

SUNSHINE ORDINANCE TASK FORCE
AGENDA PACKET CONTENTS LIST

Sunshine Ordinance Task Force

Date: January 21, 2020

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Completed by: C. Leger Date 1/13/20

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

Leger, Cheryl (BOS)

From: Google Forms <sfbdsupvrs@gmail.com>
Sent: Wednesday, May 8, 2019 1:41 PM
To: SOTF, (BOS)
Subject: New Response Complaint Form

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Your form has a new entry.

Here are the results.

**Complaint
against which
Department or
Commission**

Office of City Attorney

**Name of
individual
contacted at
Department or
Commission**

Dennis Herrera (Herrera) in his official capacity as city attorney, Elizabeth A. Coolbrith (Coolbrith) in her official capacity as paralegal for city attorney

Alleged Violation

Public Records

**Please describe
alleged violation**

Detailed facts, allegations, and exhibits are provided in our letter at:
https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/San-Francisco-Sunshine-Ordinance-Appeal-Request-72056.pdf

** NOTE: Every response you send or provide (including all responsive records) may be automatically and immediately visible to the general public on the MuckRock.com web service used to issue this request. (I am not a representative of MuckRock)**

Name

Anonymous

Email

72056-97339218@requests.muckrock.com

If anonymous,
please let us
know how to
contact you.
Thank you.

I am anonymous. Please use our email 72056-97339218@requests.muckrock.com

Sent via [Google Forms Email](#)



DENNIS J. HERRERA
City Attorney

PEDER J. V. THOREEN
Deputy City Attorney

Direct Dial: (415) 554-3846
Email: Peder.Thoreen@sfcityattfy.org

**MEMORANDUM
PRIVILEGED AND CONFIDENTIAL**

TO: Sunshine Ordinance Task Force
FROM: Peder J. V. Thoreen
Deputy City Attorney
DATE: June 3, 2019
RE: Complaint No. 19044 - Anonymous v. Dennis Herrera, Elizabeth Coolbrith

COMPLAINT

An anonymous complainant (“Complainant”) alleges that City Attorney Dennis Herrera and Elizabeth Coolbrith, of the City Attorney’s office (collectively, “Respondents”), violated public records laws by failing to provide public records.

COMPLAINANT FILES COMPLAINT

On May 8, 2019, Complainant filed this complaint with the Task Force, alleging that the City Attorney’s office failed to provide complete responses to Complainant’s request for public records, in violation of Administrative Code sections 67.21, 67.26, and 67.27, and Government Code sections 6253, 6253.9, and 6255.

JURISDICTION

City Attorney Dennis Herrera and Elizabeth Coolbrith work within the City Attorney’s office, which is subject to the provisions of the Sunshine Ordinance and the California Public Records Act (“CPRA”) regarding records requests. Respondents do not dispute jurisdiction.

APPLICABLE STATUTORY SECTION(S)

Section 67 of the San Francisco Administrative Code:

- Section 67.21 governs responses to a public records request in general.
- Section 67.26 provides that withholding of public records shall be kept to a minimum.
- Section 67.27 sets forth requirements for justifying the withholding of information.

Sections 6253, 6235.9, and 6255 of the Cal. Govt. Code (CPRA)

- Section 6253(c) governs the timeframe in which general requests for public documents must be honored.
- Section 6235.9 governs the production of public documents in electronic format.
- Section 6255(a) regards the circumstances in which the public interest in withholding a record outweighs the public interest in disclosure.

APPLICABLE CASE LAW

- None

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BACKGROUND

On April 20, 2019, Complainant requested the City Attorney's office to immediately disclose:

A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:
 20190418173050.839.30844@f720c6d2-4be2-4478-af65-
 b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:
 <20190418173050.839.30844@f720c6d2-4be2-4478-af65-
 b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:
 20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:
 <20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:
 <DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB14
 97.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:
 DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB149
 7.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees.

On April 22, 2019, Respondents directed Complainant to records in response to part B of Complainant's request, to Complainant's satisfaction.¹ On April 23, 2019, Respondents explained their belief that Complainant's request did not qualify as an Immediate Disclosure Request, and that they would be treating the request as subject to a 10-day deadline. Complainant does not appear to take issue with this determination. On April 24, 2019, Respondents sent Complainant two emails that were allegedly responsive to Complainant's requests A3, A4, A5, and A6.² Respondents stated that they had "conducted a reasonable and

¹ See Complainant's May 17, 2019 letter at 2 n.4.

² Note that emails produced by Respondents include communications related to a *separate* public records request that is not the subject of the present complaint.

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diligent search and did not locate any further responsive documents.” Complainant objected to the fact that the emails produced did not include certain headers and/or metadata. In response to a follow-up email by Complainant on May 8, 2019, Respondents informed Complainant that they had completed their production on April 24, and that “[w]e do not intend to produce anything further in response to your request.”

However, on May 17, 2019, Respondents supplemented their disclosure. The supplemental “PDF show[ed] the headers and metadata associated with the email responsive to [Complainant’s] request #s A3/A4.” Respondents noted that some of the metadata was redacted “based on the need to protect the security of [their] computer system.” Respondents noted they were “not able to locate headers/metadata for the emails responsive to ... request #s A1/A2 and A5/A6.” Further, Respondents stated that “while we have agreed to produce some metadata excerpts in this instance, we reserve our right to revisit this approach in the future. Generally we do not disclose metadata at all”

On that same date, Complainant confirmed that, notwithstanding the supplemental production after the complaint was filed, the complaint would not be withdrawn.³ Complainant offers four reasons why the disclosures remain insufficient:

1. ... While I believe the current disclosure is still deficient relative to the standards of the Sunshine Ordinance and the CPRA ..., even if the Task Force determines that the May 17 disclosure does in fact meet all legal requirements, I ask that the Task Force still rule that the May 8 and April 24 responses of the City Attorney violated [various statutes] as discussed in my initial Task Force complaint. ...
2. The May 17 response continues to not be disclosed in the original electronic format as requested. ...
3. Even if the disclosure in PDF format is acceptable under the law, the May 17 response fails to disclose one or more headers that I believe are part of the full A3/A4 record responsive to my requests. ...

³ Complainant proposed a compromise whereby Complainant would withdraw the complaint with the Task Force in exchange for an opinion by the City Attorney regarding the disclosure of metadata. The proposed compromise does not appear to be a matter within the jurisdiction of the Task Force.

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4. The May 17 response fails to disclose any additional headers or metadata of the email record responsive to request A5/A6 (it only includes additional info for A3/A4). ...

(Emphasis, footnotes, color omitted.)⁴

In their May 17, 2019, written submission to the Task Force, Respondents point out that on April 24, 2019, they provided two responsive emails that had been exchanged between their office and “Muck Rock” on April 18 and 19.⁵ When the Complainant requested metadata associated with those emails, the City Attorney’s office “elected to supplement [its] production” and gave “the requester the metadata we were able to find following a reasonable and diligent good faith search.” However, “[t]o safeguard the security of our computer system,” Respondents withheld “certain portions of the metadata that describe unique identifiers for our individual computer terminals and computer servers and our security certificates and similar information.” In support of their general position on the production of metadata, Respondents identify various privilege-related and security concerns regarding the disclosure of metadata, argue that the CPRA does not provide authoritative guidance regarding whether metadata are subject to disclosure, and contend that their position is consistent with the City Attorney’s position, as set forth in the Good Government Guide.

QUESTIONS THAT MIGHT ASSIST IN DETERMINING FACTS

- What is the legal basis for withholding metadata where an email with which it is associated is otherwise a disclosable public record?
- Respondents contend that they were unable to locate “headers/metadata” associated with the emails responsive to requests A5 and A6. What is basis for Complainant’s belief that Respondents possess this information?
- Complainant contends that “the May 17 response fails to disclose one or more headers that I believe are part of the full A3/A4 record....” Is Complainant’s dispute with the scope of the redactions of the headers in the document that was produced, or does Complainant contend that additional headers exist beyond those in that document (regardless of whether they were redacted)?
- Does Complainant contend that Respondents violated the Sunshine Ordinance or the CPRA by redacting certain information in its May 17 supplemental production?

⁴ In the May 17, 2019 letter, Complainant clarifies that Complainant accepts Respondents’ determination that they have no records responsive to requests A1 and A2.

⁵ Complainant uses an email address associated with the domain muckrock.com; those emails state that Complainant is “not a MuckRock representative.”

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LEGAL ISSUES/LEGAL DETERMINATIONS

- Did the City Attorney's office violate the Sunshine Ordinance or CPRA by allegedly failing to satisfy Complainant's request for public records in a complete manner?

CONCLUSION

THE TASK FORCE FINDS THE FOLLOWING FACTS TO BE TRUE:

THE TASK FORCE FINDS THE ALLEGED VIOLATIONS TO BE **TRUE OR NOT TRUE.**

* * *

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**CHAPTER 67, SAN FRANCISCO ADMINISTRATIVE CODE (SUNSHINE
ORDINANCE)**

**SEC. 67.21. PROCESS FOR GAINING ACCESS TO PUBLIC RECORDS;
ADMINISTRATIVE APPEALS**

(a) Every person having custody of any public record or public information, as defined herein, (hereinafter referred to as a custodian of a public record) shall, at normal times and during normal and reasonable hours of operation, without unreasonable delay, and without requiring an appointment, permit the public record, or any segregable portion of a record, to be inspected and examined by any person and shall furnish one copy thereof upon payment of a reasonable copying charge, not to exceed the lesser of the actual cost or ten cents per page.

(b) A custodian of a public record shall, as soon as possible and within ten days following receipt of a request for inspection or copy of a public record, comply with such request. Such request may be delivered to the office of the custodian by the requester orally or in writing by fax, postal delivery, or e-mail. If the custodian believes the record or information requested is not a public record or is exempt, the custodian shall justify withholding any record by demonstrating, in writing as soon as possible and within ten days following receipt of a request, that the record in question is exempt under express provisions of this ordinance.

(c) A custodian of a public record shall assist a requester in identifying the existence, form, and nature of any records or information maintained by, available to, or in the custody of the custodian, whether or not the contents of those records are exempt from disclosure and shall, when requested to do so, provide in writing within seven days following receipt of a request, a statement as to the existence, quantity, form and nature of records relating to a particular subject or questions with enough specificity to enable a requester to identify records in order to make a request under (b). A custodian of any public record, when not in possession of the record requested, shall assist a requester in directing a request to the proper office or staff person.

(d) If the custodian refuses, fails to comply, or incompletely complies with a request described in (b), the person making the request may petition the supervisor of records for a determination whether the record requested is public. The supervisor of records shall inform the petitioner, as soon as possible and within 10 days, of its determination whether the record requested, or any part of the record requested, is public. Where requested by the petitioner, and where otherwise desirable, this determination shall be in writing. Upon the determination by the supervisor of records that the record is public, the supervisor of records shall immediately order the custodian of the public record to comply with the person's request. If the custodian refuses or fails to comply with any such order within 5 days, the supervisor of records shall notify the district attorney or the attorney general who shall take whatever measures she or he deems necessary and appropriate to insure compliance with the provisions of this ordinance.

(e) If the custodian refuses, fails to comply, or incompletely complies with a request described in (b) above or if a petition is denied or not acted on by the supervisor of public records, the person making the request may petition the Sunshine Task Force for a determination whether the record requested is public. The Sunshine Task Force shall inform the petitioner, as soon as possible and within 2 days after its next meeting but in no case later than 45 days from when a petition in writing is received, of its determination whether the record requested, or any

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part of the record requested, is public. Where requested by the petition, and where otherwise desirable, this determination shall be in writing. Upon the determination that the record is public, the Sunshine Task Force shall immediately order the custodian of the public record to comply with the person's request. If the custodian refuses or fails to comply with any such order within 5 days, the Sunshine Task Force shall notify the district attorney or the attorney general who may take whatever measures she or he deems necessary to insure compliance with the provisions of this ordinance. The Board of Supervisors and the City Attorney's office shall provide sufficient staff and resources to allow the Sunshine Task Force to fulfill its duties under this provision. Where requested by the petition, the Sunshine Task Force may conduct a public hearing concerning the records request denial. An authorized representative of the custodian of the public records requested shall attend any hearing and explain the basis for its decision to withhold the records requested.

(f) The administrative remedy provided under this article shall in no way limit the availability of other administrative remedies provided to any person with respect to any officer or employee of any agency, executive office, department or board; nor shall the administrative remedy provided by this section in any way limit the availability of judicial remedies otherwise available to any person requesting a public record. If a custodian of a public record refuses or fails to comply with the request of any person for inspection or copy of a public record or with an administrative order under this section, the superior court shall have jurisdiction to order compliance.

(g) In any court proceeding pursuant to this article there shall be a presumption that the record sought is public, and the burden shall be upon the custodian to prove with specificity the exemption which applies.

(h) On at least an annual basis, and as otherwise requested by the Sunshine Ordinance Task Force, the supervisor of public records shall prepare a tally and report of every petition brought before it for access to records since the time of its last tally and report. The report shall at least identify for each petition the record or records sought, the custodian of those records, the ruling of the supervisor of public records, whether any ruling was overturned by a court and whether orders given to custodians of public records were followed. The report shall also summarize any court actions during that period regarding petitions the Supervisor has decided. At the request of the Sunshine Ordinance Task Force, the report shall also include copies of all rulings made by the supervisor of public records and all opinions issued.

(i) The San Francisco City Attorney's office shall act to protect and secure the rights of the people of San Francisco to access public information and public meetings and shall not act as legal counsel for any city employee or any person having custody of any public record for purposes of denying access to the public. The City Attorney may publish legal opinions in response to a request from any person as to whether a record or information is public. All communications with the City Attorney's Office with regard to this ordinance, including petitions, requests for opinion, and opinions shall be public records.

(j) Notwithstanding the provisions of this section, the City Attorney may defend the City or a City Employee in litigation under this ordinance that is actually filed in court to any extent required by the City Charter or California Law.

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(k) Release of documentary public information, whether for inspection of the original or by providing a copy, shall be governed by the California Public Records Act (Government Code Section 6250 et seq.) in particulars not addressed by this ordinance and in accordance with the enhanced disclosure requirements provided in this ordinance.

(l) Inspection and copying of documentary public information stored in electronic form shall be made available to the person requesting the information in any form requested which is available to or easily generated by the department, its officers or employees, including disk, tape, printout or monitor at a charge no greater than the cost of the media on which it is duplicated. Inspection of documentary public information on a computer monitor need not be allowed where the information sought is necessarily and unseparably intertwined with information not subject to disclosure under this ordinance. Nothing in this section shall require a department to program or reprogram a computer to respond to a request for information or to release information where the release of that information would violate a licensing agreement or copyright law.

SEC. 67.26. WITHHOLDING KEPT TO A MINIMUM.

No record shall be withheld from disclosure in its entirety unless all information contained in it is exempt from disclosure under express provisions of the California Public Records Act or of some other statute. Information that is exempt from disclosure shall be masked, deleted or otherwise segregated in order that the nonexempt portion of a requested record may be released, and keyed by footnote or other clear reference to the appropriate justification for withholding required by Section 67.27 of this Article. This work shall be done personally by the attorney or other staff member conducting the exemption review. The work of responding to a public-records request and preparing documents for disclosure shall be considered part of the regular work duties of any City employee, and no fee shall be charged to the requester to cover the personnel costs of responding to a records request.

SEC. 67.27. JUSTIFICATION OF WITHHOLDING.

Any withholding of information shall be justified, in writing, as follows:

(a) A withholding under a specific permissive exemption in the California Public Records Act, or elsewhere, which permissive exemption is not forbidden to be asserted by this ordinance, shall cite that authority.

(b) A withholding on the basis that disclosure is prohibited by law shall cite the specific statutory authority in the Public Records Act or elsewhere.

(c) A withholding on the basis that disclosure would incur civil or criminal liability shall cite any specific statutory or case law, or any other public agency's litigation experience, supporting that position.

(d) When a record being requested contains information, most of which is exempt from disclosure under the California Public Records Act and this Article, the custodian shall inform the requester of the nature and extent of the nonexempt information and suggest alternative sources for the information requested, if available.

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GOVERNMENT CODE SECTION 6250, et seq. (CPRA)

SEC. 6253

(a) Public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as hereafter provided. Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.

(b) Except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, shall make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable. Upon request, an exact copy shall be provided unless impracticable to do so.

(c) Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. In unusual circumstances, the time limit prescribed in this section may be extended by written notice by the head of the agency or his or her designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension for more than 14 days. When the agency dispatches the determination, and if the agency determines that the request seeks disclosable public records, the agency shall state the estimated date and time when the records will be made available. As used in this section, "unusual circumstances" means the following, but only to the extent reasonably necessary to the proper processing of the particular request:

(1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.

(2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.

(3) The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.

(4) The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

(d) Nothing in this chapter shall be construed to permit an agency to delay or obstruct the inspection or copying of public records. The notification of denial of any request for records required by Section 6255 shall set forth the names and titles or positions of each person responsible for the denial.

(e) Except as otherwise prohibited by law, a state or local agency may adopt requirements for itself that allow for faster, more efficient, or greater access to records than prescribed by the minimum standards set forth in this chapter.

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(f) In addition to maintaining public records for public inspection during the office hours of the public agency, a public agency may comply with subdivision (a) by posting any public record on its Internet Web site and, in response to a request for a public record posted on the Internet Web site, directing a member of the public to the location on the Internet Web site where the public record is posted. However, if after the public agency directs a member of the public to the Internet Web site, the member of the public requesting the public record requests a copy of the public record due to an inability to access or reproduce the public record from the Internet Web site, the public agency shall promptly provide a copy of the public record pursuant to subdivision (b).

SEC. 6253.9

(a) Unless otherwise prohibited by law, any agency that has information that constitutes an identifiable public record not exempt from disclosure pursuant to this chapter that is in an electronic format shall make that information available in an electronic format when requested by any person and, when applicable, shall comply with the following:

(1) The agency shall make the information available in any electronic format in which it holds the information.

(2) Each agency shall provide a copy of an electronic record in the format requested if the requested format is one that has been used by the agency to create copies for its own use or for provision to other agencies. The cost of duplication shall be limited to the direct cost of producing a copy of a record in an electronic format.

(b) Notwithstanding paragraph (2) of subdivision (a), the requester shall bear the cost of producing a copy of the record, including the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record when either of the following applies:

(1) In order to comply with the provisions of subdivision (a), the public agency would be required to produce a copy of an electronic record and the record is one that is produced only at otherwise regularly scheduled intervals.

(2) The request would require data compilation, extraction, or programming to produce the record.

(c) Nothing in this section shall be construed to require the public agency to reconstruct a record in an electronic format if the agency no longer has the record available in an electronic format.

(d) If the request is for information in other than electronic format, and the information also is in electronic format, the agency may inform the requester that the information is available in electronic format.

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(e) Nothing in this section shall be construed to permit an agency to make information available only in an electronic format.

(f) Nothing in this section shall be construed to require the public agency to release an electronic record in the electronic form in which it is held by the agency if its release would jeopardize or compromise the security or integrity of the original record or of any proprietary software in which it is maintained.

(g) Nothing in this section shall be construed to permit public access to records held by any agency to which access is otherwise restricted by statute.

SEC. 6255

(a) The agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of this chapter or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

(b) A response to a written request for inspection or copies of public records that includes a determination that the request is denied, in whole or in part, shall be in writing.

**Sunshine Ordinance Task Force
Complaint Summary**

File No. 19044

Anonymous v. Dennis Herrera, Elizabeth Coolbrith

Date filed with SOTF: 5/8/19

Contacts information (Complainant information listed first):

Anonymous (72056-97339218@requests.muckrock.com) (Complainant)

Dennis Herrera, John Cote (John.Cote@sfcityatty.org), Office of the City Attorney (Respondent)

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 61.26, 61.27, Government Code Sections 6253, 6253.9 and 6255, by failing to respond to a public records request in a timely and/or complete manner.

Administrative Summary if applicable:

Complaint Attached.

Complainant/Petitioners Documents Submission

¹ SOTF 19044 Recap - The Story So Far

- In April 2019, I requested 2 emails, in specified formats, and with metadata/headers. The City Attorney provided PDFs withholding all headers (67.26), but without saying so (67.21), **and gave NO justification (67.27)**. I followed-up twice, but they still refused even to justify their withholding, so I filed this complaint.
- In response to complaint, they provided one email's headers with vast over-redaction (67.26), as an image for some reason. They did not provide the 2nd email's headers.
- On Oct. 2, your Task Force, after hearing this case, referred the general matter of metadata to the IT Committee for further deliberation.
- On Dec. 17, the IT Committee, after two public hearings in File 19105, recommended three findings in a 3-0 vote (paraphrased):
 - no evidence presented that metadata is not a public record;
 - burden in retrieving or redacting info cannot create any exemptions; and
 - each and every redaction must be clearly identified along with an appropriate citation for that redaction

(Practically, this means metadata must be treated like everything else in Sunshine.)

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

² Timeline & Facts of the Case

1. **April 20, 2019** - Immediate Disclosure Request (IDR)* for 2 emails between Coolbrith and myself in a native format, with metadata/headers
2. **April 24** - PDFs of both emails. Withheld headers/metadata, and **NO justification**.
3. **April 24** and **May 8** - I followed up twice.
4. **May 8** - Respondent replies but refuses to provide any other info; **NO justification**.
5. **May 8** - SOTF complaint filed.
6. **May 17** - Respondent provides an image PDF with nearly all headers redacted of 1 of the 2 emails (2nd email still not provided with headers). Cites EC 1040.
7. Throughout **Aug** and **Sept**, I requested, using various wording, specific header names and values of those 2 emails. All requests were rejected without any add'l disclosures. Now cites GC 6253.9(f), 6254.19, and **not** EC 1040.
8. **Oct. 2** - After hearing this case, full task force refers general metadata matter to IT committee (File #19105, which is a general public hearing without named parties).
9. **Oct. 22** - (19105) IT Committee initial hearing; City officials attempt to argue that all metadata should be withheld. Committee proposes three questions to test City's the 'all metadata is exempt' position.
10. **Dec. 17** - (19105) IT Committee rejects arguments to withhold all metadata; recommends metadata must essentially be treated like all other Sunshine information.

* Other records requested were provided satisfactorily and are not at issue here. They are elided from the timeline and not discussed in this presentation.

See Appendices for responses.

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Email headers are rows with title/name, colon, value

Source: DPW email with headers, without redactions:
<https://sanfrancisco.nextrequest.com/documents/1669341/>
 I added my own redactions, applied to excerpts of that email

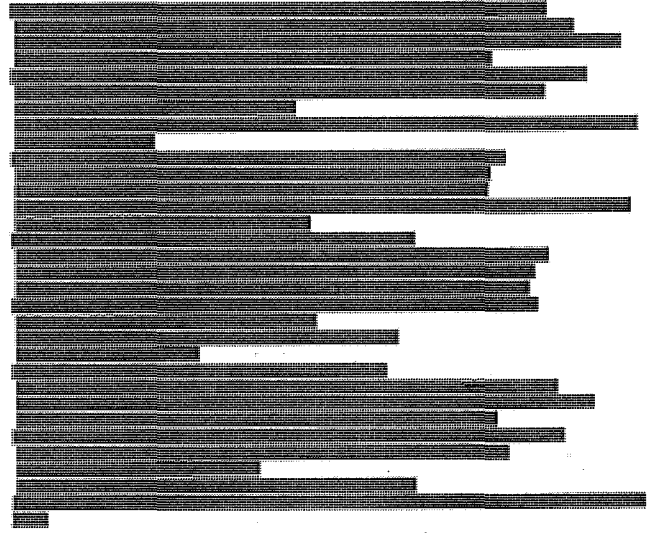
Source: Respondents' May 17 response excerpt

The type of response we should have gotten

```

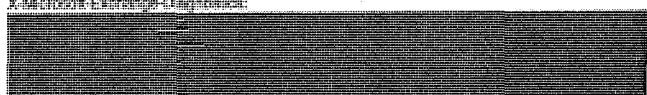
Received: from [redacted].internal.outlook.com (2603:[redacted]) by
[redacted].prod.outlook.com with HTTP via
[redacted].PROD.OUTLOOK.COM; Fri, 30 Nov 2018 00:14:44 +00C
Received: from [redacted].prod.outlook.com
((fe80:[redacted])) by [redacted].prod.outlook.com
((fe80:[redacted])) with mapi id [redacted] Fri, 30 Nov 2018
00:14:43 +0000
Content-Type: application/ms-tnef; name="winmail.dat"
Content-Transfer-Encoding: binary
From: "Wiggins, Matthew (CON)" <matthew.wiggins@sfgov.org>
To: "Steinberg, David (DPW)" <david.steinberg@sfdpw.org>
Subject: RE: Custodians letter
Thread-Topic: Custodians letter
Thread-Index: AdSIG3aViiUcxRhQ7CxVwcG+MMiRgAHZ4cw
Date: Fri, 30 Nov 2018 00:14:43 +0000
Message-ID:
<DM5PR09MB1466928FFB46ADD52B285E39F7D30@[redacted].prc
References:
<BN6PR09MB1490B92DDA201B489E75D43AFFD20@[redacted].prc
In-Reply-To:
<BN6PR09MB1490B92DDA201B489E75D43AFFD20@[redacted].prc
Accept-Language: en-US
Content-Language: en-US
X-MS-Has-Attach: yes
  
```

City Atty's Over-redacted image in this case



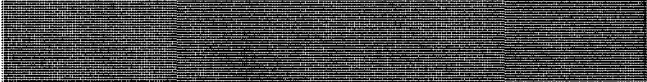
```

X-MS-Exchange-Organization-AuthAsynchronous: 04
X-Originating-IP: [208.121.1.1]
X-MS-Exchange-Organization-Network-Message-Id:
[redacted]
X-MS-PublicTrafficType: Email
  
```



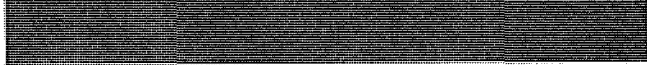
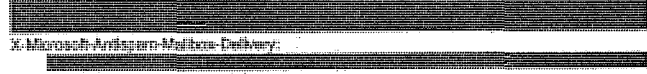
```

X-MS-Exchange-Organization-Schema-Name: SPS:SP4;
X-Microsoft-Exchange-Organization:
[redacted]
  
```



```

X-MS-Exchange-Organization-AuthAsynchronous-Report: SPV:SP4;SCL:1;
X-Exchange-Organization-AuthAsynchronous-Report: SPV:SP4;SCL:1;
Return-Path: matthew.wiggins@sfgov.org
X-MS-Exchange-Transport-EndToEndLatency: 00:00:01.3275004
X-MS-Exchange-Transport-FwdFolding: 15.20.1368.019
X-Microsoft-Exchange-Organization:
[redacted]
  
```



```

Date: Thu, 18 Apr 2019 17:30:50 +0000
Sender: 71969-51399120@requests.muckrock.com
Message-Id: <20190418173050.1.2B43534B4544D903@requests.muckrock.com>
  
```

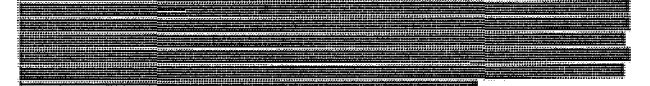
```

To: cityattorney@sfcityatty.org
From: 71969-51399120@requests.muckrock.com
Subject: California Public Records Act Request: Immediate Disclosure Request
- PRA Opinions
Mime-Version: 1.0
Content-Type: multipart/mixed; boundary="b2e1fbcebdb64db587dfc7e9a4ecef40"
Return-Path:
bounce+5bea6f.556-cityattorney@sfcityatty.org@requests.muckrock.com
  
```



```

X-MS-Exchange-Organization-MessageDirectionality: Incoming
  
```



```

X-MS-PublicTrafficType: Email
  
```



City's Own Witness, CISO Makstman, Proved My Case

- Mr. Coté testified on Oct. 2 that the two requested emails are themselves "security records." That is false. These emails are about my prior records request, between me and Coolbrith, and are completely non-sensitive. **Individual** header values might be IT security records and exempt under GC 6254.19 - but not my emails as a whole. (Also, the City incorrectly cited EC 1040, instead of 6254.19)
- Mr. Makstman's testimony on Oct. 2 (below) proves the SFAC 67.26 non-minimal withholding violation, because at the very least, all standard header names/titles, are publicly known, not IT security threats, and must be disclosed.
- However, the City unlawfully withholds these **names** to prevent this Task Force from fairly assessing the exemption of the header **values** in this case. The City's obstruction cannot be held against me.

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Yankee (SOTF): 03:14:44 Could you speak to any security issues that you would know of, if the, if you had released, let's say **the field titles**? I mean, I don't like there's some like "Date" colon and then, okay.

Makstman: 03:14:54 I do not, **I do not know of any security issues for releasing the, um, the headers,** the

Yankee (SOTF): 03:15:02 Stuff on like the left side of the colon?

Makstman: 03:15:06 Right, the social security number, the text that says "Social Security Number," colon. I think the several members have talked about: **those are all standard and specified in Internet standards.** Um, we would expect to see them in every email.

Yankee (SOTF): 03:15:23 Right?

Makstman: 03:15:24 They are **publicly known.**

Source: Transcription of Oct. 2 hearing in this case, audio at:
http://archive-media.granicus.com:443/OnDemand/sanfrancisco/sanfrancisco_94fef027-3210-400c-ad59-3be5c6c2a6a4.mp3

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7 What do I still want disclosed?

- The 2nd email (never produced with headers), which is an email sent by Coolbrith to me.
- The **names** of all standard headers, and X-*, non-security headers (like X-MS-Has-Attach)
- The **values** of every header that cannot be proven to be exempt GC 6254.19, IT security threat (start with the Dept of Technology's proposed "whitelist")
- **Important:** All timestamps of receipt (part of the "Received" header)
 - Every City-received (but not City-sent) email has this "Received" header.
 - Redact the IP addresses and hostnames if you wish, but **disclose all date/timestamps.**

Received: from [redacted].internal.outlook.com (2603:[redacted]) by [redacted].prod.outlook.com with HTTP via [redacted].PROD.OUTLOOK.COM; Fri, 30 Nov 2018 00:14:44 +000

Received: from [redacted].prod.outlook.com
 ((fe80:[redacted])) by [redacted].prod.outlook.com
 ((fe80:[redacted])) with mapi id [redacted] Fri, 30 Nov 2018
 00:14:43 +0000

Source: DPW email cited earlier, redacted by me



Makstman: 03:15:54

But we have consulted our, um, partners who are hackers and they have come and they have told us that: yes, **there is an increased risk to certain fields** to be used by criminals who are attacking us on a regular basis. Um. Obviously **that doesn't apply to everything and it doesn't mean the header.**

Source: Transcription of Oct. 2 hearing in this case

8 Emails in ".msg"/".eml" format are "easily generated" under SFAC 67.21(I), and must be provided

- The City has released .msg emails for years. Public Library releases EMLs to me. Earliest on NextRequest was released November 9, 2017 (could be earlier outside of NextRequest)
 - See: <https://sanfrancisco.nextrequest.com/documents?filter=.msg>
- Public Works (DPW) released >200 raw emails in .msg format (many with headers) to me on Aug. 23 in less than 2 days of receiving my request.
 - See: <https://sanfrancisco.nextrequest.com/requests/19-3455> and <https://sanfrancisco.nextrequest.com/requests/19-3456>
 - When I requested DPW's policies/guidelines re: releasing .msg emails, DPW provided Respondent's Good Government Guide (Feb 2019), pp. 100-102
- CPRA Gov Code 6253.9 (original format) is superseded by the **stronger** local requirement of SFAC 67.21(I) (easily-generated formats). 6253.9(f) by its text, ONLY regulate the original, held, format, NOT the information itself or other formats. The original format is likely "PST" - an Outlook-specific database format.
- Format and information exemption are two separate questions to resolve. Even if you rule that the format is not required, all information must be provided in (for example) a full-fidelity PDF (using PDFMaker, and without stripping metadata).

⁹ Email headers are public records, and non-exempt

- Many email header values, and all standard email header names, are not exempt under GC 6254.19 (IT security threat). GC 6253.9(f) only can possibly exempt the original **format** only, not the **information** stored.
- Note: Mayor's Office had now started producing essentially all email headers as public records in full-fidelity PDFs on Jan 7, 2020 using Acrobat PDFMaker.
- The Attorney General opined on the CPRA "public records" definition: "This definition is intended to cover **every conceivable kind of record** that is involved in the governmental process and will pertain to **any new form of record-keeping instrument as it is developed**. Only purely personal information unrelated to "the conduct of the public's business" could be considered exempt from this definition,..." *San Gabriel Tribune v. Superior Court*, 143 Cal.App.3d 762, 774 (Cal. Ct. App. 1983) (internal citations omitted, emphasis mine)
- Email headers are records "thereby created" when someone writes an email; they are "retained" & "used" by the City; and they are not "purely personal."
- As your IT Committee found, burden does NOT create exemptions, because the public-interest balancing test is prohibited in San Francisco (67.24(g,i)).

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City falsely claims "reasonable segregation" instead of "minimum withholding" for copies of records

Gov Code 6253. (a) Public records are open to **inspection at all times during the office hours of the state or local agency** and every person has a right to inspect any public record, except as hereafter provided. Any **reasonably segregable** portion of a record shall be available for **inspection** by any person requesting the record after **deletion of the portions that are exempted by law**.

- Read the context. This CPRA law is discussing physical **inspection**, in person at the agency's location. It is impossible to do detailed redaction on physical originals.
- This is not discussing **copies** of a record, which must be minimally withheld. GC 6253(b) discusses copies, and has **no** reasonable segregation requirement.
- Regardless, even if this applied to copies, **San Francisco made a right of greater access, requiring minimal withholding**, and justifying each and every piece of info withheld (SFAC 67.27) by deletion, masking, or segregation (SFAC 67.26).

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Request for Relief - Find Respondents Violated:

1. **SFAC 67.21(b), 67.27** - Resp. failed to completely respond because they did not tell me that they withheld information, and also failed to justify in writing withholding of information, on April 24 and May 8.
2. **SFAC 67.26** - Resp. withheld more than the minimum legally exempt portions of the records, on April 24, May 8, May 17, Aug. 22, and Sept. 3 and continue to do so to this day.
3. **SFAC 67.21(I)** - Resp. failed to provide emails in requested ".msg" format or text PDFs, which are "easily generated", on April 24 and May 17, and continue to do so to this day.

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Request for Relief - Order Disclosure of:

1. The 2nd email which has was NOT produced at all in header form on May 17
2. **Names** for ALL standard headers and non-product-specific (i.e. all other X-MS-Exchange-*, X-Microsoft-Antispam-*; X-Microsoft-Exchange-*; X-Forefront-*)
3. **Values** for every header that is not a provable IT security risk (for example, use DT's proposed "whitelist"), including but not limited to, all sent and received Date- & Time-stamps
4. Both emails in the ".msg" or ".eml" format (instead of an image PDF format), with justified redactions if any.
 - a. If you disagree, then they must at least use full-fidelity "PDFMaker" PDFs that preserve full text, color, urls, attachments, images, and headers (which they can partially delete if so desired).

And refer this matter to the Compliance Committee for verification.

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Appendix B0 - excerpt of April 20 IDR

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

- A1. the e-mail message with Message-Id: 20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com
 - A2. the e-mail message with Message-Id: <20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>
 - A3. the e-mail message with Message-Id: 20190418173050.1.2B43534B4544D903@requests.muckrock.com
 - A4. the e-mail message with Message-Id: <20190418173050.1.2B43534B4544D903@requests.muckrock.com>
 - A5. the e-mail message with Message-Id: <DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>
 - A6. the e-mail message with Message-Id: DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com
- B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best. However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Appendix B1 - April 24 (First substantive response) excerpt

- Provided PDFs of the emails, lacking even basic headers like the From and To email addresses.
- Failed to justify their withholding of headers or use of PDF format.
- Withheld information that is not exempt.

Dear Sir/Madam,

The attached two emails are responsive to portions A3/A4, and A5/A6 of your request below. We have conducted a reasonable and diligent search and did not locate any further responsive documents.

In addition, please note that we already responded to portion B of your request, on 4/22/2019.

If you have further questions or need anything additional, please feel free to reach out to us at the below contact information.


Please send replies to cityattorney@sfcityatty.org<mailto:cityattorney@sfcityatty.org>

Sincerely,

[cid:image002.jpg@01D4FA8E.F0958DA0]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera

(On April 23, they disclaimed immediate disclosure for this part of the request)

Appendix B2 - Our immediate follow-up on April 24

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information 

Thank you. As we noted in our initial request, we requested the entire email message, which contains numerous other headers in addition to those you have provided so far.

We do not see any statutory justification cited for withholding that portion of the public record. Please do provide the entire message with all headers (except those statutorily excluded from disclosure).

They never replied, so we sent another follow-up on May 8...

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information 

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on April 20, 2019. You had previously indicated that it would be completed on May 2, 2019. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Appendix B3 - May 8 (Second Response) excerpt

- This is their final response to our follow-ups before the complaint.

Hello,

We already completed our response to your request on April 24, 2019. We do not intend to produce anything further in response to your request.

Please send replies to
cityattorney@sfcityatty.org<mailto:cityattorney@sfcityatty.org>

- They still failed to justify their withholding, so we filed this complaint.

Sincerely,

[cid:image002.jpg@01D50583.20D9FFB0]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera

- Withheld information that is not exempt.

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Appendix B4 - May 17 Response (in response to complaint)

- Used improper electronic format.
- Withheld information that is not exempt.
- Their EC 1040 justification is incorrect. If they want to withhold metadata, they would need to show GC 6254.19 (IT security risk).

From: San Francisco City Attorney

05/17/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information



Dear Sir/Madam,

We have investigated your request further and have conducted a reasonable and diligent search and are able to supplement our production with the attached PDF. The PDF shows the headers and metadata associated with the email responsive to your request #s A3/A4. We have redacted some of the metadata based on the need to protect the security of our computer system. See Cal. Evid. Code section 1040. Also, please note that while we have agreed to produce some metadata excerpts in this instance, we reserve our right to revisit this approach in the future. Generally we do not disclose metadata at all, for the reasons stated to you in our prior responses.

Unfortunately, we were not able to locate headers/metadata for the emails responsive to your request #s A1/A2 and A5/A6. We have conducted a reasonable and diligent search for the information you asked for, but could not locate anything further.

As we have now complied with your request, we would respectfully ask that you withdraw your complaint to the Sunshine Ordinance Task Force as well as your petition to the Supervisor of Records.

Please send replies to cityattorney@sfcityatty.org

Sincerely,

[cid:image003.jpg@01D50CC4.0D86F790]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera
(415) 554-4685 Direct
www.sfcityattorney.org

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Appendix B5 - Aug. 22 response to requests for the names of the redacted headers in May 17 disclosure

- Withheld information that is not exempt.

Thank you for your request. We respectfully decline to produce the additional information you have requested, because we believe it is exempt from disclosure under Cal Govt Code sections 6253.9(f) and 6254.19, and as explained more fully in our prior responses to you concerning email metadata.

Please send replies to cityattorney@sfcityatty.org

Sincerely,

[cid:image002.jpg@01D55906.692CD7C0]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Appendix B6 - Sept. 3 response to 50 specific requests for 50 different header values

- Withheld information that is not exempt.
- Failed to indicate existence vs non-existence of records.

We respectfully decline to produce the additional information you have requested, because we believe it is exempt from disclosure under Cal Govt Code sections 6253.9(f) and 6254.19, consistent with our prior responses to you concerning email metadata.

Please send replies to cityattorney@sfcityatt.org<<mailto:cityattorney@sfcityatt.org>>

Sincerely,

[cid:image002.jpg@01D5624D.AC3C1440]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera

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Appendix C1-1 - April 24 Disclosed A3/A4 record excerpt (PDF)

- Provided PDFs of the emails, lacking even basic headers like the 'To' email addresses.
- Even PDFMaker would've given me those email addresses.
- Failed to justify their withholding of headers or use of PDF format.
- Withheld information that is not exempt.

Coolbrith, Elizabeth (CAT)

From: 71969-51399120@requests.muckrock.com
Sent: Thursday, April 18, 2019 10:31 AM
To: CityAttorney
Subject: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions
Attachments: ZX03-190418-0520-20SF20Attorney.pdf

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

April 18, 2019

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.
Please see the attached letter.

Filed via MuckRock.com
E-mail (Preferred): 71969-51399120@requests.muckrock.com

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Appendix C1-2 - April 24 Disclosed A5/A6 record excerpt (PDF)

- Provided PDFs of the emails, lacking even basic headers like the 'From' and 'Sender' email addresses.
- Even PDFMaker would've given me those email addresses.
- Failed to justify their withholding of headers or use of PDF format.
- Withheld information that is not exempt.

Coolbrith, Elizabeth (CAT)

From: Coolbrith, Elizabeth (CAT) on behalf of CityAttorney
 Sent: Thursday, April 18, 2019 12:59 PM
 To: '71969-51399120@requests.muckrock.com'
 Subject: RE: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions

Hello,

I am writing in response to your immediate disclosure request received April 18, 2019. Please note that we are invoking an extension of time under Government Code section 6253(c) due to the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records. We will endeavor to process your request as quickly as possible and anticipate responding no later than the close of business May 3, 2019.



Please send replies to cityattorney@sfcityatty.org

Sincerely,

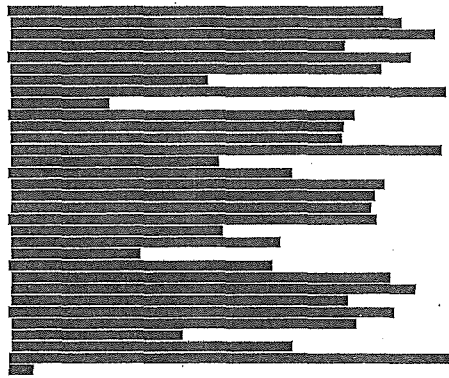
Elizabeth A. Coolbrith
 Paralegal
 Office of City Attorney Dennis Herrera
 (415) 554-4685 Direct
www.sfcityattorney.org
 Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

From: 71969-51399120@requests.muckrock.com <71969-51399120@requests.muckrock.com>
 Sent: Thursday, April 18, 2019 10:31 AM
 To: CityAttorney <cityattorney@SFCITYATTY.ORG>
 Subject: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Appendix C2 - May 17 excerpt of A3/A4 responsive record (image PDF)

- Used improper electronic format.
- Did not disclose the 2nd email in this format.
- Withheld information that is not exempt.



