

**SUNSHINE ORDINANCE  
TASK FORCE**



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**ORDER OF DETERMINATION  
July 15, 2015**

**DATE DECISION ISSUED:**  
July 1, 2015

**CASE TITLE - Michael Petrelis v. George Gascon and the Office of the District Attorney  
(File No. 15063)**

**COMPLAINT FILED**

On April 29, 2015, Michael Petrelis (Complainant) filed a complaint with the Sunshine Ordinance Task Force (SOTF) alleging that District Attorney George Gascon and the Office of the District Attorney, violated Administrative Code (Sunshine Ordinance), Sections 67.21, 67.25, and 67.29-5, for failure to respond to an Immediate Disclosure Request for public records in a timely and/or complete manner and failure to maintain a daily calendar wherein is recorded the time and place of each meeting or event attended.

**HEARING ON THE COMPLAINT**

On June 16, 2015, the Complaint Committee (Committee) heard the matter.

Mr. Petrelis provided a summary of the complaint and requested the SOTF find violations. Alex Bastian, District Attorney's Office (Respondent), provided a summary of the department's position, acknowledged that the response to the request was not timely, and stated that due to the investigative nature of the District Attorney's Office, certain items cannot be placed on the calendar in order to protect various parties.

The Committee recommended that the SOTF accept the determination that the SOTF has jurisdiction and find a violation of Administrative Code (Sunshine Ordinance), Sections 67.25(a) and 67.29-5, for failing to respond to an Immediate Disclosure Request in a timely manner and failure to maintain a daily calendar wherein is recorded the time and place of each meeting or event attend.

On July 1, 2015, the SOTF reviewed the recommendation of the Committee.

Alex Bastian, District Attorney's Office (Respondent), responded to questions of the SOTF and provided the department's position.

## FINDINGS OF FACT AND CONCLUSION OF LAW

Based on the testimony and evidence presented, the SOTF finds the testimony of the Complainant be persuasive and finds that a violation of Administrative Code (Sunshine Ordinance), Sections 67.25(a) and 67.29-5, occurred.

## DECISION AND ORDER OF DETERMINATION

The Sunshine Ordinance Task Force accepts the recommendation of the Complaint Committee and finds that District Attorney George Gascon and the Office of the District Attorney violated Administrative Code (Sunshine Ordinance), Sections 67.25(a) and 67.29-5, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner and failure to maintain a daily calendar wherein is recorded the time and place of each meeting or event attended.

Chair Washburn referred the matter to the Compliance and Amendments Committee to monitor the new calendar policy being developed by the District Attorney and ensure that it complies with the requirements of Sunshine Ordinance, Section 67.29-5 (daily calendar requirements).

This Order of Determination was adopted by the Sunshine Ordinance Task Force on July 1, 2015, by the following vote:

Ayes: 6 - Wolf, Pilpel, Hepner, Haines, Fischer, Washburn

Noes: 0 - None

Absent: 3 - Chopra, Hinze, Hyland

A handwritten signature in blue ink that reads "Allyson M. Washburn". The signature is written in a cursive style.

Allyson Washburn, Chair  
Sunshine Ordinance Task Force

- c. Nicholas Colla, Deputy City Attorney
- Michael Petrelis, Complainant
- Alex Bastian, District Attorney's Office
- George Gascon, District Attorney's Office