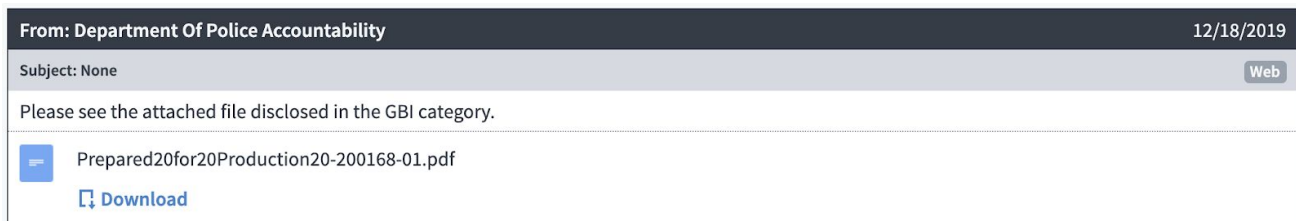


Anonymous  
[83876-31149286@requests.muckrock.com](mailto:83876-31149286@requests.muckrock.com)  
December 18, 2019

Supervisor of Records  
San Francisco, CA  
[supervisor.records@sfcityatty.org](mailto:supervisor.records@sfcityatty.org)

Supervisor of Records,

This is a new SFAC 67.21(d) petition for written determination that parts of specific records are public and an order for their disclosure. On December 18, 2019 an unknown employee of the Department of Police Accountability published online on MuckRock.com a record in response to our request<sup>1</sup> of Nov. 28, 2019:



This response “in the GBI category” appears to be one of many rolling responses to our request #2, clause “all records of an officer's use of force that results in death or great bodily injury” and is DPA’s investigation record “SF DPA - 0168-01”. DPA uploaded the file to: [https://cdn.muckrock.com/outbound\\_request\\_attachments/DepartmentOfPoliceAccountability/83876/Prepared20for20Production20-200168-01.pdf](https://cdn.muckrock.com/outbound_request_attachments/DepartmentOfPoliceAccountability/83876/Prepared20for20Production20-200168-01.pdf) which I have not attached due to the large size of the file, but which I will describe as Exhibit A and is incorporated by reference herein.

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<sup>1</sup> 1) IMMEDIATE DISCLOSURE: all responsive records DPA has already provided under SB 1421 to any other requestor. Since you should not redact more information for me than you have provided any other member of the public (Gov Code 6254.5), you should be able to immediately provide these.

2) REGULAR DISCLOSURE: every record retained, owned, prepared, or used by DPA of: all records of officer's discharge of a firearm at a person, all records of an officer's use of force that results in death or great bodily injury, sustained findings of officer's sexual assault of a member of the public, sustained findings of officer's dishonesty that are disclosable under DB 1421 (*sic*). This is of course a very large request, and you may provide rolling responses. You stated in a letter ([https://sfgov.org/sunshine/sites/default/files/sotf\\_120419\\_item12.pdf](https://sfgov.org/sunshine/sites/default/files/sotf_120419_item12.pdf), page 12) that others have made similar expansive requests and I expect you to treat me with no less priority than anyone else. Please note, I expect you to redact these records in accordance with the Sunshine Ordinance - and you must justify each and every redaction or withholding with a clear reference, such as a footnote (SFAC 67.26), to a statute or case law (SFAC 67.27). If you provide only a general list of justifications, I will appeal, and you will eventually have to do all of the redaction work again as other City agencies have had to do. (For example, consider the functionality of Adobe Acrobat that allows you to put a redaction code in every redaction.) Please do not destroy any records during the pendency of my request or appeals. All records must be provided in their original electronic record, or .EML/.MSG formats, and with all metadata and headers. Please perform record production correctly the first time, as appeals and Orders from Court, SOTF, or Sup. of Records, will be quite time-consuming to have to re do.

Because none of the withholding of information has been justified in writing (SFAC 67.27), and none of the redactions have footnotes or other clear references to justifications (SFAC 67.26), I ask for the following parts to be deemed public in writing, and ordered disclosed.

1. I allege all redactions are unlawful and must be unredacted (i.e. disclosed). While I am aware you have no jurisdiction to force DPA to justify their redactions pursuant to SFAC 67.26/67.27, if they did, this entire process would be much easier. I urge you or someone in their office to speak to DPA about their Sunshine process.
2. Because you have in the past requested examples (though I do not believe I have to provide them), I also provide this incomplete list of examples of redactions that are unlawful since they have no justifications. All references are to page numbers in Exhibit A. If a page is listed without further info, all redactions on that page are challenged.
  - a. Pg 1, Item 9 and, Columns 13 and 14
  - b. Pg 5, all redactions of DPA's typing at the bottom of the page
  - c. Pg 28
  - d. Pg 29
  - e. Pg 32
  - f. Pg 33
  - g. Pg 36, item 9 and Column 13
  - h. Pg 38, typing at bottom of the page
  - i. Pg 40, all (note govt phone numbers are not private)
  - j. Pg 41, 42, 43, "AS:" heading
  - k. Pg 46, report number
  - l. Pg 56, 57, 58, 59
  - m. Pg 62 - govt phone number
  - n. Pg 67
  - o. Pg 78 case number
  - p. Pg 79, 80, 81
  - q. Pg 82, items 5, 9, and 13
  - r. Pg 86, typing at bottom
  - s. Pg 87, items 9, 13
  - t. Pg 90-100 inclusive
  - u. Pg 102, redactions 1, 2, 5, 6 (top to bottom)
  - v. Pg 103, redactions 1, 5 (top to bottom)
  - w. Pg 107, redactions 1, 2 (is this a peace officer?), 13, 14, 15 (top to bottom)
  - x. Pg 108, bottom 2 redactions large rectangles
  - y. Pg 109, middle 2 large rectangles
  - z. Pg 110, bottom 2 large rectangles
  - aa. Pg 155, 2nd redaction

**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 (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

Requestor/Petitioner