Date: Thu, 18 Apr 2019 17:30:50 +0000
 Sender: 71969-51399120@requests.muckrock.com
 Message-Id: <20190418173050.1.2B43534B4544D903@requests.muckrock.com>
 To: cityattorney@sfcityatty.org
 From: 71969-51399120@requests.muckrock.com
 Subject: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions
 MIME-Version: 1.0
 Content-Type: multipart/mixed; boundary="b2e1f6cbbd64db587dfc7e9a1eeaf40"
 Return-Path: bounce+556cf556-cityattorney@sfcityatty.org@requests.muckrock.com

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Appendix D1 - Some Header Names

Age, Alternate-Recipient, Alternates, ARC-Authentication-Results, ARC-Message-Signature, ARC-Seal, Authentication-Results, Autoforwarded, Auto-Submitted, Autosubmitted, Bcc, Body, CalDAV-Timezones, Cc, Comments, Content-Description, Content-Duration, Content-Encoding, Content-Disposition, Content-Language, Content-MD5, Content-Type, Date, Date-Received, Deferred-Delivery, Delivery-Date, Disclose-Recipients, Distribution, DKIM-Signature, Encoding, ETag, Expires, Followup-To, Forwarded, From, Generate-Delivery-Report, Host, Importance, In-Reply-To, Keywords, Label, Language, Latest-Delivery-Time, List-Archive, List-Id, List-Owner, Location, Message-ID, Message-Type, MIME-Version, Organization, Original-From, Original-Message-ID, Original-Recipient, Original-Sender, Originator-Return-Address, Priority, Received, Received-SPF, References, Reply-By, Reply-To, Resent-Bcc, Resent-Cc, Resent-Date, Resent-From, Resent-Message-ID, Resent-Reply-To, Resent-Sender, Resent-To, Return-Path, Sender, Subject, To, Topic, Xref, Thread-Index, Thread-Topic, X-Envelope-From, X-Forwarded-For, X-Envelope-To, Delivered-To, Mailing-List, Accept-Language, X-Originating-Ip, X-MS-Exchange-Organization-ExpirationStartTime, X-MS-Exchange-CrossTenant-OriginalArrivalTime, X-MS-Exchange-CrossTenant-UserPrincipalName

Header names are case-insensitive, and can be repeated

See for example: <https://www.iana.org/assignments/message-headers/message-headers.xhtml>

https://docs.microsoft.com/en-us/openspecs/exchange_server_protocols/ms-oxcmal/b60d48db-183f-4bf5-a908-f584e62cb2d4

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INDEX OF EXHIBITS

A - IANA Header Registry

B - May 17 (after complaint) over-redacted production

C - Oct. 2 Hearing partial transcript

D - Internet standards (aka RFCs)

E - My presentation on general metadata issues, Dec 17, 19105

M - Microsoft's guide to email headers

P - Law Excerpts- CPRA, Sunshine, etc.

Nothing herein is legal, IT, or professional advice of any kind.

Exhibit A - IANA Standard Message Headers

Message Headers

Last Updated
2019-11-27

Available Formats



Registries included below

- [Permanent Message Header Field Names](#)
- [Provisional Message Header Field Names](#)
- [Content-Translation-Type Header Field Values](#)

Permanent Message Header Field Names

Registration Procedure(s)

Expert Review

Expert(s)

Graham Klyne

Reference

[RFC3864]

Note

[RFC5504] specified that no new header fields be registered that begin with "Downgraded-". That restriction is now lifted, per [RFC6857].

Note

See section 8.3.1 of [RFC7231] for information on registering new HTTP Header Fields..

Available Formats



Header Field Name	Template	Protocol	Status	Reference
A-IM		http		[RFC4229]
Accept		http	standard	[RFC7231, Section 5.3.2]
Accept-Additions		http		[RFC4229]
Accept-Charset		http	standard	[RFC7231, Section 5.3.3]
Accept-Datetime		http	informational	[RFC7089]
Accept-Encoding		http	standard	[RFC7231, Section 5.3.4][RFC7694, Section 3]
Accept-Features		http		[RFC4229]
Accept-Language		http	standard	[RFC7231, Section 5.3.5]
Accept-Language		mail		[RFC4021]
Accept-Patch		http		[RFC5789]
Accept-Post	perm/accept-post	http	standard	[https://www.w3.org/TR/dp/]
Accept-Ranges		http	standard	[RFC7233, Section 2.3]
Age		http	standard	[RFC7234, Section 5.1]
Allow		http	standard	[RFC7231, Section 7.4.1]
ALPN		http	standard	[RFC7639, Section 2]
Also-Control		netnews	obsoleted	[RFC1849][RFC5536]
Alt-Svc		http	standard	[RFC7838]
Alt-Used		http	standard	[RFC7838]
Alternate-Recipient		mail		[RFC4021]
Alternates		http		[RFC4229]
Apply-To-Redirect-Ref		http		[RFC4437]
Approved		netnews	standard	[RFC5536]
ARC-Authentication-Results		mail	experimental	[RFC8617]
ARC-Message-Signature		mail	experimental	[RFC8617]
ARC-Seal		mail	experimental	[RFC8617]
Archive		netnews	standard	[RFC5536]
Archived-At		mail	standard	[RFC5064]
Archived-At		netnews	standard	[RFC5064]
Article-Names		netnews	obsoleted	[RFC1849][RFC5536]
Article-Updates		netnews	obsoleted	[RFC1849][RFC5536]
Authentication-Control		http	experimental	[RFC8053, Section 4]
Authentication-Info		http	standard	[RFC7615, Section 3]
Authentication-Results		mail	standard	[RFC8601]
Authorization		http	standard	[RFC7235, Section 4.2]
Auto-Submitted		mail	standard	[RFC3834 section 5]

Header Field Name	Template	Protocol	Status	Reference
Autoforwarded		mail		[RFC4021]
Autosubmitted		mail		[RFC4021]
Base		MIME	obsoleted	[RFC1808][RFC2068 Section 14.11]
Bcc		mail	standard	[RFC5322]
Body		none	reserved	[RFC6068]
C-Ext		http		[RFC4229]
C-Man		http		[RFC4229]
C-Opt		http		[RFC4229]
C-PEP		http		[RFC4229]
C-PEP-Info		http		[RFC4229]
Cache-Control		http	standard	[RFC7234, Section 5.2]
Cal-Managed-ID		http	standard	[RFC8607, Section 5.1]
CalDAV-Timezones		http	standard	[RFC7809, Section 7.1]
Cancel-Key		netnews	standard	[RFC8315]
Cancel-Lock		netnews	standard	[RFC8315]
Cc		mail	standard	[RFC5322]
CDN-Loop		http	standard	[RFC8586]
Cert-Not-After		http	standard	[RFC-ietf-acme-star-09, Section 3.3]
Cert-Not-Before		http	standard	[RFC-ietf-acme-star-09, Section 3.3]
Close		http	reserved	[RFC7230, Section 6.1]
Comments		mail	standard	[RFC5322]
Comments		netnews	standard	[RFC5536][RFC5322]
Connection		http	standard	[RFC7230, Section 6.1]
Content-Alternative		MIME		[RFC4021]
Content-Base		http	obsoleted	[RFC2068][RFC2616]
Content-Base		MIME	obsoleted	[RFC2110][RFC2557]
Content-Description		MIME		[RFC4021]
Content-Disposition		http	standard	[RFC6266]
Content-Disposition		MIME		[RFC4021]
Content-Duration		MIME		[RFC4021]
Content-Encoding		http	standard	[RFC7231, Section 3.1.2.2]
Content-features		MIME		[RFC4021]
Content-ID		http		[RFC4229]
Content-ID		MIME		[RFC4021]
Content-Identifier		mail		[RFC4021]
Content-Language		http	standard	[RFC7231, Section 3.1.3.2]
Content-Language		MIME		[RFC4021]
Content-Length		http	standard	[RFC7230, Section 3.3.2]
Content-Location		http	standard	[RFC7231, Section 3.1.4.2]
Content-Location		MIME		[RFC4021]
Content-MD5		http		[RFC4229]
Content-MD5		MIME		[RFC4021]
Content-Range		http	standard	[RFC7233, Section 4.2]
Content-Return		mail		[RFC4021]
Content-Script-Type		http		[RFC4229]
Content-Style-Type		http		[RFC4229]
Content-Transfer-Encoding		MIME		[RFC4021]
Content-Translation-Type		MIME	standard	[RFC8255]
Content-Type		http	standard	[RFC7231, Section 3.1.1.5]
Content-Type		MIME		[RFC4021]
Content-Version		http		[RFC4229]
Control		netnews	standard	[RFC5536]
Conversion		mail		[RFC4021]
Conversion-With-Loss		mail		[RFC4021]
Cookie		http	standard	[RFC6265]
Cookie2		http	obsoleted	[RFC2955][RFC6265]
DASL		http	standard	[RFC5323]
DAV		http	standard	[RFC4918]
DL-Expansion-History		mail		[RFC4021]
Date		http	standard	[RFC7231, Section 7.1.1.2]
Date		mail	standard	[RFC5322]
Date		netnews	standard	[RFC5536][RFC5322]
Date-Received		netnews	obsoleted	[RFC0850][RFC5536]
Default-Style		http		[RFC4229]
Deferred-Delivery		mail		[RFC4021]
Delivery-Date		mail		[RFC4021]
Delta-Base		http		[RFC4229]
Depth		http	standard	[RFC4918]
Derived-From		http		[RFC4229]
Destination		http	standard	[RFC4918]
Differential-ID		http		[RFC4229]

Header Field Name	Template	Protocol	Status	Reference
Digest		http		[RFC4229]
Discarded-X400-IPMS-Extensions		mail		[RFC4021]
Discarded-X400-MTS-Extensions		mail		[RFC4021]
Disclose-Recipients		mail		[RFC4021]
Disposition-Notification-Options		mail		[RFC4021]
Disposition-Notification-To		mail		[RFC4021]
Distribution		netnews	standard	[RFC5536]
DKIM-Signature		mail	standard	[RFC6376]
Downgraded-Bcc		mail	obsoleted	[RFC5504][RFC6857]
Downgraded-Cc		mail	obsoleted	[RFC5504][RFC6857]
Downgraded-Disposition-Notification-To		mail	obsoleted	[RFC5504][RFC6857]
Downgraded-Final-Recipient		mail	standard	[RFC6857 Section 3.1.10]
Downgraded-From		mail	obsoleted	[RFC5504][RFC6857 Section 3.1.10]
Downgraded-In-Reply-To		mail	standard	[RFC6857 Section 3.1.10]
Downgraded-Mail-From		mail	obsoleted	[RFC5504][RFC6857 Section 3.1.10]
Downgraded-Message-Id		mail	standard	[RFC6857 Section 3.1.10]
Downgraded-Original-Recipient		mail	standard	[RFC6857 Section 3.1.10]
Downgraded-Rcpt-To		mail	obsoleted	[RFC5504][RFC6857]
Downgraded-References		mail	standard	[RFC6857 Section 3.1.10]
Downgraded-Reply-To		mail	obsoleted	[RFC5504][RFC6857]
Downgraded-Resent-Bcc		mail	obsoleted	[RFC5504][RFC6857]
Downgraded-Resent-Cc		mail	obsoleted	[RFC5504][RFC6857]
Downgraded-Resent-From		mail	obsoleted	[RFC5504][RFC6857]
Downgraded-Resent-Reply-To		mail	obsoleted	[RFC5504][RFC6857]
Downgraded-Resent-Sender		mail	obsoleted	[RFC5504][RFC6857]
Downgraded-Resent-To		mail	obsoleted	[RFC5504][RFC6857]
Downgraded-Return-Path		mail	obsoleted	[RFC5504][RFC6857]
Downgraded-Sender		mail	obsoleted	[RFC5504][RFC6857]
Downgraded-To		mail	obsoleted	[RFC5504][RFC6857]
Early-Data		http	standard	[RFC8470]
Encoding		mail		[RFC4021]
Encrypted		mail		[RFC4021]
Etag		http	standard	[RFC7232, Section 2.3]
Expect		http	standard	[RFC7231, Section 5.1.1]
Expect-CT		http	experimental	[RFC-ietf-httpbis-expect-ct-08]
Expires		http	standard	[RFC7234, Section 5.3]
Expires		mail		[RFC4021]
Expires		netnews	standard	[RFC5536]
Expiry-Date		mail		[RFC4021]
Ext		http		[RFC4229]
Followup-To		netnews	standard	[RFC5536]
Forwarded		http	standard	[RFC7239]
From		http	standard	[RFC7231, Section 5.5.1]
From		mail	standard	[RFC5322][RFC6854]
From		netnews	standard	[RFC5536][RFC5322]
Generate-Delivery-Report		mail		[RFC4021]
GetProfile		http		[RFC4229]
Hobareg		http	experimental	[RFC7486, Section 6.1.1]
Host		http	standard	[RFC7230, Section 5.4]
HTTP2-Settings		http	standard	[RFC7540, Section 3.2.1]
IM		http		[RFC4229]
If		http	standard	[RFC4918]
If-Match		http	standard	[RFC7232, Section 3.1]
If-Modified-Since		http	standard	[RFC7232, Section 3.3]
If-None-Match		http	standard	[RFC7232, Section 3.2]
If-Range		http	standard	[RFC7233, Section 3.2]
If-Schedule-Tag-Match		http	standard	[RFC6638]
If-Unmodified-Since		http	standard	[RFC7232, Section 3.4]
Importance		mail		[RFC4021]
In-Reply-To		mail	standard	[RFC5322]
Include-Referred-Token-Binding-ID		http	standard	[RFC8473]
Incomplete-Copy		mail		[RFC4021]
Injection-Date		netnews	standard	[RFC5536]
Injection-Info		netnews	standard	[RFC5536]
Keep-Alive		http		[RFC4229]
Keywords		mail	standard	[RFC5322]
Keywords		netnews	standard	[RFC5536][RFC5322]
Label		http		[RFC4229]
Language		mail		[RFC4021]
Last-Modified		http	standard	[RFC7232, Section 2.2]
Latest-Delivery-Time		mail		[RFC4021]

Header Field Name	Template	Protocol	Status	Reference
Lines		netnews	deprecated	[RFC5536][RFC3977]
Link		http	standard	[RFC8288]
List-Archive		mail		[RFC4021]
List-Help		mail		[RFC4021]
List-ID		mail		[RFC4021]
List-Owner		mail		[RFC4021]
List-Post		mail		[RFC4021]
List-Subscribe		mail		[RFC4021]
List-Unsubscribe	perm/list-unsubscribe	mail		[RFC4021]
List-Unsubscribe-Post		mail	standard	[RFC8058]
Location		http	standard	[RFC7231, Section 7.1.2]
Lock-Token		http	standard	[RFC4918]
Man		http		[RFC4229]
Max-Forwards		http	standard	[RFC7231, Section 5.1.2]
Memento-Datetime		http	informational	[RFC7089]
Message-Context		mail		[RFC4021]
Message-ID		mail	standard	[RFC5322]
Message-ID		netnews	standard	[RFC5536][RFC5322]
Message-Type		mail		[RFC4021]
Meter		http		[RFC4229]
MIME-Version		http	standard	[RFC7231, Appendix A.1]
MIME-Version		MIME		[RFC4021]
MMHS-Exempted-Address		mail		[RFC6477][ACP123 Appendix A1.1 and Appendix B.105]
MMHS-Extended-Authorisation-Info		mail		[RFC6477][ACP123 Appendix A1.2 and Appendix B.106]
MMHS-Subject-Indicator-Codes		mail		[RFC6477][ACP123 Appendix A1.3 and Appendix B.107]
MMHS-Handling-Instructions		mail		[RFC6477][ACP123 Appendix A1.4 and Appendix B.108]
MMHS-Message-Instructions		mail		[RFC6477][ACP123 Appendix A1.5 and Appendix B.109]
MMHS-Codress-Message-Indicator		mail		[RFC6477][ACP123 Appendix A1.6 and Appendix B.110]
MMHS-Originator-Reference		mail		[RFC6477][ACP123 Appendix A1.7 and Appendix B.111]
MMHS-Primary-Precedence		mail		[RFC6477][ACP123 Appendix A1.8 and Appendix B.101]
MMHS-Copy-Precedence		mail		[RFC6477][ACP123 Appendix A1.9 and Appendix B.102]
MMHS-Message-Type		mail		[RFC6477][ACP123 Appendix A1.10 and Appendix B.103]
MMHS-Other-Recipients-Indicator-To		mail		[RFC6477][ACP123 Appendix A1.12 and Appendix B.113]
MMHS-Other-Recipients-Indicator-CC		mail		[RFC6477][ACP123 Appendix A1.12 and Appendix B.113]
MMHS-Acp127-Message-Identifier		mail		[RFC6477][ACP123 Appendix A1.14 and Appendix B.116]
MMHS-Originator-PLAD		mail		[RFC6477][ACP123 Appendix A1.15 and Appendix B.117]
MT-Priority		mail	standard	[RFC6758]
Negotiate		http		[RFC4229]
Newsgroups		netnews	standard	[RFC5536]
NNTP-Posting-Date		netnews	obsoleted	[RFC5536]
NNTP-Posting-Host		netnews	obsoleted	[RFC2980][RFC5536]
Obsoletes		mail		[RFC4021]
Opt		http		[RFC4229]
Optional-WWW-Authenticate		http	experimental	[RFC8053, Section 3]
Ordering-Type		http	standard	[RFC4229]
Organization		mail	informational	[RFC7681]
Organization		netnews	standard	[RFC5536]
Origin		http	standard	[RFC6454]
Original-Encoded-Information-Types		mail		[RFC4021]
Original-From		mail	standard	[RFC5703]
Original-Message-ID		mail		[RFC4021]
Original-Recipient	perm/original-recipient	mail	standard	[RFC3798][RFC5337]
Original-Sender		netnews	standard	[RFC5537]
Originator-Return-Address		mail		[RFC4021]
Original-Subject		mail	standard	[RFC5703]
OSCORE		http	standard	[RFC8613, Section 11.1]
Overwrite		http	standard	[RFC4918]
POP		http		[RFC4229]
Path		netnews	standard	[RFC5536]
PEP		http		[RFC4229]
PICS-Label		http		[RFC4229]
PICS-Label		mail		[RFC4021]
Pep-Info		http		[RFC4229]
Position		http	standard	[RFC4229]
Posting-Version		netnews	obsoleted	[RFC0650][RFC5536]
Pragma		http	standard	[RFC7234, Section 5.4]
Prefer		http	standard	[RFC7240]
Preference-Applied		http	standard	[RFC7240]
Prevent-NonDelivery-Report		mail		[RFC4021]
Priority		mail		[RFC4021]
ProfileObject		http		[RFC4229]

Header Field Name	Template	Protocol	Status	Reference
Protocol		http		[RFC4229]
Protocol-Info		http		[RFC4229]
Protocol-Query		http		[RFC4229]
Protocol-Request		http		[RFC4229]
Proxy-Authenticate		http	standard	[RFC7235, Section 4.3]
Proxy-Authentication-Info		http	standard	[RFC7615, Section 4]
Proxy-Authorization		http	standard	[RFC7235, Section 4.4]
Proxy-Features		http		[RFC4229]
Proxy-Instruction		http		[RFC4229]
Public		http		[RFC4229]
Public-Key-Pins		http	standard	[RFC7469]
Public-Key-Pins-Report-Only		http	standard	[RFC7469]
Range		http	standard	[RFC7233, Section 3.1]
Received		mail	standard	[RFC5322][RFC5321]
Received-SPF		mail	standard	[RFC7208]
Redirect-Ref		http		[RFC4437]
References		mail	standard	[RFC5322]
References		netnews	standard	[RFC5536][RFC5322]
Referer		http	standard	[RFC7231, Section 5.5.2]
Relay-Version		netnews	obsoleted	[RFC0850][RFC5536]
Replay-Nonce		http	standard	[RFC6555, Section 6.5.1]
Reply-By		mail		[RFC4021]
Reply-To		mail	standard	[RFC5322]
Reply-To		netnews	standard	[RFC5536][RFC5322]
Require-Recipient-Valid-Since		mail	standard	[RFC7293]
Resent-Bcc		mail	standard	[RFC5322]
Resent-Cc		mail	standard	[RFC5322]
Resent-Date		mail	standard	[RFC5322]
Resent-From		mail	standard	[RFC5322][RFC6854]
Resent-Message-ID		mail	standard	[RFC5322]
Resent-Reply-To		mail	obsoleted	[RFC5322]
Resent-Sender		mail	standard	[RFC5322][RFC6854]
Resent-To		mail	standard	[RFC5322]
Retry-After		http	standard	[RFC7231, Section 7.1.3]
Return-Path		mail	standard	[RFC5322]
Safe		http		[RFC4229]
Schedule-Reply		http	standard	[RFC6638]
Schedule-Tag		http	standard	[RFC6638]
Sec-Token-Binding		http	standard	[RFC8473]
Sec-WebSocket-Accept		http	standard	[RFC6455]
Sec-WebSocket-Extensions		http	standard	[RFC6455]
Sec-WebSocket-Key		http	standard	[RFC6455]
Sec-WebSocket-Protocol		http	standard	[RFC6455]
Sec-WebSocket-Version		http	standard	[RFC6455]
Security-Scheme		http		[RFC4229]
See-Also		netnews	obsoleted	[RFC1849][RFC5536]
Sender		mail	standard	[RFC5322][RFC6854]
Sender		netnews	standard	[RFC5536][RFC5322]
Sensitivity		mail		[RFC4021]
Server		http	standard	[RFC7231, Section 7.4.2]
Set-Cookie		http	standard	[RFC6265]
Set-Cookie2		http	obsoleted	[RFC2965][RFC6265]
SetProfile		http		[RFC4229]
SLUG		http	standard	[RFC5023]
SoapAction		http		[RFC4229]
Solicitation		mail		[RFC3865]
Status-URI		http		[RFC4229]
Strict-Transport-Security		http	standard	[RFC6797]
Subject		mail	standard	[RFC5322]
Subject		netnews	standard	[RFC5536][RFC5322]
Summary		netnews	standard	[RFC5536]
Sunset		http	informational	[RFC8594]
Supersedes		mail		[RFC4021]
Supersedes		netnews	standard	[RFC5536][RFC2156]
Surrogate-Capability		http		[RFC4229]
Surrogate-Control		http		[RFC4229]
TCN		http		[RFC4229]
TE		http	standard	[RFC7230, Section 4.3]
Timeout		http	standard	[RFC4918]
TLS-Report-Domain		mail	standard	[RFC8460]
TLS-Report-Submitter		mail	standard	[RFC8460]

Message Headers

Header Field Name	Template	Protocol	Status	Reference
TLS-Required		mail	standard	[RFC6889]
To		mail	standard	[RFC5322]
Topic		http	standard	[RFC8030, Section 5.4]
Trailer		http	standard	[RFC7230, Section 4.4]
Transfer-Encoding		http	standard	[RFC7230, Section 3.3.1]
TTL		http	standard	[RFC8030, Section 5.2]
Urgency		http	standard	[RFC8030, Section 5.3]
URI		http		[RFC4229]
Upgrade		http	standard	[RFC7230, Section 6.7]
User-Agent		http	standard	[RFC7231, Section 5.5.3]
User-Agent		netnews	standard	[RFC5536][RFC2616]
Variation-Vary		http		[RFC4229]
Vary		http	standard	[RFC7231, Section 7.1.4]
VBR-Info		mail	standard	[RFC5518]
Via		http	standard	[RFC7230, Section 5.7.1]
WWW-Authenticate		http	standard	[RFC7235, Section 4.1]
Want-Digest		http		[RFC4229]
Warning		http	standard	[RFC7234, Section 5.5]
X400-Content-Identifier		mail		[RFC4021]
X400-Content-Return		mail		[RFC4021]
X400-Content-Type		mail		[RFC4021]
X400-MTS-Identifier		mail		[RFC4021]
X400-Originator		mail		[RFC4021]
X400-Received		mail		[RFC4021]
X400-Recipients		mail		[RFC4021]
X400-Trace		mail		[RFC4021]
X-Content-Type-Options		http	standard	[https://fetch.spec.whatwg.org/#x-content-type-options-header]
X-Frame-Options		http	informational	[RFC7034]
Xref		netnews	standard	[RFC5536]

Provisional Message Header Field Names

Registration Procedure(s)

Expert Review

Expert(s)

Graham Klyne

Reference

[RFC3864]

Note

Registration of a Provisional Message Header Field does not of itself imply any kind of endorsement by the IETF, IANA or any other body.

Available Formats



Header Field Name	Template	Protocol	Status	Reference
Access-Control	prov/access-control	http	deprecated	[W3C Web Application Formats Working Group]
Access-Control-Allow-Credentials	prov/access-control-allow-credentials	http		[W3C Web Application Formats Working Group]
Access-Control-Allow-Headers	prov/access-control-allow-headers	http		[W3C Web Application Formats Working Group]
Access-Control-Allow-Methods	prov/access-control-allow-methods	http		[W3C Web Application Formats Working Group]
Access-Control-Allow-Origin	prov/access-control-allow-origin	http		[W3C Web Application Formats Working Group]
Access-Control-Max-Age	prov/access-control-max-age	http		[W3C Web Application Formats Working Group]
Access-Control-Request-Method	prov/access-control-request-method	http		[W3C Web Application Formats Working Group]
Access-Control-Request-Headers	prov/access-control-request-headers	http		[W3C Web Application Formats Working Group]
AMP-Cache-Transform		http		[https://github.com/ampproject/amphtml/blob/master/spec/amp-cache-transform.md]
Apparently-To	prov/apparently-to	mail		[RFC2076]
Compliance		http		[RFC4229]
Content-Transfer-Encoding		http		[RFC4229]
Cost		http		[RFC4229]
EDINT-Features		http		[RFC6017]
EDINT-Features		mail		[RFC6017]
Eesst-Version		mail		[RFC7681]
Errors-To	prov/errors-to	mail		[RFC2076]
Form-Sub		mail		[draft-levine-mailbomb-header]
Jabber-ID	prov/jabber-id	mail		[RFC7259]
Jabber-ID	prov/jabber-id	netnews		[RFC7259]

Header Field Name	Template	Protocol	Status	Reference
Message-ID		http		[RFC4229]
Method-Check	prov/method-check	http	deprecated	[W3C Web Application Formats Working Group]
Method-Check-Expires	prov/method-check-expires	http	deprecated	[W3C Web Application Formats Working Group]
MMHS-Authorizing-Users		mail		[RFC7912]
Non-Compliance		http		[RFC4229]
Optional		http		[RFC4229]
Privicon		mail		[draft-koenig-privicons]
Referer-Root	prov/referer-root	http	deprecated	[W3C Web Application Formats Working Group]
Resolution-Hint		http		[RFC4229]
Resolver-Location		http		[RFC4229]
SIO-Label		mail		[RFC7444]
SIO-Label-History		mail		[RFC7444]
SubOK		http		[RFC4229]
Subst		http		[RFC4229]
Timing-Allow-Origin	prov/timing-allow-origin	http		[https://www.w3.org/TR/resource-timing-1/#timing-allow-origin]
Title		http		[RFC4229]
Traceparent	prov/traceparent	http		[https://www.w3.org/TR/trace-context/#traceparent-field]
Tracestate	prov/tracestate	http		[https://www.w3.org/TR/trace-context/#tracestate-field]
UA-Color		http		[RFC4229]
UA-Media		http		[RFC4229]
UA-Pixels		http		[RFC4229]
UA-Resolution		http		[RFC4229]
UA-Windowpixels		http		[RFC4229]
Version		http		[RFC4229]
X-Archived-At	prov/x-archived-at	mail	deprecated	[RFC5064]
X-Archived-At	prov/x-archived-at	netnews	deprecated	[RFC5064]
X-Device-Accept	prov/x-device-accept	http		[W3C Mobile Web Best Practices Working Group]
X-Device-Accept-Charset	prov/x-device-accept-charset	http		[W3C Mobile Web Best Practices Working Group]
X-Device-Accept-Encoding	prov/x-device-accept-encoding	http		[W3C Mobile Web Best Practices Working Group]
X-Device-Accept-Language	prov/x-device-accept-language	http		[W3C Mobile Web Best Practices Working Group]
X-Device-User-Agent	prov/x-device-user-agent	http		[W3C Mobile Web Best Practices Working Group]
X-Mittente		mail		[RFC6109]
X-PGP-Sig	prov/x-pgp-sig	netnews		[ftp://ftp.isc.org/pub/pgpcontrol/FORMAT] [https://ftp.isc.org/pub/pgpcontrol/FORMAT]
X-Ricevuta		mail		[RFC6109]
X-Riferimento-Message-ID		mail		[RFC6109]
X-TipoRicevuta		mail		[RFC6109]
X-Trasporto		mail		[RFC6109]
X-VerificaSicurezza		mail		[RFC6109]

Content-Translation-Type Header Field Values

Registration Procedure(s)

Specification Required

Expert(s)

Nathaniel Borenstein, Nik Tomkinson

Reference

[RFC8255]

Available Formats



csv

Value	Description	Reference
original	Content in the original language	[RFC8255]
human	Content that has been translated by a human translator or a human has checked and corrected an automated translation	[RFC8255]
automated	Content that has been translated by an electronic agent without proofreading or subsequent correction	[RFC8255]

EXHIBIT B - Over-redacted May 17 production of 1 of 2 emails

[Redacted]

Date: Thu, 18 Apr 2019 17:30:50 +0000
Sender: 71969-51399120@requests.muckrock.com
Message-Id: <20190418173050.1.2B43534B4544D903@requests.muckrock.com>

To: cityattorney@sfcityatty.org
From: 71969-51399120@requests.muckrock.com
Subject: California Public Records Act Request: Immediate Disclosure Request
- PRA Opinions
Mime-Version: 1.0
Content-Type: multipart/mixed; boundary="b2e1fbcebbd64db587dfc7e9a4eeaf40"
Return-Path:
bounce+5bea6f.556-cityattorney=sfcityatty.org@requests.muckrock.com

[Redacted]

[Redacted]

X-MS-Exchange-Organization-MessageDirectionality: Incoming

[Redacted]

[Redacted]

X-MS-PublicTrafficType: Email

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]



Exhibit C - Oct 2, 2019 SOTF 19044 Hearing Partial Transcript

THE CHAIR: 03:14:41 Member Yankee,

Yankee (SOTF): 03:14:42 Would, would you,

Yankee (SOTF): 03:14:44 Could you speak to any security issues that you would know of, if the, if you had released, let's say the field titles? I mean, I don't like there's some like "Date" colon and then, okay.

Makstman: 03:14:54 I do not, I do not know of any security issues for releasing the, um, the headers, the

Yankee (SOTF): 03:15:02 Stuff on like the left side of the colon?

Makstman: 03:15:06 Right, the social security number, the text that says "Social Security Number," colon. I think the several members have talked about: those are all standard and specified in Internet standards. Um, we would expect to see them in every email.

Yankee (SOTF): 03:15:23 Right?

Makstman: 03:15:24 They are publicly known.

Makstman: 03:15:25 Everything that's after that. Specific to the city. And you know what I mentioned. Um, we can consider,

Makstman: 03:15:32 um, and by the way to, um, um, to the question about third party experts. Um, I run the program and R&D team in my past. I have programmed and I have done security engineering. Um, but I am not a hacker. I have chosen to be the guardian instead of being the hacker.

Makstman: 03:15:54 But we have consulted our, um, partners who are hackers and they have come and they have told us that: yes, there is an increased risk to certain fields to be used by criminals who are attacking us on a regular basis. Um. Obviously that doesn't apply to everything and it doesn't mean the header.

Makstman: 03:16:22 So I just want you to know that, that even from, from our perspective, we did have a consultation with our partners who do specifically that they, they, they monitor hackers.

EXHIBIT D - RFC's (internet standards) for email

Network Working Group
Request for Comments: 5321
Obsoletes: 2821
Updates: 1123
Category: Standards Track

J. Klensin
October 2008

Simple Mail Transfer Protocol

Status of This Memo

This document specifies an Internet standards track protocol for the Internet community, and requests discussion and suggestions for improvements. Please refer to the current edition of the "Internet Official Protocol Standards" (STD 1) for the standardization state and status of this protocol. Distribution of this memo is unlimited.

Abstract

This document is a specification of the basic protocol for Internet electronic mail transport. It consolidates, updates, and clarifies several previous documents, making all or parts of most of them obsolete. It covers the SMTP extension mechanisms and best practices for the contemporary Internet, but does not provide details about particular extensions. Although SMTP was designed as a mail transport and delivery protocol, this specification also contains information that is important to its use as a "mail submission" protocol for "split-UA" (User Agent) mail reading systems and mobile environments.

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1. Introduction

1.1. Transport of Electronic Mail

The objective of the Simple Mail Transfer Protocol (SMTP) is to transfer mail reliably and efficiently.

SMTP is independent of the particular transmission subsystem and requires only a reliable ordered data stream channel. While this document specifically discusses transport over TCP, other transports are possible. Appendices to RFC 821 [1] describe some of them.

An important feature of SMTP is its capability to transport mail across multiple networks, usually referred to as "SMTP mail relaying" (see Section 3.6). A network consists of the mutually-TCP-accessible hosts on the public Internet, the mutually-TCP-accessible hosts on a firewall-isolated TCP/IP Intranet, or hosts in some other LAN or WAN environment utilizing a non-TCP transport-level protocol. Using SMTP, a process can transfer mail to another process on the same network or to some other network via a relay or gateway process accessible to both networks.

In this way, a mail message may pass through a number of intermediate relay or gateway hosts on its path from sender to ultimate recipient. The Mail eXchanger mechanisms of the domain name system (RFC 1035 [2], RFC 974 [12], and Section 5 of this document) are used to identify the appropriate next-hop destination for a message being transported.

1.2. History and Context for This Document

This document is a specification of the basic protocol for the Internet electronic mail transport. It consolidates, updates and clarifies, but does not add new or change existing functionality of the following:

- o the original SMTP (Simple Mail Transfer Protocol) specification of RFC 821 [1],
- o domain name system requirements and implications for mail transport from RFC 1035 [2] and RFC 974 [12],
- o the clarifications and applicability statements in RFC 1123 [3], and
- o material drawn from the SMTP Extension mechanisms in RFC 1869 [13].

- o Editorial and clarification changes to RFC 2821 [14] to bring that specification to Draft Standard.

It obsoletes RFC 821, RFC 974, RFC 1869, and RFC 2821 and updates RFC 1123 (replacing the mail transport materials of RFC 1123). However, RFC 821 specifies some features that were not in significant use in the Internet by the mid-1990s and (in appendices) some additional transport models. Those sections are omitted here in the interest of clarity and brevity; readers needing them should refer to RFC 821.

It also includes some additional material from RFC 1123 that required amplification. This material has been identified in multiple ways, mostly by tracking flaming on various lists and newsgroups and problems of unusual readings or interpretations that have appeared as the SMTP extensions have been deployed. Where this specification moves beyond consolidation and actually differs from earlier documents, it supersedes them technically as well as textually.

Although SMTP was designed as a mail transport and delivery protocol, this specification also contains information that is important to its use as a "mail submission" protocol, as recommended for Post Office Protocol (POP) (RFC 937 [15], RFC 1939 [16]) and IMAP (RFC 3501 [17]). In general, the separate mail submission protocol specified in RFC 4409 [18] is now preferred to direct use of SMTP; more discussion of that subject appears in that document.

Section 2.3 provides definitions of terms specific to this document. Except when the historical terminology is necessary for clarity, this document uses the current 'client' and 'server' terminology to identify the sending and receiving SMTP processes, respectively.

A companion document, RFC 5322 [4], discusses message header sections and bodies and specifies formats and structures for them.

1.3. Document Conventions

The key words "MUST", "MUST NOT", "REQUIRED", "SHALL", "SHALL NOT", "SHOULD", "SHOULD NOT", "RECOMMENDED", "MAY", and "OPTIONAL" in this document are to be interpreted as described in RFC 2119 [5]. As each of these terms was intentionally and carefully chosen to improve the interoperability of email, each use of these terms is to be treated as a conformance requirement.

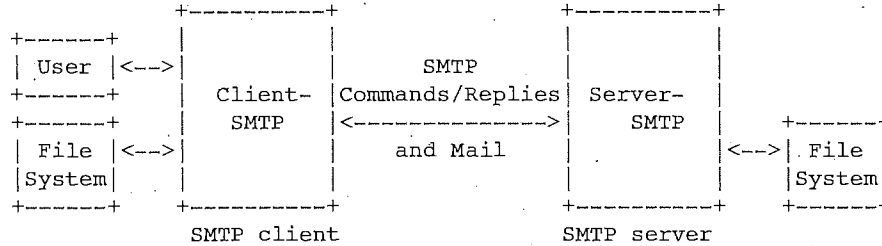
Because this document has a long history and to avoid the risk of various errors and of confusing readers and documents that point to this one, most examples and the domain names they contain are preserved from RFC 2821. Readers are cautioned that these are

illustrative examples that should not actually be used in either code or configuration files.

2. The SMTP Model

2.1. Basic Structure

The SMTP design can be pictured as:



When an SMTP client has a message to transmit, it establishes a two-way transmission channel to an SMTP server. The responsibility of an SMTP client is to transfer mail messages to one or more SMTP servers, or report its failure to do so.

The means by which a mail message is presented to an SMTP client, and how that client determines the identifier(s) ("names") of the domain(s) to which mail messages are to be transferred, is a local matter, and is not addressed by this document. In some cases, the designated domain(s), or those determined by an SMTP client, will identify the final destination(s) of the mail message. In other cases, common with SMTP clients associated with implementations of the POP (RFC 937 [15], RFC 1939 [16]) or IMAP (RFC 3501 [17]) protocols, or when the SMTP client is inside an isolated transport service environment, the domain determined will identify an intermediate destination through which all mail messages are to be relayed. SMTP clients that transfer all traffic regardless of the target domains associated with the individual messages, or that do not maintain queues for retrying message transmissions that initially cannot be completed, may otherwise conform to this specification but are not considered fully-capable. Fully-capable SMTP implementations, including the relays used by these less capable ones, and their destinations, are expected to support all of the queuing, retrying, and alternate address functions discussed in this specification. In many situations and configurations, the less-capable clients discussed above SHOULD be using the message submission protocol (RFC 4409 [18]) rather than SMTP.

The means by which an SMTP client, once it has determined a target domain, determines the identity of an SMTP server to which a copy of a message is to be transferred, and then performs that transfer, is covered by this document. To effect a mail transfer to an SMTP server, an SMTP client establishes a two-way transmission channel to that SMTP server. An SMTP client determines the address of an appropriate host running an SMTP server by resolving a destination domain name to either an intermediate Mail eXchanger host or a final target host.

An SMTP server may be either the ultimate destination or an intermediate "relay" (that is, it may assume the role of an SMTP client after receiving the message) or "gateway" (that is, it may transport the message further using some protocol other than SMTP). SMTP commands are generated by the SMTP client and sent to the SMTP server. SMTP replies are sent from the SMTP server to the SMTP client in response to the commands.

In other words, message transfer can occur in a single connection between the original SMTP-sender and the final SMTP-recipient, or can occur in a series of hops through intermediary systems. In either case, once the server has issued a success response at the end of the mail data, a formal handoff of responsibility for the message occurs: the protocol requires that a server MUST accept responsibility for either delivering the message or properly reporting the failure to do so (see Sections 6.1, 6.2, and 7.8, below).

Once the transmission channel is established and initial handshaking is completed, the SMTP client normally initiates a mail transaction. Such a transaction consists of a series of commands to specify the originator and destination of the mail and transmission of the message content (including any lines in the header section or other structure) itself. When the same message is sent to multiple recipients, this protocol encourages the transmission of only one copy of the data for all recipients at the same destination (or intermediate relay) host.

The server responds to each command with a reply; replies may indicate that the command was accepted, that additional commands are expected, or that a temporary or permanent error condition exists. Commands specifying the sender or recipients may include server-permitted SMTP service extension requests, as discussed in Section 2.2. The dialog is purposely lock-step, one-at-a-time, although this can be modified by mutually agreed upon extension requests such as command pipelining (RFC 2920 [19]).

Once a given mail message has been transmitted, the client may either request that the connection be shut down or may initiate other mail

transactions. In addition, an SMTP client may use a connection to an SMTP server for ancillary services such as verification of email addresses or retrieval of mailing list subscriber addresses.

As suggested above, this protocol provides mechanisms for the transmission of mail. Historically, this transmission normally occurred directly from the sending user's host to the receiving user's host when the two hosts are connected to the same transport service. When they are not connected to the same transport service, transmission occurs via one or more relay SMTP servers. A very common case in the Internet today involves submission of the original message to an intermediate, "message submission" server, which is similar to a relay but has some additional properties; such servers are discussed in Section 2.3.10 and at some length in RFC 4409 [18]. An intermediate host that acts as either an SMTP relay or as a gateway into some other transmission environment is usually selected through the use of the domain name service (DNS) Mail eXchanger mechanism.

Usually, intermediate hosts are determined via the DNS MX record, not by explicit "source" routing (see Section 5 and Appendix C and Appendix F.2).

2.2. The Extension Model

2.2.1. Background

In an effort that started in 1990, approximately a decade after RFC 821 was completed, the protocol was modified with a "service extensions" model that permits the client and server to agree to utilize shared functionality beyond the original SMTP requirements. The SMTP extension mechanism defines a means whereby an extended SMTP client and server may recognize each other, and the server can inform the client as to the service extensions that it supports.

Contemporary SMTP implementations MUST support the basic extension mechanisms. For instance, servers MUST support the EHLO command even if they do not implement any specific extensions and clients SHOULD preferentially utilize EHLO rather than HELO. (However, for compatibility with older conforming implementations, SMTP clients and servers MUST support the original HELO mechanisms as a fallback.) Unless the different characteristics of HELO must be identified for interoperability purposes, this document discusses only EHLO.

SMTP is widely deployed and high-quality implementations have proven to be very robust. However, the Internet community now considers some services to be important that were not anticipated when the protocol was first designed. If support for those services is to be

added, it must be done in a way that permits older implementations to continue working acceptably. The extension framework consists of:

- o The SMTP command EHLO, superseding the earlier HELO,
- o a registry of SMTP service extensions,
- o additional parameters to the SMTP MAIL and RCPT commands, and
- o optional replacements for commands defined in this protocol, such as for DATA in non-ASCII transmissions (RFC 3030 [20]).

SMTP's strength comes primarily from its simplicity. Experience with many protocols has shown that protocols with few options tend towards ubiquity, whereas protocols with many options tend towards obscurity.

Each and every extension, regardless of its benefits, must be carefully scrutinized with respect to its implementation, deployment, and interoperability costs. In many cases, the cost of extending the SMTP service will likely outweigh the benefit.

