs by an employer for the purpose of furnishing them to a third party,” although other statutes make exceptions in some circumstances.

While section 1051 might bar the initial taking of a photograph of an employee for the specific purpose of giving it to a third party, it does not necessarily prohibit an employer from taking such a photograph for another purpose or disclosing that photograph under the CPRA.

**Once a public agency photographs an employee, presumably the photograph is a public record that is subject to the CPRA.** By its terms, section 1051 arguably does not clearly prevent the agency from disclosing the photograph in response to a CPRA request.

Under the California Constitution, “A statute, court rule, or other authority ... shall be broadly construed if it furthers the people’s right of access, and narrowly construed if it limits the right of access.” Cal. Const. Art. 1, § 3(b)(2). This “interpretive rule” requires that in case of any doubt, a court must interpret the law “in a way that maximizes the public’s access to information unless the Legislature has expressly provided to the contrary.” *Sierra Club v. Superior Court*, 57 Cal. 4th 157, 175 (2013) (cleaned up). Therefore, in case of any doubt, section 1051 should arguably be construed narrowly to prevent it from being used to prevent access to public records.

In summary, officer photos should be considered public record by default. Please advise SFPD to release them along with the station location assignments per the original public records request.

Thank you.

On Fri, Aug 9, 2024 at 2:28 PM Rick Sanders <**Personal Information**> wrote:

To Whom It May Concern,

I am writing to appeal SFPD’s decision to withhold the station location assignments, units, divisions, and staff photographs of SFPD staff. See the request reference and attached responses below. The text of the original request is in the attached PDF.

Staff photographs are regularly posted publicly by SFPD, whether it's [command staff](#), swearing-in [photos](#), [awards](#), etc. Previous cases have established that, generally, the identity of police officers are disclosable public records (Commission on Peace Officer Standards and Training v. Superior Court (2007) 42 Cal.4th 278). If law enforcement agencies use officer photographs for positive publicity purposes, the agencies should also disclose photographs upon request under the California Public Records Act. These records are public by default without proper justification for withholding.

Further, SFPD cites Cal. Evidence Code 1040 to justify failing to disclose station location assignments. That code indicates records should be disclosed unless "there is a necessity for preserving the confidentiality of the information that outweighs the necessity for disclosure in the interest of justice." That necessity cannot reasonably apply blanketly to all staff. SFPD lists station captains already on its [website](#) and regularly releases the stations and division assignments in the email signatures, including the once I am forwarding in which Lieutenant Christopher Beauchamp lists the Legal Division, or these ones below which have been released in the past. Cal. Govt. Code § 7923.600 doesn't seem to apply to the requested records at all.

Sergeant Christina E. O'Bannon (Johnson) #420  
Captain's Staff  
Ingleside Police Station  
San Francisco Police Department

Captain Nicole Jones #339  
San Francisco Police Department  
Ingleside Station  
1 Sgt. John V. Young Lane  
San Francisco, CA 94112  
(415) 404-4030  
nicole.h.jones@sfgov.org

Please have the city release these records to me ASAP.

Thanks.

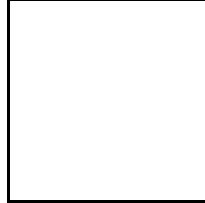
----- Forwarded message -----

From: **SANFRANCISCO PD Support** <[sanfranciscopd@govqa.us](mailto:sanfranciscopd@govqa.us)>  
Date: Fri, Aug 9, 2024 at 1:33 PM  
Subject: Public Records Request :: P164975-080224  
To: **Personal Information**

**Attachments:**

[P164975 - 08.09.24 sfpd response.pdf](#)  
[pra.xlsx](#)

--- Please respond above this line ---



August 09, 2024

Via email **Personal Information**

RE: Public Records Request, dated August 02, 2024, Reference # P164975-080224

Dear Rick Sanders:

In response to your request, please see attached document(s).

Sincerely,

Lieutenant Christopher Beauchamp # 561

Officer in Charge

Risk Management - Legal Division

---

To monitor the progress or update this request please log into the [SFPD Public Records Center](#).

---

**This is an auto-generated email and has originated from an unmonitored email account. Please DO NOT REPLY.**

---

▪

## Supervisor Records (CAT)

---

**From:** Hampton, Dariel (CAT) on behalf of CityAttorney (CAT)  
**Sent:** Thursday, October 24, 2024 3:28 PM  
**To:** Supervisor Records (CAT)  
**Subject:** FW: Sunshine ordinance

**Follow Up Flag:** Follow up  
**Flag Status:** Completed



Please see below.

**Dariel Walker Hampton** (she/her) [Hear Name](#)  
Communications Officer  
Office of City Attorney David Chiu  
(415) 554-4653 Direct

[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** Barbara Tassa **Personal Information**  
**Sent:** Thursday, October 24, 2024 3:04 PM  
**To:** CityAttorney (CAT) <cityattorney@SFCITYATTY.ORG>  
**Subject:** Fwd: Sunshine ordinance

Hello,

I understand that the city attorney is the Supervisor of Records.

