

Paul Henderson and the DPA:

Pursuant to the CPRA and the Sunshine Ordinance, I hereby request the following records as an Immediate Disclosure Request:

- All records related to the shooting and death of Cesar Vargas by SFPD (including but not limited to incident reports, statements, photos, exhibits, attachments, bodycam footage, CAD reports, 911 calls, and audio recordings of officers and dispatch during the incident, "investigative reports; photographic, audio, and video evidence; transcripts or recordings of interviews; autopsy reports;" (PC 832.7(b)(2)), and also any emails or text messages sent or received by the officers involved in the incident or by Chief Scott regarding the incident)

The records listed above are disclosable due to one or more portions of state or local law, including but not limited to:

- Gov Code 6254(f)(2)(A) and 6254(f)(4) - exceptions to the law enforcement investigation exemptions requiring disclosure

- SF Admin Code 67.24(d)

- Penal Code 832.7(b)(1)(A) "(A) A record relating to the report, investigation, or findings of any of the following:

(i) An incident involving the discharge of a firearm at a person by a peace officer or custodial officer.

(ii) An incident in which the use of force by a peace officer or custodial officer against a person resulted in death, or in great bodily injury."

Furthermore: "Records that shall be released pursuant to this subdivision include all investigative reports; photographic, audio, and video evidence; transcripts or recordings of interviews; autopsy reports; all materials compiled and presented for review to the district attorney or to any person or body charged with determining whether to file criminal charges against an officer in connection with an incident, or whether the officer's action was consistent with law and agency policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take; documents setting forth findings or recommended findings; and copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the Skelly or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action. "

No complaint or misconduct need be alleged - these records are disclosable due to the shooting and death of person involved.

You must provide exact copies and rolling responses. Electronic records must not be printed and scanned as that does not constitute a "copy" (see ruling against SFPD in SOTF 19098). You must justify every withholding of any information in writing. You must provide footnotes or other clear references to justify each and every redaction (see ruling against SFPD in SOTF 19098). If you do not provide correct copies of electronic records or do not justify by footnote or other clear reference each and every redaction, we will ask SOTF to file Official Misconduct charges against Director Henderson before the Ethics Commission, as we did against Chief Scott in SOTF 19112, pursuant to SFAC 67.34.

Thank you in advance for your anticipated cooperation in this matter.

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](https://muckrock.com) FOIA service used to issue this request (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 City all be disclosable public records.

Sincerely,
Anonymous

From: Muckrock Staff

10/22/2020 ⚙

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

Email

To Whom It May Concern:

I wanted to follow up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

From: Department Of Police Accountability

10/22/2020 ⚙

Subject: CPRA Request

Email

(Please see attached)

[A picture containing food, drawing Description automatically generated]

One South Van Ness Avenue, Eighth Floor
415 - 241 - 7711 phone
415 - 241 - 7770 tty
www.sfgov.org/dpa web
sfdpa.nextrequest.com.public records portal



10.22.2020 Response Muckrock-569915554

View Embed Download



image003

Download

From: Department Of Police Accountability

10/27/2020 ⚙

Subject: Public Records Act Request

Email

(Please see attached)

(Please see attached)

[A picture containing food, drawing Description automatically generated]

One South Van Ness Avenue, Eighth Floor
415 - 241 - 7711 phone
415 - 241 - 7770 tty
www . sfgov . org / dpa web
sfdpa.nextrequest.com.public records portal



2020 10_27 Response Muckrock-569915554 - 180-Day Extension

 [View](#)  [Embed](#)  [Download](#)



image003

 [Download](#)

From: twitter.com/journo_anon , Public Records Requester

10/29/2020 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate... [Email](#)

Note that you have a maximum, not minimum, of 180 days since the use of force or 30 days after criminal investigation is complete. We will expect a complete production by that date, not a beginning of production.

--Anonymous

From: Muckrock Staff

04/08/2021 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate... [Email](#)

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

04/23/2021 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate... [Email](#)

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

05/10/2021 ⚙

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

Email

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

05/25/2021 ⚙

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

Email

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

06/09/2021 ⚙

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

Email

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

06/24/2021 ⚙

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

Email

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

07/09/2021 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

[Email](#)

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

07/26/2021 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

[Email](#)

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

08/10/2021 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

[Email](#)

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

08/25/2021 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

[Email](#)

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

09/09/2021 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

Email

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

09/24/2021 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

Email

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

10/11/2021 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

Email

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

10/26/2021 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

Email

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new

estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

11/10/2021 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

[Email](#)

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

11/25/2021 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

[Email](#)

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: Muckrock Staff

12/10/2021 

Subject: RE: California Public Records Act Request: Recent Police Critical Incident Records - Immediate...

[Email](#)

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on Oct. 12, 2020. You had previously indicated that it would be completed on April 8, 2021. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.