2.2.2. Definition and Registration of Extensions

The IANA maintains a registry of SMTP service extensions. A corresponding EHLO keyword value is associated with each extension. Each service extension registered with the IANA must be defined in a formal Standards-Track or IESG-approved Experimental protocol document. The definition must include:

- o the textual name of the SMTP service extension;
- o the EHLO keyword value associated with the extension;
- o the syntax and possible values of parameters associated with the EHLO keyword value;
- o any additional SMTP verbs associated with the extension (additional verbs will usually be, but are not required to be, the same as the EHLO keyword value);
- o any new parameters the extension associates with the MAIL or RCPT verbs;
- o a description of how support for the extension affects the behavior of a server and client SMTP; and

- o the increment by which the extension is increasing the maximum length of the commands MAIL and/or RCPT, over that specified in this Standard.

In addition, any EHLO keyword value starting with an upper or lower case "X" refers to a local SMTP service extension used exclusively through bilateral agreement. Keywords beginning with "X" MUST NOT be used in a registered service extension. Conversely, keyword values presented in the EHLO response that do not begin with "X" MUST correspond to a Standard, Standards-Track, or IESG-approved Experimental SMTP service extension registered with IANA. A conforming server MUST NOT offer non-"X"-prefixed keyword values that are not described in a registered extension.

Additional verbs and parameter names are bound by the same rules as EHLO keywords; specifically, verbs beginning with "X" are local extensions that may not be registered or standardized. Conversely, verbs not beginning with "X" must always be registered.

2.2.3. Special Issues with Extensions

Extensions that change fairly basic properties of SMTP operation are permitted. The text in other sections of this document must be understood in that context. In particular, extensions can change the minimum limits specified in Section 4.5.3, can change the ASCII character set requirement as mentioned above, or can introduce some optional modes of message handling.

In particular, if an extension implies that the delivery path normally supports special features of that extension, and an intermediate SMTP system finds a next hop that does not support the required extension, it MAY choose, based on the specific extension and circumstances, to requeue the message and try later and/or try an alternate MX host. If this strategy is employed, the timeout to fall back to an unextended format (if one is available) SHOULD be less than the normal timeout for bouncing as undeliverable (e.g., if normal timeout is three days, the requeue timeout before attempting to transmit the mail without the extension might be one day).

2.3. SMTP Terminology

2.3.1. Mail Objects

SMTP transports a mail object. A mail object contains an envelope and content.

The SMTP envelope is sent as a series of SMTP protocol units (described in Section 3). It consists of an originator address (to

which error reports should be directed), one or more recipient addresses, and optional protocol extension material. Historically, variations on the reverse-path (originator) address specification command (MAIL) could be used to specify alternate delivery modes, such as immediate display; those variations have now been deprecated (see Appendix F and Appendix F.6).

The SMTP content is sent in the SMTP DATA protocol unit and has two parts: the header section and the body. If the content conforms to other contemporary standards, the header section consists of a collection of header fields, each consisting of a header name, a colon, and data, structured as in the message format specification (RFC 5322 [4]); the body, if structured, is defined according to MIME (RFC 2045 [21]). The content is textual in nature, expressed using the US-ASCII repertoire [6]. Although SMTP extensions (such as "8BITMIME", RFC 1652 [22]) may relax this restriction for the content body, the content header fields are always encoded using the US-ASCII repertoire. Two MIME extensions (RFC 2047 [23] and RFC 2231 [24]) define an algorithm for representing header values outside the US-ASCII repertoire, while still encoding them using the US-ASCII repertoire.

2.3.2. Senders and Receivers

In RFC 821, the two hosts participating in an SMTP transaction were described as the "SMTP-sender" and "SMTP-receiver". This document has been changed to reflect current industry terminology and hence refers to them as the "SMTP client" (or sometimes just "the client") and "SMTP server" (or just "the server"), respectively. Since a given host may act both as server and client in a relay situation, "receiver" and "sender" terminology is still used where needed for clarity.

2.3.3. Mail Agents and Message Stores

Additional mail system terminology became common after RFC 821 was published and, where convenient, is used in this specification. In particular, SMTP servers and clients provide a mail transport service and therefore act as "Mail Transfer Agents" (MTAs). "Mail User Agents" (MUAs or UAs) are normally thought of as the sources and targets of mail. At the source, an MUA might collect mail to be transmitted from a user and hand it off to an MTA; the final ("delivery") MTA would be thought of as handing the mail off to an MUA (or at least transferring responsibility to it, e.g., by depositing the message in a "message store"). However, while these terms are used with at least the appearance of great precision in other environments, the implied boundaries between MUAs and MTAs often do not accurately match common, and conforming, practices with

Internet mail. Hence, the reader should be cautious about inferring the strong relationships and responsibilities that might be implied if these terms were used elsewhere.

2.3.4. Host

For the purposes of this specification, a host is a computer system attached to the Internet (or, in some cases, to a private TCP/IP network) and supporting the SMTP protocol. Hosts are known by names (see the next section); they SHOULD NOT be identified by numerical addresses, i.e., by address literals as described in Section 4.1.2.

2.3.5. Domain Names

A domain name (or often just a "domain") consists of one or more components, separated by dots if more than one appears. In the case of a top-level domain used by itself in an email address, a single string is used without any dots. This makes the requirement, described in more detail below, that only fully-qualified domain names appear in SMTP transactions on the public Internet, particularly important where top-level domains are involved. These components ("labels" in DNS terminology, RFC 1035 [2]) are restricted for SMTP purposes to consist of a sequence of letters, digits, and hyphens drawn from the ASCII character set [6]. Domain names are used as names of hosts and of other entities in the domain name hierarchy. For example, a domain may refer to an alias (label of a CNAME RR) or the label of Mail exchanger records to be used to deliver mail instead of representing a host name. See RFC 1035 [2] and Section 5 of this specification.

The domain name, as described in this document and in RFC 1035 [2], is the entire, fully-qualified name (often referred to as an "FQDN"). A domain name that is not in FQDN form is no more than a local alias. Local aliases MUST NOT appear in any SMTP transaction.

Only resolvable, fully-qualified domain names (FQDNs) are permitted when domain names are used in SMTP. In other words, names that can be resolved to MX RRs or address (i.e., A or AAAA) RRs (as discussed in Section 5) are permitted, as are CNAME RRs whose targets can be resolved, in turn, to MX or address RRs. Local nicknames or unqualified names MUST NOT be used. There are two exceptions to the rule requiring FQDNs:

- o The domain name given in the EHLO command MUST be either a primary host name (a domain name that resolves to an address RR) or, if the host has no name, an address literal, as described in Section 4.1.3 and discussed further in the EHLO discussion of Section 4.1.4.

- o The reserved mailbox name "postmaster" may be used in a RCPT command without domain qualification (see Section 4.1.1.3) and MUST be accepted if so used.

2.3.6. Buffer and State Table

SMTP sessions are stateful, with both parties carefully maintaining a common view of the current state. In this document, we model this state by a virtual "buffer" and a "state table" on the server that may be used by the client to, for example, "clear the buffer" or "reset the state table", causing the information in the buffer to be discarded and the state to be returned to some previous state.

2.3.7. Commands and Replies

SMTP commands and, unless altered by a service extension, message data, are transmitted from the sender to the receiver via the transmission channel in "lines".

An SMTP reply is an acknowledgment (positive or negative) sent in "lines" from receiver to sender via the transmission channel in response to a command. The general form of a reply is a numeric completion code (indicating failure or success) usually followed by a text string. The codes are for use by programs and the text is usually intended for human users. RFC 3463 [25], specifies further structuring of the reply strings, including the use of supplemental and more specific completion codes (see also RFC 5248 [26]).

2.3.8. Lines

Lines consist of zero or more data characters terminated by the sequence ASCII character "CR" (hex value 0D) followed immediately by ASCII character "LF" (hex value 0A). This termination sequence is denoted as <CRLF> in this document. Conforming implementations MUST NOT recognize or generate any other character or character sequence as a line terminator. Limits MAY be imposed on line lengths by servers (see Section 4).

In addition, the appearance of "bare" "CR" or "LF" characters in text (i.e., either without the other) has a long history of causing problems in mail implementations and applications that use the mail system as a tool. SMTP client implementations MUST NOT transmit these characters except when they are intended as line terminators and then MUST, as indicated above, transmit them only as a <CRLF> sequence.

2.3.9. Message Content and Mail Data

The terms "message content" and "mail data" are used interchangeably in this document to describe the material transmitted after the DATA command is accepted and before the end of data indication is transmitted. Message content includes the message header section and the possibly structured message body. The MIME specification (RFC 2045 [21]) provides the standard mechanisms for structured message bodies.

2.3.10. Originator, Delivery, Relay, and Gateway Systems

This specification makes a distinction among four types of SMTP systems, based on the role those systems play in transmitting electronic mail. An "originating" system (sometimes called an SMTP originator) introduces mail into the Internet or, more generally, into a transport service environment. A "delivery" SMTP system is one that receives mail from a transport service environment and passes it to a mail user agent or deposits it in a message store that a mail user agent is expected to subsequently access. A "relay" SMTP system (usually referred to just as a "relay") receives mail from an SMTP client and transmits it, without modification to the message data other than adding trace information, to another SMTP server for further relaying or for delivery.

A "gateway" SMTP system (usually referred to just as a "gateway") receives mail from a client system in one transport environment and transmits it to a server system in another transport environment. Differences in protocols or message semantics between the transport environments on either side of a gateway may require that the gateway system perform transformations to the message that are not permitted to SMTP relay systems. For the purposes of this specification, firewalls that rewrite addresses should be considered as gateways, even if SMTP is used on both sides of them (see RFC 2979 [27]).

2.3.11. Mailbox and Address

As used in this specification, an "address" is a character string that identifies a user to whom mail will be sent or a location into which mail will be deposited. The term "mailbox" refers to that depository. The two terms are typically used interchangeably unless the distinction between the location in which mail is placed (the mailbox) and a reference to it (the address) is important. An address normally consists of user and domain specifications. The standard mailbox naming convention is defined to be "local-part@domain"; contemporary usage permits a much broader set of applications than simple "user names". Consequently, and due to a long history of problems when intermediate hosts have attempted to

optimize transport by modifying them, the local-part MUST be interpreted and assigned semantics only by the host specified in the domain part of the address.

2.4. General Syntax Principles and Transaction Model

SMTP commands and replies have a rigid syntax. All commands begin with a command verb. All replies begin with a three digit numeric code. In some commands and replies, arguments are required following the verb or reply code. Some commands do not accept arguments (after the verb), and some reply codes are followed, sometimes optionally, by free form text. In both cases, where text appears, it is separated from the verb or reply code by a space character. Complete definitions of commands and replies appear in Section 4.

Verbs and argument values (e.g., "TO:" or "to:" in the RCPT command and extension name keywords) are not case sensitive, with the sole exception in this specification of a mailbox local-part (SMTP Extensions may explicitly specify case-sensitive elements). That is, a command verb, an argument value other than a mailbox local-part, and free form text MAY be encoded in upper case, lower case, or any mixture of upper and lower case with no impact on its meaning. The local-part of a mailbox MUST BE treated as case sensitive. Therefore, SMTP implementations MUST take care to preserve the case of mailbox local-parts. In particular, for some hosts, the user "smith" is different from the user "Smith". However, exploiting the case sensitivity of mailbox local-parts impedes interoperability and is discouraged. Mailbox domains follow normal DNS rules and are hence not case sensitive.

A few SMTP servers, in violation of this specification (and RFC 821) require that command verbs be encoded by clients in upper case. Implementations MAY wish to employ this encoding to accommodate those servers.

The argument clause consists of a variable-length character string ending with the end of the line, i.e., with the character sequence <CRLF>. The receiver will take no action until this sequence is received.

The syntax for each command is shown with the discussion of that command. Common elements and parameters are shown in Section 4.1.2.

Commands and replies are composed of characters from the ASCII character set [6]. When the transport service provides an 8-bit byte (octet) transmission channel, each 7-bit character is transmitted, right justified, in an octet with the high-order bit cleared to zero. More specifically, the unextended SMTP service provides 7-bit

transport only. An originating SMTP client that has not successfully negotiated an appropriate extension with a particular server (see the next paragraph) MUST NOT transmit messages with information in the high-order bit of octets. If such messages are transmitted in violation of this rule, receiving SMTP servers MAY clear the high-order bit or reject the message as invalid. In general, a relay SMTP SHOULD assume that the message content it has received is valid and, assuming that the envelope permits doing so, relay it without inspecting that content. Of course, if the content is mislabeled and the data path cannot accept the actual content, this may result in the ultimate delivery of a severely garbled message to the recipient. Delivery SMTP systems MAY reject such messages, or return them as undeliverable, rather than deliver them. In the absence of a server-offered extension explicitly permitting it, a sending SMTP system is not permitted to send envelope commands in any character set other than US-ASCII. Receiving systems SHOULD reject such commands, normally using "500 syntax error - invalid character" replies.

8-bit message content transmission MAY be requested of the server by a client using extended SMTP facilities, notably the "8BITMIME" extension, RFC 1652 [22]. 8BITMIME SHOULD be supported by SMTP servers. However, it MUST NOT be construed as authorization to transmit unrestricted 8-bit material, nor does 8BITMIME authorize transmission of any envelope material in other than ASCII. 8BITMIME MUST NOT be requested by senders for material with the high bit on that is not in MIME format with an appropriate content-transfer encoding; servers MAY reject such messages.

The metalinguistic notation used in this document corresponds to the "Augmented BNF" used in other Internet mail system documents. The reader who is not familiar with that syntax should consult the ABNF specification in RFC 5234 [7]. Metalanguage terms used in running text are surrounded by pointed brackets (e.g., <CRLF>) for clarity. The reader is cautioned that the grammar expressed in the metalanguage is not comprehensive. There are many instances in which provisions in the text constrain or otherwise modify the syntax or semantics implied by the grammar.

3. The SMTP Procedures: An Overview

This section contains descriptions of the procedures used in SMTP: session initiation, mail transaction, forwarding mail, verifying mailbox names and expanding mailing lists, and opening and closing exchanges. Comments on relaying, a note on mail domains, and a discussion of changing roles are included at the end of this section. Several complete scenarios are presented in Appendix D.

3.1. Session Initiation

An SMTP session is initiated when a client opens a connection to a server and the server responds with an opening message.

SMTP server implementations MAY include identification of their software and version information in the connection greeting reply after the 220 code, a practice that permits more efficient isolation and repair of any problems. Implementations MAY make provision for SMTP servers to disable the software and version announcement where it causes security concerns. While some systems also identify their contact point for mail problems, this is not a substitute for maintaining the required "postmaster" address (see Section 4).

The SMTP protocol allows a server to formally reject a mail session while still allowing the initial connection as follows: a 554 response MAY be given in the initial connection opening message instead of the 220. A server taking this approach MUST still wait for the client to send a QUIT (see Section 4.1.1.10) before closing the connection and SHOULD respond to any intervening commands with "503 bad sequence of commands". Since an attempt to make an SMTP connection to such a system is probably in error, a server returning a 554 response on connection opening SHOULD provide enough information in the reply text to facilitate debugging of the sending system.

3.2. Client Initiation

Once the server has sent the greeting (welcoming) message and the client has received it, the client normally sends the EHLO command to the server, indicating the client's identity. In addition to opening the session, use of EHLO indicates that the client is able to process service extensions and requests that the server provide a list of the extensions it supports. Older SMTP systems that are unable to support service extensions, and contemporary clients that do not require service extensions in the mail session being initiated, MAY use HELO instead of EHLO. Servers MUST NOT return the extended EHLO-style response to a HELO command. For a particular connection attempt, if the server returns a "command not recognized" response to EHLO, the client SHOULD be able to fall back and send HELO.

In the EHLO command, the host sending the command identifies itself; the command may be interpreted as saying "Hello, I am <domain>" (and, in the case of EHLO, "and I support service extension requests").

3.3. Mail Transactions

There are three steps to SMTP mail transactions. The transaction starts with a MAIL command that gives the sender identification. (In general, the MAIL command may be sent only when no mail transaction is in progress; see Section 4.1.4.) A series of one or more RCPT commands follows, giving the receiver information. Then, a DATA command initiates transfer of the mail data and is terminated by the "end of mail" data indicator, which also confirms the transaction.

The first step in the procedure is the MAIL command.

```
MAIL FROM:<reverse-path> [SP <mail-parameters> ] <CRLF>
```

This command tells the SMTP-receiver that a new mail transaction is starting and to reset all its state tables and buffers, including any recipients or mail data. The <reverse-path> portion of the first or only argument contains the source mailbox (between "<" and ">" brackets), which can be used to report errors (see Section 4.2 for a discussion of error reporting). If accepted, the SMTP server returns a "250 OK" reply. If the mailbox specification is not acceptable for some reason, the server MUST return a reply indicating whether the failure is permanent (i.e., will occur again if the client tries to send the same address again) or temporary (i.e., the address might be accepted if the client tries again later). Despite the apparent scope of this requirement, there are circumstances in which the acceptability of the reverse-path may not be determined until one or more forward-paths (in RCPT commands) can be examined. In those cases, the server MAY reasonably accept the reverse-path (with a 250 reply) and then report problems after the forward-paths are received and examined. Normally, failures produce 550 or 553 replies.

Historically, the <reverse-path> was permitted to contain more than just a mailbox; however, contemporary systems SHOULD NOT use source routing (see Appendix C).

The optional <mail-parameters> are associated with negotiated SMTP service extensions (see Section 2.2).

The second step in the procedure is the RCPT command. This step of the procedure can be repeated any number of times.

```
RCPT TO:<forward-path> [ SP <rcpt-parameters> ] <CRLF>
```

The first or only argument to this command includes a forward-path (normally a mailbox and domain, always surrounded by "<" and ">" brackets) identifying one recipient. If accepted, the SMTP server returns a "250 OK" reply and stores the forward-path. If the

recipient is known not to be a deliverable address, the SMTP server returns a 550 reply, typically with a string such as "no such user -" and the mailbox name (other circumstances and reply codes are possible).

The <forward-path> can contain more than just a mailbox. Historically, the <forward-path> was permitted to contain a source routing list of hosts and the destination mailbox; however, contemporary SMTP clients SHOULD NOT utilize source routes (see Appendix C). Servers MUST be prepared to encounter a list of source routes in the forward-path, but they SHOULD ignore the routes or MAY decline to support the relaying they imply. Similarly, servers MAY decline to accept mail that is destined for other hosts or systems. These restrictions make a server useless as a relay for clients that do not support full SMTP functionality. Consequently, restricted-capability clients MUST NOT assume that any SMTP server on the Internet can be used as their mail processing (relaying) site. If a RCPT command appears without a previous MAIL command, the server MUST return a 503 "Bad sequence of commands" response. The optional <rcpt-parameters> are associated with negotiated SMTP service extensions (see Section 2.2).

Since it has been a common source of errors, it is worth noting that spaces are not permitted on either side of the colon following FROM in the MAIL command or TO in the RCPT command. The syntax is exactly as given above.

The third step in the procedure is the DATA command (or some alternative specified in a service extension).

DATA <CRLF>

If accepted, the SMTP server returns a 354 Intermediate reply and considers all succeeding lines up to but not including the end of mail data indicator to be the message text. When the end of text is successfully received and stored, the SMTP-receiver sends a "250 OK" reply.

Since the mail data is sent on the transmission channel, the end of mail data must be indicated so that the command and reply dialog can be resumed. SMTP indicates the end of the mail data by sending a line containing only a "." (period or full stop). A transparency procedure is used to prevent this from interfering with the user's text (see Section 4.5.2).

The end of mail data indicator also confirms the mail transaction and tells the SMTP server to now process the stored recipients and mail

data. If accepted, the SMTP server returns a "250 OK" reply. The DATA command can fail at only two points in the protocol exchange:

If there was no MAIL, or no RCPT, command, or all such commands were rejected, the server MAY return a "command out of sequence" (503) or "no valid recipients" (554) reply in response to the DATA command. If one of those replies (or any other 5yz reply) is received, the client MUST NOT send the message data; more generally, message data MUST NOT be sent unless a 354 reply is received:

If the verb is initially accepted and the 354 reply issued, the DATA command should fail only if the mail transaction was incomplete (for example, no recipients), if resources were unavailable (including, of course, the server unexpectedly becoming unavailable), or if the server determines that the message should be rejected for policy or other reasons.

However, in practice, some servers do not perform recipient verification until after the message text is received. These servers SHOULD treat a failure for one or more recipients as a "subsequent failure" and return a mail message as discussed in Section 6 and, in particular, in Section 6.1. Using a "550 mailbox not found" (or equivalent) reply code after the data are accepted makes it difficult or impossible for the client to determine which recipients failed.

When the RFC 822 format ([28], [4]) is being used, the mail data include the header fields such as those named Date, Subject, To, Cc, and From. Server SMTP systems SHOULD NOT reject messages based on perceived defects in the RFC 822 or MIME (RFC 2045 [21]) message header section or message body. In particular, they MUST NOT reject messages in which the numbers of Resent-header fields do not match or Resent-to appears without Resent-from and/or Resent-date.

Mail transaction commands MUST be used in the order discussed above.

3.4. Forwarding for Address Correction or Updating

Forwarding support is most often required to consolidate and simplify addresses within, or relative to, some enterprise and less frequently to establish addresses to link a person's prior address with a current one. Silent forwarding of messages (without server notification to the sender), for security or non-disclosure purposes, is common in the contemporary Internet.

In both the enterprise and the "new address" cases, information hiding (and sometimes security) considerations argue against exposure of the "final" address through the SMTP protocol as a side effect of the forwarding activity. This may be especially important when the

final address may not even be reachable by the sender. Consequently, the "forwarding" mechanisms described in Section 3.2 of RFC 821, and especially the 251 (corrected destination) and 551 reply codes from RCPT must be evaluated carefully by implementers and, when they are available, by those configuring systems (see also Section 7.4).

In particular:

- o Servers MAY forward messages when they are aware of an address change. When they do so, they MAY either provide address-updating information with a 251 code, or may forward "silently" and return a 250 code. However, if a 251 code is used, they MUST NOT assume that the client will actually update address information or even return that information to the user.

Alternately,

- o Servers MAY reject messages or return them as non-deliverable when they cannot be delivered precisely as addressed. When they do so, they MAY either provide address-updating information with a 551 code, or may reject the message as undeliverable with a 550 code and no address-specific information. However, if a 551 code is used, they MUST NOT assume that the client will actually update address information or even return that information to the user.

SMTP server implementations that support the 251 and/or 551 reply codes SHOULD provide configuration mechanisms so that sites that conclude that they would undesirably disclose information can disable or restrict their use.

3.5. Commands for Debugging Addresses

3.5.1. Overview

SMTP provides commands to verify a user name or obtain the content of a mailing list. This is done with the VRFY and EXPN commands, which have character string arguments. Implementations SHOULD support VRFY and EXPN (however, see Section 3.5.2 and Section 7.3).

For the VRFY command, the string is a user name or a user name and domain (see below). If a normal (i.e., 250) response is returned, the response MAY include the full name of the user and MUST include the mailbox of the user. It MUST be in either of the following forms:

```
User Name <local-part@domain>
local-part@domain
```

When a name that is the argument to VRFY could identify more than one mailbox, the server MAY either note the ambiguity or identify the alternatives. In other words, any of the following are legitimate responses to VRFY:

553 User ambiguous

or

553- Ambiguous; Possibilities are
553-Joe Smith <jsmith@foo.com>
553-Harry Smith <hsmith@foo.com>
553 Melvin Smith <dweep@foo.com>

or

553-Ambiguous; Possibilities
553- <jsmith@foo.com>
553- <hsmith@foo.com>
553 <dweep@foo.com>

Under normal circumstances, a client receiving a 553 reply would be expected to expose the result to the user. Use of exactly the forms given, and the "user ambiguous" or "ambiguous" keywords, possibly supplemented by extended reply codes, such as those described in RFC 3463 [25], will facilitate automated translation into other languages as needed. Of course, a client that was highly automated or that was operating in another language than English might choose to try to translate the response to return some other indication to the user than the literal text of the reply, or to take some automated action such as consulting a directory service for additional information before reporting to the user.

For the EXPN command, the string identifies a mailing list, and the successful (i.e., 250) multiline response MAY include the full name of the users and MUST give the mailboxes on the mailing list.

In some hosts, the distinction between a mailing list and an alias for a single mailbox is a bit fuzzy, since a common data structure may hold both types of entries, and it is possible to have mailing lists containing only one mailbox. If a request is made to apply VRFY to a mailing list, a positive response MAY be given if a message so addressed would be delivered to everyone on the list, otherwise an error SHOULD be reported (e.g., "550 That is a mailing list, not a user" or "252 Unable to verify members of mailing list"). If a request is made to expand a user name, the server MAY return a

positive response consisting of a list containing one name, or an error MAY be reported (e.g., "550 That is a user name, not a mailing list").

In the case of a successful multiline reply (normal for EXPN), exactly one mailbox is to be specified on each line of the reply. The case of an ambiguous request is discussed above.

"User name" is a fuzzy term and has been used deliberately. An implementation of the VRFY or EXPN commands MUST include at least recognition of local mailboxes as "user names". However, since current Internet practice often results in a single host handling mail for multiple domains, hosts, especially hosts that provide this functionality, SHOULD accept the "local-part@domain" form as a "user name"; hosts MAY also choose to recognize other strings as "user names".

The case of expanding a mailbox list requires a multiline reply, such as:

```
C: EXPN Example-People
S: 250-Jon Postel <Postel@isi.edu>
S: 250-Fred Fonebone <Fonebone@physics.foo-u.edu>
S: 250 Sam Q. Smith <SQSmith@specific.generic.com>
```

or

```
C: EXPN Executive-Washroom-List
S: 550 Access Denied to You.
```

The character string arguments of the VRFY and EXPN commands cannot be further restricted due to the variety of implementations of the user name and mailbox list concepts. On some systems, it may be appropriate for the argument of the EXPN command to be a file name for a file containing a mailing list, but again there are a variety of file naming conventions in the Internet. Similarly, historical variations in what is returned by these commands are such that the response SHOULD be interpreted very carefully, if at all, and SHOULD generally only be used for diagnostic purposes.

3.5.2. VRFY Normal Response

When normal (2yz or 551) responses are returned from a VRFY or EXPN request, the reply MUST include the <Mailbox> name using a "<local-part@domain>" construction, where "domain" is a fully-qualified domain name. In circumstances exceptional enough to justify violating the intent of this specification, free-form text MAY be returned. In order to facilitate parsing by both computers

and people, addresses SHOULD appear in pointed brackets. When addresses, rather than free-form debugging information, are returned, EXPN and VRFY MUST return only valid domain addresses that are usable in SMTP RCPT commands. Consequently, if an address implies delivery to a program or other system, the mailbox name used to reach that target MUST be given. Paths (explicit source routes) MUST NOT be returned by VRFY or EXPN.

Server implementations SHOULD support both VRFY and EXPN. For security reasons, implementations MAY provide local installations a way to disable either or both of these commands through configuration options or the equivalent (see Section 7.3). When these commands are supported, they are not required to work across relays when relaying is supported. Since they were both optional in RFC 821, but VRFY was made mandatory in RFC 1123 [3], if EXPN is supported, it MUST be listed as a service extension in an EHLO response. VRFY MAY be listed as a convenience but, since support for it is required, SMTP clients are not required to check for its presence on the extension list before using it.

3.5.3. Meaning of VRFY or EXPN Success Response

A server MUST NOT return a 250 code in response to a VRFY or EXPN command unless it has actually verified the address. In particular, a server MUST NOT return 250 if all it has done is to verify that the syntax given is valid. In that case, 502 (Command not implemented) or 500 (Syntax error, command unrecognized) SHOULD be returned. As stated elsewhere, implementation (in the sense of actually validating addresses and returning information) of VRFY and EXPN are strongly recommended. Hence, implementations that return 500 or 502 for VRFY are not in full compliance with this specification.

There may be circumstances where an address appears to be valid but cannot reasonably be verified in real time, particularly when a server is acting as a mail exchanger for another server or domain. "Apparent validity", in this case, would normally involve at least syntax checking and might involve verification that any domains specified were ones to which the host expected to be able to relay mail. In these situations, reply code 252 SHOULD be returned. These cases parallel the discussion of RCPT verification in Section 2.1. Similarly, the discussion in Section 3.4 applies to the use of reply codes 251 and 551 with VRFY (and EXPN) to indicate addresses that are recognized but that would be forwarded or rejected were mail received for them. Implementations generally SHOULD be more aggressive about address verification in the case of VRFY than in the case of RCPT, even if it takes a little longer to do so.

3.5.4. Semantics and Applications of EXPN

EXPN is often very useful in debugging and understanding problems with mailing lists and multiple-target-address aliases. Some systems have attempted to use source expansion of mailing lists as a means of eliminating duplicates. The propagation of aliasing systems with mail on the Internet for hosts (typically with MX and CNAME DNS records), for mailboxes (various types of local host aliases), and in various proxying arrangements has made it nearly impossible for these strategies to work consistently, and mail systems SHOULD NOT attempt them.

3.6. Relaying and Mail Routing

3.6.1. Source Routes and Relaying

In general, the availability of Mail eXchanger records in the domain name system (RFC 1035 [2], RFC 974 [12]) makes the use of explicit source routes in the Internet mail system unnecessary. Many historical problems with the interpretation of explicit source routes have made their use undesirable. SMTP clients SHOULD NOT generate explicit source routes except under unusual circumstances. SMTP servers MAY decline to act as mail relays or to accept addresses that specify source routes. When route information is encountered, SMTP servers MAY ignore the route information and simply send to the final destination specified as the last element in the route and SHOULD do so. There has been an invalid practice of using names that do not appear in the DNS as destination names, with the senders counting on the intermediate hosts specified in source routing to resolve any problems. If source routes are stripped, this practice will cause failures. This is one of several reasons why SMTP clients MUST NOT generate invalid source routes or depend on serial resolution of names.

When source routes are not used, the process described in RFC 821 for constructing a reverse-path from the forward-path is not applicable and the reverse-path at the time of delivery will simply be the address that appeared in the MAIL command.

3.6.2. Mail eXchange Records and Relaying

A relay SMTP server is usually the target of a DNS MX record that designates it, rather than the final delivery system. The relay server may accept or reject the task of relaying the mail in the same way it accepts or rejects mail for a local user. If it accepts the task, it then becomes an SMTP client, establishes a transmission channel to the next SMTP server specified in the DNS (according to the rules in Section 5), and sends it the mail. If it declines to

relay mail to a particular address for policy reasons, a 550 response SHOULD be returned.

This specification does not deal with the verification of return paths for use in delivery notifications. Recent work, such as that on SPF [29] and DKIM [30] [31], has been done to provide ways to ascertain that an address is valid or belongs to the person who actually sent the message. A server MAY attempt to verify the return path before using its address for delivery notifications, but methods of doing so are not defined here nor is any particular method recommended at this time.

3.6.3. Message Submission Servers as Relays

Many mail-sending clients exist, especially in conjunction with facilities that receive mail via POP3 or IMAP, that have limited capability to support some of the requirements of this specification, such as the ability to queue messages for subsequent delivery attempts. For these clients, it is common practice to make private arrangements to send all messages to a single server for processing and subsequent distribution. SMTP, as specified here, is not ideally suited for this role. A standardized mail submission protocol has been developed that is gradually superseding practices based on SMTP (see RFC 4409 [18]). In any event, because these arrangements are private and fall outside the scope of this specification, they are not described here.

It is important to note that MX records can point to SMTP servers that act as gateways into other environments, not just SMTP relays and final delivery systems; see Sections 3.7 and 5.

If an SMTP server has accepted the task of relaying the mail and later finds that the destination is incorrect or that the mail cannot be delivered for some other reason, then it MUST construct an "undeliverable mail" notification message and send it to the originator of the undeliverable mail (as indicated by the reverse-path). Formats specified for non-delivery reports by other standards (see, for example, RFC 3461 [32] and RFC 3464 [33]) SHOULD be used if possible.

This notification message must be from the SMTP server at the relay host or the host that first determines that delivery cannot be accomplished. Of course, SMTP servers MUST NOT send notification messages about problems transporting notification messages. One way to prevent loops in error reporting is to specify a null reverse-path in the MAIL command of a notification message. When such a message is transmitted, the reverse-path MUST be set to null (see

Section 4.5.5 for additional discussion). A MAIL command with a null reverse-path appears as follows:

```
MAIL FROM:<>
```

As discussed in Section 6.4, a relay SMTP has no need to inspect or act upon the header section or body of the message data and MUST NOT do so except to add its own "Received:" header field (Section 4.4) and, optionally, to attempt to detect looping in the mail system (see Section 6.3). Of course, this prohibition also applies to any modifications of these header fields or text (see also Section 7.9).

3.7. Mail Gatewaying

While the relay function discussed above operates within the Internet SMTP transport service environment, MX records or various forms of explicit routing may require that an intermediate SMTP server perform a translation function between one transport service and another. As discussed in Section 2.3.10, when such a system is at the boundary between two transport service environments, we refer to it as a "gateway" or "gateway SMTP".

Gatewaying mail between different mail environments, such as different mail formats and protocols, is complex and does not easily yield to standardization. However, some general requirements may be given for a gateway between the Internet and another mail environment.

3.7.1. Header Fields in Gatewaying

Header fields MAY be rewritten when necessary as messages are gatewayed across mail environment boundaries. This may involve inspecting the message body or interpreting the local-part of the destination address in spite of the prohibitions in Section 6.4.

Other mail systems gatewayed to the Internet often use a subset of the RFC 822 header section or provide similar functionality with a different syntax, but some of these mail systems do not have an equivalent to the SMTP envelope. Therefore, when a message leaves the Internet environment, it may be necessary to fold the SMTP envelope information into the message header section. A possible solution would be to create new header fields to carry the envelope information (e.g., "X-SMTP-MAIL:" and "X-SMTP-RCPT:"); however, this would require changes in mail programs in foreign environments and might risk disclosure of private information (see Section 7.2).

3.7.2. Received Lines in Gatewaying

When forwarding a message into or out of the Internet environment, a gateway **MUST** prepend a Received: line, but it **MUST NOT** alter in any way a Received: line that is already in the header section.

"Received:" header fields of messages originating from other environments may not conform exactly to this specification. However, the most important use of Received: lines is for debugging mail faults, and this debugging can be severely hampered by well-meaning gateways that try to "fix" a Received: line. As another consequence of trace header fields arising in non-SMTP environments, receiving systems **MUST NOT** reject mail based on the format of a trace header field and **SHOULD** be extremely robust in the light of unexpected information or formats in those header fields.

The gateway **SHOULD** indicate the environment and protocol in the "via" clauses of Received header field(s) that it supplies.

3.7.3. Addresses in Gatewaying

From the Internet side, the gateway **SHOULD** accept all valid address formats in SMTP commands and in the RFC 822 header section, and all valid RFC 822 messages. Addresses and header fields generated by gateways **MUST** conform to applicable standards (including this one and RFC 5322 [4]). Gateways are, of course, subject to the same rules for handling source routes as those described for other SMTP systems in Section 3.3.

3.7.4. Other Header Fields in Gatewaying

The gateway **MUST** ensure that all header fields of a message that it forwards into the Internet mail environment meet the requirements for Internet mail. In particular, all addresses in "From:", "To:", "Cc:", etc., header fields **MUST** be transformed (if necessary) to satisfy the standard header syntax of RFC 5322 [4], **MUST** reference only fully-qualified domain names, and **MUST** be effective and useful for sending replies. The translation algorithm used to convert mail from the Internet protocols to another environment's protocol **SHOULD** ensure that error messages from the foreign mail environment are delivered to the reverse-path from the SMTP envelope, not to an address in the "From:", "Sender:", or similar header fields of the message.

3.7.5. Envelopes in Gatewaying

Similarly, when forwarding a message from another environment into the Internet, the gateway SHOULD set the envelope return path in accordance with an error message return address, if supplied by the foreign environment. If the foreign environment has no equivalent concept, the gateway must select and use a best approximation, with the message originator's address as the default of last resort.

3.8. Terminating Sessions and Connections

An SMTP connection is terminated when the client sends a QUIT command. The server responds with a positive reply code, after which it closes the connection.

An SMTP server MUST NOT intentionally close the connection under normal operational circumstances (see Section 7.8) except:

- o After receiving a QUIT command and responding with a 221 reply.
- o After detecting the need to shut down the SMTP service and returning a 421 response code. This response code can be issued after the server receives any command or, if necessary, asynchronously from command receipt (on the assumption that the client will receive it after the next command is issued).
- o After a timeout, as specified in Section 4.5.3.2, occurs waiting for the client to send a command or data.

In particular, a server that closes connections in response to commands that are not understood is in violation of this specification. Servers are expected to be tolerant of unknown commands, issuing a 500 reply and awaiting further instructions from the client.

An SMTP server that is forcibly shut down via external means SHOULD attempt to send a line containing a 421 response code to the SMTP client before exiting. The SMTP client will normally read the 421 response code after sending its next command.

SMTP clients that experience a connection close, reset, or other communications failure due to circumstances not under their control (in violation of the intent of this specification but sometimes unavoidable) SHOULD, to maintain the robustness of the mail system, treat the mail transaction as if a 451 response had been received and act accordingly.

3.9. Mailing Lists and Aliases

An SMTP-capable host SHOULD support both the alias and the list models of address expansion for multiple delivery. When a message is delivered or forwarded to each address of an expanded list form, the return address in the envelope ("MAIL FROM:") MUST be changed to be the address of a person or other entity who administers the list. However, in this case, the message header section (RFC 5322 [4]) MUST be left unchanged; in particular, the "From" field of the header section is unaffected.

An important mail facility is a mechanism for multi-destination delivery of a single message, by transforming (or "expanding" or "exploding") a pseudo-mailbox address into a list of destination mailbox addresses. When a message is sent to such a pseudo-mailbox (sometimes called an "exploder"), copies are forwarded or redistributed to each mailbox in the expanded list. Servers SHOULD simply utilize the addresses on the list; application of heuristics or other matching rules to eliminate some addresses, such as that of the originator, is strongly discouraged. We classify such a pseudo-mailbox as an "alias" or a "list", depending upon the expansion rules.

3.9.1. Alias

To expand an alias, the recipient mailer simply replaces the pseudo-mailbox address in the envelope with each of the expanded addresses in turn; the rest of the envelope and the message body are left unchanged. The message is then delivered or forwarded to each expanded address.

3.9.2. List

A mailing list may be said to operate by "redistribution" rather than by "forwarding". To expand a list, the recipient mailer replaces the pseudo-mailbox address in the envelope with each of the expanded addresses in turn: The return (backward-pointing) address in the envelope is changed so that all error messages generated by the final deliveries will be returned to a list administrator, not to the message originator, who generally has no control over the contents of the list and will typically find error messages annoying. Note that the key difference between handling aliases (Section 3.9.1) and forwarding (this subsection) is the change to the backward-pointing address in this case. When a list constrains its processing to the very limited set of modifications and actions described here, it is attempting to emulate an MTA; such lists can be treated as a continuation in email transit.

There exist mailing lists that perform additional, sometimes extensive, modifications to a message and its envelope. Such mailing lists need to be viewed as full MUAs, which accept a delivery and post a new message.

4. The SMTP Specifications

4.1. SMTP Commands

4.1.1. Command Semantics and Syntax

The SMTP commands define the mail transfer or the mail system function requested by the user. SMTP commands are character strings terminated by <CRLF>. The commands themselves are alphabetic characters terminated by <SP> if parameters follow and <CRLF> otherwise. (In the interest of improved interoperability, SMTP receivers SHOULD tolerate trailing white space before the terminating <CRLF>.) The syntax of the local part of a mailbox MUST conform to receiver site conventions and the syntax specified in Section 4.1.2. The SMTP commands are discussed below. The SMTP replies are discussed in Section 4.2.

A mail transaction involves several data objects that are communicated as arguments to different commands. The reverse-path is the argument of the MAIL command, the forward-path is the argument of the RCPT command, and the mail data is the argument of the DATA command. These arguments or data objects must be transmitted and held, pending the confirmation communicated by the end of mail data indication that finalizes the transaction. The model for this is that distinct buffers are provided to hold the types of data objects; that is, there is a reverse-path buffer, a forward-path buffer, and a mail data buffer. Specific commands cause information to be appended to a specific buffer, or cause one or more buffers to be cleared.

Several commands (RSET, DATA, QUIT) are specified as not permitting parameters. In the absence of specific extensions offered by the server and accepted by the client, clients MUST NOT send such parameters and servers SHOULD reject commands containing them as having invalid syntax.

4.1.1.1. Extended HELLO (EHLO) or HELLO (HELO)

These commands are used to identify the SMTP client to the SMTP server. The argument clause contains the fully-qualified domain name of the SMTP client, if one is available. In situations in which the SMTP client system does not have a meaningful domain name (e.g., when its address is dynamically allocated and no reverse mapping record is

available), the client SHOULD send an address literal (see Section 4.1.3).

RFC 2821, and some earlier informal practices, encouraged following the literal by information that would help to identify the client system. That convention was not widely supported, and many SMTP servers considered it an error. In the interest of interoperability, it is probably wise for servers to be prepared for this string to occur, but SMTP clients SHOULD NOT send it.

The SMTP server identifies itself to the SMTP client in the connection greeting reply and in the response to this command.

A client SMTP SHOULD start an SMTP session by issuing the EHLO command. If the SMTP server supports the SMTP service extensions, it will give a successful response, a failure response, or an error response. If the SMTP server, in violation of this specification, does not support any SMTP service extensions, it will generate an error response. Older client SMTP systems MAY, as discussed above, use HELO (as specified in RFC 821) instead of EHLO, and servers MUST support the HELO command and reply properly to it. In any event, a client MUST issue HELO or EHLO before starting a mail transaction.

These commands, and a "250 OK" reply to one of them, confirm that both the SMTP client and the SMTP server are in the initial state, that is, there is no transaction in progress and all state tables and buffers are cleared.

Syntax:

```
ehlo          = "EHLO" SP ( Domain / address-literal ) CRLF
```

```
helo         = "HELO" SP Domain CRLF
```

Normally, the response to EHLO will be a multiline reply. Each line of the response contains a keyword and, optionally, one or more parameters. Following the normal syntax for multiline replies, these keywords follow the code (250) and a hyphen for all but the last line, and the code and a space for the last line. The syntax for a positive response, using the ABNF notation and terminal symbols of RFC 5234 [7], is:

```
ehlo-ok-rsp  = ( "250" SP Domain [ SP ehlo-greet ] CRLF )
              / ( "250-" Domain [ SP ehlo-greet ] CRLF
                *( "250-" ehlo-line CRLF )
                "250" SP ehlo-line CRLF )
```

ehlo-greet = 1*(%d0-9 / %d11-12 / %d14-127)
; string of any characters other than CR or LF

ehlo-line = ehlo-keyword *(~~-~~SP ehlo-param)

ehlo-keyword = (ALPHA / DIGIT) *(ALPHA / DIGIT / "-")
; additional syntax of ehlo-params depends on
; ehlo-keyword

ehlo-param = 1*(%d33-126)
; any CHAR excluding <SP> and all
; control characters (US-ASCII 0-31 and 127
; inclusive)

Although EHLO keywords may be specified in upper, lower, or mixed case, they MUST always be recognized and processed in a case-insensitive manner. This is simply an extension of practices specified in RFC 821 and Section 2.4.

