



## RECORDS REQUEST - Dec 20, 2019

Pursuant to the CPRA

This is a CPRA request for the records numbered below. Your response is required by **Dec. 30, 2019**. Rolling records responses are requested. Please provide only those records not requiring fees - and a required notice of in-person inspection of fee-based records. We do not want mere URLs; we want exact copies (Gov Code 6253(b)).

We are now verifying your jurisdiction's compliance with *Knight First Amendment Institute v. Trump*, No. 1:17-cv-5205 (S.D.N.Y.), No. 18-1691 (2d Cir.) holding that "the First Amendment does not permit a public official who utilizes a social media account for all manner of official purposes to exclude persons from an otherwise-open online dialogue because they expressed views with which the official disagrees." You are required to provide the records that exist as of this request. Do not modify your block lists after receipt of this request to avoid providing evidence of non-compliance to us. We will also be verifying that you produce all social media writings as public records pursuant to the CPRA.

**NOTE:** Please be certain you have properly redacted all of your responses. Once you send them to us, there is no going back. The email address sending this request is a publicly-viewable mailbox. **All of your responses (including all responsive records) may be instantly and automatically available to the public online via the MuckRock.com FOIA service used to issue this request and various services that mirror those documents for analysis and research by journalists and the general public** (though the requester is an anonymous user, not a representative of MuckRock). Nothing herein is legal, IT, or professional advice of any kind. The author disclaims all warranties, express or implied, including but not limited to all warranties of merchantability or fitness. In no event shall the author be liable for any special, direct, indirect, consequential, or any other damages whatsoever. The digital signature, if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender. Please do not include any confidential information, as I intend that these communications with the government all be disclosable public records.

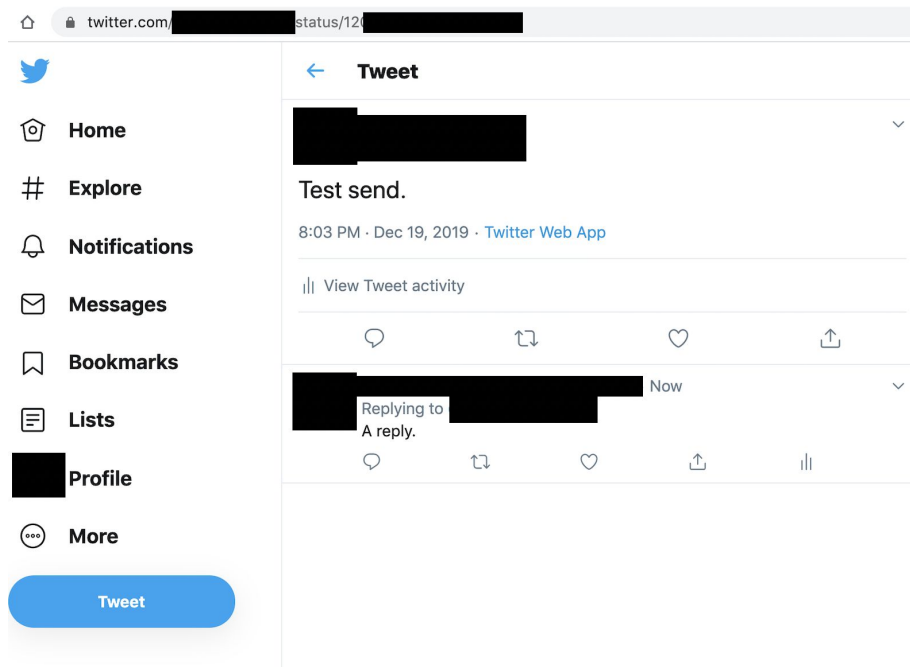
Requests (we want a determination pursuant to Gov Code 6253(c) for each numbered request):

1. the full Block list (entire contents of <https://twitter.com/settings/blocked/all>, make sure to scroll down and get the full list) for **each** "government-controlled Twitter account for your agency," which term is defined as: every Twitter account containing tweets prepared, owned, retained, or used by your agency, any contractor on behalf of your agency, and/or any official or employee of your agency. An empty list is still a record and must be provided. See image below.



A screenshot of a web browser showing the Twitter settings page. The browser address bar displays 'twitter.com/settings/blocked/all'. The left sidebar contains navigation options: Home, Explore, Notifications, Messages, Bookmarks, Lists, Profile, and More, with a blue 'Tweet' button at the bottom. The main content area is split into two panels. The left panel is titled 'Settings' and shows a list of settings categories: Account, Privacy and safety, Notifications, Content preferences, General, Display, Data usage, Accessibility, and About Twitter. The right panel is titled 'Blocked accounts' and shows a list of blocked accounts under the 'All' tab. Each entry in the list is redacted with a black box, and a red 'Blocked' button is visible next to each entry.

2. the full Block list for each “personal Twitter account for your Department Head,” which term is defined as: every Twitter account owned, controlled, or operated on behalf of your Department Head (employee or elected official) that they have ever used to communicate about the conduct of public business subject to a City of San Jose (2017) search. It is quite likely that members of the public inform officials about public business even if your Department Head doesn’t formally use the account for work.
3. the full Mute list (entire contents of <https://twitter.com/settings/muted/all> , make sure to scroll down and get the full list) for **each** government-controlled Twitter account for your agency.
4. the full Mute list for **each** personal Twitter account for your Department Head
5. the most recent 5 Tweets (where “Tweet” is defined as the full Tweet record including but not limited to the URL of the Tweet, full textual content, all images embedded, AND all replies to that tweet) sent by **each** government-controlled Twitter account for your agency. Your record will look something like (but without redactions):



6. all Tweets sent by **each** government-controlled Twitter account for your agency from May 9 - May 25.
7. all Tweets received (i.e. as an @-mention or reply) by each government-controlled Twitter account for your agency from May 9 - May 25.
8. all Direct Messages sent OR received by each government-controlled Twitter account for your agency from May 9 - May 25.
9. the most recent 5 Tweets related to the conduct of public business sent by **each** personal Twitter account for your Department Head
10. all Tweets related to the conduct of public business sent by **each** personal Twitter account for your Department Head from May 9 - May 25.
11. all Tweets related to the conduct of public business received (i.e. as an @-mention or reply) by **each** personal Twitter account for your Department Head from May 9 - May 25.
12. all Direct Messages related to the conduct of public business sent OR received by **each** personal Twitter account for your Department Head from May 9 - May 25.