I'm getting rolling production responses and redaction of information that should be made public under the sunshine ordinance rules.

Please see below.

What is the best way to proceed to get access to records related to 1719 Wallace from the Office of Cannabis?

Thanks,  
Barb

----- Forwarded message -----

**From:** Barbara Tassa **Personal Information**  
**Date:** Thu, Oct 24, 2024 at 4:58 PM  
**Subject:** Re: Sunshine ordinance  
**To:** Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)>  
**CC:** Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)>, ADMSunshinerequests (ADM) <[admsunshinerequests@sfgov.org](mailto:admsunshinerequests@sfgov.org)>

Hello,  
This request is still outstanding per the sunshine ordinance.

On Fri, Oct 18, 2024 at 3:25 PM Barbara Tassa **Personal Information** wrote:

Bumping this question up and also wondering what the status of the rest of the sunshine ordinance request.

Thanks,

On Mon, Oct 14, 2024 at 8:24 AM Barbara Tassa **Personal Information** wrote:

Hi there,

I'm curious why the information about the equity holder has been redacted?

Cal. Gov't Code Section 6254(n) doesn't pertain to ownership information like this. General ownership information that is part of public records and not tied to personal financial qualifications is subject to disclosure under the CPRA and the Sunshine Ordinance.

Please resend unredacted.

Thanks,  
Barb

---

## Entity owners

Is 20% or more of your business owned by a company, partner,

**B**

---

## Do you have additional investors

**B, C**

---

On Fri, Oct 11, 2024 at 5:21 PM Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)> wrote:

Good afternoon Barbara:

We received your request on September 26, 2024, where you asked for the following:

*"This is a request under the Sunshine Ordinance for all records related to the proposed project at 1719 Wallace Ave, including but not limited to Lucon Inc, Khanh Luu, Khan Lu, Kenny Lu, Muki Barkan, Fiona Lee, Inncon Design."*

On October 1, 2024 and October 4, 2024, we reached out via email to clarify the scope of your request, and received your response that you are *"requesting all records pertaining to 1719 Wallace."*

Attached, please find the first batch of records responsive to your request. As mentioned in our previous correspondence, the OOC will provide responsive records as resources permit on an incremental and rolling basis. We anticipate providing the next batch of records the week of October 25, 2024 or early the week after.

Please note that documents have been withheld from and/or redactions have been made to the attached documents in observance of local and state authorities. For each redaction, you will notice an alphabetical letter. Please refer to the Table of Authorities below for a key identifying the authorities corresponding to each redaction.

Table of Authorities	Key Letter
Cal. Const., Art. I, Sections 1, 3(b); Admin. Code Chapter 12M; Admin. Code Section 67.1(g); Cal Govt. Code Section 6254(c).	A
Cal. Gov't Code Section 6254(n).	B
Cal. Gov't Code Section 6276.44.	C
Cal. Govt. Code Sections 6254(k), 6276.04; Cal. Code Civ. Proc. Section 2018.030.	D
Cal. Evid. Code Section 1041.	E

Best,

SF Office of Cannabis

---

**From:** Barbara Tassa **Personal Information**  
**Sent:** Thursday, October 10, 2024 11:12 AM  
**To:** Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)>  
**Cc:** ADMSunshinerequests (ADM) <[admsunshinerequests@sfgov.org](mailto:admsunshinerequests@sfgov.org)>  
**Subject:** Re: Sunshine ordinance

Bumping this up.

On Fri, Oct 4, 2024 at 6:22 PM Barbara Tassa **Personal Information** wrote:

Yes as explained I'm requesting all records pertaining to 1719 Wallace.

On Fri, Oct 4, 2024 at 6:02 PM Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)> wrote:

Hi Barbara,

Thank you for your email.

As we mentioned in our previous correspondence, narrowing down the scope of your request (e.g. time frame, specific search terms, subject line, subject matter, etc.) will help expedite response timeline. As is, your request is overly broad and will require providing responsive records as resources permit on an incremental and rolling basis.

To better assist you, please let us know if there is there anything in particular that you are looking for (e.g. cannabis business application, particular timeframe)? We are happy to talk over the phone to help you clarify your request, and can be reached at (628)-652-0420. We can also give you a call – if that’s your preference, please provide the best number to reach you.

If we do not hear back from you by 10/8/2024, we will provide responsive records on an incremental and rolling basis.

Sincerely,

SF- Office of Cannabis

---

**From:** Barbara Tassa Personal Information  
**Sent:** Tuesday, October 1, 2024 5:07:01 PM  
**To:** Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)>  
**Cc:** ADMSunshinerequests (ADM) <[admsunshinerequests@sfgov.org](mailto:admsunshinerequests@sfgov.org)>  
**Subject:** Re: Sunshine ordinance

Yes, I’m looking for the 1719 Wallace project related records.