The EHLO response MUST contain keywords (and associated parameters if required) for all commands not listed as "required" in Section 4.5.1 excepting only private-use commands as described in Section 4.1.5. Private-use commands MAY be listed.

4.1.1.2. MAIL (MAIL)

This command is used to initiate a mail transaction in which the mail data is delivered to an SMTP server that may, in turn, deliver it to one or more mailboxes or pass it on to another system (possibly using SMTP). The argument clause contains a reverse-path and may contain optional parameters. In general, the MAIL command may be sent only when no mail transaction is in progress, see Section 4.1.4.

The reverse-path consists of the sender mailbox. Historically, that mailbox might optionally have been preceded by a list of hosts, but that behavior is now deprecated (see Appendix C). In some types of reporting messages for which a reply is likely to cause a mail loop (for example, mail delivery and non-delivery notifications), the reverse-path may be null (see Section 3.6).

This command clears the reverse-path buffer, the forward-path buffer, and the mail data buffer, and it inserts the reverse-path information from its argument clause into the reverse-path buffer.

If service extensions were negotiated, the MAIL command may also carry parameters associated with a particular service extension.

Syntax:

```
mail = "MAIL FROM:" Reverse-path
                                     [SP Mail-parameters] CRLF
```

4.1.1.3. RECIPIENT (RCPT)

This command is used to identify an individual recipient of the mail data; multiple recipients are specified by multiple uses of this command. The argument clause contains a forward-path and may contain optional parameters.

The forward-path normally consists of the required destination mailbox. Sending systems SHOULD NOT generate the optional list of hosts known as a source route. Receiving systems MUST recognize source route syntax but SHOULD strip off the source route specification and utilize the domain name associated with the mailbox as if the source route had not been provided.

Similarly, relay hosts SHOULD strip or ignore source routes, and names MUST NOT be copied into the reverse-path. When mail reaches its ultimate destination (the forward-path contains only a destination mailbox), the SMTP server inserts it into the destination mailbox in accordance with its host mail conventions.

This command appends its forward-path argument to the forward-path buffer; it does not change the reverse-path buffer nor the mail data buffer.

For example, mail received at relay host xyz.com with envelope commands

```
MAIL FROM:<userx@y.foo.org>
RCPT TO:<@hosta.int,@jkl.org:userc@d.bar.org>
```

will normally be sent directly on to host d.bar.org with envelope commands

```
MAIL FROM:<userx@y.foo.org>
RCPT TO:<userc@d.bar.org>
```

As provided in Appendix C, xyz.com MAY also choose to relay the message to hosta.int, using the envelope commands

```
MAIL FROM:<userx@y.foo.org>
RCPT TO:<@hosta.int,@jkl.org:userc@d.bar.org>
```

or to jkl.org, using the envelope commands

```
MAIL FROM:<userx@y.foo.org>
RCPT TO:<@jkl.org:userc@d.bar.org>
```

Attempting to use relaying this way is now strongly discouraged. Since hosts are not required to relay mail at all, xyz.com MAY also reject the message entirely when the RCPT command is received, using a 550 code (since this is a "policy reason").

If service extensions were negotiated, the RCPT command may also carry parameters associated with a particular service extension offered by the server. The client MUST NOT transmit parameters other than those associated with a service extension offered by the server in its EHLO response.

Syntax:

```
rcpt = "RCPT TO:" ( "<Postmaster@" Domain ">" / "<Postmaster>" /
Forward-path ) [SP Rcpt-parameters] CRLF
```

Note that, in a departure from the usual rules for local-parts, the "Postmaster" string shown above is treated as case-insensitive.

4.1.1.4. DATA (DATA)

The receiver normally sends a 354 response to DATA, and then treats the lines (strings ending in <CRLF> sequences, as described in Section 2.3.7) following the command as mail data from the sender. This command causes the mail data to be appended to the mail data buffer. The mail data may contain any of the 128 ASCII character codes, although experience has indicated that use of control characters other than SP, HT, CR, and LF may cause problems and SHOULD be avoided when possible.

The mail data are terminated by a line containing only a period, that is, the character sequence "<CRLF>.<CRLF>", where the first <CRLF> is actually the terminator of the previous line (see Section 4.5.2). This is the end of mail data indication. The first <CRLF> of this terminating sequence is also the <CRLF> that ends the final line of the data (message text) or, if there was no mail data, ends the DATA command itself (the "no mail data" case does not conform to this specification since it would require that neither the trace header fields required by this specification nor the message header section required by RFC 5322 [4] be transmitted). An extra <CRLF> MUST NOT be added, as that would cause an empty line to be added to the message. The only exception to this rule would arise if the message

body were passed to the originating SMTP-sender with a final "line" that did not end in <CRLF>; in that case, the originating SMTP system MUST either reject the message as invalid or add <CRLF> in order to have the receiving SMTP server recognize the "end_of_data" condition.

The custom of accepting lines ending only in <LF>, as a concession to non-conforming behavior on the part of some UNIX systems, has proven to cause more interoperability problems than it solves, and SMTP server systems MUST NOT do this, even in the name of improved robustness. In particular, the sequence "<LF>.<LF>" (bare line feeds, without carriage returns) MUST NOT be treated as equivalent to <CRLF>.<CRLF> as the end of mail data indication.

Receipt of the end of mail data indication requires the server to process the stored mail transaction information. This processing consumes the information in the reverse-path buffer, the forward-path buffer, and the mail data buffer, and on the completion of this command these buffers are cleared. If the processing is successful, the receiver MUST send an OK reply. If the processing fails, the receiver MUST send a failure reply. The SMTP model does not allow for partial failures at this point: either the message is accepted by the server for delivery and a positive response is returned or it is not accepted and a failure reply is returned. In sending a positive "250 OK" completion reply to the end of data indication, the receiver takes full responsibility for the message (see Section 6.1). Errors that are diagnosed subsequently MUST be reported in a mail message, as discussed in Section 4.4.

When the SMTP server accepts a message either for relaying or for final delivery, it inserts a trace record (also referred to interchangeably as a "time stamp line" or "Received" line) at the top of the mail data. This trace record indicates the identity of the host that sent the message, the identity of the host that received the message (and is inserting this time stamp), and the date and time the message was received. Relayed messages will have multiple time stamp lines. Details for formation of these lines, including their syntax, is specified in Section 4.4.

Additional discussion about the operation of the DATA command appears in Section 3.3.

Syntax:

```
data = "DATA" CRLF
```

4.1.1.5. RESET (RSET)

This command specifies that the current mail transaction will be aborted. Any stored sender, recipients, and mail data MUST be discarded, and all buffers and state tables cleared. The receiver MUST send a "250 OK" reply to a RSET command with no arguments. A reset command may be issued by the client at any time. It is effectively equivalent to a NOOP (i.e., it has no effect) if issued immediately after EHLO, before EHLO is issued in the session, after an end of data indicator has been sent and acknowledged, or immediately before a QUIT. An SMTP server MUST NOT close the connection as the result of receiving a RSET; that action is reserved for QUIT (see Section 4.1.1.10).

Since EHLO implies some additional processing and response by the server, RSET will normally be more efficient than reissuing that command, even though the formal semantics are the same.

There are circumstances, contrary to the intent of this specification, in which an SMTP server may receive an indication that the underlying TCP connection has been closed or reset. To preserve the robustness of the mail system, SMTP servers SHOULD be prepared for this condition and SHOULD treat it as if a QUIT had been received before the connection disappeared.

Syntax:

```
rset = "RSET" CRLF
```

4.1.1.6. VERIFY (VRFY)

This command asks the receiver to confirm that the argument identifies a user or mailbox. If it is a user name, information is returned as specified in Section 3.5.

This command has no effect on the reverse-path buffer, the forward-path buffer, or the mail data buffer.

Syntax:

```
vrify = "VRFY" SP String CRLF
```

4.1.1.7. EXPAND (EXPN)

This command asks the receiver to confirm that the argument identifies a mailing list, and if so, to return the membership of that list. If the command is successful, a reply is returned containing information as described in Section 3.5. This reply will have multiple lines except in the trivial case of a one-member list.

This command has no effect on the reverse-path buffer, the forward-path buffer, or the mail data buffer, and it may be issued at any time.

Syntax:

```
expn = "EXPN" SP String CRLF
```

4.1.1.8. HELP (HELP)

This command causes the server to send helpful information to the client. The command MAY take an argument (e.g., any command name) and return more specific information as a response.

This command has no effect on the reverse-path buffer, the forward-path buffer, or the mail data buffer, and it may be issued at any time.

SMTP servers SHOULD support HELP without arguments and MAY support it with arguments.

Syntax:

```
help = "HELP" [ SP String ] CRLF
```


4.1.1.9. NOOP (NOOP)

This command does not affect any parameters or previously entered commands. It specifies no action other than that the receiver send a "250 OK" reply.

This command has no effect on the reverse-path buffer, the forward-path buffer, or the mail data buffer, and it may be issued at any time. If a parameter string is specified, servers SHOULD ignore it.

Syntax:

```
noop = "NOOP" [ SP String ] CRLF
```

4.1.1.10. QUIT (QUIT)

This command specifies that the receiver MUST send a "221 OK" reply, and then close the transmission channel.

The receiver MUST NOT intentionally close the transmission channel until it receives and replies to a QUIT command (even if there was an error). The sender MUST NOT intentionally close the transmission channel until it sends a QUIT command, and it SHOULD wait until it receives the reply (even if there was an error response to a previous command). If the connection is closed prematurely due to violations of the above or system or network failure, the server MUST cancel any pending transaction, but not undo any previously completed transaction, and generally MUST act as if the command or transaction in progress had received a temporary error (i.e., a 4yz response).

The QUIT command may be issued at any time. Any current uncompleted mail transaction will be aborted.

Syntax:

```
quit = "QUIT" CRLF
```

4.1.1.11. Mail-Parameter and Rcpt-Parameter Error Responses

If the server SMTP does not recognize or cannot implement one or more of the parameters associated with a particular MAIL FROM or RCPT TO command, it will return code 555:

If, for some reason, the server is temporarily unable to accommodate one or more of the parameters associated with a MAIL FROM or RCPT TO command, and if the definition of the specific parameter does not mandate the use of another code, it should return code 455.

Errors specific to particular parameters and their values will be specified in the parameter's defining RFC.

4.1.2. Command Argument Syntax

The syntax of the argument clauses of the above commands (using the syntax specified in RFC 5234 [7] where applicable) is given below. Some of the productions given below are used only in conjunction with source routes as described in Appendix C. Terminals not defined in this document, such as ALPHA, DIGIT, SP, CR, LF, CRLF, are as defined in the "core" syntax in Section 6 of RFC 5234 [7] or in the message format syntax in RFC 5322 [4].

```
Reverse-path  = Path / "<"

Forward-path  = Path

Path          = "<" [ A-d-l ":" ] Mailbox ">"

A-d-l        = At-domain *( "," At-domain )
              ; Note that this form, the so-called "source
              ; route", MUST BE accepted, SHOULD NOT be
              ; generated, and SHOULD be ignored.

At-domain    = "@" Domain

Mail-parameters = esmtp-param *(SP esmtp-param)

Rcpt-parameters = esmtp-param *(SP esmtp-param)

esmtp-param   = esmtp-keyword ["=" esmtp-value]

esmtp-keyword = (ALPHA / DIGIT) *(ALPHA / DIGIT / "-")

esmtp-value   = 1*(%d33-60 / %d62-126)
              ; any CHAR excluding "=", SP, and control
              ; characters. If this string is an email address,
              ; i.e., a Mailbox, then the "xtext" syntax [32]
              ; SHOULD be used.

Keyword      = Ldh-str

Argument     = Atom

Domain       = sub-domain *( "." sub-domain)
```

```

sub-domain      = Let-dig [Ldh-str]

Let-dig         = ALPHA / DIGIT

Ldh-str         = *( ALPHA / DIGIT / "-" ) Let-dig

address-literal = "[" ( IPv4-address-literal /
                        IPv6-address-literal /
                        General-address-literal ) "]"
                  ; See Section 4.1.3

Mailbox         = Local-part "@" ( Domain / address-literal )

Local-part      = Dot-string / Quoted-string
                  ; MAY be case-sensitive

Dot-string      = Atom *("." Atom)

Atom            = 1*atext

Quoted-string   = DQUOTE *QcontentSMTP DQUOTE

QcontentSMTP    = qtextSMTP / quoted-pairSMTP

quoted-pairSMTP = %d92 %d32-126
                  ; i.e., backslash followed by any ASCII
                  ; graphic (including itself) or SPACE

qtextSMTP       = %d32-33 / %d35-91 / %d93-126
                  ; i.e., within a quoted string, any
                  ; ASCII graphic or space is permitted
                  ; without backslash-quoting except
                  ; double-quote and the backslash itself.

String          = Atom / Quoted-string

```

While the above definition for Local-part is relatively permissive, for maximum interoperability, a host that expects to receive mail SHOULD avoid defining mailboxes where the Local-part requires (or uses) the Quoted-string form or where the Local-part is case-sensitive. For any purposes that require generating or comparing Local-parts (e.g., to specific mailbox names), all quoted forms MUST be treated as equivalent, and the sending system SHOULD transmit the form that uses the minimum quoting possible.

Systems MUST NOT define mailboxes in such a way as to require the use in SMTP of non-ASCII characters (octets with the high order bit set

to one) or ASCII "control characters" (decimal value 0-31 and 127). These characters MUST NOT be used in MAIL or RCPT commands or other commands that require mailbox names.

Note that the backslash, "\", is a quote character, which is used to indicate that the next character is to be used literally (instead of its normal interpretation). For example, "Joe\,Smith" indicates a single nine-character user name string with the comma being the fourth character of that string.

To promote interoperability and consistent with long-standing guidance about conservative use of the DNS in naming and applications (e.g., see Section 2.3.1 of the base DNS document, RFC 1035 [2]), characters outside the set of alphabetic characters, digits, and hyphen MUST NOT appear in domain name labels for SMTP clients or servers. In particular, the underscore character is not permitted. SMTP servers that receive a command in which invalid character codes have been employed, and for which there are no other reasons for rejection, MUST reject that command with a 501 response (this rule, like others, could be overridden by appropriate SMTP extensions).

4.1.3. Address Literals

Sometimes a host is not known to the domain name system and communication (and, in particular, communication to report and repair the error) is blocked. To bypass this barrier, a special literal form of the address is allowed as an alternative to a domain name. For IPv4 addresses, this form uses four small decimal integers separated by dots and enclosed by brackets such as [123.255.37.2], which indicates an (IPv4) Internet Address in sequence-of-octets form. For IPv6 and other forms of addressing that might eventually be standardized, the form consists of a standardized "tag" that identifies the address syntax, a colon, and the address itself, in a format specified as part of the relevant standards (i.e., RFC 4291 [8] for IPv6).

Specifically:

IPv4-address-literal = Snum 3("." Snum)

IPv6-address-literal = "IPv6:" IPv6-addr

General-address-literal = Standardized-tag ":" 1*dcontent

Standardized-tag = Ldh-str

; Standardized-tag MUST be specified in a
; Standards-Track RFC and registered with IANA

`dcontent` = %d33-90 / ; Printable US-ASCII
 %d94-126 ; excl. "[", "\", "]"

`Snum` = 1*3DIGIT
 ; representing a decimal integer
 ; value in the range 0 through 255

`IPv6-addr` = IPv6-full / IPv6-comp / IPv6v4-full / IPv6v4-comp

`IPv6-hex` = 1*4HEXDIG

`IPv6-full` = IPv6-hex 7(":" IPv6-hex)

`IPv6-comp` = [IPv6-hex *5(":" IPv6-hex)] "::<"
 [IPv6-hex *5(":" IPv6-hex)]
 ; The "::<" represents at least 2 16-bit groups of
 ; zeros. No more than 6 groups in addition to the
 ; "::<" may be present.

`IPv6v4-full` = IPv6-hex 5(":" IPv6-hex) ":" IPv4-address-literal

`IPv6v4-comp` = [IPv6-hex *3(":" IPv6-hex)] "::<"
 [IPv6-hex *3(":" IPv6-hex) ":"]
 IPv4-address-literal
 ; The "::<" represents at least 2 16-bit groups of
 ; zeros. No more than 4 groups in addition to the
 ; "::<" and IPv4-address-literal may be present.

4.1.4. Order of Commands

There are restrictions on the order in which these commands may be used.

A session that will contain mail transactions MUST first be initialized by the use of the EHLO command. An SMTP server SHOULD accept commands for non-mail transactions (e.g., VRFY or EXPN) without this initialization.

An EHLO command MAY be issued by a client later in the session. If it is issued after the session begins and the EHLO command is acceptable to the SMTP server, the SMTP server MUST clear all buffers and reset the state exactly as if a RSET command had been issued. In other words, the sequence of RSET followed immediately by EHLO is redundant, but not harmful other than in the performance cost of executing unnecessary commands.

If the EHLO command is not acceptable to the SMTP server, 501, 500, 502, or 550 failure replies MUST be returned as appropriate. The

SMTP server MUST stay in the same state after transmitting these replies that it was in before the EHLO was received.

The SMTP client MUST, if possible, ensure that the domain parameter to the EHLO command is a primary host name as specified for this command in Section 2.3.5. If this is not possible (e.g., when the client's address is dynamically assigned and the client does not have an obvious name), an address literal SHOULD be substituted for the domain name.

An SMTP server MAY verify that the domain name argument in the EHLO command actually corresponds to the IP address of the client. However, if the verification fails, the server MUST NOT refuse to accept a message on that basis. Information captured in the verification attempt is for logging and tracing purposes. Note that this prohibition applies to the matching of the parameter to its IP address only; see Section 7.9 for a more extensive discussion of rejecting incoming connections or mail messages.

The NOOP, HELP, EXPN, VRFY, and RSET commands can be used at any time during a session, or without previously initializing a session. SMTP servers SHOULD process these normally (that is, not return a 503 code) even if no EHLO command has yet been received; clients SHOULD open a session with EHLO before sending these commands.

If these rules are followed, the example in RFC 821 that shows "550 access denied to you" in response to an EXPN command is incorrect unless an EHLO command precedes the EXPN or the denial of access is based on the client's IP address or other authentication or authorization-determining mechanisms.

The MAIL command (or the obsolete SEND, SOML, or SAML commands) begins a mail transaction. Once started, a mail transaction consists of a transaction beginning command, one or more RCPT commands, and a DATA command, in that order. A mail transaction may be aborted by the RSET, a new EHLO, or the QUIT command. There may be zero or more transactions in a session. MAIL (or SEND, SOML, or SAML) MUST NOT be sent if a mail transaction is already open, i.e., it should be sent only if no mail transaction had been started in the session, or if the previous one successfully concluded with a successful DATA command, or if the previous one was aborted, e.g., with a RSET or new EHLO.

If the transaction beginning command argument is not acceptable, a 501 failure reply MUST be returned and the SMTP server MUST stay in the same state. If the commands in a transaction are out of order to the degree that they cannot be processed by the server, a 503 failure

reply MUST be returned and the SMTP server MUST stay in the same state.

The last command in a session MUST be the QUIT command. The QUIT command SHOULD be used by the client SMTP to request connection closure, even when no session opening command was sent and accepted.

4.1.5. Private-Use Commands

As specified in Section 2.2.2, commands starting in "X" may be used by bilateral agreement between the client (sending) and server (receiving) SMTP agents. An SMTP server that does not recognize such a command is expected to reply with "500 Command not recognized". An extended SMTP server MAY list the feature names associated with these private commands in the response to the EHLO command.

Commands sent or accepted by SMTP systems that do not start with "X" MUST conform to the requirements of Section 2.2.2.

4.2. SMTP Replies

Replies to SMTP commands serve to ensure the synchronization of requests and actions in the process of mail transfer and to guarantee that the SMTP client always knows the state of the SMTP server. Every command MUST generate exactly one reply.

The details of the command-reply sequence are described in Section 4.3.

An SMTP reply consists of a three digit number (transmitted as three numeric characters) followed by some text unless specified otherwise in this document. The number is for use by automata to determine what state to enter next; the text is for the human user. The three digits contain enough encoded information that the SMTP client need not examine the text and may either discard it or pass it on to the user, as appropriate. Exceptions are as noted elsewhere in this document. In particular, the 220, 221, 251, 421, and 551 reply codes are associated with message text that must be parsed and interpreted by machines. In the general case, the text may be receiver dependent and context dependent, so there are likely to be varying texts for each reply code. A discussion of the theory of reply codes is given in Section 4.2.1. Formally, a reply is defined to be the sequence: a three-digit code, <SP>, one line of text, and <CRLF>, or a multiline reply (as defined in the same section). Since, in violation of this specification, the text is sometimes not sent, clients that do not receive it SHOULD be prepared to process the code alone (with or without a trailing space character). Only the EHLO, EXPN, and HELP commands are expected to result in multiline replies in normal

circumstances; however, multiline replies are allowed for any command.

In ABNF, server responses are:

```
Greeting      = ( "220 " (Domain / address-literal)
                  [ SP textstring ] CRLF ) /
                  { "220-" (Domain / address-literal)
                    [ SP textstring ] CRLF
                    *( "220-" [ textstring ] CRLF )
                    "220" [ SP textstring ] CRLF )

textstring     = 1*(%d09 / %d32-126) ; HT, SP, Printable US-ASCII

Reply-line     = *( Reply-code "-" [ textstring ] CRLF )
                  Reply-code [ SP textstring ] CRLF

Reply-code     = %x32-35 %x30-35 %x30-39
```

where "Greeting" appears only in the 220 response that announces that the server is opening its part of the connection. (Other possible server responses upon connection follow the syntax of Reply-line.)

An SMTP server SHOULD send only the reply codes listed in this document. An SMTP server SHOULD use the text shown in the examples whenever appropriate.

An SMTP client MUST determine its actions only by the reply code, not by the text (except for the "change of address" 251 and 551 and, if necessary, 220, 221, and 421 replies); in the general case, any text, including no text at all (although senders SHOULD NOT send bare codes), MUST be acceptable. The space (blank) following the reply code is considered part of the text. Whenever possible, a receiver-SMTP SHOULD test the first digit (severity indication) of the reply code.

The list of codes that appears below MUST NOT be construed as permanent. While the addition of new codes should be a rare and significant activity, with supplemental information in the textual part of the response being preferred, new codes may be added as the result of new Standards or Standards-Track specifications. Consequently, a sender-SMTP MUST be prepared to handle codes not specified in this document and MUST do so by interpreting the first digit only.

In the absence of extensions negotiated with the client, SMTP servers MUST NOT send reply codes whose first digits are other than 2, 3, 4,

or 5. Clients that receive such out-of-range codes SHOULD normally treat them as fatal errors and terminate the mail transaction.

4.2.1. Reply Code Severities and Theory

The three digits of the reply each have a special significance. The first digit denotes whether the response is good, bad, or incomplete. An unsophisticated SMTP client, or one that receives an unexpected code, will be able to determine its next action (proceed as planned, redo, retrench, etc.) by examining this first digit. An SMTP client that wants to know approximately what kind of error occurred (e.g., mail system error, command syntax error) may examine the second digit. The third digit and any supplemental information that may be present is reserved for the finest gradation of information.

There are four values for the first digit of the reply code:

2yz Positive Completion reply

The requested action has been successfully completed. A new request may be initiated.

3yz Positive Intermediate reply

The command has been accepted, but the requested action is being held in abeyance, pending receipt of further information. The SMTP client should send another command specifying this information. This reply is used in command sequence groups (i.e., in DATA).

4yz Transient Negative Completion reply

The command was not accepted, and the requested action did not occur. However, the error condition is temporary, and the action may be requested again. The sender should return to the beginning of the command sequence (if any). It is difficult to assign a meaning to "transient" when two different sites (receiver- and sender-SMTP agents) must agree on the interpretation. Each reply in this category might have a different time value, but the SMTP client SHOULD try again. A rule of thumb to determine whether a reply fits into the 4yz or the 5yz category (see below) is that replies are 4yz if they can be successful if repeated without any change in command form or in properties of the sender or receiver (that is, the command is repeated identically and the receiver does not put up a new implementation).

5yz Permanent Negative Completion reply

The command was not accepted and the requested action did not occur. The SMTP client SHOULD NOT repeat the exact request (in the same sequence). Even some "permanent" error conditions can be corrected, so the human user may want to direct the SMTP client to

reinitiate the command sequence by direct action at some point in the future (e.g., after the spelling has been changed, or the user has altered the account status).

It is worth noting that the file transfer protocol (FTP) [34] uses a very similar code architecture and that the SMTP codes are based on the FTP model. However, SMTP uses a one-command, one-response model (while FTP is asynchronous) and FTP's lyz codes are not part of the SMTP model.

The second digit encodes responses in specific categories:

- x0z Syntax: These replies refer to syntax errors, syntactically correct commands that do not fit any functional category, and unimplemented or superfluous commands.
- x1z Information: These are replies to requests for information, such as status or help.
- x2z Connections: These are replies referring to the transmission channel.
- x3z Unspecified.
- x4z Unspecified.
- x5z Mail system: These replies indicate the status of the receiver mail system vis-a-vis the requested transfer or other mail system action.

The third digit gives a finer gradation of meaning in each category specified by the second digit. The list of replies illustrates this. Each reply text is recommended rather than mandatory, and may even change according to the command with which it is associated. On the other hand, the reply codes must strictly follow the specifications in this section. Receiver implementations should not invent new codes for slightly different situations from the ones described here, but rather adapt codes already defined.

For example, a command such as NOOP, whose successful execution does not offer the SMTP client any new information, will return a 250 reply. The reply is 502 when the command requests an unimplemented non-site-specific action. A refinement of that is the 504 reply for a command that is implemented, but that requests an unimplemented parameter.

The reply text may be longer than a single line; in these cases the complete text must be marked so the SMTP client knows when it can stop reading the reply. This requires a special format to indicate a multiple line reply.

The format for multiline replies requires that every line, except the last, begin with the reply code, followed immediately by a hyphen, "-" (also known as minus), followed by text. The last line will begin with the reply code, followed immediately by <SP>, optionally some text, and <CRLF>. As noted above, servers SHOULD send the <SP> if subsequent text is not sent, but clients MUST be prepared for it to be omitted.

For example:

```
250-First line
250-Second line
250-234 Text beginning with numbers
250 The last line
```

In a multiline reply, the reply code on each of the lines MUST be the same. It is reasonable for the client to rely on this, so it can make processing decisions based on the code in any line, assuming that all others will be the same. In a few cases, there is important data for the client in the reply "text". The client will be able to identify these cases from the current context.

4.2.2. Reply Codes by Function Groups

- 500 Syntax error, command unrecognized (This may include errors such as command line too long)
- 501 Syntax error in parameters or arguments
- 502 Command not implemented (see Section 4.2.4)
- 503 Bad sequence of commands
- 504 Command parameter not implemented

- 211 System status, or system help reply

- 214 Help message (Information on how to use the receiver or the meaning of a particular non-standard command; this reply is useful only to the human user)

- 220 <domain> Service ready
- 221 <domain> Service closing transmission channel
- 421 <domain> Service not available, closing transmission channel
(This may be a reply to any command if the service knows it must shut down)
- 250 Requested mail action okay, completed
- 251 User not local; will forward to <forward-path> (See Section 3.4)
- 252 Cannot VRFY user, but will accept message and attempt delivery
(See Section 3.5.3)
- 455 Server unable to accommodate parameters
- 555 MAIL FROM/RCPT TO parameters not recognized or not implemented
- 450 Requested mail action not taken: mailbox unavailable (e.g., mailbox busy or temporarily blocked for policy reasons)
- 550 Requested action not taken: mailbox unavailable (e.g., mailbox not found, no access, or command rejected for policy reasons)
- 451 Requested action aborted: error in processing
- 551 User not local; please try <forward-path> (See Section 3.4)
- 452 Requested action not taken: insufficient system storage
- 552 Requested mail action aborted: exceeded storage allocation
- 553 Requested action not taken: mailbox name not allowed (e.g., mailbox syntax incorrect)
- 354 Start mail input; end with <CRLF>.<CRLF>
- 554 Transaction failed (Or, in the case of a connection-opening response, "No SMTP service here")

4.2.3. Reply Codes in Numeric Order

- 211 System status, or system help reply
- 214 Help message (Information on how to use the receiver or the meaning of a particular non-standard command; this reply is useful only to the human user)
- 220 <domain> Service ready
- 221 <domain> Service closing transmission channel
- 250 Requested mail action okay, completed
- 251 User not local; will forward to <forward-path> (See Section 3.4)
- 252 Cannot VRFY user, but will accept message and attempt delivery (See Section 3.5.3)
- 354 Start mail input; end with <CRLF>.<CRLF>
- 421 <domain> Service not available, closing transmission channel (This may be a reply to any command if the service knows it must shut down)
- 450 Requested mail action not taken: mailbox unavailable (e.g., mailbox busy or temporarily blocked for policy reasons)
- 451 Requested action aborted: local error in processing
- 452 Requested action not taken: insufficient system storage
- 455 Server unable to accommodate parameters
- 500 Syntax error, command unrecognized (This may include errors such as command line too long)
- 501 Syntax error in parameters or arguments
- 502 Command not implemented (see Section 4.2.4)
- 503 Bad sequence of commands
- 504 Command parameter not implemented
- 550 Requested action not taken: mailbox unavailable (e.g., mailbox not found, no access, or command rejected for policy reasons)

- 551 User not local; please try <forward-path> (See Section 3.4)
- 552 Requested mail action aborted: exceeded storage allocation
- 553 Requested action not taken; mailbox name not allowed (e.g., mailbox syntax incorrect)
- 554 Transaction failed (Or, in the case of a connection-opening response, "No SMTP service here")
- 555. MAIL FROM/RCPT TO parameters not recognized or not implemented

4.2.4. Reply Code 502

Questions have been raised as to when reply code 502 (Command not implemented) SHOULD be returned in preference to other codes. 502 SHOULD be used when the command is actually recognized by the SMTP server, but not implemented. If the command is not recognized, code 500 SHOULD be returned. Extended SMTP systems MUST NOT list capabilities in response to EHLO for which they will return 502 (or 500) replies.

4.2.5. Reply Codes after DATA and the Subsequent <CRLF>.<CRLF>

When an SMTP server returns a positive completion status (2yz code) after the DATA command is completed with <CRLF>.<CRLF>, it accepts responsibility for:

- o delivering the message (if the recipient mailbox exists), or
- o if attempts to deliver the message fail due to transient conditions, retrying delivery some reasonable number of times at intervals as specified in Section 4.5.4.
- o if attempts to deliver the message fail due to permanent conditions, or if repeated attempts to deliver the message fail due to transient conditions, returning appropriate notification to the sender of the original message (using the address in the SMTP MAIL command).

When an SMTP server returns a temporary error status (4yz) code after the DATA command is completed with <CRLF>.<CRLF>, it MUST NOT make a subsequent attempt to deliver that message. The SMTP client retains responsibility for the delivery of that message and may either return it to the user or requeue it for a subsequent attempt (see Section 4.5.4.1).

The user who originated the message SHOULD be able to interpret the return of a transient failure status (by mail message or otherwise) as a non-delivery indication, just as a permanent failure would be interpreted. If the client SMTP successfully handles these conditions, the user will not receive such a reply.

When an SMTP server returns a permanent error status (5yz) code after the DATA command is completed with <CRLF>.<CRLF>, it MUST NOT make any subsequent attempt to deliver the message. As with temporary error status codes, the SMTP client retains responsibility for the message, but SHOULD not again attempt delivery to the same server without user review of the message and response and appropriate intervention.

4.3. Sequencing of Commands and Replies

4.3.1. Sequencing Overview

The communication between the sender and receiver is an alternating dialogue, controlled by the sender. As such, the sender issues a command and the receiver responds with a reply. Unless other arrangements are negotiated through service extensions, the sender MUST wait for this response before sending further commands. One important reply is the connection greeting. Normally, a receiver will send a 220 "Service ready" reply when the connection is completed. The sender SHOULD wait for this greeting message before sending any commands.

Note: all the greeting-type replies have the official name (the fully-qualified primary domain name) of the server host as the first word following the reply code. Sometimes the host will have no meaningful name. See Section 4.1.3 for a discussion of alternatives in these situations.

For example,

```
220 ISIF.USC.EDU Service ready
```

or

```
220 mail.example.com SuperSMTP v 6.1.2 Service ready
```

or

```
220 [10.0.0.1] Clueless host service ready
```

The table below lists alternative success and failure replies for each command. These SHOULD be strictly adhered to. A receiver MAY

substitute text in the replies, but the meanings and actions implied by the code numbers and by the specific command reply sequence MUST be preserved.

4.3.2. Command-Reply Sequences

Each command is listed with its usual possible replies. The prefixes used before the possible replies are "I" for intermediate, "S" for success, and "E" for error. Since some servers may generate other replies under special circumstances, and to allow for future extension, SMTP clients SHOULD, when possible, interpret only the first digit of the reply and MUST be prepared to deal with unrecognized reply codes by interpreting the first digit only. Unless extended using the mechanisms described in Section 2.2, SMTP servers MUST NOT transmit reply codes to an SMTP client that are other than three digits or that do not start in a digit between 2 and 5 inclusive.

These sequencing rules and, in principle, the codes themselves, can be extended or modified by SMTP extensions offered by the server and accepted (requested) by the client. However, if the target is more precise granularity in the codes, rather than codes for completely new purposes, the system described in RFC 3463 [25] SHOULD be used in preference to the invention of new codes.

In addition to the codes listed below, any SMTP command can return any of the following codes if the corresponding unusual circumstances are encountered:

- 500 For the "command line too long" case or if the command name was not recognized. Note that producing a "command not recognized" error in response to the required subset of these commands is a violation of this specification. Similarly, producing a "command too long" message for a command line shorter than 512 characters would violate the provisions of Section 4.5.3.1.4.
- 501 Syntax error in command or arguments. In order to provide for future extensions, commands that are specified in this document as not accepting arguments (DATA, RSET, QUIT) SHOULD return a 501 message if arguments are supplied in the absence of EHLO-advertised extensions.
- 421 Service shutting down and closing transmission channel

Specific sequences are:

CONNECTION ESTABLISHMENT

S: 220
E: 554

EHLO or HELO

S: 250
E: 504 (a conforming implementation could return this code only in fairly obscure cases), 550, 502 (permitted only with an old-style server that does not support EHLO)

MAIL

S: 250
E: 552, 451, 452, 550, 553, 503, 455, 555

RCPT

S: 250, 251 (but see Section 3.4 for discussion of 251 and 551)
E: 550, 551, 552, 553, 450, 451, 452, 503, 455, 555

DATA

I: 354 -> data -> S: 250
E: 552, 554, 451, 452
E: 450, 550 (rejections for policy reasons)
E: 503, 554

RSET

S: 250

VERFY

S: 250, 251, 252
E: 550, 551, 553, 502, 504

EXPN

S: 250, 252
E: 550, 500, 502, 504

HELP

S: 211, 214

E: 502, 504

NOOP

S: 250

QUIT

S: 221

4.4. Trace Information

When an SMTP server receives a message for delivery or further processing, it MUST insert trace ("time stamp" or "Received") information at the beginning of the message content, as discussed in Section 4.1.1.4.

This line MUST be structured as follows:

- o The FROM clause, which MUST be supplied in an SMTP environment, SHOULD contain both (1) the name of the source host as presented in the EHLO command and (2) an address literal containing the IP address of the source, determined from the TCP connection.
- o The ID clause MAY contain an "@" as suggested in RFC 822, but this is not required.
- o If the FOR clause appears, it MUST contain exactly one <path> entry, even when multiple RCPT commands have been given. Multiple <path>s raise some security issues and have been deprecated, see Section 7.2.

An Internet mail program MUST NOT change or delete a Received: line that was previously added to the message header section. SMTP servers MUST prepend Received lines to messages; they MUST NOT change the order of existing lines or insert Received lines in any other location.

As the Internet grows, comparability of Received header fields is important for detecting problems, especially slow relays. SMTP servers that create Received header fields SHOULD use explicit offsets in the dates (e.g., -0800), rather than time zone names of any type. Local time (with an offset) SHOULD be used rather than UT when feasible. This formulation allows slightly more information about local circumstances to be specified. If UT is needed, the

receiver need merely do some simple arithmetic to convert the values. Use of UT loses information about the time zone-location of the server. If it is desired to supply a time zone name, it SHOULD be included in a comment.

When the delivery SMTP server makes the "final delivery" of a message, it inserts a return-path line at the beginning of the mail data. This use of return-path is required; mail systems MUST support it. The return-path line preserves the information in the <reverse-path> from the MAIL command. Here, final delivery means the message has left the SMTP environment. Normally, this would mean it had been delivered to the destination user or an associated mail drop, but in some cases it may be further processed and transmitted by another mail system.

It is possible for the mailbox in the return path to be different from the actual sender's mailbox, for example, if error responses are to be delivered to a special error handling mailbox rather than to the message sender. When mailing lists are involved, this arrangement is common and useful as a means of directing errors to the list maintainer rather than the message originator.

The text above implies that the final mail data will begin with a return path line, followed by one or more time stamp lines. These lines will be followed by the rest of the mail data: first the balance of the mail header section and then the body (RFC 5322 [4]).

It is sometimes difficult for an SMTP server to determine whether or not it is making final delivery since forwarding or other operations may occur after the message is accepted for delivery. Consequently, any further (forwarding, gateway, or relay) systems MAY remove the return path and rebuild the MAIL command as needed to ensure that exactly one such line appears in a delivered message.

A message-originating SMTP system SHOULD NOT send a message that already contains a Return-path header field. SMTP servers performing a relay function MUST NOT inspect the message data, and especially not to the extent needed to determine if Return-path header fields are present. SMTP servers making final delivery MAY remove Return-path header fields before adding their own.

The primary purpose of the Return-path is to designate the address to which messages indicating non-delivery or other mail system failures are to be sent. For this to be unambiguous, exactly one return path SHOULD be present when the message is delivered. Systems using RFC 822 syntax with non-SMTP transports SHOULD designate an unambiguous address, associated with the transport envelope, to which error reports (e.g., non-delivery messages) should be sent.

Historical note: Text in RFC 822 that appears to contradict the use of the Return-path header field (or the envelope reverse-path address from the MAIL command) as the destination for error messages is not applicable on the Internet. The reverse-path address (as copied into the Return-path) MUST be used as the target of any mail containing delivery error messages.

In particular:

- o a gateway from SMTP -> elsewhere SHOULD insert a return-path header field, unless it is known that the "elsewhere" transport also uses Internet domain addresses and maintains the envelope sender address separately.
- o a gateway from elsewhere -> SMTP SHOULD delete any return-path header field present in the message, and either copy that information to the SMTP envelope or combine it with information present in the envelope of the other transport system to construct the reverse-path argument to the MAIL command in the SMTP envelope.

The server must give special treatment to cases in which the processing following the end of mail data indication is only partially successful. This could happen if, after accepting several recipients and the mail data, the SMTP server finds that the mail data could be successfully delivered to some, but not all, of the recipients. In such cases, the response to the DATA command MUST be an OK reply. However, the SMTP server MUST compose and send an "undeliverable mail" notification message to the originator of the message.

A single notification listing all of the failed recipients or separate notification messages MUST be sent for each failed recipient. For economy of processing by the sender, the former SHOULD be used when possible. Note that the key difference between handling aliases (Section 3.9.1) and forwarding (this subsection) is the change to the backward-pointing address in this case. All notification messages about undeliverable mail MUST be sent using the MAIL command (even if they result from processing the obsolete SEND, SOML, or SAML commands) and MUST use a null return path as discussed in Section 3.6.

The time stamp line and the return path line are formally defined as follows (the definitions for "FWS" and "CFWS" appear in RFC 5322 [4]):

Return-path-line = "Return-Path:" FWS Reverse-path <CRLF>

Time-stamp-line = "Received:" FWS Stamp <CRLF>

Stamp = From-domain By-domain Opt-info [CFWS] ";"
FWS date-time
; where "date-time" is as defined in RFC 5322 [4]
; but the "obs-" forms, especially two-digit
; years, are prohibited in SMTP and MUST NOT be used.

From-domain = "FROM" FWS Extended-Domain

By-domain = CFWS "BY" FWS Extended-Domain

Extended-Domain = Domain /
(Domain FWS "(" TCP-info ")") /
(address-literal FWS "(" TCP-info ")")

TCP-info = address-literal / (Domain FWS address-literal)
; Information derived by server from TCP connection
; not client EHLO.

Opt-info = [Via] [With] [ID] [For]
[Additional-Registered-Clauses]

Via = CFWS "VIA" FWS Link

With = CFWS "WITH" FWS Protocol

ID = CFWS "ID" FWS (Atom / msg-id)
; msg-id is defined in RFC 5322 [4]

For = CFWS "FOR" FWS (Path / Mailbox)

Additional-Registered-Clauses = CFWS Atom FWS String
; Additional standard clauses may be
added in this
; location by future standards and
registration with
; IANA. SMTP servers SHOULD NOT use
unregistered
; names. See Section 8.

Link = "TCP" / Addtl-Link

Addtl-Link = Atom
; Additional standard names for links are
; registered with the Internet Assigned Numbers
; Authority (IANA). "Via" is primarily of value
; with non-Internet transports. SMTP servers
; SHOULD NOT use unregistered names.

Protocol = "ESMTP" / "SMTP" / Attdl-Protocol

Attdl-Protocol = Atom

; Additional standard names for protocols are
; registered with the Internet Assigned Numbers
; Authority (IANA) in the "mail.parameters"
; registry [9]. SMTP servers SHOULD NOT
; use unregistered names.

4.5. Additional Implementation Issues

4.5.1. Minimum Implementation

In order to make SMTP workable, the following minimum implementation MUST be provided by all receivers. The following commands MUST be supported to conform to this specification:

EHLO
HELO
MAIL
RCPT
DATA
RSET
NOOP
QUIT
VRFY

Any system that includes an SMTP server supporting mail relaying or delivery MUST support the reserved mailbox "postmaster" as a case-insensitive local name. This postmaster address is not strictly necessary if the server always returns 554 on connection opening (as described in Section 3.1). The requirement to accept mail for postmaster implies that RCPT commands that specify a mailbox for postmaster at any of the domains for which the SMTP server provides mail service, as well as the special case of "RCPT TO:<Postmaster>" (with no domain specification), MUST be supported.

