

Date: May 27, 2008

Item No. 11a

File No. 08022

## SUNSHINE ORDINANCE TASK FORCE

### AGENDA PACKET CONTENTS LIST\*

- Complaint by: Kimo Crossman v. Clerk of the Board**
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Completed by: Frank Darby

Date: May 21, 2008

**\*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.



<complaints@sfgov.org>  
04/30/2008 10:31 AM

To <soff@sfgov.org>  
cc  
bcc  
Subject Sunshine Complaint

History:  This message has been forwarded.

Submitted on: 4/30/2008 10:31:12 AM

Department: Clerk of the Board of Supervisors

Contacted: Clerk staff

Public\_Records\_Violation: Yes

Public\_Meeting\_Violation: No

Meeting\_Date:

Section(s)\_Violated: 67.21 (a), 67.26, various sections of CPRA

Description: I went to the Clerk's office to inspect two original Sunshine applications under 6253 (b).

Instead, I was provided copies with the home address, home phone number and email address redacted.

Allyson M Washburn is listed in the phone book, she has no expectation of privacy.

Allyson M Washburn  
home  
782 Bay St  
San Francisco, CA 94109-1321  
(415) 440-0693  
\* Age: 55-59

And this address is her work address which means it would be on many many documents.

As already indicated, Hanley Chan has completed a Form 700 with home address information which is in the Ethics file room - all those documents are available to the public with no redactions.

Hearing: Yes

Date: 4/21/2008

Name: Kimo Crossman

Address:

City:

Zip:



"Kimo Crossman"  
<kimo@webnetic.net>  
04/21/2008 09:53 AM

To "Board of Supervisors" <Board.of.Supervisors@sfgov.org>,  
"SOTF" <sotf@sfgov.org>  
cc "Allen Grossman" <grossman356@mac.com>,  
<home@prosf.org>  
bcc  
Subject SOTF Complaint - illegal redactions, no expectation of  
privacy!

Submitted on: 4/21/08

Department: Clerk of the Board

Contacted: Clerk staff

Public\_Records\_Violation: Yes

Public\_Meeting\_Violation: No

Meeting\_Date:

Section(s)\_Violated: 67.21 (a), 67.26, various sections of CPRA,

I asked for two SOTF applications and the home address, home phone and email were redacted illegally. See details below:

-----Original Message-----

From: Board of Supervisors [mailto:Board.of.Supervisors@sfgov.org]  
Sent: Monday, April 21, 2008 8:51 AM  
To: Kimo Crossman  
Subject: BOS Response: SOTF Applications

Mr. Crossman,

As you are aware, the Office of the Clerk of the Board has already responded to your request for records including providing pacific legal justification for the redactions that were made. We try to reasonably assist requestors access to public records and/or information, however there is no requirement that we engage in any extended dialogue with the requestor who may disagree with our response to a request or handling of a request. To conserve the finite staff resources of the Clerk's Office and our ability to perform the many public duties required of this office we will not engage in any ongoing dialogue with you over this matter, but will limit our response to the extent the law requires.

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.

[http://www.sfgov.org/site/bdsupvrs\\_form.asp?id=18548](http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548)

"Kimo Crossman"  
<kimo@webnetic.net>  
To  
<board.of.supervisors@sfgov.org>  
04/18/2008 02:07 PM cc  
Subject  
FW: SOTF Applications - no  
reasonable expectation of privacy!

Hello?

I send this information after meeting with Clerk staff on Friday 4/11 and have not received a legal response for the withholding

-----Original Message-----

From: Kimo Crossman [mailto:kimo@webnetic.net]  
Sent: Friday, April 11, 2008 4:14 PM  
To: 'Board of Supervisors'; 'mary.red@sfgov.org'  
Cc: 'Allen Grossman'; 'Angela Calvillo'  
Subject: RE: SOTF Applications - no reasonable expectation of privacy!  
Importance: High

So I went to the Clerks office to inspect two original applications under 6253 (b).

Instead, I was provided copies with the home address, home phone number and email address redacted.

**Allyson M Washburn is listed in the phone book, she has no expectation of privacy.**

Allyson M Washburn  
home  
782 Bay St  
San Francisco, CA 94109-1321  
(415) 440-0693  
\* Age: 55-59

And this address is her work address which means it would be on many many documents.

**As already indicated, Hanley Chan has completed a form 700 with home address information which is in the Ethics file room - all those documents are available to the public with NO REDACTIONS**

Your process isn't consistent with your own C page, nor the Assessor documents, nor the Claim to the City for tort damages, nor the Ethics Commission.

A home address, phone or email are not automatically redactable - there is no specific law that allows for that.

What reasonable expectation of privacy for applications for a public position is there?

You can't just quote the potential exemptions - you have to apply specific facts and apply balancing tests.

Also you have provided absolutely no examples of even complaints to the city by people who felt that their privacy was invaded - that tells us that people do not have an expectation of privacy when they communicate with government.

Please see attached recent determination from SOTF that all email addresses on people who communicate with Government are not private.

-----Original Message-----

From: Kimo Crossman [mailto:kimo@webnetic.net]  
Sent: Friday, April 11, 2008 12:19 PM  
To: 'Board of Supervisors'; 'mary.red@sfgov.org'  
Cc: 'Allen Grossman'  
Subject: RE: SOTF Applications

What reasonable expectation of privacy for applications for a public position is there?

You can't just quote the potential exemptions - you have to apply specific facts and apply balancing tests.

-----Original Message-----

From: Board of Supervisors [mailto:Board.of.Supervisors@sfgov.org]

Sent: Friday, April 11, 2008 11:58 AM

To: kimo@webnetic.net

Subject: Re: SOTF Applications

This responds to your email of 4/9/08, regarding redactions on the documents provided in the email below. Redactions of personal information were made pursuant to Cal. Gov. Code Section 6250, 6254 (c), 6254 (k), Cal. Constitution, Article I, Section 1, and Administrative Code Section 67.1 (g.)

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.

[http://www.sfgov.org/site/bdsupvrs\\_form.asp?id=18548](http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548)

Board of  
Supervisors/BOS/S  
FGOV  
04/09/2008 12:52  
PM

To  
kimo@webnetic.net  
cc

Subject  
SOTF Applications

Pursuant to your request, attached are the applications for Hanley Chan and Allyson Washburn.

(See attached file: chan.pdf)(See attached file: washburn.pdf)

Complete a Board of Supervisors Customer Satisfaction form by clicking the link below.

[http://www.sfgov.org/site/bdsupvrs\\_form.asp?id=18548](http://www.sfgov.org/site/bdsupvrs_form.asp?id=18548)