Thanks!

On Tue, Oct 1, 2024 at 4:50 PM Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)> wrote:

Hi Barbara,

Thank you for your email. We received your request on September 26, 2024 where you asked for the following:

*“This is a request under the Sunshine Ordinance for all records related to the proposed project at 1719 Wallace Ave, including but not limited to Lucon Inc, Khanh Luu, Khan Lu, Kenny Lu, Muki Barkan, Fiona Lee, Inncon Design.”*

The Office of Cannabis is currently searching for documents potentially responsive to your request. As is, your request is overly broad and will take substantial amount of staff time to search for, collect, and appropriately examine the voluminous amount of separate and distinct records in response to your request. To help expedite our response timeline, you may consider narrowing the scope of your request (e.g. time frame, specific search terms, subject line, subject matter, etc.).

If helpful, we’re happy to connect over the phone.

SF- Office of Cannabis

---

**From:** Barbara Tassa **Personal Information**  
**Sent:** Thursday, September 26, 2024 2:55 PM  
**To:** Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)>  
**Subject:** Sunshine ordinance

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

This is a request under the Sunshine Ordinance for all records related to the proposed project at 1719 Wallace Ave, including but not limited to Lucon Inc, Khanh Luu, Khan Lu, Kenny Lu, Muki Barkan, Fiona Lee, Inncon Design.

## Supervisor Records (CAT)

---

**From:** Kimberlin, Kate (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Thursday, November 14, 2024 2:18 PM  
**To:** 'Barbara Tassa'  
**Cc:** Supervisor Records (CAT)  
**Subject:** RE: FW: Sunshine ordinance

Dear Ms. Tassa:

We have investigated your petition and have determined that the Office of Cannabis (“OOC”) did not improperly redact the two items you included in your petition. On October 29, 2024, OOC produced these documents to you with the information unredacted. As such, we will consider this petition closed.

Very truly,



**Kate G. Kimberlin** (*she/her*)  
Deputy City Attorney  
Office of City Attorney David Chiu  
[www.sfcityattorney.org](http://www.sfcityattorney.org)

---

**From:** Kimberlin, Kate (CAT) <Kate.Kimberlin@sfcityatty.org> **On Behalf Of** Supervisor Records (CAT)  
**Sent:** Wednesday, November 6, 2024 12:21 PM  
**To:** 'Barbara Tassa' **Personal Information** Supervisor Records (CAT) <supervisor.records@SFCITYATTY.ORG>  
**Subject:** RE: FW: Sunshine ordinance

Dear Ms. Tassa:

We can only inquire into the redactions you identify as being problematic; if there are others beyond the two you included, please let us know. Otherwise, we will treat the petition as being with respect to only those two redactions. Regarding the timing of the department’s response, that is beyond the jurisdiction of the Supervisor of Records, so we will not be able to assist on that point.

Very truly,



**Kate G. Kimberlin** (*she/her*)  
Deputy City Attorney  
Office of City Attorney David Chiu  
[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** Barbara Tassa **Personal Information**  
**Sent:** Saturday, November 2, 2024 11:43 AM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** Re: FW: Sunshine ordinance

Thanks for the response.

It's around this specific redaction and others, as well as the practice of rolling production which has added several weeks to the delivery of documents.

On Wed, Oct 30, 2024 at 12:06 PM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Dear Barbara Tassa,

Thank you for reaching out to the City Attorney’s Office. Your message was initially directed to our General City Attorney’s Office inbox ([cityattorney@SFCITYATTY.ORG](mailto:cityattorney@SFCITYATTY.ORG)), but it has been forwarded to the Supervisor of Records inbox that handles PRA (Public Records Act) appeals.

We would like to acknowledge receipt of your email, and to ask that you kindly confirm whether you are only challenging the two redactions shown in the screenshot you provided, or if you have additional examples or requests from the Office of Cannabis that you would like us to review.

Please feel free to respond directly to this email address associated with the Supervisor of Records ([supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)).

Sincerely,



**Odaya Buta-Scott** (*she/her/hers*)

Office of City Attorney David Chiu

[odaya.butata@sfcityatty.org](mailto:odaya.butata@sfcityatty.org), [www.sfcityattorney.org](http://www.sfcityattorney.org)

Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

This message and any attachments are solely for the intended recipient and may include privileged or confidential information. If you have received this communication in error, please notify me immediately, and permanently delete this message and any attachments. Thank you.

---

**From:** Barbara Tassa **Personal Information**  
**Sent:** Thursday, October 24, 2024 3:04 PM  
**To:** CityAttorney (CAT) <[cityattorney@SFCITYATTY.ORG](mailto:cityattorney@SFCITYATTY.ORG)>  
**Subject:** Fwd: Sunshine ordinance

Hello,

I understand that the city attorney is the Supervisor of Records.