SMTP systems are expected to make every reasonable effort to accept mail directed to Postmaster from any other system on the Internet. In extreme cases -- such as to contain a denial of service attack or other breach of security -- an SMTP server may block mail directed to Postmaster. However, such arrangements SHOULD be narrowly tailored so as to avoid blocking messages that are not part of such attacks.

4.5.2. Transparency

Without some provision for data transparency, the character sequence "<CRLF>.<CRLF>" ends the mail text and cannot be sent by the user. In general, users are not aware of such "forbidden" sequences. To allow all user composed text to be transmitted transparently, the following procedures are used:

- o Before sending a line of mail text, the SMTP client checks the first character of the line. If it is a period, one additional period is inserted at the beginning of the line.
- o When a line of mail text is received by the SMTP server, it checks the line. If the line is composed of a single period, it is treated as the end of mail indicator. If the first character is a period and there are other characters on the line, the first character is deleted.

The mail data may contain any of the 128 ASCII characters. All characters are to be delivered to the recipient's mailbox, including spaces, vertical and horizontal tabs, and other control characters. If the transmission channel provides an 8-bit byte (octet) data stream, the 7-bit ASCII codes are transmitted, right justified, in the octets, with the high-order bits cleared to zero. See Section 3.6 for special treatment of these conditions in SMTP systems serving a relay function.

In some systems, it may be necessary to transform the data as it is received and stored. This may be necessary for hosts that use a different character set than ASCII as their local character set, that store data in records rather than strings, or which use special character sequences as delimiters inside mailboxes. If such transformations are necessary, they MUST be reversible, especially if they are applied to mail being relayed.

4.5.3. Sizes and Timeouts

4.5.3.1. Size Limits and Minimums

There are several objects that have required minimum/maximum sizes. Every implementation MUST be able to receive objects of at least these sizes. Objects larger than these sizes SHOULD be avoided when possible. However, some Internet mail constructs such as encoded X.400 addresses (RFC 2156 [35]) will often require larger objects. Clients MAY attempt to transmit these, but MUST be prepared for a server to reject them if they cannot be handled by it. To the maximum extent possible, implementation techniques that impose no limits on the length of these objects should be used.

Extensions to SMTP may involve the use of characters that occupy more than a single octet each. This section therefore specifies lengths in octets where absolute lengths, rather than character counts, are intended.

4.5.3.1.1. Local-part

The maximum total length of a user name or other local-part is 64 octets.

4.5.3.1.2. Domain

The maximum total length of a domain name or number is 255 octets.

4.5.3.1.3. Path

The maximum total length of a reverse-path or forward-path is 256 octets (including the punctuation and element separators).

4.5.3.1.4. Command Line

The maximum total length of a command line including the command word and the <CRLF> is 512 octets. SMTP extensions may be used to increase this limit.

4.5.3.1.5. Reply Line

The maximum total length of a reply line including the reply code and the <CRLF> is 512 octets. More information may be conveyed through multiple-line replies.

4.5.3.1.6. Text Line

The maximum total length of a text line including the <CRLF> is 1000 octets (not counting the leading dot duplicated for transparency). This number may be increased by the use of SMTP Service Extensions.

4.5.3.1.7. Message Content

The maximum total length of a message content (including any message header section as well as the message body) MUST BE at least 64K octets. Since the introduction of Internet Standards for multimedia mail (RFC 2045 [21]), message lengths on the Internet have grown dramatically, and message size restrictions should be avoided if at all possible. SMTP server systems that must impose restrictions SHOULD implement the "SIZE" service extension of RFC 1870 [10], and SMTP client systems that will send large messages SHOULD utilize it when possible.

4.5.3.1.8. Recipients Buffer

The minimum total number of recipients that MUST be buffered is 100 recipients. Rejection of messages (for excessive recipients) with fewer than 100 RCPT commands is a violation of this specification. The general principle that relaying SMTP server MUST NOT, and delivery SMTP servers SHOULD NOT, perform validation tests on message header fields suggests that messages SHOULD NOT be rejected based on the total number of recipients shown in header fields. A server that imposes a limit on the number of recipients MUST behave in an orderly fashion, such as rejecting additional addresses over its limit rather than silently discarding addresses previously accepted. A client that needs to deliver a message containing over 100 RCPT commands SHOULD be prepared to transmit in 100-recipient "chunks" if the server declines to accept more than 100 recipients in a single message.

4.5.3.1.9. Treatment When Limits Exceeded

Errors due to exceeding these limits may be reported by using the reply codes. Some examples of reply codes are:

500 Line too long.

or

501 Path too long

or

452 Too many recipients (see below)

or

552 Too much mail data.

4.5.3.1.10. Too Many Recipients Code

RFC 821 [1] incorrectly listed the error where an SMTP server exhausts its implementation limit on the number of RCPT commands ("too many recipients") as having reply code 552. The correct reply code for this condition is 452. Clients SHOULD treat a 552 code in this case as a temporary, rather than permanent, failure so the logic below works.

When a conforming SMTP server encounters this condition, it has at least 100 successful RCPT commands in its recipients buffer. If the server is able to accept the message, then at least these 100

addresses will be removed from the SMTP client's queue. When the client attempts retransmission of those addresses that received 452 responses, at least 100 of these will be able to fit in the SMTP server's recipients buffer. Each retransmission attempt that is able to deliver anything will be able to dispose of at least 100 of these recipients.

If an SMTP server has an implementation limit on the number of RCPT commands and this limit is exhausted, it MUST use a response code of 452 (but the client SHOULD also be prepared for a 552, as noted above). If the server has a configured site-policy limitation on the number of RCPT commands, it MAY instead use a 5yz response code. In particular, if the intent is to prohibit messages with more than a site-specified number of recipients, rather than merely limit the number of recipients in a given mail transaction, it would be reasonable to return a 503 response to any DATA command received subsequent to the 452 (or 552) code or to simply return the 503 after DATA without returning any previous negative response.

4.5.3.2. Timeouts

An SMTP client MUST provide a timeout mechanism. It MUST use per-command timeouts rather than somehow trying to time the entire mail transaction. Timeouts SHOULD be easily reconfigurable, preferably without recompiling the SMTP code. To implement this, a timer is set for each SMTP command and for each buffer of the data transfer. The latter means that the overall timeout is inherently proportional to the size of the message.

Based on extensive experience with busy mail-relay hosts, the minimum per-command timeout values SHOULD be as follows:

4.5.3.2.1. Initial 220 Message: 5 Minutes

An SMTP client process needs to distinguish between a failed TCP connection and a delay in receiving the initial 220 greeting message. Many SMTP servers accept a TCP connection but delay delivery of the 220 message until their system load permits more mail to be processed.

4.5.3.2.2. MAIL Command: 5 Minutes

4.5.3.2.3. RCPT Command: 5 Minutes

A longer timeout is required if processing of mailing lists and aliases is not deferred until after the message was accepted.

4.5.3.2.4. DATA Initiation: 2 Minutes

This is while awaiting the "354 Start Input" reply to a DATA command.

4.5.3.2.5. Data Block: 3 Minutes

This is while awaiting the completion of each TCP SEND call transmitting a chunk of data.

4.5.3.2.6. DATA Termination: 10 Minutes.

This is while awaiting the "250 OK" reply. When the receiver gets the final period terminating the message data, it typically performs processing to deliver the message to a user mailbox. A spurious timeout at this point would be very wasteful and would typically result in delivery of multiple copies of the message, since it has been successfully sent and the server has accepted responsibility for delivery. See Section 6.1 for additional discussion.

4.5.3.2.7. Server Timeout: 5 Minutes.

An SMTP server SHOULD have a timeout of at least 5 minutes while it is awaiting the next command from the sender.

4.5.4. Retry Strategies

The common structure of a host SMTP implementation includes user mailboxes, one or more areas for queuing messages in transit, and one or more daemon processes for sending and receiving mail. The exact structure will vary depending on the needs of the users on the host and the number and size of mailing lists supported by the host. We describe several optimizations that have proved helpful, particularly for mailers supporting high traffic levels.

Any queuing strategy MUST include timeouts on all activities on a per-command basis. A queuing strategy MUST NOT send error messages in response to error messages under any circumstances.

4.5.4.1. Sending Strategy

The general model for an SMTP client is one or more processes that periodically attempt to transmit outgoing mail. In a typical system, the program that composes a message has some method for requesting immediate attention for a new piece of outgoing mail, while mail that cannot be transmitted immediately MUST be queued and periodically retried by the sender. A mail queue entry will include not only the message itself but also the envelope information.

The sender **MUST** delay retrying a particular destination after one attempt has failed. In general, the retry interval **SHOULD** be at least 30 minutes; however, more sophisticated and variable strategies will be beneficial when the SMTP client can determine the reason for non-delivery.

Retries continue until the message is transmitted or the sender gives up; the give-up time generally needs to be at least 4-5 days. It **MAY** be appropriate to set a shorter maximum number of retries for non-delivery notifications and equivalent error messages than for standard messages. The parameters to the retry algorithm **MUST** be configurable.

A client **SHOULD** keep a list of hosts it cannot reach and corresponding connection timeouts, rather than just retrying queued mail items.

Experience suggests that failures are typically transient (the target system or its connection has crashed), favoring a policy of two connection attempts in the first hour the message is in the queue, and then backing off to one every two or three hours.

The SMTP client can shorten the queuing delay in cooperation with the SMTP server. For example, if mail is received from a particular address, it is likely that mail queued for that host can now be sent. Application of this principle may, in many cases, eliminate the requirement for an explicit "send queues now" function such as ETRN, RFC 1985 [36].

The strategy may be further modified as a result of multiple addresses per host (see below) to optimize delivery time versus resource usage.

An SMTP client may have a large queue of messages for each unavailable destination host. If all of these messages were retried in every retry cycle, there would be excessive Internet overhead and the sending system would be blocked for a long period. Note that an SMTP client can generally determine that a delivery attempt has failed only after a timeout of several minutes, and even a one-minute timeout per connection will result in a very large delay if retries are repeated for dozens, or even hundreds, of queued messages to the same host.

At the same time, SMTP clients **SHOULD** use great care in caching negative responses from servers. In an extreme case, if EHLO is issued multiple times during the same SMTP connection, different answers may be returned by the server. More significantly, 5yz responses to the MAIL command **MUST NOT** be cached.

When a mail message is to be delivered to multiple recipients, and the SMTP server to which a copy of the message is to be sent is the same for multiple recipients, then only one copy of the message SHOULD be transmitted. That is, the SMTP client SHOULD use the command sequence: MAIL, RCPT, RCPT, ..., RCPT, DATA instead of the sequence: MAIL, RCPT, DATA, ..., MAIL, RCPT, DATA. However, if there are very many addresses, a limit on the number of RCPT commands per MAIL command MAY be imposed. This efficiency feature SHOULD be implemented.

Similarly, to achieve timely delivery, the SMTP client MAY support multiple concurrent outgoing mail transactions. However, some limit may be appropriate to protect the host from devoting all its resources to mail.

4.5.4.2. Receiving Strategy

The SMTP server SHOULD attempt to keep a pending listen on the SMTP port (specified by IANA as port 25) at all times. This requires the support of multiple incoming TCP connections for SMTP. Some limit MAY be imposed, but servers that cannot handle more than one SMTP transaction at a time are not in conformance with the intent of this specification.

As discussed above, when the SMTP server receives mail from a particular host address, it could activate its own SMTP queuing mechanisms to retry any mail pending for that host address.

4.5.5. Messages with a Null Reverse-Path

There are several types of notification messages that are required by existing and proposed Standards to be sent with a null reverse-path, namely non-delivery notifications as discussed in Section 3.7, other kinds of Delivery Status Notifications (DSNs, RFC 3461 [32]), and Message Disposition Notifications (MDNs, RFC 3798 [37]). All of these kinds of messages are notifications about a previous message, and they are sent to the reverse-path of the previous mail message. (If the delivery of such a notification message fails, that usually indicates a problem with the mail system of the host to which the notification message is addressed. For this reason, at some hosts the MTA is set up to forward such failed notification messages to someone who is able to fix problems with the mail system, e.g., via the postmaster alias.)

All other types of messages (i.e., any message which is not required by a Standards-Track RFC to have a null reverse-path) SHOULD be sent with a valid, non-null reverse-path.

Implementers of automated email processors should be careful to make sure that the various kinds of messages with a null reverse-path are handled correctly. In particular, such systems SHOULD NOT reply to messages with a null reverse-path, and they SHOULD NOT add a non-null reverse-path, or change a null reverse-path to a non-null one, to such messages when forwarding.

5. Address Resolution and Mail Handling

5.1. Locating the Target Host

Once an SMTP client lexically identifies a domain to which mail will be delivered for processing (as described in Sections 2.3.5 and 3.6), a DNS lookup MUST be performed to resolve the domain name (RFC 1035 [2]). The names are expected to be fully-qualified domain names (FQDNs): mechanisms for inferring FQDNs from partial names or local aliases are outside of this specification. Due to a history of problems, SMTP servers used for initial submission of messages SHOULD NOT make such inferences (Message Submission Servers [18] have somewhat more flexibility) and intermediate (relay) SMTP servers MUST NOT make them.

The lookup first attempts to locate an MX record associated with the name. If a CNAME record is found, the resulting name is processed as if it were the initial name. If a non-existent domain error is returned, this situation MUST be reported as an error. If a temporary error is returned, the message MUST be queued and retried later (see Section 4.5.4.1). If an empty list of MXs is returned, the address is treated as if it was associated with an implicit MX RR, with a preference of 0, pointing to that host. If MX records are present, but none of them are usable, or the implicit MX is unusable, this situation MUST be reported as an error.

If one or more MX RRs are found for a given name, SMTP systems MUST NOT utilize any address RRs associated with that name unless they are located using the MX RRs; the "implicit MX" rule above applies only if there are no MX records present. If MX records are present, but none of them are usable, this situation MUST be reported as an error.

When a domain name associated with an MX RR is looked up and the associated data field obtained, the data field of that response MUST contain a domain name. That domain name, when queried, MUST return at least one address record (e.g., A or AAAA RR) that gives the IP address of the SMTP server to which the message should be directed. Any other response, specifically including a value that will return a CNAME record when queried, lies outside the scope of this Standard. The prohibition on labels in the data that resolve to CNAMEs is discussed in more detail in RFC 2181, Section 10.3 [38].

When the lookup succeeds, the mapping can result in a list of alternative delivery addresses rather than a single address, because of multiple MX records, multihoming, or both. To provide reliable mail transmission, the SMTP client MUST be able to try (and retry) each of the relevant addresses in this list in order, until a delivery attempt succeeds. However, there MAY also be a configurable limit on the number of alternate addresses that can be tried. In any case, the SMTP client SHOULD try at least two addresses.

Two types of information are used to rank the host addresses: multiple MX records, and multihomed hosts.

MX records contain a preference indication that MUST be used in sorting if more than one such record appears (see below). Lower numbers are more preferred than higher ones. If there are multiple destinations with the same preference and there is no clear reason to favor one (e.g., by recognition of an easily reached address), then the sender-SMTP MUST randomize them to spread the load across multiple mail exchangers for a specific organization.

The destination host (perhaps taken from the preferred MX record) may be multihomed, in which case the domain name resolver will return a list of alternative IP addresses. It is the responsibility of the domain name resolver interface to have ordered this list by decreasing preference if necessary, and the SMTP sender MUST try them in the order presented.

Although the capability to try multiple alternative addresses is required, specific installations may want to limit or disable the use of alternative addresses. The question of whether a sender should attempt retries using the different addresses of a multihomed host has been controversial. The main argument for using the multiple addresses is that it maximizes the probability of timely delivery, and indeed sometimes the probability of any delivery; the counter-argument is that it may result in unnecessary resource use. Note that resource use is also strongly determined by the sending strategy discussed in Section 4.5.4.1.

If an SMTP server receives a message with a destination for which it is a designated Mail eXchanger, it MAY relay the message (potentially after having rewritten the MAIL FROM and/or RCPT TO addresses), make final delivery of the message, or hand it off using some mechanism outside the SMTP-provided transport environment. Of course, neither of the latter require that the list of MX records be examined further.

If it determines that it should relay the message without rewriting the address, it MUST sort the MX records to determine candidates for

delivery. The records are first ordered by preference, with the lowest-numbered records being most preferred. The relay host MUST then inspect the list for any of the names or addresses by which it might be known in mail transactions. If a matching record is found, all records at that preference level and higher-numbered ones MUST be discarded from consideration. If there are no records left at that point, it is an error condition, and the message MUST be returned as undeliverable. If records do remain, they SHOULD be tried, best preference first, as described above.

5.2. IPv6 and MX Records

In the contemporary Internet, SMTP clients and servers may be hosted on IPv4 systems, IPv6 systems, or dual-stack systems that are compatible with either version of the Internet Protocol. The host domains to which MX records point may, consequently, contain "A RR"s (IPv4), "AAAA RR"s (IPv6), or any combination of them. While RFC 3974 [39] discusses some operational experience in mixed environments, it was not comprehensive enough to justify standardization, and some of its recommendations appear to be inconsistent with this specification. The appropriate actions to be taken either will depend on local circumstances, such as performance of the relevant networks and any conversions that might be necessary, or will be obvious (e.g., an IPv6-only client need not attempt to look up A RRs or attempt to reach IPv4-only servers). Designers of SMTP implementations that might run in IPv6 or dual-stack environments should study the procedures above, especially the comments about multihomed hosts, and, preferably, provide mechanisms to facilitate operational tuning and mail interoperability between IPv4 and IPv6 systems while considering local circumstances.

6. Problem Detection and Handling

6.1. Reliable Delivery and Replies by Email

When the receiver-SMTP accepts a piece of mail (by sending a "250 OK" message in response to DATA), it is accepting responsibility for delivering or relaying the message. It must take this responsibility seriously. It MUST NOT lose the message for frivolous reasons, such as because the host later crashes or because of a predictable resource shortage. Some reasons that are not considered frivolous are discussed in the next subsection and in Section 7.8.

If there is a delivery failure after acceptance of a message, the receiver-SMTP MUST formulate and mail a notification message. This notification MUST be sent using a null ("<>") reverse-path in the envelope. The recipient of this notification MUST be the address from the envelope return path (or the Return-Path: line). However,

if this address is null ("`<>`"), the receiver-SMTP MUST NOT send a notification. Obviously, nothing in this section can or should prohibit local decisions (i.e., as part of the same system environment as the receiver-SMTP) to log or otherwise transmit information about null address events locally if that is desired. If the address is an explicit source route, it MUST be stripped down to its final hop.

For example, suppose that an error notification must be sent for a message that arrived with:

```
MAIL FROM:<a,@b:user@d>
```

The notification message MUST be sent using:

```
RCPT TO:<user@d>
```

Some delivery failures after the message is accepted by SMTP will be unavoidable. For example, it may be impossible for the receiving SMTP server to validate all the delivery addresses in RCPT command(s) due to a "soft" domain system error, because the target is a mailing list (see earlier discussion of RCPT), or because the server is acting as a relay and has no immediate access to the delivering system.

To avoid receiving duplicate messages as the result of timeouts, a receiver-SMTP MUST seek to minimize the time required to respond to the final `<CRLF>.<CRLF>` end of data indicator. See RFC 1047 [40] for a discussion of this problem.

6.2. Unwanted, Unsolicited, and "Attack" Messages

Utility and predictability of the Internet mail system requires that messages that can be delivered should be delivered, regardless of any syntax or other faults associated with those messages and regardless of their content. If they cannot be delivered, and cannot be rejected by the SMTP server during the SMTP transaction, they should be "bounced" (returned with non-delivery notification messages) as described above. In today's world, in which many SMTP server operators have discovered that the quantity of undesirable bulk email vastly exceeds the quantity of desired mail and in which accepting a message may trigger additional undesirable traffic by providing verification of the address, those principles may not be practical.

As discussed in Section 7.8 and Section 7.9 below, dropping mail without notification of the sender is permitted in practice. However, it is extremely dangerous and violates a long tradition and community expectations that mail is either delivered or returned. If

silent message-dropping is misused, it could easily undermine confidence in the reliability of the Internet's mail systems. So silent dropping of messages should be considered only in those cases where there is very high confidence that the messages are seriously fraudulent or otherwise inappropriate.

To stretch the principle of delivery if possible even further, it may be a rational policy to not deliver mail that has an invalid return address, although the history of the network is that users are typically better served by delivering any message that can be delivered. Reliably determining that a return address is invalid can be a difficult and time-consuming process, especially if the putative sending system is not directly accessible or does not fully and accurately support VRFY and, even if a "drop messages with invalid return addresses" policy is adopted, it SHOULD be applied only when there is near-certainty that the return addresses are, in fact, invalid.

Conversely, if a message is rejected because it is found to contain hostile content (a decision that is outside the scope of an SMTP server as defined in this document), rejection ("bounce") messages SHOULD NOT be sent unless the receiving site is confident that those messages will be usefully delivered. The preference and default in these cases is to avoid sending non-delivery messages when the incoming message is determined to contain hostile content.

6.3. Loop Detection

Simple counting of the number of "Received:" header fields in a message has proven to be an effective, although rarely optimal, method of detecting loops in mail systems. SMTP servers using this technique SHOULD use a large rejection threshold, normally at least 100 Received entries. Whatever mechanisms are used, servers MUST contain provisions for detecting and stopping trivial loops.

6.4. Compensating for Irregularities

Unfortunately, variations, creative interpretations, and outright violations of Internet mail protocols do occur; some would suggest that they occur quite frequently. The debate as to whether a well-behaved SMTP receiver or relay should reject a malformed message, attempt to pass it on unchanged, or attempt to repair it to increase the odds of successful delivery (or subsequent reply) began almost with the dawn of structured network mail and shows no signs of abating. Advocates of rejection claim that attempted repairs are rarely completely adequate and that rejection of bad messages is the only way to get the offending software repaired. Advocates of "repair" or "deliver no matter what" argue that users prefer that

mail go through it if at all possible and that there are significant market pressures in that direction. In practice, these market pressures may be more important to particular vendors than strict conformance to the standards, regardless of the preference of the actual developers.

The problems associated with ill-formed messages were exacerbated by the introduction of the split-UA mail reading protocols (Post Office Protocol (POP) version 2 [15], Post Office Protocol (POP) version 3 [16], IMAP version 2 [41], and PCMAIL [42]). These protocols encouraged the use of SMTP as a posting (message submission) protocol, and SMTP servers as relay systems for these client hosts (which are often only intermittently connected to the Internet). Historically, many of those client machines lacked some of the mechanisms and information assumed by SMTP (and indeed, by the mail format protocol, RFC 822 [28]). Some could not keep adequate track of time; others had no concept of time zones; still others could not identify their own names or addresses; and, of course, none could satisfy the assumptions that underlay RFC 822's conception of authenticated addresses.

In response to these weak SMTP clients, many SMTP systems now complete messages that are delivered to them in incomplete or incorrect form. This strategy is generally considered appropriate when the server can identify or authenticate the client, and there are prior agreements between them. By contrast, there is at best great concern about fixes applied by a relay or delivery SMTP server that has little or no knowledge of the user or client machine. Many of these issues are addressed by using a separate protocol, such as that defined in RFC 4409 [18], for message submission, rather than using originating SMTP servers for that purpose.

The following changes to a message being processed MAY be applied when necessary by an originating SMTP server, or one used as the target of SMTP as an initial posting (message submission) protocol:

- o Addition of a message-id field when none appears
- o Addition of a date, time, or time zone when none appears
- o Correction of addresses to proper FQDN format

The less information the server has about the client, the less likely these changes are to be correct and the more caution and conservatism should be applied when considering whether or not to perform fixes and how. These changes MUST NOT be applied by an SMTP server that provides an intermediate relay function.

In all cases, properly operating clients supplying correct information are preferred to corrections by the SMTP server. In all cases, documentation SHOULD be provided in trace header fields and/or header field comments for actions performed by the servers.

7. Security Considerations

7.1. Mail Security and Spoofing

SMTP mail is inherently insecure in that it is feasible for even fairly casual users to negotiate directly with receiving and relaying SMTP servers and create messages that will trick a naive recipient into believing that they came from somewhere else. Constructing such a message so that the "spoofed" behavior cannot be detected by an expert is somewhat more difficult, but not sufficiently so as to be a deterrent to someone who is determined and knowledgeable. Consequently, as knowledge of Internet mail increases, so does the knowledge that SMTP mail inherently cannot be authenticated, or integrity checks provided, at the transport level. Real mail security lies only in end-to-end methods involving the message bodies, such as those that use digital signatures (see RFC 1847 [43] and, e.g., Pretty Good Privacy (PGP) in RFC 4880 [44] or Secure/Multipurpose Internet Mail Extensions (S/MIME) in RFC 3851 [45]).

Various protocol extensions and configuration options that provide authentication at the transport level (e.g., from an SMTP client to an SMTP server) improve somewhat on the traditional situation described above. However, in general, they only authenticate one server to another rather than a chain of relays and servers, much less authenticating users or user machines. Consequently, unless they are accompanied by careful handoffs of responsibility in a carefully designed trust environment, they remain inherently weaker than end-to-end mechanisms that use digitally signed messages rather than depending on the integrity of the transport system.

Efforts to make it more difficult for users to set envelope return path and header "From" fields to point to valid addresses other than their own are largely misguided: they frustrate legitimate applications in which mail is sent by one user on behalf of another, in which error (or normal) replies should be directed to a special address, or in which a single message is sent to multiple recipients on different hosts. (Systems that provide convenient ways for users to alter these header fields on a per-message basis should attempt to establish a primary and permanent mailbox address for the user so that Sender header fields within the message data can be generated sensibly.)

This specification does not further address the authentication issues associated with SMTP other than to advocate that useful functionality not be disabled in the hope of providing some small margin of protection against a user who is trying to fake mail.

7.2. "Blind" Copies

Addresses that do not appear in the message header section may appear in the RCPT commands to an SMTP server for a number of reasons. The two most common involve the use of a mailing address as a "list exploder" (a single address that resolves into multiple addresses) and the appearance of "blind copies". Especially when more than one RCPT command is present, and in order to avoid defeating some of the purpose of these mechanisms, SMTP clients and servers SHOULD NOT copy the full set of RCPT command arguments into the header section, either as part of trace header fields or as informational or private-extension header fields. Since this rule is often violated in practice, and cannot be enforced, sending SMTP systems that are aware of "bcc" use MAY find it helpful to send each blind copy as a separate message transaction containing only a single RCPT command.

There is no inherent relationship between either "reverse" (from MAIL, SAML, etc., commands) or "forward" (RCPT) addresses in the SMTP transaction ("envelope") and the addresses in the header section. Receiving systems SHOULD NOT attempt to deduce such relationships and use them to alter the header section of the message for delivery. The popular "Apparently-to" header field is a violation of this principle as well as a common source of unintended information disclosure and SHOULD NOT be used.

7.3. VRFY, EXPN, and Security

As discussed in Section 3.5, individual sites may want to disable either or both of VRFY or EXPN for security reasons (see below). As a corollary to the above, implementations that permit this MUST NOT appear to have verified addresses that are not, in fact, verified. If a site disables these commands for security reasons, the SMTP server MUST return a 252 response, rather than a code that could be confused with successful or unsuccessful verification.

Returning a 250 reply code with the address listed in the VRFY command after having checked it only for syntax violates this rule. Of course, an implementation that "supports" VRFY by always returning 550 whether or not the address is valid is equally not in conformance.

On the public Internet, the contents of mailing lists have become popular as an address information source for so-called "spammers."

The use of EXPN to "harvest" addresses has increased as list administrators have installed protections against inappropriate uses of the lists themselves. However, VRFY and EXPN are still useful for authenticated users and within an administrative domain. For example, VRFY and EXPN are useful for performing internal audits of how email gets routed to check and to make sure no one is automatically forwarding sensitive mail outside the organization. Sites implementing SMTP authentication may choose to make VRFY and EXPN available only to authenticated requestors. Implementations SHOULD still provide support for EXPN, but sites SHOULD carefully evaluate the tradeoffs.

Whether disabling VRFY provides any real marginal security depends on a series of other conditions. In many cases, RCPT commands can be used to obtain the same information about address validity. On the other hand, especially in situations where determination of address validity for RCPT commands is deferred until after the DATA command is received, RCPT may return no information at all, while VRFY is expected to make a serious attempt to determine validity before generating a response code (see discussion above).

7.4. Mail Rerouting Based on the 251 and 551 Response Codes

Before a client uses the 251 or 551 reply codes from a RCPT command to automatically update its future behavior (e.g., updating the user's address book), it should be certain of the server's authenticity. If it does not, it may be subject to a man in the middle attack.

7.5. Information Disclosure in Announcements

There has been an ongoing debate about the tradeoffs between the debugging advantages of announcing server type and version (and, sometimes, even server domain name) in the greeting response or in response to the HELP command and the disadvantages of exposing information that might be useful in a potential hostile attack. The utility of the debugging information is beyond doubt. Those who argue for making it available point out that it is far better to actually secure an SMTP server rather than hope that trying to conceal known vulnerabilities by hiding the server's precise identity will provide more protection. Sites are encouraged to evaluate the tradeoff with that issue in mind; implementations SHOULD minimally provide for making type and version information available in some way to other network hosts.

7.6. Information Disclosure in Trace Fields

In some circumstances, such as when mail originates from within a LAN whose hosts are not directly on the public Internet, trace ("Received") header fields produced in conformance with this specification may disclose host names and similar information that would not normally be available. This ordinarily does not pose a problem, but sites with special concerns about name disclosure should be aware of it. Also, the optional FOR clause should be supplied with caution or not at all when multiple recipients are involved lest it inadvertently disclose the identities of "blind copy" recipients to others.

7.7. Information Disclosure in Message Forwarding

As discussed in Section 3.4, use of the 251 or 551 reply codes to identify the replacement address associated with a mailbox may inadvertently disclose sensitive information. Sites that are concerned about those issues should ensure that they select and configure servers appropriately.

7.8. Resistance to Attacks

In recent years, there has been an increase of attacks on SMTP servers, either in conjunction with attempts to discover addresses for sending unsolicited messages or simply to make the servers inaccessible to others (i.e., as an application-level denial of service attack). While the means of doing so are beyond the scope of this Standard, rational operational behavior requires that servers be permitted to detect such attacks and take action to defend themselves. For example, if a server determines that a large number of RCPT TO commands are being sent, most or all with invalid addresses, as part of such an attack, it would be reasonable for the server to close the connection after generating an appropriate number of 5yz (normally 550) replies.

7.9. Scope of Operation of SMTP Servers

It is a well-established principle that an SMTP server may refuse to accept mail for any operational or technical reason that makes sense to the site providing the server. However, cooperation among sites and installations makes the Internet possible. If sites take excessive advantage of the right to reject traffic, the ubiquity of email availability (one of the strengths of the Internet) will be threatened; considerable care should be taken and balance maintained if a site decides to be selective about the traffic it will accept and process.

In recent years, use of the relay function through arbitrary sites has been used as part of hostile efforts to hide the actual origins of mail. Some sites have decided to limit the use of the relay function to known or identifiable sources, and implementations SHOULD provide the capability to perform this type of filtering. When mail is rejected for these or other policy reasons, a 550 code SHOULD be used in response to EHLO (or HELO), MAIL, or RCPT as appropriate.

8. IANA Considerations

IANA maintains three registries in support of this specification, all of which were created for RFC 2821 or earlier. This document expands the third one as specified below. The registry references listed are as of the time of publication; IANA does not guarantee the locations associated with the URLs. The registries are as follows:

- o The first, "Simple Mail Transfer Protocol (SMTP) Service Extensions" [46], consists of SMTP service extensions with the associated keywords, and, as needed, parameters and verbs. As specified in Section 2.2.2, no entry may be made in this registry that starts in an "X". Entries may be made only for service extensions (and associated keywords, parameters, or verbs) that are defined in Standards-Track or Experimental RFCs specifically approved by the IESG for this purpose.
- o The second registry, "Address Literal Tags" [47], consists of "tags" that identify forms of domain literals other than those for IPv4 addresses (specified in RFC 821 and in this document). The initial entry in that registry is for IPv6 addresses (specified in this document). Additional literal types require standardization before being used; none are anticipated at this time.
- o The third, "Mail Transmission Types" [46], established by RFC 821 and renewed by this specification, is a registry of link and protocol identifiers to be used with the "via" and "with" subclauses of the time stamp ("Received:" header field) described in Section 4.4. Link and protocol identifiers in addition to those specified in this document may be registered only by standardization or by way of an RFC-documented, IESG-approved, Experimental protocol extension. This name space is for identification and not limited in size: the IESG is encouraged to approve on the basis of clear documentation and a distinct method rather than preferences about the properties of the method itself.

An additional subsection has been added to the "VIA link types" and "WITH protocol types" subsections of this registry to contain registrations of "Additional-registered-clauses" as described above. The registry will contain clause names, a description, a

summary of the syntax of the associated String, and a reference. As new clauses are defined, they may, in principle, specify creation of their own registries if the Strings consist of reserved terms or keywords rather than less restricted strings. As with link and protocol identifiers, additional clauses may be registered only by standardization or by way of an RFC-documented, IESG-approved, Experimental protocol extension. The additional clause name space is for identification and is not limited in size: the IESG is encouraged to approve on the basis of clear documentation, actual use or strong signs that the clause will be used, and a distinct requirement rather than preferences about the properties of the clause itself.

In addition, if additional trace header fields (i.e., in addition to Return-path and Received) are ever created, those trace fields MUST be added to the IANA registry established by BCP 90 (RFC 3864) [11] for use with RFC 5322 [4].

9. Acknowledgments

Many people contributed to the development of RFC 2821. That document should be consulted for those acknowledgments. For the present document, the editor and the community owe thanks to Dawn Mann and Tony Hansen who assisted in the very painful process of editing and converting the internal format of the document from one system to another.

Neither this document nor RFC 2821 would have been possible without the many contribution and insights of the late Jon Postel. Those contributions of course include the original specification of SMTP in RFC 821. A considerable quantity of text from RFC 821 still appears in this document as do several of Jon's original examples that have been updated only as needed to reflect other changes in the specification.

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Appendix A. TCP Transport Service

The TCP connection supports the transmission of 8-bit bytes. The SMTP data is 7-bit ASCII characters. Each character is transmitted as an 8-bit byte with the high-order bit cleared to zero. Service extensions may modify this rule to permit transmission of full 8-bit data bytes as part of the message body, or, if specifically designed to do so, in SMTP commands or responses.

Appendix B. Generating SMTP Commands from RFC 822 Header Fields

Some systems use an RFC 822 header section (only) in a mail submission protocol, or otherwise generate SMTP commands from RFC 822 header fields when such a message is handed to an MTA from a UA. While the MTA-UA protocol is a private matter, not covered by any Internet Standard, there are problems with this approach. For example, there have been repeated problems with proper handling of "bcc" copies and redistribution lists when information that conceptually belongs to the mail envelope is not separated early in processing from header field information (and kept separate).

It is recommended that the UA provide its initial ("submission client") MTA with an envelope separate from the message itself. However, if the envelope is not supplied, SMTP commands SHOULD be generated as follows:

1. Each recipient address from a TO, CC, or BCC header field SHOULD be copied to a RCPT command (generating multiple message copies if that is required for queuing or delivery). This includes any addresses listed in a RFC 822 "group". Any BCC header fields SHOULD then be removed from the header section. Once this process is completed, the remaining header fields SHOULD be checked to verify that at least one TO, CC, or BCC header field remains. If none do, then a BCC header field with no additional information SHOULD be inserted as specified in [4].
2. The return address in the MAIL command SHOULD, if possible, be derived from the system's identity for the submitting (local) user, and the "From:" header field otherwise. If there is a system identity available, it SHOULD also be copied to the Sender header field if it is different from the address in the From header field. (Any Sender header field that was already there SHOULD be removed.) Systems may provide a way for submitters to override the envelope return address, but may want to restrict its use to privileged users. This will not prevent mail forgery, but may lessen its incidence; see Section 7.1.

When an MTA is being used in this way, it bears responsibility for ensuring that the message being transmitted is valid. The mechanisms for checking that validity, and for handling (or returning) messages that are not valid at the time of arrival, are part of the MUA-MTA interface and not covered by this specification.

A submission protocol based on Standard RFC 822 information alone MUST NOT be used to gateway a message from a foreign (non-SMTP) mail system into an SMTP environment. Additional information to construct an envelope must come from some source in the other environment, whether supplemental header fields or the foreign system's envelope.

Attempts to gateway messages using only their header "To" and "Cc" fields have repeatedly caused mail loops and other behavior adverse to the proper functioning of the Internet mail environment. These problems have been especially common when the message originates from an Internet mailing list and is distributed into the foreign environment using envelope information. When these messages are then processed by a header-section-only remailer, loops back to the Internet environment (and the mailing list) are almost inevitable.

Appendix C. Source Routes

Historically, the <reverse-path> was a reverse source routing list of hosts and a source mailbox. The first host in the <reverse-path> was historically the host sending the MAIL command; today, source routes SHOULD NOT appear in the reverse-path. Similarly, the <forward-path> may be a source routing lists of hosts and a destination mailbox. However, in general, the <forward-path> SHOULD contain only a mailbox and domain name, relying on the domain name system to supply routing information if required. The use of source routes is deprecated (see Appendix F.2); while servers MUST be prepared to receive and handle them as discussed in Section 3.3 and Appendix F.2, clients SHOULD NOT transmit them and this section is included in the current specification only to provide context. It has been modified somewhat from the material in RFC 821 to prevent server actions that might confuse clients or subsequent servers that do not expect a full source route implementation.

For relay purposes, the forward-path may be a source route of the form "@ONE,@TWO:JOE@THREE", where ONE, TWO, and THREE MUST be fully-qualified domain names. This form is used to emphasize the distinction between an address and a route. The mailbox (here, JOE@THREE) is an absolute address, and the route is information about how to get there. The two concepts should not be confused.

If source routes are used, RFC 821 and the text below should be consulted for the mechanisms for constructing and updating the

forward-path. A server that is reached by means of a source route (e.g., its domain name appears first in the list in the forward-path) MUST remove its domain name from any forward-paths in which that domain name appears before forwarding the message and MAY remove all other source routing information. The reverse-path SHOULD NOT be updated by servers conforming to this specification.

Notice that the forward-path and reverse-path appear in the SMTP commands and replies, but not necessarily in the message. That is, there is no need for these paths and especially this syntax to appear in the "To:", "From:", "CC:", etc. fields of the message header section. Conversely, SMTP servers MUST NOT derive final message routing information from message header fields.

When the list of hosts is present despite the recommendations above, it is a "reverse" source route and indicates that the mail was relayed through each host on the list (the first host in the list was the most recent relay). This list is used as a source route to return non-delivery notices to the sender. If, contrary to the recommendations here, a relay host adds itself to the beginning of the list, it MUST use its name as known in the transport environment to which it is relaying the mail rather than that of the transport environment from which the mail came (if they are different). Note that a situation could easily arise in which some relay hosts add their names to the reverse source route and others do not, generating discontinuities in the routing list. This is another reason why servers needing to return a message SHOULD ignore the source route entirely and simply use the domain as specified in the Mailbox.

Appendix D. Scenarios

This section presents complete scenarios of several types of SMTP sessions. In the examples, "C:" indicates what is said by the SMTP client, and "S:" indicates what is said by the SMTP server.

D.1. A Typical SMTP Transaction Scenario

This SMTP example shows mail sent by Smith at host bar.com, and to Jones, Green, and Brown at host foo.com. Here we assume that host bar.com contacts host foo.com directly. The mail is accepted for Jones and Brown. Green does not have a mailbox at host foo.com.

```
S: 220 foo.com Simple Mail Transfer Service Ready
C: EHLO bar.com
S: 250-foo.com greets bar.com
S: 250-8BITMIME
S: 250-SIZE
S: 250-DSN
S: 250 HELP
C: MAIL FROM:<Smith@bar.com>
S: 250 OK
C: RCPT TO:<Jones@foo.com>
S: 250 OK
C: RCPT TO:<Green@foo.com>
S: 550 No such user here
C: RCPT TO:<Brown@foo.com>
S: 250 OK
C: DATA
S: 354 Start mail input; end with <CRLE>.<CRLE>
C: Blah blah blah...
C: ...etc. etc. etc.
C: .
S: 250 OK
C: QUIT
S: 221 foo.com Service closing transmission channel
```

D.2. Aborted SMTP Transaction Scenario

```
S: 220 foo.com Simple Mail Transfer Service Ready
C: EHLO bar.com
S: 250-foo.com greets bar.com
S: 250-8BITMIME
S: 250-SIZE
S: 250-DSN
S: 250 HELP
C: MAIL FROM:<Smith@bar.com>
S: 250 OK
C: RCPT TO:<Jones@foo.com>
S: 250 OK
C: RCPT TO:<Green@foo.com>
S: 550 No such user here
C: RSET
S: 250 OK
C: QUIT
S: 221 foo.com Service closing transmission channel
```

D.3. Relayed Mail Scenario

Step 1 -- Source Host to Relay Host

The source host performs a DNS lookup on XYZ.COM (the destination address) and finds DNS MX records specifying xyz.com as the best preference and foo.com as a lower preference. It attempts to open a connection to xyz.com and fails. It then opens a connection to foo.com, with the following dialogue:

```
S: 220 foo.com Simple Mail Transfer Service Ready
C: EHLO bar.com
S: 250-foo.com greets bar.com
S: 250-8BITMIME
S: 250-SIZE
S: 250-DSN
S: 250 HELP
C: MAIL FROM:<JQP@bar.com>
S: 250 OK
C: RCPT TO:<Jones@XYZ.COM>
S: 250 OK
C: DATA
S: 354 Start mail input; end with <CRLF>.<CRLF>
C: Date: Thu, 21 May 1998 05:33:29 -0700
C: From: John Q. Public <JQP@bar.com>
C: Subject: The Next Meeting of the Board
C: To: Jones@xyz.com
C:
C: Bill:
C: The next meeting of the board of directors will be
C: on Tuesday.
C: John.
C: .
S: 250 OK
C: QUIT
S: 221 foo.com Service closing transmission channel
```

Step 2 -- Relay Host to Destination Host

foo.com, having received the message, now does a DNS lookup on xyz.com. It finds the same set of MX records, but cannot use the one that points to itself (or to any other host as a worse preference). It tries to open a connection to xyz.com itself and succeeds. Then we have:

```
S: 220 xyz.com Simple Mail Transfer Service Ready
C: EHLO foo.com
S: 250 xyz.com is on the air
C: MAIL FROM:<JQP@bar.com>
S: 250 OK
C: RCPT TO:<Jones@XYZ.COM>
S: 250 OK
C: DATA
S: 354 Start mail input; end with <CRLF>.<CRLF>
C: Received: from bar.com by foo.com ; Thu, 21 May 1998
C:    05:33:29 -0700
C: Date: Thu, 21 May 1998 05:33:22 -0700
C: From: John Q. Public <JQP@bar.com>
C: Subject: The Next Meeting of the Board
C: To: Jones@xyz.com
C:
C: Bill:
C: The next meeting of the board of directors will be
C: on Tuesday.
C:                               John.
C: .
S: 250 OK
C: QUIT
S: 221 foo.com Service closing transmission channel
```

D.4. Verifying and Sending Scenario

```
S: 220 foo.com Simple Mail Transfer Service Ready
C: EHLO bar.com
S: 250-foo.com greets bar.com
S: 250-8BITMIME
S: 250-SIZE
S: 250-DSN
S: 250-VERFY
S: 250 HELP
C: VRFY Crispin
S: 250 Mark Crispin <Admin.MRC@foo.com>
C: MAIL FROM:<EAK@bar.com>
S: 250 OK
C: RCPT TO:<Admin.MRC@foo.com>
S: 250 OK
C: DATA
S: 354 Start mail input; end with <CRLF>.<CRLF>
C: Blah blah blah...
C: ...etc. etc. etc.
C: .
S: 250 OK
C: QUIT
S: 221 foo.com Service closing transmission channel
```

Appendix E. Other Gateway Issues

In general, gateways between the Internet and other mail systems SHOULD attempt to preserve any layering semantics across the boundaries between the two mail systems involved. Gateway-translation approaches that attempt to take shortcuts by mapping (such as mapping envelope information from one system to the message header section or body of another) have generally proven to be inadequate in important ways. Systems translating between environments that do not support both envelopes and a header section and Internet mail must be written with the understanding that some information loss is almost inevitable.

