

Date: March 12, 2009

Item No. 1

File No. \_\_\_\_\_

## SUNSHINE ORDINANCE TASK FORCE

Education, Outreach and Training Committee

AGENDA PACKET CONTENTS LIST\*

- Draft Minutes: Education, Outreach and Training January 8, 2009,  
and notes taken during info gathering February 12, 2009
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Completed by: Chris Rustom

Date: March 6, 2009

**\*This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

\*\* The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.



Sunshine Ordinance Task Force



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**SUNSHINE ORDINANCE TASK FORCE  
EDUCATION, OUTREACH AND TRAINING COMMITTEE  
DRAFT MINUTES**

Thursday, January 8, 2009  
4:00 p.m., City Hall, Room 406

**Committee Members:** Sue Cauthen (Chair), Kristin Chu, Doyle Johnson, Allyson Washburn, Marjorie Williams

**Call to Order:** The meeting was called to order at 4:00 P.M.

**Roll Call:** Present: Cauthen, Johnson, Chu, Washburn, Williams

**Agenda Changes:** None

**Deputy City Attorney:** Ernie Llorente  
**Clerk:** Chris Rustom

1. Adoption of minutes of October 9, 2008 (action item) (attachment)

Motion to adopt the minutes ( Chu / Williams )

Public Comment: None

Ayes: Cauthen, Johnson, Chu, Washburn, Williams

2. Evaluation of EOT Mission Statement approved Sept. 26, 2000, and current priorities (discussion, action) (attachments)

Member Cauthen said she and Member Williams have been on this committee for a long time and when Prop G passed in 1999 each committee was made to do a Mission Statement and Work Plan which were included in today's packet.

DCA Llorente said knowledge of the Sunshine Ordinance is a must for department heads and commissioners but the weakness is that the staff who have to deal with the public on a daily basis is neglected.

Chair Cauthen said she would like to do outreach with the Police Department and other departments that come before the Task Force. Another way was to setup meetings with major organizations such as the League of Women Voters. She recalled that she and Member Williams had addressed a crowd on open government at the BayView Opera House.

Member Williams said her main interest was those in the neighborhood who don't know that they have the right to know what's going on, where and how their money was being spent and those that are afraid of City Hall. She also reiterated the need to teach line staff because department heads send their subordinates who don't know anything about Sunshine to plead their case before the Task Force.

Member Johnson wanted to know the logistics involved in doing outreach with neighborhood groups. Chair Cauthen said an example would be the way she and Williams once went to the Tennessee Grill to talk to a Sunset merchants group. The Coalition for SF Neighborhoods was one group on her list because there were about 40 smaller groups in it. Also of interest were the North Beach Neighbors Association and the monthly neighborhood meetings held by the Police Department.

Member Washburn said the Task Force would need partners such as the League of Women Voters to help spread the word. Other target groups, she said, would be the non-profits and the commissions, especially the Ethics Commission so that they would know what to do when the Task Force sent them a referral.

Member Johnson volunteered to talk to the Duboce Triangle members, Member Williams to those in the BayView, Chair Cauthen to the neighborhood groups and Member Washburn to the League of Women Voters, whose theme for next year was going to be good government.

DCA Llorente said there were people who have come before the Task Force and were disappointed because they did not know what the Task Force could do and couldn't do. He said the outreach should also include explaining the limitations of the Task Force because many times people seek relief at the Task Force because their case before another body did not go their way.

On departments that are not covered by Sunshine, DCA Llorente said the Unified School District and the community college had adopted some of the Sunshine policies because the Task Force had to deal with some issues that arose several years ago.

Member Williams recalled that the face-to-face meetings with the community college officials were very fruitful because they learned about Sunshine and Task Force members also got to learn about issues at the college.

Chair Cauthen urged all present to revisit the monthly Administrator's Report and see if any particular department stood out enough to be placed on the committee's outreach list.

Member Chu said she also had a list and it would be distributed by email to committee members. She pointed out that there were going to be referrals from the Task Force to this committee regarding recent Orders of Determination.

DCA Llorente, after discussions with Chair Cauthen, agreed to create a draft Mission Statement.

Public Comment: Ray Hartz said the committee should send a letter to the head of a department that did not respond to a complaint and say that their actions had prevented the Task Force from completing its duties and that it was also unfair to the complainant who was in attendance, and in some cases did not get fair treatment. The letter would make the department head aware of the issue and their failure to follow the law, he added.

Chair Cauthen said it would be a good idea to have a list of Sunshine coordinators listed by department.

Member Williams said the committee's outreach program could use the services of the public such as that of Ray Hartz, who although not a member of the committee, attends all Sunshine meetings.