I'm getting rolling production responses and redaction of information that should be made public under the sunshine ordinance rules.

Please see below.

What is the best way to proceed to get access to records related to 1719 Wallace from the Office of Cannabis?

Thanks,

Barb

----- Forwarded message -----

From: Barbara **Personal Information**

Date: Thu, Oct 24, 2024 at 4:58 PM

Subject: Re: Sunshine ordinance

To: Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)>

CC: Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)>, ADMSunshinerequests (ADM) <[admsunshinerequests@sfgov.org](mailto:admsunshinerequests@sfgov.org)>

Hello,

This request is still outstanding per the sunshine ordinance.

On Fri, Oct 18, 2024 at 3:25 PM Barbara Tassa **Personal Information** > wrote:

Bumping this question up and also wondering what the status of the rest of the sunshine ordinance request.

Thanks,

On Mon, Oct 14, 2024 at 8:24 AM Barbara Tassa **Personal Information** > wrote:

Hi there,

I'm curious why the information about the equity holder has been redacted?

Cal. Gov't Code Section 6254(n) doesn't pertain to ownership information like this. General ownership information that is part of public records and not tied to personal financial qualifications is subject to disclosure under the CPRA and the Sunshine Ordinance.

Please resend unredacted.

Thanks,  
Barb

---

## Entity owners

Is 20% or more of your business owned by a company, partner

B

---

## Do you have additional investors

B, C

---

On Fri, Oct 11, 2024 at 5:21 PM Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)> wrote:

Good afternoon Barbara:

We received your request on September 26, 2024, where you asked for the following:

*"This is a request under the Sunshine Ordinance for all records related to the proposed project at 1719 Wallace Ave, including but not limited to Lucon Inc, Khanh Luu, Khan Lu, Kenny Lu, Muki Barkan, Fiona Lee, Inncon Design."*

On October 1, 2024 and October 4, 2024, we reached out via email to clarify the scope of your request, and received your response that you are *"requesting all records pertaining to 1719 Wallace."*

Attached, please find the first batch of records responsive to your request. As mentioned in our previous correspondence, the OOC will provide responsive records as resources permit on an incremental and rolling basis. We anticipate providing the next batch of records the week of October 25, 2024 or early the week after.

Please note that documents have been withheld from and/or redactions have been made to the attached documents in observance of local and state authorities. For each redaction, you will notice an alphabetical letter. Please refer to the Table of Authorities below for a key identifying the authorities corresponding to each redaction.

Table of Authorities	Key Letter
Cal. Const., Art. I, Sections 1, 3(b); Admin. Code Chapter 12M; Admin. Code Section 67.1(g); Cal Govt. Code Section 6254(c).	A
Cal. Gov't Code Section 6254(n).	B
Cal. Gov't Code Section 6276.44.	C
Cal. Govt. Code Sections 6254(k), 6276.04; Cal. Code Civ. Proc. Section 2018.030.	D
Cal. Evid. Code Section 1041.	E

Best,

SF Office of Cannabis

---

**From:** Barbara Tassa **Personal Information**  
**Sent:** Thursday, October 10, 2024 11:12 AM  
**To:** Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)>  
**Cc:** ADMSunshinerequests (ADM) <[admsunshinerequests@sfgov.org](mailto:admsunshinerequests@sfgov.org)>  
**Subject:** Re: Sunshine ordinance

Bumping this up.

On Fri, Oct 4, 2024 at 6:22 PM Barbara Tassa **Personal Information** wrote:

Yes as explained I'm requesting all records pertaining to 1719 Wallace.

On Fri, Oct 4, 2024 at 6:02 PM Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)> wrote:

Hi Barbara,

Thank you for your email.

As we mentioned in our previous correspondence, narrowing down the scope of your request (e.g. time frame, specific search terms, subject line, subject matter, etc.) will help expedite response timeline. As is, your request is overly broad and will require providing responsive records as resources permit on an incremental and rolling basis.

To better assist you, please let us know if there is there anything in particular that you are looking for (e.g. cannabis business application, particular timeframe)? We are happy to talk over the phone to help you clarify your request, and can

be reached at (628)-652-0420. We can also give you a call – if that’s your preference, please provide the best number to reach you.

If we do not hear back from you by 10/8/2024, we will provide responsive records on an incremental and rolling basis.

Sincerely,

SF- Office of Cannabis

---

**From:** Barbara Tassa **Personal Information**  
**Sent:** Tuesday, October 1, 2024 5:07:01 PM  
**To:** Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)>  
**Cc:** ADMSunshinerequests (ADM) <[admsunshinerequests@sfgov.org](mailto:admsunshinerequests@sfgov.org)>  
**Subject:** Re: Sunshine ordinance

Yes, I’m looking for the 1719 Wallace project related records.

Thanks!