Appendix F. Deprecated Features of RFC 821

A few features of RFC 821 have proven to be problematic and SHOULD NOT be used in Internet mail.

F.1. TURN

This command, described in RFC 821, raises important security issues since, in the absence of strong authentication of the host requesting that the client and server switch roles, it can easily be used to divert mail from its correct destination. Its use is deprecated; SMTP systems SHOULD NOT use it unless the server can authenticate the client.

F.2. Source Routing

RFC 821 utilized the concept of explicit source routing to get mail from one host to another via a series of relays. The requirement to utilize source routes in regular mail traffic was eliminated by the introduction of the domain name system "MX" record and the last significant justification for them was eliminated by the introduction, in RFC 1123, of a clear requirement that addresses following an "@" must all be fully-qualified domain names. Consequently, the only remaining justifications for the use of source routes are support for very old SMTP clients or MUAs and in mail system debugging. They can, however, still be useful in the latter circumstance and for routing mail around serious, but temporary, problems such as problems with the relevant DNS records.

SMTP servers MUST continue to accept source route syntax as specified in the main body of this document and in RFC 1123. They MAY, if necessary, ignore the routes and utilize only the target domain in the address. If they do utilize the source route, the message MUST be sent to the first domain shown in the address. In particular, a server MUST NOT guess at shortcuts within the source route.

Clients SHOULD NOT utilize explicit source routing except under unusual circumstances, such as debugging or potentially relaying around firewall or mail system configuration errors.

F.3. HELO

As discussed in Sections 3.1 and 4.1.1, EHLO SHOULD be used rather than HELO when the server will accept the former. Servers MUST continue to accept and process HELO in order to support older clients.

F.4. #-literals

RFC 821 provided for specifying an Internet address as a decimal integer host number prefixed by a pound sign, "#". In practice, that form has been obsolete since the introduction of TCP/IP. It is deprecated and MUST NOT be used.

F.5. Dates and Years

When dates are inserted into messages by SMTP clients or servers (e.g., in trace header fields), four-digit years MUST BE used. Two-digit years are deprecated; three-digit years were never permitted in the Internet mail system.

F.6. Sending versus Mailing

In addition to specifying a mechanism for delivering messages to user's mailboxes, RFC 821 provided additional, optional, commands to deliver messages directly to the user's terminal screen. These commands (SEND, SAML, SOML) were rarely implemented, and changes in workstation technology and the introduction of other protocols may have rendered them obsolete even where they are implemented.

Clients SHOULD NOT provide SEND, SAML, or SOML as services. Servers MAY implement them. If they are implemented by servers, the implementation model specified in RFC 821 MUST be used and the command names MUST be published in the response to the EHLO command.

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Qualcomm Incorporated
October 2008

Internet Message Format

Status of This Memo

This document specifies an Internet standards track protocol for the Internet community, and requests discussion and suggestions for improvements. Please refer to the current edition of the "Internet Official Protocol Standards" (STD 1) for the standardization state and status of this protocol. Distribution of this memo is unlimited.

Abstract

This document specifies the Internet Message Format (IMF), a syntax for text messages that are sent between computer users, within the framework of "electronic mail" messages. This specification is a revision of Request For Comments (RFC) 2822, which itself superseded Request For Comments (RFC) 822, "Standard for the Format of ARPA Internet Text Messages", updating it to reflect current practice and incorporating incremental changes that were specified in other RFCs.

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1. Introduction

1.1. Scope

This document specifies the Internet Message Format (IMF), a syntax for text messages that are sent between computer users, within the framework of "electronic mail" messages. This specification is an update to [RFC2822], which itself superseded [RFC0822], updating it to reflect current practice and incorporating incremental changes that were specified in other RFCs such as [RFC1123].

This document specifies a syntax only for text messages. In particular, it makes no provision for the transmission of images, audio, or other sorts of structured data in electronic mail messages. There are several extensions published, such as the MIME document series ([RFC2045], [RFC2046], [RFC2049]), which describe mechanisms for the transmission of such data through electronic mail, either by extending the syntax provided here or by structuring such messages to conform to this syntax. Those mechanisms are outside of the scope of this specification.

In the context of electronic mail, messages are viewed as having an envelope and contents. The envelope contains whatever information is needed to accomplish transmission and delivery. (See [RFC5321] for a discussion of the envelope.) The contents comprise the object to be delivered to the recipient. This specification applies only to the format and some of the semantics of message contents. It contains no specification of the information in the envelope.

However, some message systems may use information from the contents to create the envelope. It is intended that this specification facilitate the acquisition of such information by programs.

This specification is intended as a definition of what message content format is to be passed between systems. Though some message systems locally store messages in this format (which eliminates the need for translation between formats) and others use formats that differ from the one specified in this specification, local storage is outside of the scope of this specification.

Note: This specification is not intended to dictate the internal formats used by sites, the specific message system features that they are expected to support, or any of the characteristics of user interface programs that create or read messages. In addition, this document does not specify an encoding of the characters for either transport or storage; that is, it does not specify the number of bits used or how those bits are specifically transferred over the wire or stored on disk.

1.2. Notational Conventions

1.2.1. Requirements Notation

This document occasionally uses terms that appear in capital letters. When the terms "MUST", "SHOULD", "RECOMMENDED", "MUST NOT", "SHOULD NOT", and "MAY" appear capitalized, they are being used to indicate particular requirements of this specification. A discussion of the meanings of these terms appears in [RFC2119].

1.2.2. Syntactic Notation

This specification uses the Augmented Backus-Naur Form (ABNF) [RFC5234] notation for the formal definitions of the syntax of messages. Characters will be specified either by a decimal value (e.g., the value %d65 for uppercase A and %d97 for lowercase A) or by a case-insensitive literal value enclosed in quotation marks (e.g., "A" for either uppercase or lowercase A).

1.2.3. Structure of This Document

This document is divided into several sections.

This section, section 1, is a short introduction to the document.

Section 2 lays out the general description of a message and its constituent parts. This is an overview to help the reader understand some of the general principles used in the later portions of this document. Any examples in this section MUST NOT be taken as specification of the formal syntax of any part of a message.

Section 3 specifies formal ABNF rules for the structure of each part of a message (the syntax) and describes the relationship between those parts and their meaning in the context of a message (the semantics). That is, it lays out the actual rules for the structure of each part of a message (the syntax) as well as a description of the parts and instructions for their interpretation (the semantics). This includes analysis of the syntax and semantics of subparts of messages that have specific structure. The syntax included in section 3 represents messages as they MUST be created. There are also notes in section 3 to indicate if any of the options specified in the syntax SHOULD be used over any of the others.

Both sections 2 and 3 describe messages that are legal to generate for purposes of this specification.

Section 4 of this document specifies an "obsolete" syntax. There are references in section 3 to these obsolete syntactic elements. The rules of the obsolete syntax are elements that have appeared in earlier versions of this specification or have previously been widely used in Internet messages. As such, these elements MUST be interpreted by parsers of messages in order to be conformant to this specification. However, since items in this syntax have been determined to be non-interoperable or to cause significant problems for recipients of messages, they MUST NOT be generated by creators of conformant messages.

Section 5 details security considerations to take into account when implementing this specification.

Appendix A lists examples of different sorts of messages. These examples are not exhaustive of the types of messages that appear on the Internet, but give a broad overview of certain syntactic forms.

Appendix B lists the differences between this specification and earlier specifications for Internet messages.

Appendix C contains acknowledgements.

2. Lexical Analysis of Messages

2.1. General Description

At the most basic level, a message is a series of characters. A message that is conformant with this specification is composed of characters with values in the range of 1 through 127 and interpreted as US-ASCII [ANSI.X3-4.1986] characters. For brevity, this document sometimes refers to this range of characters as simply "US-ASCII characters".

Note: This document specifies that messages are made up of characters in the US-ASCII range of 1 through 127. There are other documents, specifically the MIME document series ([RFC2045], [RFC2046], [RFC2047], [RFC2049], [RFC4288], [RFC4289]), that extend this specification to allow for values outside of that range. Discussion of those mechanisms is not within the scope of this specification.

Messages are divided into lines of characters. A line is a series of characters that is delimited with the two characters carriage-return and line-feed; that is, the carriage return (CR) character (ASCII value 13) followed immediately by the line feed (LF) character (ASCII value 10). (The carriage return/line feed pair is usually written in this document as "CRLF".)

A message consists of header fields (collectively called "the header section of the message") followed, optionally, by a body. The header section is a sequence of lines of characters with special syntax as defined in this specification. The body is simply a sequence of characters that follows the header section and is separated from the header section by an empty line (i.e., a line with nothing preceding the CRLF).

Note: Common parlance and earlier versions of this specification use the term "header" to either refer to the entire header section or to refer to an individual header field. To avoid ambiguity, this document does not use the terms "header" or "headers" in isolation, but instead always uses "header field" to refer to the individual field and "header section" to refer to the entire collection.

2.1.1. Line Length Limits

There are two limits that this specification places on the number of characters in a line. Each line of characters MUST be no more than 998 characters, and SHOULD be no more than 78 characters, excluding the CRLF.

The 998 character limit is due to limitations in many implementations that send, receive, or store IMF messages which simply cannot handle more than 998 characters on a line. Receiving implementations would do well to handle an arbitrarily large number of characters in a line for robustness sake. However, there are so many implementations that (in compliance with the transport requirements of [RFC5321]) do not accept messages containing more than 1000 characters including the CR and LF per line, it is important for implementations not to create such messages.

The more conservative 78 character recommendation is to accommodate the many implementations of user interfaces that display these messages which may truncate, or disastrously wrap, the display of more than 78 characters per line, in spite of the fact that such implementations are non-conformant to the intent of this specification (and that of [RFC5321] if they actually cause information to be lost). Again, even though this limitation is put on messages, it is incumbent upon implementations that display messages to handle an arbitrarily large number of characters in a line (certainly at least up to the 998 character limit) for the sake of robustness.

2.2. Header Fields

Header fields are lines beginning with a field name, followed by a colon (":"), followed by a field body, and terminated by CRLF. A field name MUST be composed of printable US-ASCII characters (i.e., characters that have values between 33 and 126, inclusive), except colon. A field body may be composed of printable US-ASCII characters as well as the space (SP, ASCII value 32) and horizontal tab (HTAB, ASCII value 9) characters (together known as the white space characters, WSP). A field body MUST NOT include CR and LF except when used in "folding" and "unfolding", as described in section 2.2.3. All field bodies MUST conform to the syntax described in sections 3 and 4 of this specification.

2.2.1. Unstructured Header Field Bodies

Some field bodies in this specification are defined simply as "unstructured" (which is specified in section 3.2.5 as any printable US-ASCII characters plus white space characters) with no further restrictions. These are referred to as unstructured field bodies. Semantically, unstructured field bodies are simply to be treated as a single line of characters with no further processing (except for "folding" and "unfolding" as described in section 2.2.3).

2.2.2. Structured Header Field Bodies

Some field bodies in this specification have a syntax that is more restrictive than the unstructured field bodies described above. These are referred to as "structured" field bodies. Structured field bodies are sequences of specific lexical tokens as described in sections 3 and 4 of this specification. Many of these tokens are allowed (according to their syntax) to be introduced or end with comments (as described in section 3.2.2) as well as the white space characters, and those white space characters are subject to "folding" and "unfolding" as described in section 2.2.3. Semantic analysis of structured field bodies is given along with their syntax.

2.2.3. Long Header Fields

Each header field is logically a single line of characters comprising the field name, the colon, and the field body. For convenience however, and to deal with the 998/78 character limitations per line, the field body portion of a header field can be split into a multiple-line representation; this is called "folding". The general rule is that wherever this specification allows for folding white space (not simply WSP characters), a CRLF may be inserted before any WSP.

For example, the header field:

Subject: This is a test

can be represented as:

Subject: This
is a test

Note: Though structured field bodies are defined in such a way that folding can take place between many of the lexical tokens (and even within some of the lexical tokens), folding SHOULD be limited to placing the CRLF at higher-level syntactic breaks. For instance, if a field body is defined as comma-separated values, it is recommended that folding occur after the comma separating the structured items in preference to other places where the field could be folded, even if it is allowed elsewhere.

The process of moving from this folded multiple-line representation of a header field to its single line representation is called "unfolding". Unfolding is accomplished by simply removing any CRLF that is immediately followed by WSP. Each header field should be treated in its unfolded form for further syntactic and semantic evaluation. An unfolded header field has no length restriction and therefore may be indeterminately long.

2.3. Body

The body of a message is simply lines of US-ASCII characters. The only two limitations on the body are as follows:

- o CR and LF MUST only occur together as CRLF; they MUST NOT appear independently in the body.
- o Lines of characters in the body MUST be limited to 998 characters, and SHOULD be limited to 78 characters, excluding the CRLF.

Note: As was stated earlier, there are other documents, specifically the MIME documents ([RFC2045], [RFC2046], [RFC2049], [RFC4288], [RFC4289]), that extend (and limit) this specification to allow for different sorts of message bodies. Again, these mechanisms are beyond the scope of this document.

3. Syntax

3.1. Introduction

The syntax as given in this section defines the legal syntax of Internet messages. Messages that are conformant to this specification MUST conform to the syntax in this section. If there are options in this section where one option SHOULD be generated, that is indicated either in the prose or in a comment next to the syntax.

For the defined expressions, a short description of the syntax and use is given, followed by the syntax in ABNF, followed by a semantic analysis. The following primitive tokens that are used but otherwise unspecified are taken from the "Core Rules" of [RFC5234], Appendix B.1: CR, LF, CRLF, HTAB, SP, WSP, DQUOTE, DIGIT, ALPHA, and VCHAR.

In some of the definitions, there will be non-terminals whose names start with "obs-". These "obs-" elements refer to tokens defined in the obsolete syntax in section 4. In all cases, these productions are to be ignored for the purposes of generating legal Internet messages and MUST NOT be used as part of such a message. However, when interpreting messages, these tokens MUST be honored as part of the legal syntax. In this sense, section 3 defines a grammar for the generation of messages, with "obs-" elements that are to be ignored, while section 4 adds grammar for the interpretation of messages.

3.2. Lexical Tokens

The following rules are used to define an underlying lexical analyzer, which feeds tokens to the higher-level parsers. This section defines the tokens used in structured header field bodies.

Note: Readers of this specification need to pay special attention to how these lexical tokens are used in both the lower-level and higher-level syntax later in the document. Particularly, the white space tokens and the comment tokens defined in section 3.2.2 get used in the lower-level tokens defined here, and those lower-level tokens are in turn used as parts of the higher-level tokens defined later. Therefore, white space and comments may be allowed in the higher-level tokens even though they may not explicitly appear in a particular definition.

3.2.1. Quoted characters

Some characters are reserved for special interpretation, such as delimiting lexical tokens. To permit use of these characters as uninterpreted data, a quoting mechanism is provided.

quoted-pair = ("\ (VCHAR / WSP)) / obs-qp

Where any quoted-pair appears, it is to be interpreted as the character alone. That is to say, the "\" character that appears as part of a quoted-pair is semantically "invisible".

Note: The "\" character may appear in a message where it is not part of a quoted-pair. A "\" character that does not appear in a quoted-pair is not semantically invisible. The only places in this specification where quoted-pair currently appears are ccontent, qcontent, and in obs-dtext in section 4.

3.2.2. Folding White Space and Comments

White space characters, including white space used in folding (described in section 2.2.3), may appear between many elements in header field bodies. Also, strings of characters that are treated as comments may be included in structured field bodies as characters enclosed in parentheses. The following defines the folding white space (FWS) and comment constructs.

Strings of characters enclosed in parentheses are considered comments so long as they do not appear within a "quoted-string", as defined in section 3.2.4. Comments may nest.

There are several places in this specification where comments and FWS may be freely inserted. To accommodate that syntax, an additional token for "CFWS" is defined for places where comments and/or FWS can occur. However, where CFWS occurs in this specification, it MUST NOT be inserted in such a way that any line of a folded header field is made up entirely of WSP characters and nothing else.

FWS = ([*WSP CRLF] 1*WSP) / obs-FWS
; Folding white space

ctext = %d33-39 / ; Printable US-ASCII
%d42-91 / ; characters not including
%d93-126 / ; "(", ")", or "\"
obs-ctext

ccontent = ctext / quoted-pair / comment

comment = "(" *([FWS] ccontent) [FWS] ")"

CFWS = (1*([FWS] comment) [FWS]) / FWS

Throughout this specification, where FWS (the folding white space token) appears, it indicates a place where folding, as discussed in section 2.2.3, may take place. Wherever folding appears in a message (that is, a header field body containing a CRLF followed by any WSP), unfolding (removal of the CRLF) is performed before any further semantic analysis is performed on that header field according to this specification. That is to say, any CRLF that appears in FWS is semantically "invisible".

A comment is normally used in a structured field body to provide some human-readable informational text. Since a comment is allowed to contain FWS, folding is permitted within the comment. Also note that since quoted-pair is allowed in a comment, the parentheses and backslash characters may appear in a comment, so long as they appear as a quoted-pair. Semantically, the enclosing parentheses are not part of the comment; the comment is what is contained between the two parentheses. As stated earlier, the "\" in any quoted-pair and the CRLF in any FWS that appears within the comment are semantically "invisible" and therefore not part of the comment either.

Runs of FWS, comment, or CFWS that occur between lexical tokens in a structured header field are semantically interpreted as a single space character.

3.2.3. Atom

Several productions in structured header field bodies are simply strings of certain basic characters. Such productions are called atoms.

Some of the structured header field bodies also allow the period character (".", ASCII value 46) within runs of atext. An additional "dot-atom" token is defined for those purposes.

Note: The "specials" token does not appear anywhere else in this specification. It is simply the visible (i.e., non-control, non-white space) characters that do not appear in atext. It is provided only because it is useful for implementers who use tools that lexically analyze messages. Each of the characters in specials can be used to indicate a tokenization point in lexical analysis.

```

atext      = ALPHA / DIGIT /          ; Printable US-ASCII
            "!" / "#" /              ; characters not including
            "$" / "%" /               ; specials.  Used for atoms.
            "&" / ":" /
            "*" / "+" /
            "-" / "/" /
            "=" / "?" /
            "^" / "_" /
            "`" / "{" /
            "|" / "}" /
            "~"

atom       = [CFWS] 1*atext [CFWS]

dot-atom-text = 1*atext *("." 1*atext)

dot-atom   = [CFWS] dot-atom-text [CFWS]

specials   = "(" / ")" /              ; Special characters that do
            "<" / ">" /                ; not appear in atext
            "[" / "]" /
            ":" / ";" /
            "@" / "\" /
            "," / "." /
            DQUOTE

```

Both atom and dot-atom are interpreted as a single unit, comprising the string of characters that make it up. Semantically, the optional comments and FWS surrounding the rest of the characters are not part of the atom; the atom is only the run of atext characters in an atom, or the atext and "." characters in a dot-atom.

3.2.4. Quoted Strings

Strings of characters that include characters other than those allowed in atoms can be represented in a quoted string format, where the characters are surrounded by quote (DQUOTE, ASCII value 34) characters.

```

qtext          = %d33 /           ; Printable US-ASCII
                  %d35-91 /       ; characters not including
                  %d93-126 /      ; "\" or the quote character
                  obs-qtext

qcontent       = qtext / quoted-pair

quoted-string  = [CFWS]
                  DQUOTE *([FWS] qcontent) [FWS] DQUOTE
                  [CFWS]

```

A quoted-string is treated as a unit. That is, quoted-string is identical to atom, semantically. Since a quoted-string is allowed to contain FWS, folding is permitted. Also note that since quoted-pair is allowed in a quoted-string, the quote and backslash characters may appear in a quoted-string so long as they appear as a quoted-pair.

Semantically, neither the optional CFWS outside of the quote characters nor the quote characters themselves are part of the quoted-string; the quoted-string is what is contained between the two quote characters. As stated earlier, the "\" in any quoted-pair and the CRLF in any FWS/CFWS that appears within the quoted-string are semantically "invisible" and therefore not part of the quoted-string either.

3.2.5. Miscellaneous Tokens

Three additional tokens are defined: word and phrase for combinations of atoms and/or quoted-strings, and unstructured for use in unstructured header fields and in some places within structured header fields.

```

word           = atom / quoted-string

phrase        = 1*word / obs-phrase

unstructured   = (*( [FWS] VCHAR ) *WSP) / obs-unstruct

```

3.3. Date and Time Specification

Date and time values occur in several header fields. This section specifies the syntax for a full date and time specification. Though folding white space is permitted throughout the date-time specification, it is RECOMMENDED that a single space be used in each place that FWS appears (whether it is required or optional); some older implementations will not interpret longer sequences of folding white space correctly.

date-time = [day-of-week ", "] date time [CFWS]
 day-of-week = ([FWS] day-name) / obs-day-of-week
 day-name = "Mon" / "Tue" / "Wed" / "Thu" /
 "Fri" / "Sat" / "Sun"
 date = day month year
 day = ([FWS] 1*2DIGIT FWS) / obs-day
 month = "Jan" / "Feb" / "Mar" / "Apr" /
 "May" / "Jun" / "Jul" / "Aug" /
 "Sep" / "Oct" / "Nov" / "Dec"
 year = (FWS 4*DIGIT FWS) / obs-year
 time = time-of-day zone
 time-of-day = hour ":" minute [":" second]
 hour = 2DIGIT / obs-hour
 minute = 2DIGIT / obs-minute
 second = 2DIGIT / obs-second
 zone = (FWS ("+" / "-") 4DIGIT) / obs-zone

The day is the numeric day of the month. The year is any numeric year 1900 or later.

The time-of-day specifies the number of hours, minutes, and optionally seconds since midnight of the date indicated.

The date and time-of-day SHOULD express local time.

The zone specifies the offset from Coordinated Universal Time (UTC, formerly referred to as "Greenwich Mean Time") that the date and time-of-day represent. The "+" or "-" indicates whether the time-of-day is ahead of (i.e., east of) or behind (i.e., west of) Universal Time. The first two digits indicate the number of hours difference from Universal Time, and the last two digits indicate the number of additional minutes difference from Universal Time. (Hence, +hhmm means +(hh * 60 + mm) minutes, and -hhmm means -(hh * 60 + mm) minutes). The form "+0000" SHOULD be used to indicate a time zone at Universal Time. Though "-0000" also indicates Universal Time, it is

used to indicate that the time was generated on a system that may be in a local time zone other than Universal Time and that the date-time contains no information about the local time zone.

A date-time specification MUST be semantically valid. That is, the day-of-week (if included) MUST be the day implied by the date, the numeric day-of-month MUST be between 1 and the number of days allowed for the specified month (in the specified year), the time-of-day MUST be in the range 00:00:00 through 23:59:60 (the number of seconds allowing for a leap second; see [RFC1305]), and the last two digits of the zone MUST be within the range 00 through 59.

3.4. Address Specification

Addresses occur in several message header fields to indicate senders and recipients of messages. An address may either be an individual mailbox, or a group of mailboxes.

```

address      = mailbox / group
mailbox      = name-addr / addr-spec
name-addr    = [display-name] angle-addr
angle-addr   = [CFWS] "<" addr-spec ">" [CFWS] /
              obs-angle-addr
group        = display-name ":" [group-list] ";" [CFWS]
display-name = phrase
mailbox-list = (mailbox *("," mailbox)) / obs-mbox-list
address-list = (address *("," address)) / obs-addr-list
group-list   = mailbox-list / CFWS / obs-group-list

```

A mailbox receives mail. It is a conceptual entity that does not necessarily pertain to file storage. For example, some sites may choose to print mail on a printer and deliver the output to the addressee's desk.

Normally, a mailbox is composed of two parts: (1) an optional display name that indicates the name of the recipient (which can be a person or a system) that could be displayed to the user of a mail application, and (2) an addr-spec address enclosed in angle brackets

("<" and ">"). There is an alternate simple form of a mailbox where the addr-spec address appears alone, without the recipient's name or the angle brackets. The Internet addr-spec address is described in section 3.4.1.

Note: Some legacy implementations used the simple form where the addr-spec appears without the angle brackets, but included the name of the recipient in parentheses as a comment following the addr-spec. Since the meaning of the information in a comment is unspecified, implementations SHOULD use the full name-addr form of the mailbox, instead of the legacy form, to specify the display name associated with a mailbox. Also, because some legacy implementations interpret the comment, comments generally SHOULD NOT be used in address fields to avoid confusing such implementations.

When it is desirable to treat several mailboxes as a single unit (i.e., in a distribution list), the group construct can be used. The group construct allows the sender to indicate a named group of recipients. This is done by giving a display name for the group, followed by a colon, followed by a comma-separated list of any number of mailboxes (including zero and one), and ending with a semicolon. Because the list of mailboxes can be empty, using the group construct is also a simple way to communicate to recipients that the message was sent to one or more named sets of recipients, without actually providing the individual mailbox address for any of those recipients.

3.4.1. Addr-Spec Specification

An addr-spec is a specific Internet identifier that contains a locally interpreted string followed by the at-sign character ("@"; ASCII value 64) followed by an Internet domain. The locally interpreted string is either a quoted-string or a dot-atom. If the string can be represented as a dot-atom (that is, it contains no characters other than atext characters or "." surrounded by atext characters), then the dot-atom form SHOULD be used and the quoted-string form SHOULD NOT be used. Comments and folding white space SHOULD NOT be used around the "@" in the addr-spec.

Note: A liberal syntax for the domain portion of addr-spec is given here. However, the domain portion contains addressing information specified by and used in other protocols (e.g., [RFC1034], [RFC1035], [RFC1123], [RFC5321]). It is therefore incumbent upon implementations to conform to the syntax of addresses for the context in which they are used.

```

addr-spec      = local-part "@" domain
local-part    = dot-atom / quoted-string / obs-local-part
domain        = dot-atom / domain-literal / obs-domain
domain-literal = [CFWS] "[" *([FWS] dtext) [FWS] "]" [CFWS]
dtext         = %d33-90 /           ; Printable US-ASCII
               %d94-126 /          ; characters not including
               obs-dtext           ; "[", "]", or "\"

```

The domain portion identifies the point to which the mail is delivered. In the dot-atom form, this is interpreted as an Internet domain name (either a host name or a mail exchanger name) as described in [RFC1034], [RFC1035], and [RFC1123]. In the domain-literal form, the domain is interpreted as the literal Internet address of the particular host. In both cases, how addressing is used and how messages are transported to a particular host is covered in separate documents, such as [RFC5321]. These mechanisms are outside of the scope of this document.

The local-part portion is a domain-dependent string. In addresses, it is simply interpreted on the particular host as a name of a particular mailbox.

3.5. Overall Message Syntax

A message consists of header fields, optionally followed by a message body. Lines in a message **MUST** be a maximum of 998 characters excluding the CRLF, but it is **RECOMMENDED** that lines be limited to 78 characters excluding the CRLF. (See section 2.1.1 for explanation.) In a message body, though all of the characters listed in the text rule **MAY** be used, the use of US-ASCII control characters (values 1 through 8, 11, 12, and 14 through 31) is discouraged since their interpretation by receivers for display is not guaranteed.

```

message       = (fields / obs-fields)
               [CRLF body]
body          = (*(998text CRLF) *998text) / obs-body
text          = %d1-9 /           ; Characters excluding CR
               %d11 /            ; and LF
               %d12 /
               %d14-127

```

The header fields carry most of the semantic information and are defined in section 3.6. The body is simply a series of lines of text that are uninterpreted for the purposes of this specification.

3.6. Field Definitions

The header fields of a message are defined here. All header fields have the same general syntactic structure: a field name, followed by a colon, followed by the field body. The specific syntax for each header field is defined in the subsequent sections.

Note: In the ABNF syntax for each field in subsequent sections, each field name is followed by the required colon. However, for brevity, sometimes the colon is not referred to in the textual description of the syntax. It is, nonetheless, required.

It is important to note that the header fields are not guaranteed to be in a particular order. They may appear in any order, and they have been known to be reordered occasionally when transported over the Internet. However, for the purposes of this specification, header fields SHOULD NOT be reordered when a message is transported or transformed. More importantly, the trace header fields and resent header fields MUST NOT be reordered, and SHOULD be kept in blocks prepended to the message. See sections 3.6.6 and 3.6.7 for more information.

The only required header fields are the origination date field and the originator address field(s). All other header fields are syntactically optional. More information is contained in the table following this definition.

```

fields = , *(trace
        *optional-field /
        *(resent-date /
          resent-from /
          resent-sender /
          resent-to /
          resent-cc /
          resent-bcc /
          resent-msg-id))
        *(orig-date /
          from /
          sender /
          reply-to /
          to /
          cc /
          bcc /
          message-id /
          in-reply-to /
          references /
          subject /
          comments /
          keywords /
          optional-field)

```

The following table indicates limits on the number of times each field may occur in the header section of a message as well as any special limitations on the use of those fields. An asterisk ("*") next to a value in the minimum or maximum column indicates that a special restriction appears in the Notes column.

Field	Min number	Max number	Notes
trace	0	unlimited	Block prepended - see 3.6.7
resent-date	0*	unlimited*	One per block, required if other resent fields are present - see 3.6.6
resent-from	0	unlimited*	One per block - see 3.6.6
resent-sender	0*	unlimited*	One per block, MUST occur with multi-address resent-from - see 3.6.6
resent-to	0	unlimited*	One per block - see 3.6.6
resent-cc	0	unlimited*	One per block - see 3.6.6
resent-bcc	0	unlimited*	One per block - see 3.6.6
resent-msg-id	0	unlimited*	One per block - see 3.6.6
orig-date	1	1	
from	1	1	See sender and 3.6.2
sender	0*	1	MUST occur with multi-address from - see 3.6.2.
reply-to	0	1	
to	0	1	
cc	0	1	
bcc	0	1	
message-id	0*	1	SHOULD be present - see 3.6.4
in-reply-to	0*	1	SHOULD occur in some replies - see 3.6.4
references	0*	1	SHOULD occur in some replies - see 3.6.4
subject	0	1	
comments	0	unlimited	
keywords	0	unlimited	
optional-field	0	unlimited	

The exact interpretation of each field is described in subsequent sections.

3.6.1. The Origination Date Field

The origination date field consists of the field name "Date" followed by a date-time specification.

```
orig-date      = "Date:" date-time CRLF
```

The origination date specifies the date and time at which the creator of the message indicated that the message was complete and ready to enter the mail delivery system. For instance, this might be the time that a user pushes the "send" or "submit" button in an application program. In any case, it is specifically not intended to convey the time that the message is actually transported, but rather the time at which the human or other creator of the message has put the message into its final form, ready for transport. (For example, a portable computer user who is not connected to a network might queue a message for delivery. The origination date is intended to contain the date and time that the user queued the message, not the time when the user connected to the network to send the message.)

3.6.2. Originator Fields

The originator fields of a message consist of the from field, the sender field (when applicable), and optionally the reply-to field. The from field consists of the field name "From" and a comma-separated list of one or more mailbox specifications. If the from field contains more than one mailbox specification in the mailbox-list, then the sender field, containing the field name "Sender" and a single mailbox specification, MUST appear in the message. In either case, an optional reply-to field MAY also be included, which contains the field name "Reply-To" and a comma-separated list of one or more addresses.

```
from          = "From:" mailbox-list CRLF
```

```
sender        = "Sender:" mailbox CRLF
```

```
reply-to     = "Reply-To:" address-list CRLF
```

The originator fields indicate the mailbox(es) of the source of the message. The "From:" field specifies the author(s) of the message, that is, the mailbox(es) of the person(s) or system(s) responsible for the writing of the message. The "Sender:" field specifies the mailbox of the agent responsible for the actual transmission of the message. For example, if a secretary were to send a message for another person, the mailbox of the secretary would appear in the "Sender:" field and the mailbox of the actual author would appear in the "From:" field. If the originator of the message can be indicated

by a single mailbox and the author and transmitter are identical, the "Sender:" field SHOULD NOT be used. Otherwise, both fields SHOULD appear.

Note: The transmitter information is always present. The absence of the "Sender:" field is sometimes mistakenly taken to mean that the agent responsible for transmission of the message has not been specified. This absence merely means that the transmitter is identical to the author and is therefore not redundantly placed into the "Sender:" field.

The originator fields also provide the information required when replying to a message. When the "Reply-To:" field is present, it indicates the address(es) to which the author of the message suggests that replies be sent. In the absence of the "Reply-To:" field, replies SHOULD by default be sent to the mailbox(es) specified in the "From:" field unless otherwise specified by the person composing the reply.

In all cases, the "From:" field SHOULD NOT contain any mailbox that does not belong to the author(s) of the message. See also section 3.6.3 for more information on forming the destination addresses for a reply.

3.6.3. Destination Address Fields

The destination fields of a message consist of three possible fields, each of the same form: the field name, which is either "To", "Cc", or "Bcc", followed by a comma-separated list of one or more addresses (either mailbox or group syntax).

```
to           = "To:" address-list CRLF
cc           = "Cc:" address-list CRLF
bcc          = "Bcc:" [address-list / CFWS] CRLF
```

The destination fields specify the recipients of the message. Each destination field may have one or more addresses, and the addresses indicate the intended recipients of the message. The only difference between the three fields is how each is used.

The "To:" field contains the address(es) of the primary recipient(s) of the message.

The "Cc:" field (where the "Cc" means "Carbon Copy" in the sense of making a copy on a typewriter using carbon paper) contains the addresses of others who are to receive the message, though the content of the message may not be directed at them.

The "Bcc:" field (where the "Bcc" means "Blind Carbon Copy") contains addresses of recipients of the message whose addresses are not to be revealed to other recipients of the message. There are three ways in which the "Bcc:" field is used. In the first case, when a message containing a "Bcc:" field is prepared to be sent, the "Bcc:" line is removed even though all of the recipients (including those specified in the "Bcc:" field) are sent a copy of the message. In the second case, recipients specified in the "To:" and "Cc:" lines each are sent a copy of the message with the "Bcc:" line removed as above, but the recipients on the "Bcc:" line get a separate copy of the message containing a "Bcc:" line. (When there are multiple recipient addresses in the "Bcc:" field, some implementations actually send a separate copy of the message to each recipient with a "Bcc:" containing only the address of that particular recipient.) Finally, since a "Bcc:" field may contain no addresses, a "Bcc:" field can be sent without any addresses indicating to the recipients that blind copies were sent to someone. Which method to use with "Bcc:" fields is implementation dependent, but refer to the "Security Considerations" section of this document for a discussion of each.

When a message is a reply to another message, the mailboxes of the authors of the original message (the mailboxes in the "From:" field) or mailboxes specified in the "Reply-To:" field (if it exists) MAY appear in the "To:" field of the reply since these would normally be the primary recipients of the reply. If a reply is sent to a message that has destination fields, it is often desirable to send a copy of the reply to all of the recipients of the message, in addition to the author. When such a reply is formed, addresses in the "To:" and "Cc:" fields of the original message MAY appear in the "Cc:" field of the reply, since these are normally secondary recipients of the reply. If a "Bcc:" field is present in the original message, addresses in that field MAY appear in the "Bcc:" field of the reply, but they SHOULD NOT appear in the "To:" or "Cc:" fields.

Note: Some mail applications have automatic reply commands that include the destination addresses of the original message in the destination addresses of the reply. How those reply commands behave is implementation dependent and is beyond the scope of this document. In particular, whether or not to include the original destination addresses when the original message had a "Reply-To:" field is not addressed here.

3.6.4. Identification Fields

Though listed as optional in the table in section 3.6, every message SHOULD have a "Message-ID:" field. Furthermore, reply messages SHOULD have "In-Reply-To:" and "References:" fields as appropriate and as described below.

The "Message-ID:" field contains a single unique message identifier. The "References:" and "In-Reply-To:" fields each contain one or more unique message identifiers, optionally separated by CFWS.

The message identifier (msg-id) syntax is a limited version of the addr-spec construct enclosed in the angle bracket characters, "<" and ">". Unlike addr-spec, this syntax only permits the dot-atom-text form on the left-hand side of the "@" and does not have internal CFWS anywhere in the message identifier.

Note: As with addr-spec, a liberal syntax is given for the right-hand side of the "@" in a msg-id. However, later in this section, the use of a domain for the right-hand side of the "@" is RECOMMENDED. Again, the syntax of domain constructs is specified by and used in other protocols (e.g., [RFC1034], [RFC1035], [RFC1123], [RFC5321]). It is therefore incumbent upon implementations to conform to the syntax of addresses for the context in which they are used.

```

message-id      = "Message-ID:" msg-id CRLF
in-reply-to    = "In-Reply-To:" 1*msg-id CRLF
references     = "References:" 1*msg-id CRLF
msg-id        = [CFWS] "<" id-left "@" id-right ">" [CFWS]
id-left       = dot-atom-text / obs-id-left
id-right      = dot-atom-text / no-fold-literal / obs-id-right
no-fold-literal = "[" *dtext "]"

```

The "Message-ID:" field provides a unique message identifier that refers to a particular version of a particular message. The uniqueness of the message identifier is guaranteed by the host that generates it (see below). This message identifier is intended to be machine readable and not necessarily meaningful to humans. A message identifier pertains to exactly one version of a particular message; subsequent revisions to the message each receive new message identifiers.

Note: There are many instances when messages are "changed", but those changes do not constitute a new instantiation of that message, and therefore the message would not get a new message identifier. For example, when messages are introduced into the transport system, they are often prepended with additional header fields such as trace fields (described in section 3.6.7) and resent fields (described in section 3.6.6). The addition of such header fields does not change the identity of the message and therefore the original "Message-ID:" field is retained. In all cases, it is the meaning that the sender of the message wishes to convey (i.e., whether this is the same message or a different message) that determines whether or not the "Message-ID:" field changes; not any particular syntactic difference that appears (or does not appear) in the message.

The "In-Reply-To:" and "References:" fields are used when creating a reply to a message. They hold the message identifier of the original message and the message identifiers of other messages (for example, in the case of a reply to a message that was itself a reply). The "In-Reply-To:" field may be used to identify the message (or messages) to which the new message is a reply, while the "References:" field may be used to identify a "thread" of conversation.

When creating a reply to a message, the "In-Reply-To:" and "References:" fields of the resultant message are constructed as follows:

The "In-Reply-To:" field will contain the contents of the "Message-ID:" field of the message to which this one is a reply (the "parent message"). If there is more than one parent message, then the "In-Reply-To:" field will contain the contents of all of the parents' "Message-ID:" fields. If there is no "Message-ID:" field in any of the parent messages, then the new message will have no "In-Reply-To:" field.

The "References:" field will contain the contents of the parent's "References:" field (if any) followed by the contents of the parent's "Message-ID:" field (if any). If the parent message does not contain a "References:" field but does have an "In-Reply-To:" field containing a single message identifier, then the "References:" field will contain the contents of the parent's "In-Reply-To:" field followed by the contents of the parent's "Message-ID:" field (if any). If the parent has none of the "References:", "In-Reply-To:", or "Message-ID:" fields, then the new message will have no "References:" field.

Note: Some implementations parse the "References:" field to display the "thread of the discussion". These implementations assume that each new message is a reply to a single parent and hence that they can walk backwards through the "References:" field to find the parent of each message listed there. Therefore, trying to form a "References:" field for a reply that has multiple parents is discouraged; how to do so is not defined in this document.

The message identifier (msg-id) itself MUST be a globally unique identifier for a message. The generator of the message identifier MUST guarantee that the msg-id is unique. There are several algorithms that can be used to accomplish this. Since the msg-id has a similar syntax to addr-spec (identical except that quoted strings, comments, and folding white space are not allowed), a good method is to put the domain name (or a domain literal IP address) of the host on which the message identifier was created on the right-hand side of the "@" (since domain names and IP addresses are normally unique), and put a combination of the current absolute date and time along with some other currently unique (perhaps sequential) identifier available on the system (for example, a process id number) on the left-hand side. Though other algorithms will work, it is RECOMMENDED that the right-hand side contain some domain identifier (either of the host itself or otherwise) such that the generator of the message identifier can guarantee the uniqueness of the left-hand side within the scope of that domain.

Semantically, the angle bracket characters are not part of the msg-id; the msg-id is what is contained between the two angle bracket characters.

3.6.5. Informational Fields

The informational fields are all optional. The "Subject:" and "Comments:" fields are unstructured fields as defined in section 2.2.1, and therefore may contain text or folding white space. The "Keywords:" field contains a comma-separated list of one or more words or quoted-strings.

```
subject      = "Subject:" unstructured CRLF
comments    = "Comments:" unstructured CRLF
keywords     = "Keywords:" phrase *(", " phrase) CRLF
```

These three fields are intended to have only human-readable content with information about the message. The "Subject:" field is the most common and contains a short string identifying the topic of the

message. When used in a reply, the field body MAY start with the string "Re: " (an abbreviation of the Latin "in re", meaning "in the matter of") followed by the contents of the "Subject:" field body of the original message. If this is done, only one instance of the literal string "Re: " ought to be used since use of other strings or more than one instance can lead to undesirable consequences. The "Comments:" field contains any additional comments on the text of the body of the message. The "Keywords:" field contains a comma-separated list of important words and phrases that might be useful for the recipient.