3 Work Plan for 2008-2009 (discussion and possible action) (no attachment)

Ray Hartz said when he was with the Neighborhood Board in Honolulu the committee had a reference system where the public could educate themselves on what is needed when approaching a particular department. He said the same could be done at Sunshine in the form of volunteers who could assist complainants because he had noticed that many of the complainants do not know the law.

Member Cauthen said the two-minute public comment session at the Board of Supervisors inaugural session was inappropriate and that it was an issue that the Task Force needs to look into. She also wanted to put the issue of redactions and changes to contracts and documents on the agenda of a future meeting.

4. Public comment for items not listed on the agenda (no attachment)

Public Comment: Ray Hartz said it would be unfair to the public if public comment was cut from three to two minutes. He also noted that the president of the Board of Supervisors could limit the public comment session to a total of 30 minutes.

5. Committee Members' Comments, Questions, and Requests for Future Agenda Items (no attachment)

Member Chu said the committee needs to know what was going to be put on the next agenda. She also said she would like to set up a presentation package before starting outreach.

Member Washburn said the committee should look into collaborating with like-minded people in its outreach in order for the public to know what and what not to expect from the Task Force. Chair Cauthen said the perennial problem with complainants is that they do not know the scope and limitations of the Task Force.

Member Johnson wanted to know if there was a list of departments that the Task

Force had diplomatically tried to contact and was ignored. Member Chu said such a list did not exist.

Chair Cauthen said if everybody at a public comment session was given three minutes, the length of the session, depending on the number of speakers, could go on and on. However, one minute at the recent MTA and tiger meetings were too short, she said.

Member Williams said the Task Force needs a liaison to show that the body is for open government.

Public Comment: Ray Hartz said he is working on a PowerPoint presentation of the Sunshine Ordinance and that it was a tool that the Task Force could use in its outreach.

Member Chu requested that the presentation be scheduled for the next meeting. Chair Cauthen agreed.

**Adjournment**

**The meeting was adjourned at 5:07 p.m.**

This meeting has been audio recorded and is on file in the office of the Sunshine Ordinance Task Force

## NOTES

Informal Gathering

EDUCATION, OUTREACH AND TRAINING COMMITTEE

Date: Feb. 12, 2009

As there was not a quorum at the Education, Outreach and Training Committee, the members present noted agenda items and heard from a representative of the Police Department.

There was no roll call, minutes or action on any item. The gathering began at 4:15 p.m. and ended at 4:45 p.m. Present were Sue Cauthen and Allyson Washburn.

Lt. Daniel Mahoney of the San Francisco Police Department's Legal Division met with members of the Sunshine Ordinance Task Force's Education, Outreach and Training Committee on February 12, 2009, and answered questions presented by Chair Sue Cauthen, Member Allyson Washburn and DCA Ernie Llorente.

DCA Llorente said the Task Force learned during recent hearings on the 08056\_Anonymous v Police Department case that the department did not have a point person to handle Sunshine requests and that led to a process that was not uniform.

Lt. Mahoney said the following to this and other questions:

- Sunshine requests should go to the Legal Division because it knows where certain documents are stored. The division can be reached at 553-1511
- The decision to have a point person would have to be made by the Chief if she wants to do it and would be whomever she recommends that person to be.
- Maureen Conefrey is the current records request person even though her job title is legal secretary. There were plans to hire a new person but those plans disappeared because of the current budget crisis.
- Most Sunshine requests are voluminous Immediate Disclosure Requests that require an extension. A majority of the cases involve journalists working on stories and citizens looking for information for discovery or claim purposes.
- He joined the division in June of 2008 and until May of that year knew nothing about Sunshine. Police officers investigate, arrest and put people in jail. Only a select group of people in the department know about CPRA and Sunshine.
- Captains are now required to read the Ordinance and sign off on it.
- Through the assistance of the California Police Officers Association, he is creating a presentation for police officers on CPRA. From there he plans to use the Task Force's PowerPoint presentation and show San Francisco's specific Sunshine Ordinance requirements. The presentation in its initial stage will be aimed at the captain or a member of the captain's staff at the 10

stations, the public information officers, members of the records division and the Police Commission secretary,

- The committee is welcome to visit the legal division to discuss Sunshine issues.
- His current most pressing issue was compiling the Index of Records for the Department and the Police Commission.

Member Washburn said the push was to train staff who are in contact with the public on a daily basis. She also noted that the conversation with Lt. Mahoney indicates that both parties are about to start off on a very good relationship.

Chair Cauthen and Member Washburn thanked Lt. Mahoney for his update.