On Tue, Oct 1, 2024 at 4:50 PM Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)> wrote:

Hi Barbara,

Thank you for your email. We received your request on September 26, 2024 where you asked for the following:

*“This is a request under the Sunshine Ordinance for all records related to the proposed project at 1719 Wallace Ave, including but not limited to Lucon Inc, Khanh Luu, Khan Lu, Kenny Lu, Muki Barkan, Fiona Lee, Inncon Design.”*

The Office of Cannabis is currently searching for documents potentially responsive to your request. As is, your request is overly broad and will take substantial amount of staff time to search for, collect, and appropriately examine the voluminous amount of separate and distinct records in response to your request. To help expedite our response timeline, you may consider narrowing the scope of your request (e.g. time frame, specific search terms, subject line, subject matter, etc.).

If helpful, we’re happy to connect over the phone.

SF- Office of Cannabis

**From:** Barbara Tassa **Personal Information**>  
**Sent:** Thursday, September 26, 2024 2:55 PM  
**To:** Office of Cannabis (ADM) <[officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org)>  
**Subject:** Sunshine ordinance

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

This is a request under the Sunshine Ordinance for all records related to the proposed project at 1719 Wallace Ave, including but not limited to Lucon Inc, Khanh Luu, Khan Lu, Kenny Lu, Muki Barkan, Fiona Lee, Inncon Design.

## Supervisor Records (CAT)

---

**From:** Matthew McLean Mitchell **Personal Information**  
**Sent:** Monday, November 4, 2024 9:02 AM  
**To:** Supervisor Records (CAT)  
**Subject:** Records Petition

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Supervisor of Records,

I'd like to file a petition regarding a CPRA request I made with the Office of the Medical Examiner the full autopsy reports (including coroner's investigative notes) for the following individuals found deceased at 25 Essex St, San Francisco, CA 94105:

- David Lacey (year-case #: 2021-0057)
- Shawn Pickens (year-case #: 2021-0221)
- Willie Darden Jr. (year-case #: 2021-1273)
- William M. Colbert III (year-case #: 2021-1499)
- Steven Palmer (year-case #: 2022-0070)
- Kerry Brennan (year-case #: 2022-0284)
- Arthur Cummings (year-case #: 2023-0817)
- Tomlin Hartwell (year-case #: 2024-0407)
- Taisha Baty (year-case #: 2022-0151)

I submitted this request on September 23, 2024 and followed up on September 20, 2024. The Office of the Medical Examiner has not fulfilled my request, nor acknowledged it.

Feel free to reach me by phone (**Personal Information**) or email.

Best,  
Matt Mitchell

## Supervisor Records (CAT)

---

**From:** Kimberlin, Kate (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Friday, November 15, 2024 9:13 AM  
**To:** 'Matthew McLean Mitchell'  
**Cc:** Supervisor Records (CAT)  
**Subject:** RE: Records Petition

Hello Matt,

OME copied us on an email to you yesterday afternoon indicating that these records are now available. Since the department has now complied with its obligations, we will consider this petition closed. But, please do let us know if you need further assistance.

Very truly,



**Kate G. Kimberlin** (*she/her*)  
Deputy City Attorney  
Office of City Attorney David Chiu  
[www.sfcityattorney.org](http://www.sfcityattorney.org)

---

**From:** Kimberlin, Kate (CAT) <Kate.Kimberlin@sfcityatty.org> **On Behalf Of** Supervisor Records (CAT)

**Sent:** Thursday, November 14, 2024 2:20 PM

**To:** 'Matthew McLean Mitchell' [Personal Information] Supervisor Records (CAT)  
<supervisor.records@SFCITYATTY.ORG>

**Subject:** RE: Records Petition

Dear Matt:

Thank you for checking in on your request. We are still investigating this petition, and I hope to be able to provide you with additional information soon.

Very truly,



**Kate G. Kimberlin** (*she/her*)  
Deputy City Attorney  
Office of City Attorney David Chiu  
[www.sfcityattorney.org](http://www.sfcityattorney.org)

---

**From:** Matthew McLean Mitchell [Personal Information]

**Sent:** Thursday, November 14, 2024 11:34 AM

**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>

**Subject:** Re: Records Petition

Hi Kate,

Checking in to see if there have been any updates regarding my petition.

Matt

On Wed, Nov 6, 2024 at 12:23 PM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Dear Mr. Mitchell,

We acknowledge receipt of this request and will respond as soon as possible.