3.6.6. Resent Fields

Resent fields SHOULD be added to any message that is reintroduced by a user into the transport system. A separate set of resent fields SHOULD be added each time this is done. All of the resent fields corresponding to a particular resending of the message SHOULD be grouped together. Each new set of resent fields is prepended to the message; that is, the most recent set of resent fields appears earlier in the message. No other fields in the message are changed when resent fields are added.

Each of the resent fields corresponds to a particular field elsewhere in the syntax. For instance, the "Resent-Date:" field corresponds to the "Date:" field and the "Resent-To:" field corresponds to the "To:" field. In each case, the syntax for the field body is identical to the syntax given previously for the corresponding field.

When resent fields are used, the "Resent-From:" and "Resent-Date:" fields MUST be sent. The "Resent-Message-ID:" field SHOULD be sent. "Resent-Sender:" SHOULD NOT be used if "Resent-From:" would be identical to "Resent-From:".

```
resent-date      = "Resent-Date:" date-time CRLF
resent-from      = "Resent-From:" mailbox-list CRLF
resent-sender    = "Resent-Sender:" mailbox CRLF
resent-to        = "Resent-To:" address-list CRLF
resent-cc        = "Resent-Cc:" address-list CRLF
resent-bcc       = "Resent-Bcc:" [address-list / CFWS] CRLF
resent-msg-id    = "Resent-Message-ID:" msg-id CRLF
```

Resent fields are used to identify a message as having been reintroduced into the transport system by a user. The purpose of using resent fields is to have the message appear to the final recipient as if it were sent directly by the original sender, with all of the original fields remaining the same. Each set of resent fields correspond to a particular resending event. That is, if a message is resent multiple times, each set of resent fields gives identifying information for each individual time. Resent fields are strictly informational. They MUST NOT be used in the normal processing of replies or other such automatic actions on messages.

Note: Reintroducing a message into the transport system and using resent fields is a different operation from "forwarding". "Forwarding" has two meanings: One sense of forwarding is that a mail reading program can be told by a user to forward a copy of a message to another person, making the forwarded message the body of the new message. A forwarded message in this sense does not appear to have come from the original sender, but is an entirely new message from the forwarder of the message. Forwarding may also mean that a mail transport program gets a message and forwards it on to a different destination for final delivery. Resent header fields are not intended for use with either type of forwarding.

The resent originator fields indicate the mailbox of the person(s) or system(s) that resent the message. As with the regular originator fields, there are two forms: a simple "Resent-From:" form, which contains the mailbox of the individual doing the resending, and the more complex form, when one individual (identified in the "Resent-Sender:" field) resends a message on behalf of one or more others (identified in the "Resent-From:" field).

Note: When replying to a resent message, replies behave just as they would with any other message, using the original "From:", "Reply-To:", "Message-ID:", and other fields. The resent fields are only informational and MUST NOT be used in the normal processing of replies.

The "Resent-Date:" indicates the date and time at which the resent message is dispatched by the resender of the message. Like the "Date:" field, it is not the date and time that the message was actually transported.

The "Resent-To:", "Resent-Cc:", and "Resent-Bcc:" fields function identically to the "To:", "Cc:", and "Bcc:" fields, respectively, except that they indicate the recipients of the resent message, not the recipients of the original message.

The "Resent-Message-ID:" field provides a unique identifier for the resent message.

3.6.7. Trace Fields

The trace fields are a group of header fields consisting of an optional "Return-Path:" field, and one or more "Received:" fields. The "Return-Path:" header field contains a pair of angle brackets that enclose an optional addr-spec. The "Received:" field contains a (possibly empty) list of tokens followed by a semicolon and a date-time specification. Each token must be a word, angle-addr, addr-spec, or a domain. Further restrictions are applied to the syntax of the trace fields by specifications that provide for their use, such as [RFC5321].

```

trace           = [return]
                  1*received

return          = "Return-Path:" path CRLF

path           = angle-addr / ([CFWS] "<" [CFWS] ">" [CFWS])

received       = "Received:" *received-token ";" date-time CRLF

received-token = word / angle-addr / addr-spec / domain

```

A full discussion of the Internet mail use of trace fields is contained in [RFC5321]. For the purposes of this specification, the trace fields are strictly informational, and any formal interpretation of them is outside of the scope of this document.

3.6.8. Optional Fields

Fields may appear in messages that are otherwise unspecified in this document. They MUST conform to the syntax of an optional-field. This is a field name, made up of the printable US-ASCII characters except SP and colon, followed by a colon, followed by any text that conforms to the unstructured syntax.

The field names of any optional field MUST NOT be identical to any field name specified elsewhere in this document.

```

optional-field = field-name ":" unstructured CRLF

field-name     = 1*ftext

ftext         = %d33-57 / ; Printable US-ASCII
                %d59-126 ; characters not including
                ; ":".

```

For the purposes of this specification, any optional field is uninterpreted.

4. Obsolete Syntax

Earlier versions of this specification allowed for different (usually more liberal) syntax than is allowed in this version. Also, there have been syntactic elements used in messages on the Internet whose interpretations have never been documented. Though these syntactic forms **MUST NOT** be generated according to the grammar in section 3, they **MUST** be accepted and parsed by a conformant receiver. This section documents many of these syntactic elements. Taking the grammar in section 3 and adding the definitions presented in this section will result in the grammar to use for the interpretation of messages.

Note: This section identifies syntactic forms that any implementation **MUST** reasonably interpret. However, there are certainly Internet messages that do not conform to even the additional syntax given in this section. The fact that a particular form does not appear in any section of this document is not justification for computer programs to crash or for malformed data to be irretrievably lost by any implementation. It is up to the implementation to deal with messages robustly.

One important difference between the obsolete (interpreting) and the current (generating) syntax is that in structured header field bodies (i.e., between the colon and the CRLF of any structured header field), white space characters, including folding white space, and comments could be freely inserted between any syntactic tokens. This allowed many complex forms that have proven difficult for some implementations to parse.

Another key difference between the obsolete and the current syntax is that the rule in section 3.2.2 regarding lines composed entirely of white space in comments and folding white space does not apply. See the discussion of folding white space in section 4.2 below.

Finally, certain characters that were formerly allowed in messages appear in this section. The NUL character (ASCII value 0) was once

allowed, but is no longer for compatibility reasons. Similarly, US-ASCII control characters other than CR, LF, SP, and HTAB (ASCII values 1 through 8, 11, 12, 14 through 31, and 127) were allowed to appear in header field bodies. CR and LF were allowed to appear in messages other than as CRLF; this use is also shown here.

Other differences in syntax and semantics are noted in the following sections.

4.1. Miscellaneous Obsolete Tokens

These syntactic elements are used elsewhere in the obsolete syntax or in the main syntax: Bare CR, bare LF, and NUL are added to obs-qp, obs-body, and obs-unstruct. US-ASCII control characters are added to obs-qp, obs-unstruct, obs-ctext, and obs-qttext. The period character is added to obs-phrase. The obs-phrase-list provides for a (potentially empty) comma-separated list of phrases that may include "null" elements. That is, there could be two or more commas in such a list with nothing in between them, or commas at the beginning or end of the list.

Note: The "period" (or "full stop") character (".") in obs-phrase is not a form that was allowed in earlier versions of this or any other specification. Period (nor any other character from specials) was not allowed in phrase because it introduced a parsing difficulty distinguishing between phrases and portions of an addr-spec (see section 4.4). It appears here because the period character is currently used in many messages in the display-name portion of addresses, especially for initials in names, and therefore must be interpreted properly.

```

obs-NO-WS-CTL = %d1-8 /           ; US-ASCII control
                %d11 /          ; characters that do not
                %d12 /          ; include the carriage
                %d14-31 /       ; return, line feed, and
                %d127           ; white space characters

obs-ctext     = obs-NO-WS-CTL

obs-qttext    = obs-NO-WS-CTL

obs-utext     = %d0 / obs-NO-WS-CTL / VCHAR

obs-qp        = "\" (%d0 / obs-NO-WS-CTL / LF / CR)

obs-body      = *((*LF *CR *((%d0 / text) *LF *CR)) / CRLF)

obs-unstruct  = *((*LF *CR *(obs-utext *LF *CR)) / FWS)

```


obs-phrase = word *(word / "." / CFWS)

obs-phrase-list = [phrase / CFWS] *("," [phrase / CFWS])

Bare CR and bare LF appear in messages with two different meanings. In many cases, bare CR or bare LF are used improperly instead of CRLF to indicate line separators. In other cases, bare CR and bare LF are used simply as US-ASCII control characters with their traditional ASCII meanings.

4.2. Obsolete Folding White Space

In the obsolete syntax, any amount of folding white space MAY be inserted where the obs-FWS rule is allowed. This creates the possibility of having two consecutive "folds" in a line, and therefore the possibility that a line which makes up a folded header field could be composed entirely of white space.

obs-FWS = 1*WSP *(CRLF 1*WSP)

4.3. Obsolete Date and Time

The syntax for the obsolete date format allows a 2 digit year in the date field and allows for a list of alphabetic time zone specifiers that were used in earlier versions of this specification. It also permits comments and folding white space between many of the tokens:

obs-day-of-week = [CFWS] day-name [CFWS]

obs-day = [CFWS] 1*2DIGIT [CFWS]

obs-year = [CFWS] 2*DIGIT [CFWS]

obs-hour = [CFWS] 2DIGIT [CFWS]

obs-minute = [CFWS] 2DIGIT [CFWS]

obs-second = [CFWS] 2DIGIT [CFWS]

obs-zone = "UT" / "GMT" / ; Universal Time
 ; North American UT
 ; offsets
 "EST" / "EDT" / ; Eastern: - 5/ - 4
 "CST" / "CDT" / ; Central: - 6/ - 5
 "MST" / "MDT" / ; Mountain: - 7/ - 6
 "PST" / "PDT" / ; Pacific: - 8/ - 7
 ;

```

%d65-73 /           ; Military zones - "A"
%d75-90 /           ; through "I" and "K"
%d97-105 /          ; through "Z", both
%d107-122           ; upper and lower case

```

Where a two or three digit year occurs in a date, the year is to be interpreted as follows: If a two digit year is encountered whose value is between 00 and 49, the year is interpreted by adding 2000, ending up with a value between 2000 and 2049. If a two digit year is encountered with a value between 50 and 99, or any three digit year is encountered, the year is interpreted by adding 1900.

In the obsolete time zone, "UT" and "GMT" are indications of "Universal Time" and "Greenwich Mean Time", respectively, and are both semantically identical to "+0000".

The remaining three character zones are the US time zones. The first letter, "E", "C", "M", or "P" stands for "Eastern", "Central", "Mountain", and "Pacific". The second letter is either "S" for "Standard" time, or "D" for "Daylight Savings" (or summer) time. Their interpretations are as follows:

```

EDT is semantically equivalent to -0400
EST is semantically equivalent to -0500
CDT is semantically equivalent to -0500
CST is semantically equivalent to -0600
MDT is semantically equivalent to -0600
MST is semantically equivalent to -0700
PDT is semantically equivalent to -0700
PST is semantically equivalent to -0800

```

The 1 character military time zones were defined in a non-standard way in [RFC0822] and are therefore unpredictable in their meaning. The original definitions of the military zones "A" through "I" are equivalent to "+0100" through "+0900", respectively; "K", "L", and "M" are equivalent to "+1000", "+1100", and "+1200", respectively; "N" through "Y" are equivalent to "-0100" through "-1200", respectively; and "Z" is equivalent to "+0000". However, because of the error in [RFC0822], they SHOULD all be considered equivalent to "-0000" unless there is out-of-band information confirming their meaning.

Other multi-character (usually between 3 and 5) alphabetic time zones have been used in Internet messages. Any such time zone whose meaning is not known SHOULD be considered equivalent to "-0000" unless there is out-of-band information confirming their meaning.

4.4. Obsolete Addressing

There are four primary differences in addressing. First, mailbox addresses were allowed to have a route portion before the addr-spec when enclosed in "<" and ">". The route is simply a comma-separated list of domain names, each preceded by "@", and the list terminated by a colon. Second, CFWS were allowed between the period-separated elements of local-part and domain (i.e., dot-atom was not used). In addition, local-part is allowed to contain quoted-string in addition to just atom. Third, mailbox-list and address-list were allowed to have "null" members. That is, there could be two or more commas in such a list with nothing in between them, or commas at the beginning or end of the list. Finally, US-ASCII control characters and quoted-pairs were allowed in domain literals and are added here.

```

obs-angle-addr = [CFWS] "<" obs-route addr-spec ">" [CFWS]

obs-route      = obs-domain-list ":"

obs-domain-list = *(CFWS / "," ) "@" domain
                 *("," [CFWS] ["@" domain])

obs-mbox-list  = *([CFWS] ",") mailbox *("," [mailbox / CFWS])

obs-addr-list  = *([CFWS] ",") address *("," [address / CFWS])

obs-group-list = 1*([CFWS] ",") [CFWS]

obs-local-part = word *("." word)

obs-domain     = atom *("." atom)

obs-dtext      = obs-NO-WS-CTL / quoted-pair

```

When interpreting addresses, the route portion SHOULD be ignored.

4.5. Obsolete Header Fields

Syntactically, the primary difference in the obsolete field syntax is that it allows multiple occurrences of any of the fields and they may occur in any order. Also, any amount of white space is allowed before the ":" at the end of the field name.

```

obs-fields      = *(obs-return /
                   obs-received /
                   obs-orig-date /
                   obs-from /
                   obs-sender /
                   obs-reply-to /
                   obs-to /
                   obs-cc /
                   obs-bcc /
                   obs-message-id /
                   obs-in-reply-to /
                   obs-references /
                   obs-subject /
                   obs-comments /
                   obs-keywords /
                   obs-resent-date /
                   obs-resent-from /
                   obs-resent-send /
                   obs-resent-rply /
                   obs-resent-to /
                   obs-resent-cc /
                   obs-resent-bcc /
                   obs-resent-mid /
                   obs-optional)

```

Except for destination address fields (described in section 4.5.3), the interpretation of multiple occurrences of fields is unspecified. Also, the interpretation of trace fields and resent fields that do not occur in blocks prepended to the message is unspecified as well. Unless otherwise noted in the following sections, interpretation of other fields is identical to the interpretation of their non-obsolete counterparts in section 3.

4.5.1. Obsolete Origination Date Field

```
obs-orig-date   = "Date" *WSP ":" date-time CRLF
```

4.5.2. Obsolete Originator Fields

```
obs-from       = "From" *WSP ":" mailbox-list CRLF
```

```
obs-sender     = "Sender" *WSP ":" mailbox CRLF
```

```
obs-reply-to   = "Reply-To" *WSP ":" address-list CRLF
```

4.5.3. Obsolete Destination Address Fields

```

obs-to      = "To" *WSP ":" address-list CRLF
obs-cc      = "Cc" *WSP ":" address-list CRLF
obs-bcc     = "Bcc" *WSP ":"
              (address-list / (*( [CFWS] "," [CFWS] )) CRLF

```

When multiple occurrences of destination address fields occur in a message, they SHOULD be treated as if the address list in the first occurrence of the field is combined with the address lists of the subsequent occurrences by adding a comma and concatenating.

4.5.4. Obsolete Identification Fields

The obsolete "In-Reply-To:" and "References:" fields differ from the current syntax in that they allow phrase (words or quoted strings) to appear. The obsolete forms of the left and right sides of msg-id allow interspersed CFWS, making them syntactically identical to local-part and domain, respectively.

```

obs-message-id = "Message-ID" *WSP ":" msg-id CRLF
obs-in-reply-to = "In-Reply-To" *WSP ":" *(phrase / msg-id) CRLF
obs-references = "References" *WSP ":" *(phrase / msg-id) CRLF
obs-id-left    = local-part
obs-id-right   = domain

```

For purposes of interpretation, the phrases in the "In-Reply-To:" and "References:" fields are ignored.

Semantically, none of the optional CFWS in the local-part and the domain is part of the obs-id-left and obs-id-right, respectively.

4.5.5. Obsolete Informational Fields

```

obs-subject   = "Subject" *WSP ":" unstructured CRLF
obs-comments  = "Comments" *WSP ":" unstructured CRLF
obs-keywords  = "Keywords" *WSP ":" obs-phrase-list CRLF

```

4.5.6. Obsolete Resent Fields

The obsolete syntax adds a "Resent-Reply-To:" field, which consists of the field name, the optional comments and folding white space, the colon, and a comma separated list of addresses.

```
obs-resent-from = "Resent-From" *WSP ":" mailbox-list CRLF
obs-resent-send = "Resent-Sender" *WSP ":" mailbox CRLF
obs-resent-date = "Resent-Date" *WSP ":" date-time CRLF
obs-resent-to   = "Resent-To" *WSP ":" address-list CRLF
obs-resent-cc   = "Resent-Cc" *WSP ":" address-list CRLF
obs-resent-bcc  = "Resent-Bcc" *WSP ":"
                  (address-list / (*( [CFWS] ",") [CFWS] )) CRLF
obs-resent-mid  = "Resent-Message-ID" *WSP ":" msg-id CRLF
obs-resent-rply = "Resent-Reply-To" *WSP ":" address-list CRLF
```

As with other resent fields, the "Resent-Reply-To:" field is to be treated as trace information only.

4.5.7. Obsolete Trace Fields

The obs-return and obs-received are again given here as template definitions, just as return and received are in section 3. Their full syntax is given in [RFC5321].

```
obs-return      = "Return-Path" *WSP ":" path CRLF
obs-received    = "Received" *WSP ":" *received-token CRLF
```

4.5.8. Obsolete optional fields

```
obs-optional    = field-name *WSP ":" unstructured CRLF
```

5. Security Considerations

Care needs to be taken when displaying messages on a terminal or terminal emulator. Powerful terminals may act on escape sequences and other combinations of US-ASCII control characters with a variety of consequences. They can remap the keyboard or permit other modifications to the terminal that could lead to denial of service or even damaged data. They can trigger (sometimes programmable)

answerback messages that can allow a message to cause commands to be issued on the recipient's behalf. They can also affect the operation of terminal attached devices such as printers. Message viewers may wish to strip potentially dangerous terminal escape sequences from the message prior to display. However, other escape sequences appear in messages for useful purposes (cf. [ISO.2022.1994], [RFC2045], [RFC2046], [RFC2047], [RFC2049], [RFC4288], [RFC4289]) and therefore should not be stripped indiscriminately.

Transmission of non-text objects in messages raises additional security issues. These issues are discussed in [RFC2045], [RFC2046], [RFC2047], [RFC2049], [RFC4288], and [RFC4289].

Many implementations use the "Bcc:" (blind carbon copy) field, described in section 3.6.3, to facilitate sending messages to recipients without revealing the addresses of one or more of the addressees to the other recipients. Mishandling this use of "Bcc:" may disclose confidential information that could eventually lead to security problems through knowledge of even the existence of a particular mail address. For example, if using the first method described in section 3.6.3, where the "Bcc:" line is removed from the message, blind recipients have no explicit indication that they have been sent a blind copy, except insofar as their address does not appear in the header section of a message. Because of this, one of the blind addressees could potentially send a reply to all of the shown recipients and accidentally reveal that the message went to the blind recipient. When the second method from section 3.6.3 is used, the blind recipient's address appears in the "Bcc:" field of a separate copy of the message. If the "Bcc:" field sent contains all of the blind addressees, all of the "Bcc:" recipients will be seen by each "Bcc:" recipient. Even if a separate message is sent to each "Bcc:" recipient with only the individual's address, implementations still need to be careful to process replies to the message as per section 3.6.3 so as not to accidentally reveal the blind recipient to other recipients.

6. IANA Considerations

This document updates the registrations that appeared in [RFC4021] that referred to the definitions in [RFC2822]. IANA has updated the Permanent Message Header Field Repository with the following header fields, in accordance with the procedures set out in [RFC3864].

Header field name: Date
Applicable protocol: Mail
Status: standard
Author/Change controller: IETF
Specification document(s): This document (section 3.6.1)

Header field name: From
Applicable protocol: Mail
Status: standard
Author/Change controller: IETF
Specification document(s): This document (section 3.6.2)

Header field name: Sender
Applicable protocol: Mail
Status: standard
Author/Change controller: IETF
Specification document(s): This document (section 3.6.2)

Header field name: Reply-To
Applicable protocol: Mail
Status: standard
Author/Change controller: IETF
Specification document(s): This document (section 3.6.2)

Header field name: To
Applicable protocol: Mail
Status: standard
Author/Change controller: IETF
Specification document(s): This document (section 3.6.3)

Header field name: Cc
Applicable protocol: Mail
Status: standard
Author/Change controller: IETF
Specification document(s): This document (section 3.6.3)

Header field name: Bcc
Applicable protocol: Mail
Status: standard
Author/Change controller: IETF
Specification document(s): This document (section 3.6.3)

Header field name: Message-ID
Applicable protocol: Mail
Status: standard
Author/Change controller: IETF
Specification document(s): This document (section 3.6.4)

Header field name: In-Reply-To
Applicable protocol: Mail
Status: standard
Author/Change controller: IETF
Specification document(s): This document (section 3.6.4)

Header field name: References

Applicable protocol: Mail

Status: standard

Author/Change controller: IETF

Specification document(s): This document (section 3.6.4)

Header field name: Subject

Applicable protocol: Mail

Status: standard

Author/Change controller: IETF

Specification document(s): This document (section 3.6.5)

Header field name: Comments

Applicable protocol: Mail

Status: standard

Author/Change controller: IETF

Specification document(s): This document (section 3.6.5)

Header field name: Keywords

Applicable protocol: Mail

Status: standard

Author/Change controller: IETF

Specification document(s): This document (section 3.6.5)

Header field name: Resent-Date

Applicable protocol: Mail

Status: standard

Author/Change controller: IETF

Specification document(s): This document (section 3.6.6)

Header field name: Resent-From

Applicable protocol: Mail

Status: standard

Author/Change controller: IETF

Specification document(s): This document (section 3.6.6)

Header field name: Resent-Sender

Applicable protocol: Mail

Status: standard

Author/Change controller: IETF

Specification document(s): This document (section 3.6.6)

Header field name: Resent-To

Applicable protocol: Mail

Status: standard

Author/Change controller: IETF

Specification document(s): This document (section 3.6.6)

Header field name: Resent-Cc
Applicable protocol: Mail
Status: standard

Author/Change controller: IETF
Specification document(s): This document (section 3.6.6)

Header field name: Resent-Bcc
Applicable protocol: Mail
Status: standard

Author/Change controller: IETF
Specification document(s): This document (section 3.6.6)

Header field name: Resent-Reply-To
Applicable protocol: Mail
Status: obsolete

Author/Change controller: IETF
Specification document(s): This document (section 4.5.6)

Header field name: Resent-Message-ID
Applicable protocol: Mail
Status: standard

Author/Change controller: IETF
Specification document(s): This document (section 3.6.6)

Header field name: Return-Path
Applicable protocol: Mail
Status: standard

Author/Change controller: IETF
Specification document(s): This document (section 3.6.7)

Header field name: Received
Applicable protocol: Mail
Status: standard

Author/Change controller: IETF
Specification document(s): This document (section 3.6.7)
Related information: [RFC5321]

Appendix A. Example Messages

This section presents a selection of messages. These are intended to assist in the implementation of this specification, but should not be taken as normative; that is to say, although the examples in this section were carefully reviewed, if there happens to be a conflict between these examples and the syntax described in sections 3 and 4 of this document, the syntax in those sections is to be taken as correct.

In the text version of this document, messages in this section are delimited between lines of "----". The "----" lines are not part of the message itself.

Appendix A.1. Addressing Examples

The following are examples of messages that might be sent between two individuals.

Appendix A.1.1. A Message from One Person to Another with Simple Addressing

This could be called a canonical message. It has a single author, John Doe, a single recipient, Mary Smith, a subject, the date, a message identifier, and a textual message in the body.

```
-----  
From: John Doe <jdoe@machine.example>  
To: Mary Smith <mary@example.net>  
Subject: Saying Hello  
Date: Fri, 21 Nov 1997 09:55:06 -0600  
Message-ID: <1234@local.machine.example>
```

This is a message just to say hello.
So, "Hello".

If John's secretary Michael actually sent the message, even though John was the author and replies to this message should go back to him, the sender field would be used:

```
-----  
From: John Doe <jdoe@machine.example>  
Sender: Michael Jones <mjones@machine.example>  
To: Mary Smith <mary@example.net>  
Subject: Saying Hello  
Date: Fri, 21 Nov 1997 09:55:06 -0600  
Message-ID: <1234@local.machine.example>
```

This is a message just to say hello.
So, "Hello".

Appendix A.1.2. Different Types of Mailboxes

This message includes multiple addresses in the destination fields and also uses several different forms of addresses.

```
-----  
From: "Joe Q. Public" <john.q.public@example.com>  
To: Mary Smith <mary@x.test>, jdoe@example.org, Who? <one@y.test>  
Cc: <boss@nil.test>, "Giant; \"Big\" Box" <sysservices@example.net>  
Date: Tue, 1 Jul 2003 10:52:37 +0200  
Message-ID: <5678.21-Nov-1997@example.com>
```

Hi everyone.

```
-----  
Note that the display names for Joe Q. Public and Giant; "Big" Box  
needed to be enclosed in double-quotes because the former contains  
the period and the latter contains both semicolon and double-quote  
characters (the double-quote characters appearing as quoted-pair  
constructs). Conversely, the display name for Who? could appear  
without them because the question mark is legal in an atom. Notice  
also that jdoe@example.org and boss@nil.test have no display names  
associated with them at all, and jdoe@example.org uses the simpler  
address form without the angle brackets.
```

Appendix A.1.3. Group Addresses

```
-----  
From: Pete <pete@silly.example>  
To: A Group:Ed Jones <c@a.test>, joe@where.test, John <jdoe@one.test>;  
Cc: Undisclosed recipients;;  
Date: Thu, 13 Feb 1969 23:32:54 -0330  
Message-ID: <testabcd.1234@silly.example>
```

Testing.

```
-----  
In this message, the "To:" field has a single group recipient named  
"A Group", which contains 3 addresses, and a "Cc:" field with an  
empty group recipient named Undisclosed recipients.
```

Appendix A.2. Reply Messages

The following is a series of three messages that make up a conversation thread between John and Mary. John first sends a message to Mary, Mary then replies to John's message, and then John replies to Mary's reply message.

Note especially the "Message-ID:", "References:", and "In-Reply-To:" fields in each message.

```
-----  
From: John Doe <jdoe@machine.example>  
To: Mary Smith <mary@example.net>  
Subject: Saying Hello  
Date: Fri, 21 Nov 1997 09:55:06 -0600  
Message-ID: <1234@local.machine.example>
```

This is a message just to say hello.
So, "Hello".

When sending replies, the Subject field is often retained, though prepended with "Re: " as described in section 3.6.5.

```
-----  
From: Mary Smith <mary@example.net>  
To: John Doe <jdoe@machine.example>  
Reply-To: "Mary Smith: Personal Account" <smith@home.example>  
Subject: Re: Saying Hello  
Date: Fri, 21 Nov 1997 10:01:10 -0600  
Message-ID: <3456@example.net>  
In-Reply-To: <1234@local.machine.example>  
References: <1234@local.machine.example>
```

This is a reply to your hello.

Note the "Reply-To:" field in the above message. When John replies to Mary's message above, the reply should go to the address in the "Reply-To:" field instead of the address in the "From:" field.

To: "Mary Smith: Personal Account" <smith@home.example>
From: John Doe <jdoe@machine.example>
Subject: Re: Saying Hello
Date: Fri, 21 Nov 1997 11:00:00 -0600
Message-ID: <abcd.1234@local.machine.test>
In-Reply-To: <3456@example.net>
References: <1234@local.machine.example> <3456@example.net>

This is a reply to your reply.

Appendix A.3. Resent Messages

Start with the message that has been used as an example several times:

From: John Doe <jdoe@machine.example>
To: Mary Smith <mary@example.net>
Subject: Saying Hello
Date: Fri, 21 Nov 1997 09:55:06 -0600
Message-ID: <1234@local.machine.example>

This is a message just to say hello.
So, "Hello".

Say that Mary, upon receiving this message, wishes to send a copy of the message to Jane such that (a) the message would appear to have come straight from John; (b) if Jane replies to the message, the reply should go back to John; and (c) all of the original information, like the date the message was originally sent to Mary, the message identifier, and the original addressee, is preserved. In this case, resent fields are prepended to the message:

Resent-From: Mary Smith <mary@example.net>
Resent-To: Jane Brown <j-brown@other.example>
Resent-Date: Mon, 24 Nov 1997 14:22:01 -0800
Resent-Message-ID: <78910@example.net>
From: John Doe <jdoe@machine.example>
To: Mary Smith <mary@example.net>
Subject: Saying Hello
Date: Fri, 21 Nov 1997 09:55:06 -0600
Message-ID: <1234@local.machine.example>

This is a message just to say hello.
So, "Hello".

If Jane, in turn, wished to resend this message to another person, she would prepend her own set of resent header fields to the above and send that. (Note that for brevity, trace fields are not shown.)

Appendix A.4. Messages with Trace Fields

As messages are sent through the transport system as described in [RFC5321], trace fields are prepended to the message. The following is an example of what those trace fields might look like. Note that there is some folding white space in the first one since these lines can be long.

Received: from x.y.test
by example.net
via TCP
with ESMTP
id ABC12345
for <mary@example.net>; 21 Nov 1997 10:05:43 -0600
Received: from node.example by x.y.test; 21 Nov 1997 10:01:22 -0600
From: John Doe <jdoe@node.example>
To: Mary Smith <mary@example.net>
Subject: Saying Hello
Date: Fri, 21 Nov 1997 09:55:06 -0600
Message-ID: <1234@local.node.example>

This is a message just to say hello.
So, "Hello".

Appendix A.5. White Space, Comments, and Other Oddities

White space, including folding white space, and comments can be inserted between many of the tokens of fields. Taking the example from A.1.3, white space and comments can be inserted into all of the fields.

```

-----
From: Pete(A nice \) chap) <pete(his account)@silly.test(his host)>
To: A Group(Some people)
    :Chris Jones <c@(Chris's host.)public.example>,
      joe@example.org,
    John <jdoe@one.test> (my dear friend); (the end of the group)
Cc: (Empty list)(start)Hidden recipients :(nobody(that I know)) ;
Date: Thu,
      13
      Feb
      1969
      23:32
      -0330 (Newfoundland Time)
Message-ID: <testabcd.1234@silly.test>

```

Testing.

The above example is aesthetically displeasing, but perfectly legal. Note particularly (1) the comments in the "From:" field (including one that has a ")" character appearing as part of a quoted-pair); (2) the white space absent after the ":" in the "To:" field as well as the comment and folding white space after the group name, the special character (".") in the comment in Chris Jones's address, and the folding white space before and after "joe@example.org,"; (3) the multiple and nested comments in the "Cc:" field as well as the comment immediately following the ":" after "Cc"; (4) the folding white space (but no comments except at the end) and the missing seconds in the time of the date field; and (5) the white space before (but not within) the identifier in the "Message-ID:" field.

Appendix A.6. Obsolete Forms

The following are examples of obsolete (that is, the "MUST NOT generate") syntactic elements described in section 4 of this document:

Appendix A.6.1. Obsolete Addressing

Note in the example below the lack of quotes around Joe Q. Public, the route that appears in the address for Mary Smith, the two commas that appear in the "To:" field, and the spaces that appear around the "." in the jdoe address.

```
-----
From: Joe Q. Public <john.q.public@example.com>
To: Mary Smith <@node.test:mary@example.net>, , jdoe@test . example
Date: Tue, 1 Jul 2003 10:52:37 +0200
Message-ID: <5678.21-Nov-1997@example.com>
```

Hi everyone.

Appendix A.6.2. Obsolete Dates

The following message uses an obsolete date format, including a non-numeric time zone and a two digit year. Note that although the day-of-week is missing, that is not specific to the obsolete syntax; it is optional in the current syntax as well.

```
-----
From: John Doe <jdoe@machine.example>
To: Mary Smith <mary@example.net>
Subject: Saying Hello
Date: 21 Nov 97 09:55:06 GMT
Message-ID: <1234@local.machine.example>
```

This is a message just to say hello.
So, "Hello".

Appendix A.6.3. Obsolete White Space and Comments

White space and comments can appear between many more elements than in the current syntax. Also, folding lines that are made up entirely of white space are legal.

```
-----  
From : John Doe <jdoe@machine(comment). example>  
To   : Mary Smith  
  
      <mary@example.net>  
Subject : Saying Hello  
Date : Fri, 21 Nov 1997 09(comment): 55 : 06 -0600  
Message-ID : <1234 @ local(blah) .machine .example>
```

This is a message just to say hello.
So, "Hello".

Note especially the second line of the "To:" field. It starts with two space characters. (Note that "___" represent blank spaces.) Therefore, it is considered part of the folding, as described in section 4.2. Also, the comments and white space throughout addresses, dates, and message identifiers are all part of the obsolete syntax.

Appendix B. Differences from Earlier Specifications

This appendix contains a list of changes that have been made in the Internet Message Format from earlier specifications, specifically [RFC0822], [RFC1123], and [RFC2822]. Items marked with an asterisk (*) below are items which appear in section 4 of this document and therefore can no longer be generated.

The following are the changes made from [RFC0822] and [RFC1123] to [RFC2822] that remain in this document:

1. Period allowed in obsolete form of phrase.
2. ABNF moved out of document, now in [RFC5234].
3. Four or more digits allowed for year.
4. Header field ordering (and lack thereof) made explicit.
5. Encrypted header field removed.
6. Specifically allow and give meaning to "-0000" time zone.
7. Folding white space is not allowed between every token.
8. Requirement for destinations removed.
9. Forwarding and resending redefined.
10. Extension header fields no longer specifically called out.
11. ASCII 0 (null) removed.*
12. Folding continuation lines cannot contain only white space.*
13. Free insertion of comments not allowed in date.*
14. Non-numeric time zones not allowed.*
15. Two digit years not allowed.*
16. Three digit years interpreted, but not allowed for generation.*
17. Routes in addresses not allowed.*
18. CFWS within local-parts and domains not allowed.*
19. Empty members of address lists not allowed.*
20. Folding white space between field name and colon not allowed.*
21. Comments between field name and colon not allowed.
22. Tightened syntax of in-reply-to and references.*
23. CFWS within msg-id not allowed.*
24. Tightened semantics of resent fields as informational only.
25. Resent-Reply-To not allowed.*
26. No multiple occurrences of fields (except resent and received).*
27. Free CR and LF not allowed.*
28. Line length limits specified.
29. Bcc more clearly specified.

The following are changes from [RFC2822].

1. Assorted typographical/grammatical errors fixed and clarifications made.
2. Changed "standard" to "document" or "specification" throughout.
3. Made distinction between "header field" and "header section".
4. Removed NO-WS-CTL from ctext, qtext, dtext, and unstructured.*
5. Moved discussion of specials to the "Atom" section. Moved text to "Overall message syntax" section.
6. Simplified CFWS syntax.
7. Fixed unstructured syntax.
8. Changed date and time syntax to deal with white space in obsolete date syntax.
9. Removed quoted-pair from domain literals and message identifiers.*
10. Clarified that other specifications limit domain syntax.
11. Simplified "Bcc:" and "Resent-Bcc:" syntax.
12. Allowed optional-field to appear within trace information.
13. Removed no-fold-quote from msg-id. Clarified syntax limitations.
14. Generalized "Received:" syntax to fix bugs and move definition out of this document.
15. Simplified obs-gp. Fixed and simplified obs-utext (which now only appears in the obsolete syntax). Removed obs-text and obs-char, adding obs-body.
16. Fixed obsolete date syntax to allow for more (or less) comments and white space.
17. Fixed all obsolete list syntax (obs-domain-list, obs-mbox-list, obs-addr-list, obs-phrase-list, and the newly added obs-group-list).
18. Fixed obs-reply-to syntax.
19. Fixed obs-bcc and obs-resent-bcc to allow empty lists.
20. Removed obs-path.

Appendix C. Acknowledgements

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EXHIBIT E - My 19105 presentation

1

19105 In re: Metadata

Anonymous Metadata 12/17/19

Attorney/Client Privileged & Confidential

Metadata is a "Writing" (in the CPRA sense)

GC 6252(g) - "Writing" means

- any handwriting, **typewriting**, printing, photostating, photographing, photocopying, **transmitting by electronic mail** or facsimile,
- and every other means of recording upon any tangible thing **any form of communication or representation**, including letters, words, pictures, sounds, or **symbols**, or combinations thereof,
- **and any record thereby created**,
- **regardless of the manner in which the record has been stored.**

Example: When a human hits 'Send' in Outlook, the email with headers is a **"record thereby created."** That entire record, is in fact a CPRA "writing." Indeed, some of the headers may be mere "symbols," but because they "represent[]" information, they too are a "writing." Nothing here requires that the metadata be usually "visible" to most City employees, and that part of City's argument is irrelevant.

The author is a complaining party against the City, and is not an attorney, an IT administrator, or an IT security expert. Nothing herein is legal advice or professional advice of any other kind. There are absolutely no warranties, express, implied, statutory, or otherwise. The Task Force, City, and other parties should consult their own legal and IT professionals before relying on any part of this report. The report is the author's personal, lay opinions on the public records laws, and not of any affiliated entity or employer.

2

19105 In re: Metadata

Anonymous Metadata 12/17/19

Attorney/Client Privileged & Confidential

Therefore, Metadata is also a "Public Record"

GC 6252(e) - "Public records" includes:

- any **writing**
- containing information relating to the **conduct of the public's business**
- prepared, owned, **used**, or **retained** by any state or local agency
- regardless of physical form or characteristics.

Metadata is clearly "retained" and "used" by City (on and by their computer systems).

If you decide metadata is **not** a public record because it is computer-generated, the public would lose access to the following info about the public's business:

- 911 call logs, most financial records, Bodycam timestamps, Email to/from addresses and Sent dates, Names of employees who authored a document, Creation/Modification Timestamps, end result value of formulas/calculations

No human actually types this data. But computers **"thereby created"** these records when a human calls 911, sets up an accounting system, records a crime scene, sends an email, writes a Word doc, or designs an Excel spreadsheet.

If you have any doubt Metadata is a Public Record:

San Gabriel Tribune v. Superior Court: **“This definition is intended to cover every conceivable kind of record that is involved in the governmental process and will pertain to any new form of record-keeping instrument as it is developed.** Only purely personal information unrelated to “the conduct of the public’s business” could be considered exempt from this definition, i.e., the shopping list phoned from home, the letter to a public officer from a friend which is totally void of reference to governmental activities.” (inline citations omitted)

City of San Jose v. Superior Court: **“Proposition 59 amended the Constitution to provide: “A statute, court rule, or other authority, including those in effect on the effective date of this subdivision, shall be broadly construed if it furthers the people’s right of access, and narrowly construed if it limits the right of access.”** (Cal. Const., art. I, § 3, subd. (b)(2), italics added.)”

Sunshine Ordinance 67.1(c): **“... every generation of governmental leaders includes officials who feel more comfortable conducting public business away from the scrutiny of those who elect and employ them. New approaches to government constantly offer public officials additional ways to hide the making of public policy from the public. As government evolves, so must the laws designed to ensure that the process remains visible.”**

Neither burden nor security risk exempts all metadata

- City argues that the supposedly large effort required to **manually** separate metadata should force you to rule against disclosure. This is a prohibited public interest balancing test (SFAC 67.24(g,i)).
 - Burden can extend timelines, but cannot create a new exemption
 - The City should (but is not required to) use tools to process the metadata
- City must use only explicit statutory/court case exemptions (SFAC 67.27).
 - As City states, no court case or law exempts (or rules on) metadata in entirety
- The sole relevant exemption is information security threat (GC 6254.19)
 - But not all metadata is a threat (ask the Dept. of Tech)
- In CPRA, information must be “reasonably segregable” to be inspected in person (GC 6253(a)). But no such requirement is imposed on copies of records.
- But, in SF Sunshine, **minimum withholding is required** (SFAC 67.26).

One semi-related case (*Sierra Club v Sup. Ct. (2013)*): Orange County wished to provide a geo-map database as public records only in PDF form, and believed the database itself could be charged for and licensed. Court ruled Orange Co must provide also provide the database as a public record, in its original electronic format. Not every byte stored within that database is entered in by a human being - it is generated by their computer systems.

A practical way forward

1. SOTF issues a ruling in some case that the metadata of a particular type of document (email, calendars; etc.) is a disclosable public record.
2. Dept. of Tech. issues by policy lists* of metadata/headers names and values that are not exempt under GC 6254.19 in original and "easily generated" 67.21(l) formats (ICS, EML, MSG; etc.). **SOTF should request DT to present their proposals and open their recommendation to public comment.**
3. City should create or purchase the software tools to do the redaction. But the lack of such tools does not exempt the metadata until then. The City (DT) must figure out the implementation as is their duty.

* This is a "whitelist" approach. All other metadata would be always removed. City could provide, to satisfy SFAC 67.26/67.27, a list of the standard metadata removed and state a GC 6254.19 justification. For almost all requesters, this is good enough. Requesters can always appeal to SOTF, Court, Sup. of Records when they want more than DT deems disclosable by default.

SOTF should rule on metadata being public

If SOTF waits for the tools before making rulings, the City will simply never invest in them. Tools have no bearing on the legal decision.

This is no different than redacting bodycam video footage. It required appropriate technology and, for bodycams, still needs enormous human effort to redact moving entities in hours of footage even with the technology. **But that doesn't make such records exempt or non-public.**

City is free to provide rolling responses. Let's get *one* single ICS and a single EML/MSG properly redacted in response to 19047 and 19044. If City follows DT's recommendations on which parts are exempt, I will likely not need to further appeal that.

Thank you to CIO Gerull/CISO Makstman @ DT who have been working on a way forward. I am personally happy to work with anyone else in the City who in good faith is working to ensure all non-exempt metadata can be provided to the public.

Metadata

I have three arguments for you today.

