

Date February 28, 2012

Item No. 19 & 20
File No. 11093

SUNSHINE ORDINANCE TASK FORCE AGENDA PACKET CONTENTS LIST

ITEMS

Complaint submittal
Correspondence

OTHER

Completed by: Andrea Ausberry Date February 22, 2012
Completed by: _____ Date _____

*An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document is in the file.



Sunshine Complaint
complaints

to:

sotf

11/29/2011 01:37 PM

Hide Details

From: <complaints@sfgov.org>

To: <sotf@sfgov.org>

To:sotf@sfgov.org

Email:complaints@sfgov.org

DEPARTMENT:San Francisco Fire Department

CONTACTED:Fire Marshal Thomas Harvey

PUBLIC_RECORDS_VIOLATION:Yes

PUBLIC_MEETING_VIOLATION:No

MEETING_DATE:

SECTIONS_VIOLATED:67.24 & 67.25

DESCRIPTION:On Wed, November 23, 2011 I requested to be provided with a copy of 2 "Citizen Complaint" forms submitted to the SF Fire Department. I also requested a copy of a SF Fire Department report relating to the aforementioned "Citizen Complaints". Today, November 29, 2011 I was informed by Lt. Tod Stephenson that my request was denied. Lt. Stephenson stated that SF Fire Marshal Thomas Harvey said that I was not entitled or otherwise allowed to have copies of these complaint forms or the SF Fire Department report. I asked upon what authority, statute or ordinance did the Fire Department rely upon to allow the San Francisco Fire Department to exempt these documents from immediate disclosure and I was not given a response.

HEARING:Yes

PRE-HEARING:No

DATE:November 29, 2011

NAME:John Darmanin

ADDRESS:402 Edgewood Road

CITY:Redwood City

ZIP:94062

PHONE:650-642-8646

CONTACT_EMAIL:fdwatchdog@aol.com

ANONYMOUS:

CONFIDENTIALITY_REQUESTED:No



RE: Sunshine Complaint Received : #11093_John Darmanin v Fire Dept.

Rhab Boughn to: SOTF

12/09/2011 12:42 PM

Cc: Jerry Threet, Alicia Cabrera

FYI -

Immediate Disclosure Request received today, from John Darmanin to SFFD.

SFFD's response below.

Thank You

Rhab Boughn
Compliance Officer / Public Records Officer
San Francisco Fire Department
Phone: (415) 558-3384
FAX: (415) 558-3407

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----- Forwarded by Rhab Boughn/SFFD/SFGOV on 12/09/2011 12:38 PM -----



FirePublicRecords/SFFD/SF

GOV

Sent by: Rhab Boughn

12/09/2011 12:02 PM

To

cc

Subject Final Response: Sunshine Request (11-12-03)

**CITY AND COUNTY OF SAN FRANCISCO
SAN FRANCISCO FIRE DEPARTMENT**

698 Second Street

San Francisco, CA

94107-2015

Telephone (415) 558-3403

Facsimile (415) 558-3407

JOANNE M. HAYES-WHITE

THOMAS A. SIRAGUSA

MONICA L. FIELDS

Chief of Department

Deputy Chief of Operations

Deputy Chief of Administration

December 9, 2011

VIA FAX

John Darmanin
402 Edgewood Road
Redwood City, CA 94062
Fax: (650) 745-2630

Re: Public Records Request- Citizen Complaints Filed with SFFD Bureau of Fire Prevention
File: 11-12-03

Dear J. Darmanin:

The Department has undertaken a diligent search in an attempt to provide any and all records that could reasonably be identified as responsive to your IMMEDIATE DISCLOSURE request for public records. Your request sought the following:

- **“ ‘Citizen Complaint’ dated Oct 18, 2011; ‘Citizen Complaint’ dated Oct 18, 2011; ‘SF Fire Dept’ report written by Lt. Ken Cofflin and dated Oct 18, 2011; all these documents relate to a complaint filed against John Darmanin and Fire Marshal Thomas Harvey has direct knowledge of.”**

As a result of the search, the Department has located records which may be considered responsive to your request. However, these records are being withheld based on the confidentiality considerations expressed in the SF Sunshine Ordinance (SF Administrative Code, Section 67.24(c)(7)), the CA Labor Code (Section 1198.5), and the CA Evidence Code (Section 1041).

Your Immediate Disclosure request, fax received 12/9/11; 07:16, states: “Second Request”. This is the first request received by the Public Records Officer, who became aware of your interest in requesting said records by way of the complaint you filed with the Sunshine Ordinance Task Force, which was received 12/8/11.

Please Note: Your rights as a San Francisco Fire Department employee differ from your rights as a member of the public. For questions regarding the records you have rights to as an SFFD employee, please contact Human Resources Director, Jesusa Bushong: (415) 558-3615.

Should you have any questions or concerns, please do not hesitate to contact the Public Records Officer, Rhab Boughn, at (415) 558-3384 or via email at FirePublicRecords@sfgov.org. Thank you.

Very truly yours,

Joanne Hayes-White
CHIEF OF DEPARTMENT

By: FF/PM Rhab Boughn
Compliance & Public Records Officer

cc: Thomas A. Siragusa, Deputy Chief of Operations
Monica L. Fields, Deputy Chief of Administration

Rhab Boughn
Compliance & Public Records Officer
San Francisco Fire Department
Phone: (415) 558-3384
Fax: (415) 558-3407

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