Thank you,



**Kate G. Kimberlin** (*she/her*)

Deputy City Attorney

Office of City Attorney David Chiu

[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** Matthew McLean Mitchell **Personal Information**  
**Sent:** Monday, November 4, 2024 9:02 AM  
**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>  
**Subject:** Records Petition

Dear Supervisor of Records,

I'd like to file a petition regarding a CPRA request I made with the Office of the Medical Examiner the full autopsy reports (including coroner's investigative notes) for the following individuals found deceased at 25 Essex St, San Francisco, CA 94105:

- David Lacey (year-case #: 2021-0057)
- Shawn Pickens (year-case #: 2021-0221)
- Willie Darden Jr. (year-case #: 2021-1273)
- William M. Colbert III (year-case #: 2021-1499)
- Steven Palmer (year-case #: 2022-0070)
- Kerry Brennan (year-case #: 2022-0284)
- Arthur Cummings (year-case #: 2023-0817)
- Tomlin Hartwell (year-case #: 2024-0407)
- Taisha Baty (year-case #: 2022-0151)

I submitted this request on September 23, 2024 and followed up on September 20, 2024. The Office of the Medical Examiner has not fulfilled my request, nor acknowledged it.

Feel free to reach me by phone (**Personal Information**) or email.

Best,  
Matt Mitchell

## Buta-Scott, Odaya (CAT)

---

**From:** Sara Yousuf <[Personal Information]>  
**Sent:** Tuesday, December 10, 2024 1:56 PM  
**To:** Supervisor Records (CAT)  
**Subject:** Improper denial of public records request

Dear Records Supervisor,

On December 9th, 2024, I made a records request of the San Francisco DA's office in which I asked for, "The defendant names, case numbers and outcomes of all cases tried by your office in November, 2024. Please include all trial cases including bench trials, mistrials, hung juries and cases that resolved by plea or dismissal during trial."

After some correspondence between myself and SFDA representative Nikki Moore, the SFDA claimed that these records are "attorney work product" (see below).

It is my understanding that "work product" would cover "a writing that reflects an attorney's impressions, conclusions, opinions, or legal research or theories is not discoverable under any circumstances." I am not asking about any prosecutor's impressions, conclusions, opinions, etc. I am a member of the public who would like to know what cases the DA's office took to trial, and what was the outcome of those trials. If the San Francisco DA's office keeps no records of what cases are being tried in a given month and what the outcomes are, then the public has a right to know that too.

Further, it is my understanding that there is no exception to California's public records laws for records that aren't in "data form". Per my reading of Government Code §7920.530, I am entitled to government records "regardless of physical form or characteristics."

Please contact me either by telephone at [Personal Information] or by this email address.

Thank you in advance for your assistance in obtaining these records and for your efforts to ensure transparency and responsiveness in San Francisco's government.

Warmly,  
Sara Yousuf, Esq.

----- Forwarded message -----

**From:** Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)>  
**Date:** Tue, Dec 10, 2024 at 11:56 AM  
**Subject:** RE: Request for Public Records - November Trial Cases  
**To:** Sara Yousuf [Personal Information]

Hi Sara: I confirmed that we do not track this information in data form, and records underlying this request (to the extent that they are implicated) are attorney work product.

My colleague just informed me that the Superior Court has trial data here: <https://sf.courts.ca.gov/divisions/criminal/criminal-data-dashboards>

I hope this is helpful!

Sincerely,

Nikki

---

**From:** Sara Yousuf [Personal Information]  
**Sent:** Monday, December 9, 2024 4:02 PM  
**To:** Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)>  
**Subject:** Re: Request for Public Records - November Trial Cases

Thank you!

On Mon, Dec 9, 2024 at 3:52 PM Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)> wrote:

I will look into this and get back to you.

---

**From:** Sara Yousuf [Personal Information]  
**Sent:** Monday, December 9, 2024 3:47 PM

To: Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)>  
Subject: Re: Request for Public Records - November Trial Cases

Do you keep any records of which cases go to trial in any given time period? Typically, this information is in an internal case management system, not a public-facing dashboard.

Thanks!

On Mon, Dec 9, 2024 at 3:31 PM Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)> wrote:

Our case resolution data provides a disposition code, but we do not track whether a case went to trial or at what point in the process a case is resolved as a data point.

---

From: Sara Yousuf **Personal Information**  
Sent: Monday, December 9, 2024 3:19 PM  
To: Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)>  
Subject: Re: Request for Public Records - November Trial Cases

Hi Nikki,

Thanks so much for your prompt reply. I reviewed the dashboard you sent, and it doesn't appear that you can filter to find the cases that went to trial. I'd like to know which cases went to trial (defendant names and case numbers) and the outcomes in each of those trials for the month of November 2024.

Thanks again!

Sara

On Mon, Dec 9, 2024 at 3:11 PM Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)> wrote:

Hello: You can access our case data below, and are able to search by code sections you are interested in. Our case data goes back to 2011.

