

# Timeline

1. Oct. 8, 2019 - IDR made for certain past and future calendars (both Prop G and non-Prop G) for Chief Scott
2. Oct. 16 - Initial response from SFPD (**IDR timeline violation**)
3. Oct. 23 - SFPD releases Prop G only entries for Sept 30-Oct 6. SFPD withholds other calendars by unlawfully citing to SFAC 67.29-5.
4. Oct. 23 - This complaint is filed for reasons including complete withholding of non-Prop G Outlook entries and lack of future calendars.
5. Oct. 29 - More Prop G calendar summaries provided.
6. Nov. 5 - Some Outlook entries provided. (We later contest the redactions)
7. March 27 - Records reprovided, with some contested redactions no longer redacted.

## Request excerpt (Oct 8)

1a). IMMEDIATE DISCLOSURE: an electronic copy of the department head's \*prospective/expected\* calendar or schedule, with all expected events/items, from Oct 21 to Oct 28, 2019 (inclusive). Calendar items must include (but are not limited to): the exact start and end time of the meeting, the location, the title, all invitees and whether they accepted or not, attachments, inline images, if they exist in the record. We are specifically requesting ALL calendar/scheduling items, individually, for the department head, whether the department head themselves possesses them or their staff, whether they are labeled "Prop G" or not, and whether they are on a computer or in physical form (such as a diary, a physical calendar on a wall, etc.). You are welcome to virtually print/export each item (not the summary view) directly to .PDF form in Outlook and redact them. Do not cutoff information like long text that does not fit on the screen - that would be unjustified withholding. In order to ensure immediacy of disclosure, in this and only this request, .ics format and headers are NOT specifically requested (though you are welcome to provide them if it can be provided immediately). Do NOT physically print and re-scan records.

1b). IMMEDIATE DISCLOSURE: an electronic copy of the department head's calendar or schedule, with all events/items, from Sep 30 to Oct 7, 2019 (inclusive). Calendar items must include (but are not limited to): the exact start and end time of the meeting, the location, the title, all invitees and whether they accepted or not, attachments, inline images, if they exist in the record. We are specifically requesting ALL calendar/scheduling items, individually, for the department head, whether the department head themselves possesses them or their staff, whether they are labeled "Prop G" or not, and whether they are on a computer or in physical form (such as a diary, a physical calendar on a wall, etc.). You are welcome to virtually print/export each item (not the summary view) directly to .PDF form in Outlook and redact them. Do not cutoff information like long text that does not fit on the screen - that would be unjustified withholding. In order to ensure immediacy of disclosure, in this and only this request, .ics format and headers are NOT specifically requested (though you are welcome to provide them if it can be provided immediately). Do NOT physically print and re-scan records.

# Calendars/schedule records not mentioned in SFAC 67.29-5 (Prop G) are still public records

- Every writing about the conduct of public business is a public record. The moment SFPD created any records of the Chief's schedule or calendar, it was a public record that must be disclosed and minimally redacted using exemptions.
- SFAC 67.29-5 (Prop G) merely *demand*s that certain minimum information be public. Information not mentioned in SFAC 67.29-5, must still be disclosed, unless explicitly exempted. Local law, like Prop G, cannot take away what the CPRA makes public.
- On Oct 23 and 29, only summaries of the Chief's schedule was provided instead of the full Outlook entries which have more info.
- **Citation to Prop G (SFAC 67.29-5) to withhold information is unlawful because SFAC 67.27 only allows the city to cite exemptions.**
- See SOTF 19047 Anonymous v. Breed - the Mayor initially withheld from me her non-Prop G Outlook calendars, and only provided summary entries, until we filed a complaint. You found a violation.

## Prop G Calendar

**SAN FRANCISCO POLICE DEPARTMENT  
CHIEF WILLIAM SCOTT  
HIGHLIGHTS FOR WEDNESDAY, OCTOBER 2**

- 0900 hours**    **MEETING: Staff**  
**Re: Personnel Issue**  
**Location: PHQ, CHIEF'S OFFICE CONF. ROOM**
- 1000 hours**    **MEETING: Staff**  
**Re: Projects Update**  
**Location: PHQ, CHIEF'S OFFICE**
- 1100 hours**    **MEETING: Staff**  
**Re: Crime Trends Briefing**  
**Location: PHQ, CHIEF'S OFFICE CONF. ROOM**
- 1300 hours**    **MEETING: Allied Universal Event Services**  
**Doug Morse**  
**Re: Cadet Hiring Program**  
**Location: PHQ, CHIEF'S OFFICE CONF. ROOM**
- 1400 hours**    **EVENT: Pink Patch Project Kick Off Event**  
**Location: IN FRONT OF PHQ**
- 1500 hours**    **MEETING: Staff**  
**Re: Personal Development**

## Non Prop-G Calendar

Fountain, Christine (POL)

**Subject:** Meeting with Doug Morse [REDACTED]  
**Location:** here  
**Start:** Wed 10/2/19 1:00 PM  
**End:** Wed 10/2/19 2:00 PM  
**Recurrence:** (none)  
**Meeting Status:** Meeting organizer  
**Organizer:** Scott, William (POL)

**From:** Doug Morse [REDACTED]  
**Sent:** Wednesday, August 21, 2019 10:36 AM  
**To:** SFPD, Chief (POL) <sfpdchief@sfgov.org>  
**Cc:** Jared Charity [REDACTED]  
**Subject:** [REDACTED]

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Chief Scott,

I am interested in building a relationship with the San Francisco Police Department. [REDACTED] currently [REDACTED] have been very successful with the partnership I developed with the Los Angeles Police Department Police Officer Preparedness Program Cadets. We have developed a great partnership in hiring the cadets and helping them obtain there guard cards. We would like to do the same with San Francisco P.D. as well. [REDACTED] I would like to formally introduce you to Jared Charity who is our Director of Operations. His e mail address is [REDACTED]. If possible can we set up a meeting with you for either this week or next week. I will be in town September 6<sup>th</sup> and hopefully we can get together and catch up over lunch or dinner and introduce you to our Executive

## Prospective schedules/calendars must be disclosed, with minimum redactions if need be

- SFPD cites to 67.29-5(a) as exempting future calendars: "As for your request for the calendar for date range October 21 - 28, these records are not being provided per Admin Code 67.29-5(a). "Such calendars shall be public records and shall be available to any requester three business days subsequent to the calendar entry date." The SFPD will provide you with an update by October 29."
- There is no authority to wait until the date passes. Whatever records exist at the time of the request must be provided, with minimal redaction.
- In SOTF 18075 Williams vs Gascon, you unanimously agreed with my position: "The SOTF opined that future schedule/calendars are public records and should be provided in a redacted format."

## Request for Relief

Please: **move that Chief Scott and SFPD violated:**

1. SFAC 67.25 for failing to initially respond at all to an IDR within one business day, and incompletely responding by not providing the non-Prop G calendars
2. SFAC 67.26 for withholding in entirety Chief Scott's future calendars, instead of providing them with minimal redactions for exempt material
3. SFAC 67.27 for unlawfully citing to SFAC 67.29-5 as a justification for withholding non-Prop G calendars because 67.29-5 is not an exemption to disclosure.

Your DCA states that using SOTF 19047 as direct precedent for requiring disclosure of "non-Prop G" calendars is difficult because your Motion/Order did not include a specific reasoning; I request that your motion in this case include reasoning.