[https://data.sfgov.org/Public-Safety/District-Attorney-Actions-Taken-on-Arrests-Present/czsm-3ei3/about\\_data](https://data.sfgov.org/Public-Safety/District-Attorney-Actions-Taken-on-Arrests-Present/czsm-3ei3/about_data)

[https://data.sfgov.org/Public-Safety/District-Attorney-Case-Resolutions/ynfy-z5kt/about\\_data](https://data.sfgov.org/Public-Safety/District-Attorney-Case-Resolutions/ynfy-z5kt/about_data)

[https://data.sfgov.org/Public-Safety/District-Attorney-Cases-Prosecuted/dcjk-vw8q/about\\_data](https://data.sfgov.org/Public-Safety/District-Attorney-Cases-Prosecuted/dcjk-vw8q/about_data)

<https://www.sfdistrictattorney.org/policy/data-dashboards/>

**Nikki Moore**

Public Records/Assistant District Attorney

She/her/hers

Office of San Francisco District Attorney Brooke Jenkins

[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)

San Francisco District Attorney

350 Rhode Island Street, North Building, Suite 400N

San Francisco, CA 94103

Phone: 628-652-4013

---

From: Sara Yousuf **Personal Information**  
Sent: Monday, December 9, 2024 2:56 PM  
To: District Attorney, (DAT) <[districtattorney@sfgov.org](mailto:districtattorney@sfgov.org)>; Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)>  
Subject: Request for Public Records - November Trial Cases

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Records Custodian,  
Pursuant to the California Public Records Act, California Government Code § 7920.000 et seq. ("CPRA"), and Article I, § 3(b) of the California Constitution, I am requesting the following public record:

- 
- 
- The defendant names, case numbers and outcomes of all cases tried by your office in November, 2024. Please include all trial cases including bench trials, mistrials, hung juries and cases that resolved by plea or dismissal during trial.
- 

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$100. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest. This information is not being sought for commercial purposes. If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. Thank you for your time and consideration in this matter.

Warmly,

Sara Yousuf

## Supervisor Records (CAT)

---

**From:** Kimberlin, Kate (CAT) on behalf of Supervisor Records (CAT)  
**Sent:** Monday, January 13, 2025 11:21 AM  
**To:** 'Sara Yousuf'  
**Cc:** Supervisor Records (CAT)  
**Subject:** RE: Improper denial of public records request

Dear Ms. Yousuf:

I have investigated your petition and understand that the DA's Office has now provided you with the requested data. We will therefore be closing this petition to the Supervisor of Records. However, please let me know if this is incorrect and if you are still awaiting information from the DA.

Very truly,



**Kate G. Kimberlin** (*she/her*)  
Deputy City Attorney  
Office of City Attorney David Chiu  
[www.sfcityattorney.org](http://www.sfcityattorney.org)

**From:** Sara Yousuf **Personal Information**

**Sent:** Thursday, December 12, 2024 12:22 PM  
**To:** Supervisor Records (CAT) <supervisor.records@SFCITYATTY.ORG>  
**Subject:** Re: Improper denial of public records request

Hello,

In case it's useful, I'd like to share that Riverside and Yolo Counties had no issues processing my request quickly and professionally. Please see attached for their responses. I have made this request from a number of DA's offices around the country and have always received a response resembling what Riverside and Yolo provided.

Thanks again,  
Sara Yousuf

On Tue, Dec 10, 2024 at 3:54 PM Sara Yousuf **Personal Information** wrote:

Thanks so much! I appreciate your prompt response.

On Tue, Dec 10, 2024 at 3:29 PM Supervisor Records (CAT) <[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)> wrote:

Hello, the Supervisor of Records has received your SOR petition. We will review your request, and provide you with an update soon. Thank you for your patience.



**Odaya Buta-Scott** (*she/her/hers*)  
Office of City Attorney David Chiu  
[odaya.but@sfcityatty.org](mailto:odaya.but@sfcityatty.org), [www.sfcityattorney.org](http://www.sfcityattorney.org)

Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

This message and any attachments are solely for the intended recipient and may include privileged or confidential information. If you have received this communication in error, please notify me immediately, and permanently delete this message and any attachments. Thank you.

**From:** Sara Yousuf **Personal Information**  
**Sent:** Tuesday, December 10, 2024 1:56 PM

**To:** Supervisor Records (CAT) <[supervisor.records@SFCITYATTY.ORG](mailto:supervisor.records@SFCITYATTY.ORG)>

**Subject:** Improper denial of public records request

Dear Records Supervisor,

On December 9th, 2024, I made a records request of the San Francisco DA's office in which I asked for, "The defendant names, case numbers and outcomes of all cases tried by your office in November, 2024. Please include all trial cases including bench trials, mistrials, hung juries and cases that resolved by plea or dismissal during trial."

After some correspondence between myself and SFDA representative Nikki Moore, the SFDA claimed that these records are "attorney work product" (see below).

It is my understanding that "work product" would cover "a writing that reflects an attorney's impressions, conclusions, opinions, or legal research or theories is not discoverable under any circumstances." I am not asking about any prosecutor's impressions, conclusions, opinions, etc. I am a member of the public who would like to know what cases the DA's office took to trial, and what was the outcome of those trials. If the San Francisco DA's office keeps no records of what cases are being tried in a given month and what the outcomes are, then the public has a right to know that too.

Further, it is my understanding that there is no exception to California's public records laws for records that aren't in "data form". Per my reading of Government Code §7920.530, I am entitled to government records "regardless of physical form or characteristics."

Please contact me either by telephone at **Personal Information** or by this email address.

Thank you in advance for your assistance in obtaining these records and for your efforts to ensure transparency and responsiveness in San Francisco's government.

Warmly,

Sara Yousuf, Esq.

----- Forwarded message -----

**From:** Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)>

**Date:** Tue, Dec 10, 2024 at 11:56 AM

**Subject:** RE: Request for Public Records - November Trial Cases

**To:** Sara Yousuf **Personal Information**

Hi Sara: I confirmed that we do not track this information in data form, and records underlying this request (to the extent that they are implicated) are attorney work product.

My colleague just informed me that the Superior Court has trial data here: <https://sf.courts.ca.gov/divisions/criminal/criminal-data-dashboards>

I hope this is helpful!

Sincerely,

Nikki

---

**From:** Sara Yousuf **Personal Information**

**Sent:** Monday, December 9, 2024 4:02 PM

**To:** Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)>  
**Subject:** Re: Request for Public Records - November Trial Cases

Thank you!

On Mon, Dec 9, 2024 at 3:52 PM Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)> wrote:

I will look into this and get back to you.

---

**From:** Sara Yousuf **Personal Information**  
**Sent:** Monday, December 9, 2024 3:47 PM  
**To:** Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)>  
**Subject:** Re: Request for Public Records - November Trial Cases

Do you keep any records of which cases go to trial in any given time period? Typically, this information is in an internal case management system, not a public-facing dashboard.

Thanks!

On Mon, Dec 9, 2024 at 3:31 PM Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)> wrote:

Our case resolution data provides a disposition code, but we do not track whether a case went to trial or at what point in the process a case is resolved as a data point.

---

**From:** Sara Yousuf **Personal Information**  
**Sent:** Monday, December 9, 2024 3:19 PM  
**To:** Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)>  
**Subject:** Re: Request for Public Records - November Trial Cases

Hi Nikki,

Thanks so much for your prompt reply. I reviewed the dashboard you sent, and it doesn't appear that you can filter to find the cases that went to trial. I'd like to know which cases went to trial (defendant names and case numbers) and the outcomes in each of those trials for the month of November 2024.

Thanks again!

Sara

On Mon, Dec 9, 2024 at 3:11 PM Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)> wrote:

Hello: You can access our case data below, and are able to search by code sections you are interested in. Our case data goes back to 2011.

[https://data.sfgov.org/Public-Safety/District-Attorney-Actions-Taken-on-Arrests-Present/czsm-3ei3/about\\_data](https://data.sfgov.org/Public-Safety/District-Attorney-Actions-Taken-on-Arrests-Present/czsm-3ei3/about_data)

[https://data.sfgov.org/Public-Safety/District-Attorney-Case-Resolutions/ynfy-z5kt/about\\_data](https://data.sfgov.org/Public-Safety/District-Attorney-Case-Resolutions/ynfy-z5kt/about_data)

[https://data.sfgov.org/Public-Safety/District-Attorney-Cases-Prosecuted/dcjk-vw8q/about\\_data](https://data.sfgov.org/Public-Safety/District-Attorney-Cases-Prosecuted/dcjk-vw8q/about_data)

<https://www.sfdistrictattorney.org/policy/data-dashboards/>

## Nikki Moore

Public Records/Assistant District Attorney

She/her/hers

Office of San Francisco District Attorney Brooke Jenkins

[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)

San Francisco District Attorney

350 Rhode Island Street, North Building, Suite 400N

San Francisco, CA 94103

Phone: 628-652-4013

From: Sara Yousuf **Personal Information**

Sent: Monday, December 9, 2024 2:56 PM

To: District Attorney, (DAT) <[districtattorney@sfgov.org](mailto:districtattorney@sfgov.org)>; Moore, Nikki (DAT) <[Nikki.Moore@sfgov.org](mailto:Nikki.Moore@sfgov.org)>

Subject: Request for Public Records - November Trial Cases

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Records Custodian,

Pursuant to the California Public Records Act, California Government Code § 7920.000 et seq. ("CPRA"), and Article I, § 3(b) of the California Constitution, I am requesting the following public record:

- 
- 
- The defendant names, case numbers and outcomes of all cases tried by your office in November, 2024. Please include all trial cases including bench trials, mistrials, hung juries and cases that resolved by plea or dismissal during trial.
- 

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$100. However, I would also like to request a waiver of all fees in that the disclosure of the requested information is in the public interest. This information is not being sought for commercial purposes. If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. Thank you for your time and consideration in this matter.

Warmly,

Sara Yousuf