1. The text of the law does not ban metadata. In SF, unless citation can be shown for an explicit exemption, no part of a record can be withheld. The sole relevant exemption Gov Code 6254.19, for information security records, itself states that the section cannot in any way limit disclosure of records in an IT system, which is exactly what calendars and emails are. We are not in serious disagreement over which parts of a record are sensitive, instead they want you to ban all of it. I know there is a natural urge for compromise, but the law does not support this and you should not invent one if it doesn't exist. A judge may do that someday, but that is not your role. You should enforce the law as written. In fact when the Supreme Court ruled in *Sierra Club v Superior Court* (2013), it found that a county must produce a geographic database in its native format as a public record, when it previously only produced PDFs.

2. The City wants you to re-invent the prohibited public-interest balancing exemption: To compare the public cost or burden in producing the lawfully public part of a record vs the public interest in that information. In the committee hearing, CIO Gerull's closing argument explicitly asked you to, without legal support, use "common sense" to exempt all metadata due to the burden. But the people of SF explicitly outlawed such balancing test exemptions in Admin Code 67.24(g) and 67.24(i). They did so because they knew it was an open door for government employees to hide whatever they want using such balancing, as often happens in the rest of California. Please do not set a precedent that the people's explicit will be overturned by this body.

3. There is no legal basis for blanket exemptions based on *where* in a record information is stored vs. *what* is in the information. The timestamp when you created a meeting or the email address in From or To header of an email are lawfully public because they are not information security records and not exempt in any other way. The fact that it is stored in a particular part of an ICS calendar or an email is not relevant. If you create this exemption based on where information is, as opposed to what it is, you create a hole in the Sunshine ordinance to allow government employees to hide information in metadata. You may think that is far-fetched, but standard tools allow anyone to create or insert information into headers and other metadata, even Photoshop and Adobe Acrobat let you do this. The Supreme Court has told us in the *City of San Jose* case:

"It is no answer to say, ... that we must presume public officials conduct official business in the public's best interest. ... Indeed, the rationale behind the [CPRA] is that it is for the public to make that determination, Open access to

government records is essential to *verify* that government officials are acting responsibly and held accountable to the public they serve.”

Conclusion:

You should not incentivize the city to lack the tools and training it must have to perform all its Sunshine responsibilities. Today's debate is not about which specific headers are sensitive, and as your committee said, there isn't a material difference between the City and me on that issue. The City simply wants to ban as a whole all metadata.

If you vote for metadata being public, everything isn't now instantly public - I still have to fight and win each underlying case, which are not before you today, and so will other requesters.

But if you vote to ban public metadata, the public will instantly lose access to: basic email information like the *To* and *From* email address headers, the time an email was sent, which employee wrote a particular document, and the timestamp and GPS addresses of a 911 call log or police body-cam footage. These are all forms of metadata. Human beings don't type any of those things in, but they do direct a computer or other machine to create these records on their behalf. They are public records and they must be public.

If you outlaw conversion or exporting to a format under Admin Code 67.21(l), then even PDFs don't have to be provided to us, because almost no record is held in PDF format; the City must always export. Remember that 67.21(l) discusses SOLELY the ease of generation of a format, not ease of redaction. And 67.26 explicitly allows the City to simply delete the exempt portions, which is exactly what they must do. Their claim of going back and forth to PDF is an intentional red herring to make it seem like it is more work. Dozens of California jurisdictions properly release metadata under the weaker CPRA, and San Francisco must as well.

Ruling in the City's favor today will be one of the most dangerous and wide-sweeping precedents of mass exemption this Task Force has ever made.

You have never before held that a lack of tools makes public information secret. Please do not do so today.

Analysis of San Francisco Electronic Public Records Release Policy, Version 1.2

AUTHOR'S NOTE:

The author is a complaining party in various cases against the City and County of San Francisco (City) and its departments and employees before the Sunshine Ordinance Task Force, Supervisor of Records, etc. The author is not a paid advisor to the City or the Task Force and has no duty to represent any interests of the City or any other party.

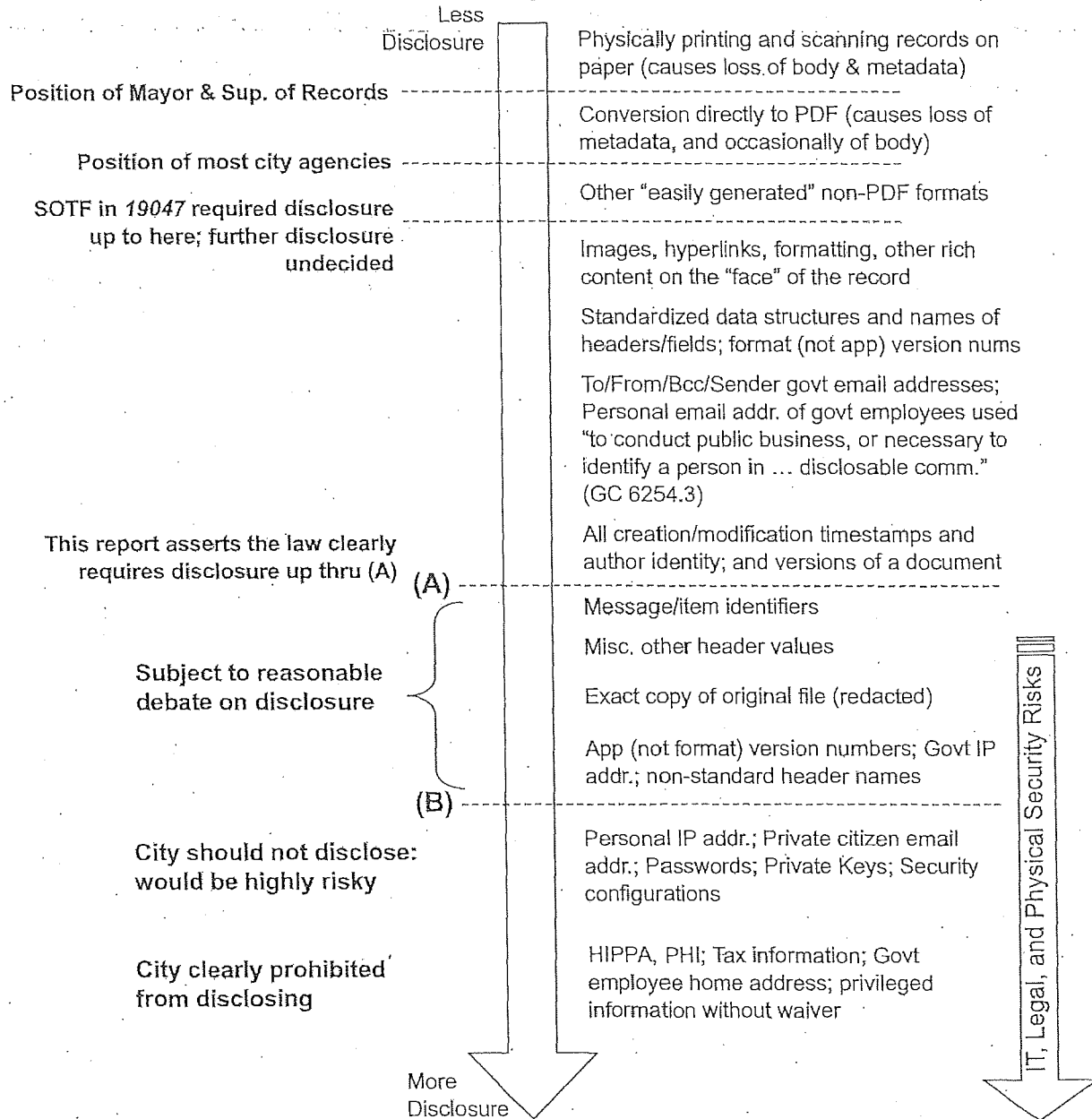
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I. City's Electronic Records Disclosures Are Far Less Than the Legal Minimum



This whitepaper is intended to prove that the Sunshine Ordinance requires disclosure of all information from the top, down through line (A), in the figure above. What is disclosable between lines (A) and (B) is debatable. Genuine security concerns could argue for exemption for some or all of the information

between (A) and (B); such exemption would depend on the specific information and specific file format at issue. Even if the Task Force is unable to make a determination in the gray-area between (A) and (B), it should still find solid footing in the law to order disclosure of all information down through (A).

Orange County, under the CPRA, lost a California Supreme Court fight to withhold large native electronic databases while only disclosing their PDF counterparts (*Sierra Club v Superior Court* (2013), which is discussed in detail in [Argument #10](#)) and the City's extremely limited form of PDF disclosure must similarly be prohibited.

City Inappropriately Enlarges the Definition of "Metadata" to Prevent Unrelated Disclosures

Metadata has no legal definition under the CPRA or Sunshine Ordinance. However, the League of California Cities publishes a helpful opinion¹ that is relevant to this issue. Note that the League is using a CPRA interpretation, and a Sunshine Ordinance interpretation would provide strictly *more* access than the CPRA one (internal footnotes omitted):

Electronic records may include "metadata," or data about data contained in a record that is not visible in the text. For example, metadata may describe how, when, or by whom particular data was collected, and contain information about document authors, other documents, or commentary or notes. No provision of the PRA expressly addresses metadata, and there are no reported court opinions in California considering whether or the extent to which metadata is subject to disclosure.

Therefore, metadata should only properly be used to describe "data about data" that is not "visible in the text." Of course, much of what the City calls metadata *is* visible in certain views of the software used by the City, even if those views are not used by most City employees. IT professionals are certainly City employees, and if they can see that information, there is no reason for it to be automatically exempt. However, the City's current electronic records disclosures often withhold, possibly unintentionally, public parts of records that no reasonable person would call "metadata."

The Mayor's Office has even argued, and the Supervisor of Records has approved² by refusing to overturn its decisions when petitioned to do so, that emails can be merely printed on physical paper and scanned back in (see *19091 Anonymous v Breed et al.*). This goes far beyond the issue of what even commonly would be called metadata. Metadata is *not* an issue about searchable PDFs; that is a *format* issue, not a *metadata* issue. Even the CPRA requires exact copies of records when practicable, and it is entirely practicable to, at the very least, go directly from the original software to a PDF, and

¹ League of California Cities, April 2017. *The People's Business*.

<https://www.cacities.org/Resources/Open-Government/THE-PEOPLE%E2%80%99S-BUSINESS-A-Guide-to-the-California-Pu.aspx> pg. 14, Retrieved 2019-Oct-16.

² Brad Russi on behalf of Dennis Herrera, responses dated Aug. 26 (1), Aug. 26 (2), Sept. 5, Oct. 1, and 2019 all denying Supervisor of Records petitions

redact in Adobe Acrobat, without physically printing on a piece of paper. The physical printing method of production sometimes destroys, and thus improperly withholds:

- images
- hyperlinks
- formatting chosen by the author
- attachments
- public government email addresses

The City argues that the fact these items simply do not get produced when they print/scan their records is not an unlawful withholding, but is merely a side effect of their (purportedly legal) use of the printing method. This is incorrect. **Those images and other parts of records are clearly public (they have never claimed otherwise), the City retained them, but the City failed to produce them -- thus this is a withholding, and is unlawful.** Withholding must be minimal (SFAC 67.26).

Because there is no legal definition of “metadata,” instead we should consider each piece of information on its own and determine whether it is public or not under the usual exemptions of the CPRA and Sunshine Ordinance, as we do in this report.

It is possible that the City may also attempt to use its new-found Prop B powers to purportedly “clarify” the Sunshine Ordinance to eliminate all these important classes of public information, and vigilance is required in this matter.

Unfortunately, due to the City’s over-exemption position, the Task Force may actually be *underestimating genuine security risks*, so a glossary of common security concerns is provided at the end using definitions from the US Department of Homeland Security and our own explanations. When making a risk assessment, the Task Force and City should consider what anyone in the world, with the worst intentions, could do with a record, not what any particular requester may do, because the CPRA generally prohibits discrimination by purpose of request (Gov Code 6257.7) or by requester (Gov Code 6254.5). What is public for one is public for all, in almost all cases of relevancy to this paper.

Some City Agencies Have Published non-PDF Files Online for Years

First note that the City itself has been releasing non-PDF files for a long time:

- .msg files since November 2017:
[https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing\[sort\]\[upload_date\]=](https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing[sort][upload_date]=)
- .pst files since June 2018:
[https://sanfrancisco.nextrequest.com/documents?filter=.pst&documents_smart_listing\[sort\]\[upload_date\]=asc](https://sanfrancisco.nextrequest.com/documents?filter=.pst&documents_smart_listing[sort][upload_date]=asc)
- .doc/.docx files since October 2017:
[https://sanfrancisco.nextrequest.com/documents?filter=.doc&documents_smart_listing\[sort\]\[upload_date\]=asc](https://sanfrancisco.nextrequest.com/documents?filter=.doc&documents_smart_listing[sort][upload_date]=asc)

- .ics files since July 2018:

[https://sanfrancisco.nextrequest.com/documents?filter=.ics&documents_smart_listing\[sort\]\[upload_date\]=asc](https://sanfrancisco.nextrequest.com/documents?filter=.ics&documents_smart_listing[sort][upload_date]=asc)

This is just a small subset of all records requests since many departments do not use NextRequest,³ use of NextRequest is only recent, and not all departments on NextRequest make their public records *publicly available* (which is on its own, highly suspect⁴). For example, the SF Public Library and SOTF also have released .eml files to the author and are not on the above list.

Jurisdictions Outside San Francisco Routinely Provide non-PDF Files

As cursory guidance, we look to what other jurisdictions provide in terms of electronic file public records access. A simple Google search for NextRequest jurisdictions providing online access to public records in non-PDF file formats includes the following. Given that the SF Sunshine Ordinance is considered “among the best, local public records laws in the country,”⁵ as a rough guide, we would expect that San Francisco would release *at least* as much information as others, especially California jurisdictions under the strictly weaker CPRA.

Note also that many jurisdictions do not use NextRequest, and many that do use NextRequest for some reason do not make any supposedly *public* records *publicly* accessible without logging in, so this is a significant underestimation. Jurisdictions providing raw files range from some of the smallest to the biggest:

- San Diego, CA (CPRA) - <https://sandiego.nextrequest.com/documents?filter=.pst>;
<https://sandiego.nextrequest.com/documents?filter=.msg>;
<https://sandiego.nextrequest.com/documents?filter=.ics>;
<https://sandiego.nextrequest.com/documents?filter=.doc>;
- Sacramento County, CA (CPRA) - <https://saccounty.nextrequest.com/documents?filter=.msg>;
<https://saccounty.nextrequest.com/documents?filter=.doc>;
<https://saccounty.nextrequest.com/documents?filter=.ics>;
- Port of Oakland, CA (CPRA) - <https://portofoakland.nextrequest.com/documents?filter=.msg>;
<https://portofoakland.nextrequest.com/documents?filter=.doc>;
<https://portofoakland.nextrequest.com/documents?filter=.ics>
- Vallejo, CA (CPRA; Vallejo Sunshine Ordinance) -
<https://vallejo.nextrequest.com/documents?filter=.msg>;
<https://vallejo.nextrequest.com/documents?filter=.doc>
- Santa Maria, CA (CPRA) - <https://cityofsantamaria.nextrequest.com/documents?filter=.msg> ;
<https://cityofsantamaria.nextrequest.com/documents?filter=.doc>

³ We are not endorsing NextRequest.

⁴ SFAC 67.21-1(a): ... To the extent that it is technologically and economically feasible, departments that use computer systems to collect and store public records shall program and design these systems to ensure convenient, efficient, and economical public access to records and shall make public records easily accessible over public networks such as the Internet.

⁵ <https://www.sfchronicle.com/opinion/openforum/article/Vote-no-on-San-Francisco-Prop-B-it-13291008.php>

- Fort Bragg, CA (CPRA) - <https://cityoffortbraggca.nextrequest.com/documents?filter=.msg>;
<https://cityoffortbraggca.nextrequest.com/documents?filter=.doc>
- Oakland, CA (CPRA; Oakland Sunshine Ordinance) -
<https://oaklandca.nextrequest.com/documents?filter=.msg>
- Placer County, CA (CPRA) - <https://placercounty.nextrequest.com/documents?filter=.msg>
- Marin County, CA (CPRA) - <https://marincountyca.nextrequest.com/documents?filter=.msg>
- San Mateo County Harbor District, CA (CPRA) -
<https://smharbor.nextrequest.com/documents?filter=.pst>;
<https://smharbor.nextrequest.com/documents?filter=.msg>
- Los Angeles, CA (CPRA) - <https://recordsrequest.lacity.org/documents?filter=.msg>
- West Sacramento, CA (CPRA) -
<https://westsacramento.nextrequest.com/documents?filter=.msg>;
<https://westsacramento.nextrequest.com/documents?filter=.pst>
- Mendocino County, CA (CPRA) -
<https://mendocinocounty.nextrequest.com/documents?filter=.doc>
- Port of Seattle, WA - <https://portofseattle.nextrequest.com/documents?filter=.msg>
- Lakewood, WA - <https://cityoflakewoodwa.nextrequest.com/documents?filter=.msg>;
<https://cityoflakewoodwa.nextrequest.com/documents?filter=.doc>;
<https://cityoflakewoodwa.nextrequest.com/documents?filter=.xls>
- Bainbridge Island, WA - <https://bainbridgewa.nextrequest.com/documents?filter=.msg>
- Miami, FL - <https://miami.nextrequest.com/documents?filter=.pst>;
<https://miami.nextrequest.com/documents?filter=.msg>;
<https://miami.nextrequest.com/documents?filter=.xls> ;
<https://miami.nextrequest.com/documents?filter=.doc>
- Las Cruces, NM - <https://cityoflascruces.nextrequest.com/documents?filter=.msg> ;
<https://cityoflascruces.nextrequest.com/documents?filter=.doc>
- Albuquerque, NM - <https://nextrequest.cabq.gov/documents?filter=.msg>

II. Legal Deduction Shows Metadata is Public; Only Exempt Metadata may be Withheld

We can follow the below 10 step analysis, with citations, to conclude without doubt that, within the City of San Francisco, metadata and the electronic files that hold them are, as a rule, public information and public records. Certain laws (SFAC 67.21(l), Gov Code 6253.9 and 6254.19) previously cited by the City using only partial sentences to argue for exemption cannot be read as exemptions when read in full and others are overridden by the Sunshine Ordinance.

1. All government records are public, unless the government can prove they are exempt

In *City of San Jose v Superior Court* (2017), the California Supreme Court states (internal citations omitted, emphasis in original):

CPRA establishes a basic rule requiring disclosure of public records upon request. In general, it creates “a presumptive right of access to any record *created or maintained* by a public agency that relates in any way to the business of the public agency.” Every such record “must be disclosed unless a statutory exception is shown.”

The Sunshine Ordinance states (SFAC 67.21(g)):

In any court proceeding pursuant to this article there shall be a presumption that the record sought is public, and the burden shall be upon the custodian to prove with specificity the exemption which applies.

2. Where the Sunshine Ordinance and CPRA conflict, the rule with greater public access holds

The CPRA expressly provides that local law, like the Sunshine Ordinance, may allow greater public access (Gov Code 6253(e)):

Except as otherwise prohibited by law, a state or local agency may adopt requirements for itself that allow for faster, more efficient, or greater access to records than prescribed by the minimum standards set forth in this chapter.

“Prohibited by law” exemptions are mandatory exemptions. The CPRA has both permissive and mandatory exemptions. Permissive exemptions allow an agency not to disclose certain information under the CPRA, but do not prohibit such disclosure. Mandatory exemptions are very few, and are worded very specifically, for example (emphasis mine):

- “The home addresses, home telephone numbers, personal cellular telephone numbers, and birth dates of all employees of a public agency *shall not be deemed to be public records...*” (Gov Code 6254.3(a))
- “Unless used by the employee to conduct public business, or necessary to identify a person in an otherwise disclosable communication, the personal email addresses of all employees of a public agency *shall not be deemed to be public records*” (Gov Code 6254.3(b)(1))
- “... the identity of persons who have requested bilingual ballots or ballot pamphlets ... *shall not be deemed to be public records ...*” (Gov Code 6253.6) or
- “The director *shall not knowingly disclose information...*” (Gov Code 6254.2(h))

Mandatory state law exemptions cannot be overridden by the Sunshine Ordinance, but permissive exemptions can be. For example, the permissive public interest balancing test exemption, which allows governments to withhold almost any record or part thereof on a murky self-asserted judgment call, is

prohibited⁶ in the City. Furthermore, every exemption “similar” to such exemption is also prohibited. All arguments cited by the City against metadata disclosure are permissive exemptions under the CPRA, and overridden by the Sunshine Ordinance, as detailed below.

The Sunshine Ordinance itself states that the CPRA governs only when the Ordinance itself does not speak.⁷ Together that means the provision that provides greater public access must hold.

3. When the law is ambiguous, the interpretation favoring greater public access holds

The California Supreme Court held in *San Jose* (internal citations omitted):

In CPRA cases, this standard approach to statutory interpretation is augmented by a constitutional imperative. Proposition 59 amended the Constitution to provide: “A statute, court rule, or other authority, including those in effect on the effective date of this subdivision, shall be broadly construed if it furthers the people’s right of access, and narrowly construed if it limits the right of access.” “Given the strong public policy of the people’s right to information concerning the people’s business and the constitutional mandate to construe statutes limiting the right of access narrowly, “all public records are subject to disclosure unless the Legislature has expressly provided to the contrary.” “

4. No statute or case law prohibits the disclosure of metadata, therefore it is public

The League of California Cities⁸ and the City have stated that no case law exists declaring metadata (however vaguely defined) either public or private. They appear to be correct. Since there is no such case law or statute declaring all metadata private, **in San Francisco, under SFAC 67.27, which requires statute or case law citation for all withholding, metadata is public by default.**

Moreover, as discussed above there is no objective definition of metadata vs data in the CPRA or Sunshine Ordinance, and for good reason. Allowing the government to withhold from the public certain

⁶ SFAC 67.24 (g) Neither the City nor any office, employee, or agent thereof may assert California Public Records Act Section 6255 or any similar provision as the basis for withholding any documents or information requested under this ordinance.

(h) Neither the City nor any office, employee, or agent thereof may assert an exemption for withholding for any document or information based on a “deliberative process” exemption, either as provided by California Public Records Act Section 6255 or any other provision of law that does not prohibit disclosure.

(i) Neither the City, nor any office, employee, or agent thereof, may assert an exemption for withholding for any document or information based on a finding or showing that the public interest in withholding the information outweighs the public interest in disclosure. All withholdings of documents or information must be based on an express provision of this ordinance providing for withholding of the specific type of information in question or on an express and specific exemption provided by California Public Records Act that is not forbidden by this ordinance.

⁷ SFAC 67.21(k): Release of documentary public information, whether for inspection of the original or by providing a copy, shall be governed by the California Public Records Act (Government Code Section 6250 et seq.) in particulars not addressed by this ordinance and in accordance with the enhanced disclosure requirements provided in this ordinance

⁸ “... there are no reported court opinions in California considering whether or the extent to which metadata is subject to disclosure.” *The People’s Business* pg. 14

information because they call it “metadata” gives broad powers to the City to withhold anything they want to. Such powers to withhold are already improperly asserted by the City.

5. In San Francisco, withholding must be kept minimal not merely “reasonable”

The CPRA Gov Code 6253(a) provides for *inspection* of “reasonably segregable” information.⁹ **Gov Code 6253(a) applies solely to inspection of a record not copying.**¹⁰ This provision cited by the city is completely irrelevant to the production of copies of electronic records. The City incorrectly argues this “reasonably segregable” clause allows exemption of *all* metadata or an entire document in a native format if the exempt metadata and the non-exempt metadata cannot be “reasonably” segregated. This provision is, quite reasonably, dictating that a requester cannot walk into City Hall and demand to inspect a record where the exempt and non-exempt information is mixed together.

Regardless, the Sunshine Ordinance eliminates such grey areas via SFAC 67.26 which states:

No record shall be withheld from disclosure in its entirety unless all information contained in it is exempt from disclosure under express provisions of the California Public Records Act or of some other statute. **Information that is exempt from disclosure shall be masked, deleted or otherwise segregated in order that the nonexempt portion of a requested record may be released,** and keyed by footnote or other clear reference to the appropriate justification for withholding required by Section 67.27 of this Article. ...

No limitation or condition of reasonable segregation exists in San Francisco - 67.26 is very clear that a record simply cannot be withheld in entirety, and solely the exempt portion be removed.

However, even if a reasonably segregated condition is *incorrectly* imposed on the Sunshine Ordinance, **exempt metadata is reasonable segregated from non-exempt metadata because generally each datum is separated into distinct rows, each with a field name and a field value.** Thus; even in the interpretation most disfavorable to transparency, certain rows of metadata must be disclosed, even if others are not (in this interpretation, the government would likely not be required to piece apart parts of the). This disfavorable interpretation should not apply, due to Arguments #2 and #3.

The unrelated restriction in SFAC 67.21(l) on “unseparably intertwined”¹¹ information applies solely to “inspection...on a computer monitor” — not copying of a record. It is entirely reasonable that the City may deny a requestor’s demand to see on a city employee computer a record that has both

⁹ Gov Code 6253(a): Public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as hereafter provided. Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.

¹⁰ This is very similar to the “computer monitor” exception of SFAC 67.21(l) discussed below.

¹¹ SFAC 67.21(l) - ... Inspection of documentary public information on a computer monitor need not be allowed where the information sought is necessarily and unseparably intertwined with information not subject to disclosure under this ordinance. ...

exempt and non-exempt information on-screen -- this is not an issue of burden, but of protection.

However, this provision too has absolutely no relevance to copies of records, by its terms.

Costs of redaction or withholding or any other labor costs cannot be passed on to the requester either.¹²

6. Any available or “easily generated” format must be provided on request

This was already decided in case 19047 Anonymous v. Mayor London Breed, et al. in which the Mayor and her office were found to have violated, inter alia, SFAC 67.21(l) for failing to provide the requested .ICS calendar format, which was found to be “easily generated” in Outlook.

The CPRA (Gov Code 6253.9) only requires agencies to provide a format if it is:

- the “format in which it holds the information” or
- “one that has been used by the agency to create copies for its own use or for provision to other agencies”

The CPRA indeed does not require agencies to perform conversion steps. **City respondents have incorrectly previously argued 6253.9(a) requires your Task Force to reject any exporting; not only is this false (see immediately below), but it would also exclude from production nearly all electronic records in a .PDF format, because most records, including email, text messages, web pages, spreadsheets, calendar entries, photographs, Word documents, and databases, are not “held” by the City in a .PDF format.**

By the City’s argument almost all electronic files would not have to be converted to .PDF, and the City would then also argue that the original format, too, is an IT security threat, and thus the record need not at all be disclosed. The Task Force must reject such absurd conclusions.

Regardless, the Sunshine Ordinance (SFAC 67.21(l)) goes further¹³ than the CPRA and requires agencies to provide any requested format if it is:

- “available” (this word can be interpreted to cover the two CPRA options above), or
- “easily generated.”

Note the exact words used by the ordinance are “easily *generated*.” “Generate” is defined as “to bring into existence¹⁴.” As soon as the City saves, converts, or exports a record in a format, the City has “generated” that format. **Withholding and redaction is not generation.** It is a step performed after generation. **Ease of redaction is not part of the legal rubric in 67.21(l).** Redaction is instead handled in SFAC 67.26 (see above for minimal withholding), and the City is explicitly, and absolutely, required to perform withholding solely of the minimally exempt information.

¹² SFAC 67.26 - ... This work shall be done personally by the attorney or other staff member conducting the exemption review. The work of responding to a public-records request and preparing documents for disclosure shall be considered part of the regular work duties of any City employee, and no fee shall be charged to the requester to cover the personnel costs of responding to a records request.

¹³ SFAC 67.21(l) - Inspection and copying of documentary public information stored in electronic form shall be made available to the person requesting the information in any form requested which is available to or easily generated by the department, its officers or employees, ...

¹⁴ <https://www.merriam-webster.com/dictionary/generate>

Exporting a document by clicking menu items is also not “program[ming] ... a computer” (which is not required of the City). Since programming is not required, ease of generation should be judged by the time it takes to do a manual export (either individually or in bulk). If you accept this City argument that exporting or converting using off-the-shelf software is “programming,” the City would no longer even have to provide PDF files. Programming should include writing software or scripts. Note the City *may* do programming to ease its own burden, and we suggest it should, but it is not required to.

Furthermore, the costs of such generation cannot be passed on to the requester¹⁵ except the cost of the final physical medium (in the modern world: USB sticks, CD-ROM, etc.). If a record is transmitted by email, the bandwidth and storage cost should be much less than one penny, thus it is free.

Finally, the listing of old formats from decades past, or, as the Mayor’s Office called them in 19047, “primitive” formats does not exclude current formats. Argument #3 applies here, as well as the following from SFAC 67.1(c):

New approaches to government constantly offer public officials additional ways to hide the making of public policy from the public. As government evolves, so must the laws designed to ensure that the process remains visible.

Technology has evolved, and our interpretation of the law must evolve as well.

7. Gov Code 6253.9(f) does not prohibit easily generated formats or metadata disclosure

This requires a careful analysis of Gov Code 6253.9(f) (emphasis mine):

(f) Nothing in **this section** shall be construed to **require** the public agency to release an electronic record **in the electronic form in which it is held by the agency** if its release would jeopardize or compromise the **security or integrity of the original record** or of any **proprietary software** in which it is maintained.

The author, like the City, has previously read this exemption more broadly than is appropriate.

First, the Sunshine Ordinance SFAC 67.21(l) is not “this section” (which is Gov Code 6253); we can demand electronic formats under SFAC 67.21(l) which has no such provision. This citation by the City is irrelevant.

Second, Gov Code 6253.9(f) has nothing to say about metadata. It governs solely formats. See [argument #8](#) below.

Assuming, *arguendo*, the applicability of this subsection, Gov Code 6253.9(f) **does not prohibit disclosure of any electronic formats** in general; it simply does not *require* disclosure in “the electronic form in which it is held by the agency” in certain cases. This is a “permissive” exemption, not a “mandatory” exemption. When a CPRA exemption is permissive rather than mandatory, local law, like the Sunshine Ordinance, can provide greater access, and SFAC 67.21(l) does just that.

¹⁵ SFAC 67.21(l) - ... at a charge no greater than the cost of the media on which it is duplicated.

Regardless, if we ask for a format that is not the “form in which it is held by the agency,” then even the permissive exemption of Gov Code 6253.9(f) cannot apply by its terms. Contrary to the City’s argument, Gov Code 6253.9(f) has nothing to say about any format that is not one held by the agency; those “easily generated” formats are governed solely by SFAC 67.21(l).

Even if somehow 6253.9(f) did apply, if we request records in an open or standard format, such format should not jeopardize *proprietary* software. We would suggest records always be produced in open or standard formats both to reduce risks (since a record in such a format can be inspected and analyzed using open tools for exempt information) and also to maximize accessibility by the public.

City respondents often use the undefined term “live” to describe the file formats we request. We request copies, not live files. “Live” is misleading -- we of course would agree that access to the *actual*, underlying, dynamically and real-time modified file on the City’s computer systems would be extraordinarily dangerous and not required by any law. We are asking for *copies* not access to the underlying files. They are not “live” because we cannot see modifications made by the City and we of course are not requesting access to any network resource of the City.

8. Information in the metadata is public even if a particular format is not exportable

Even if it was found that a particular format does not qualify under SFAC 67.21(l) as available or easily generated, and even if a particular format is not disclosable under Gov Code 6253.9(f), all non-exempt information must be disclosed per SFAC 67.26 and SFAC 67.21.

In San Francisco, it is not just the public record *itself* that is disclosable, it is also public information that must be disclosed (SFAC 67.21(a)). “Public information” is the content of a public record¹⁶ (SFAC 67.20(b)); it is clear that the record as “prepared, owned, used, or retained” by the City does contain a lot more information than is generally given when you convert to a PDF, and that information must be disclosed on request if it is non-exempt. Therefore if the City is unable to produce the format with the metadata included, it must still somehow produce the non-exempt metadata that they would otherwise be improperly withholding.

For example, if a requester asks for the creation time of a calendar invite, and the City withholds the full ICS file, it must provide the creation timestamp, since it is a public *part* of a record, regardless.

Any “rule of reason” argument about metadata could potentially allow the City more time to respond with metadata, but it does not make such information exempt.

¹⁶ SFAC 67.20(b) “Public Information” shall mean the content of “public records” as defined in the California Public Records Act (Government Code Section 6252), whether provided in documentary form or in an oral communication. “Public Information” shall not include “computer software” developed by the City and County of San Francisco as defined in the California Public Records Act (Government Code Section 6254.9).

9. Gov Code 6254.19 does not prohibit disclosure of electronic files and metadata, which are not, in entirety, “information security records”

CPRA (Gov Code 6254.19) is another *permissive*, not mandatory, exemption which reads:

Nothing in **this chapter** shall be construed to **require** the disclosure of an **information security record** of a public agency, if, on the facts of the particular case, disclosure of that record would reveal vulnerabilities to, or otherwise increase the potential for an attack on, an information technology system of a public agency. **Nothing in this section shall be construed to limit public disclosure of records stored within an information technology system** of a public agency that are not otherwise exempt from disclosure pursuant to this chapter or any other provision of law.

As before, the Sunshine Ordinance is not “this chapter” (Gov Code Chapter 3.5, the CPRA). 6254.19 merely states the CPRA does not *require* certain disclosures.

“Information security record” is not defined in the CPRA; however, “information security” has a dictionary definition¹⁷ of “the state of being protected against the unauthorized use of information, especially electronic data, or the measures taken to achieve this.” **Most records requested are instead the latter, “records stored within an information technology system,” and must be disclosed, and this section cannot even “limit” their disclosure.** The vast majority of records are neither serving an IT security purpose nor a measure taken to protect against unauthorized use of information, however the following could be exempt under this provision:

- Firewall, antivirus, and spam detection rules and configuration
- An email conversation between IT employees discussing the manners in which attacks are prevented
- A manual or policy on IT security containing methods or practices for intrusion detection
- Passwords and cryptographic private key material

Note that to be exempt under 6254.19 a record must be *both* an information security record *and* reveal vulnerabilities or increase the chance of an attack. If a record is not an “information security record” this exclusion simply does not apply.

Common record types, like emails, Word documents, calendar entries, computer aided drawings, memos and plans, are simply not information security records in their entirety. At oral argument on Oct. 2, in *19044 Anonymous v Dennis Herrera et al.*, the Office of the City Attorney claimed that the emails at issue were information security records. At issue were two emails, one sent by the author to the City Attorney and one reply sent back, both regarding a separate public records request. Such emails are not “information security records” but are instead “records stored within an information technology system.”

¹⁷ https://www.lexico.com/en/definition/information_security

It could be a reasonable interpretation to conclude that even if a record in its entirety is not an “information security record,” a specific *portion* of that record (such as one or more headers) might be an information security record and may be subject to exemption under GC 6254.19. Consider the following hypothetical: an email between the Mayor and her Director of Technology has a paragraph about politics, with an intervening sentence about upgrading firewalls. The City would have to produce the political part of the paragraph and redact solely the firewall-related sentence. Merely because there is some security information in a record cannot exempt the entire record, due to SFAC 67.26 (minimal withholding).

10. Electronic files as a whole, whether manually typed by a City employee or not, are public records, per *Sierra Club v Superior Court*

The California Supreme Court’s opinion in *Sierra Club v Superior Court* (2013) has many important holdings for our discussion. It is a CPRA case where the Sierra Club wished for Orange County to disclose raw geographic information system (GIS) databases as public records, and solely at the cost of the duplication. The Supreme Court ruled in Sierra Club’s favor, holding:

The issue in this case is whether the OC Landbase is subject to disclosure in a GIS file format at the actual cost of duplication under the California Public Records Act or whether, as the County contends, it is covered by the statute’s exclusion of “[c]omputer software” (Gov. Code, § 6254.9, subd. (a)) — a term that “includes computer mapping systems” (id., § 6254.9, subd. (b)) — from the definition of a public record. We hold that although GIS mapping software falls within the ambit of this statutory exclusion, a GIS-formatted database like the OC Landbase does not. **Accordingly, such databases are public records that, unless otherwise exempt, must be produced upon request at the actual cost of duplication.**

Orange County lost on its argument that it should only provide PDF files (*Sierra Club*):

The County offered to provide such records in Adobe PDF electronic format or as printed paper copies. However, the County took the position that the PRA did not require it to disclose the same records in a GIS file format and that it would provide the records in that format only if Sierra Club paid a licensing fee and agreed to the license’s restrictions on disclosure.

Sierra Club also holds:

The PRA applies to “public records,” defined as “any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.” (§ 6252, subd. (e).) In this case, the County’s offer to produce alternative records with the information underlying the OC Landbase implicitly recognizes that the *information* within the OC Landbase constitutes public records subject to disclosure unless otherwise exempt from

the PRA. What the parties dispute is whether the OC Landbase *in a GIS file format* is a public record that must be disclosed in that format pursuant to the PRA.

The format of information is not generally determinative of the public record status of government information. A 2000 amendment to the PRA makes electronic data available in whatever format it is normally maintained by the agency:

(Of course as described above the Sunshine Ordinance also allows “easily generated” formats.)

The City has many times called metadata “computer code” because it does not appear readily decipherable to people without a computer science background. However, such term is generally reserved for software. *Sierra Club* explicitly holds that while the software itself is not a public record, the files produced by the software are.

Note that the City has also made an argument on October 2 in *19044* that many *parts* of these native files are not created by a City employee “in the course and scope of their employment,” and thus are simply not *public records* to begin with. This is a dangerous and wrong argument.

First, most of the content of the *Sierra Club* GIS files would also have not been typed in by a human; they are generated by a computer from human input, by processing of maps and other input files, etc, just like email and calendar and other native files are generated by human operation.

Second, the City’s interpretation would exclude the following, absurdly, from the scope of public records laws:

- Police body cam footage, or the timestamps and watermarks therein (a human didn’t make them)
- Video camera recordings (a human didn’t make them)
- General emails from the public to the City (since they aren’t written by City employees)
- Financial, tax, and accounting records (most of a financial record is computer generated based on inputs from the employee or gathered automatically from bank systems)
- Filled out forms (the form templates were copied by a computer from some other document, not written by the City employee)
- Nearly all of a PDF file (the human writing in a PDF is minimal, most of the file is computer-generated)

In the modern world, computers generate almost all portions of many records automatically. But a City employee or other human being operates the computer to directly or indirectly perform those actions and generate that record, just like a human being directs a camera to record footage, even though the human being does not draw out every frame of footage with a paintbrush.

We must interpret the public records laws broadly, and native electronic files and their metadata must be disclosed.

III. Electronic Production in Practice

Generally, a requester chooses to request a certain easily generated SFAC 67.21(l) format specifically *because* the format conveniently describes *some* public, non-exempt information they would otherwise not be provided if the City either printed/scanned the record or converted it to PDF. For example, iCalendar format allows us to know when a calendar entry was created and modified, which would not be visible if the City converted to PDF.

Alternatively, the requester may wish to do bulk analysis, commonly done for investigative reporting, such as:

- search through documents for certain words;
- examine the frequency of communication between two government employees;
- build an analysis of groups of employees by communication patterns

The author has previously done such analysis of public records for journalists. Most famously, examples of such analysis are commonly done on the Enron Corpus, “600,000 emails generated by 158 employees of the Enron Corporation and acquired by the Federal Energy Regulatory Commission.”¹⁸

If a standardized format is requested, and easily generated, redaction should generally be performed by deletion. The Task Force in *19047* appeared to believe only masking or redaction is permitted. That is not supported by SFAC 67.26.

Furthermore, the City must follow both SFAC 67.21(l) and 67.26 - thus deletion, with clear reference, is the only redaction mechanism available to the City. Remember, 67.26 explicitly allows either classical redaction (called “masking”) or deletion. Converting to PDF and applying black lines would mean the information is no longer in the easily generated format. In order to provide a file in the requested easily generated format, deletion (with justification) may be the only option.

While programming is never required of the City, a few simple scripts to delete the exempt information from generated files may, on the balance, cost less total labor time. This also allows a completely standard redaction list, and comprehensive and consistent protection of the City’s IT security, without relying on error-prone repetitive human analysis.

¹⁸ Wikipedia contributors. (2019, August 29). Enron Corpus. In Wikipedia; The Free Encyclopedia. Retrieved 19:17, October 13, 2019, from https://en.wikipedia.org/w/index.php?title=Enron_Corpus&oldid=913085743

IV. Status of Specific Formats or Methods of Production

Format or Method of Production	Status	Citations or Rationale
Printing to a physical paper and scanning it back in to PDF	Prohibited unless the document is not electronic	Gov Code 6253(b); SFAC 67.26 (Minimal withholdings). This method withholds various information that is public, whether metadata or not.
Virtually converting to PDF	Permitted if no other available or “easily generated” format requested	SFAC 67.21(l), Gov Code 6253(b) Nearly all software can “virtually” print directly to PDF, which can then be redacted in Adobe Acrobat
Native electronic files and databases in general	Public	<i>Sierra Club v Superior Court</i> (2013). Gov Code 6254.19 (“records stored within an information technology system”)
Forwarding an email and producing the forwarded email	Prohibited	Gov Code 6253(b) When an email is forwarded its metadata is completely changed, and the original record’s data is lost.
Calendars in .ICS form	Easily generated	SOTF 19047; SFAC 67.21(l); Standardized format: RFC 5545 (Updated by: RFC 5546, RFC 6868, RFC 7529, RFC 7986) ¹⁹
Emails in .PST format	Original format, but may be arguably exempt as IT risk	Gov Code 6253.9
Emails in .MSG format	Easily generated	SFAC 67.21(l)
Emails in .EML format	Easily generated	SFAC 67.21(l) “The files contain the email

¹⁹ Wikipedia contributors. (2019, September 21). ICalendar. In Wikipedia, The Free Encyclopedia. Retrieved 22:10, October 16, 2019, from <https://en.wikipedia.org/w/index.php?title=ICalendar&oldid=917036223>

		contents as plain text in MIME format, containing the email header and body, including attachments in one or more of several formats. ²⁰
Word documents in .DOCX form	Original format OR easily generated	Gov Code 6253.9; SFAC 67.21(l); standardized in ECMA-376, ISO/IEC 29500-1:2012 ²¹
Text files in .TXT form	Original format OR easily generated	Gov Code 6253.9; SFAC 67.21(l)
Excel spreadsheets in .XLSX	Original format OR easily generated	Gov Code 6253.9; SFAC 67.21(l); Standardized in ECMA-376, ISO/IEC 29500:2008 ²²
Any spreadsheet in .CSV or .TSV format	Easily generated	SFAC 67.21(l); plain text inspectable

V. Status of Common Electronic Information

Data Type	Status	Citations or Rationale
Formatting in emails/other files	Public	Gov Code 6253(b); No exemption, thus public by default
Images in emails/other files	Public	Gov Code 6253(b); No exemption, thus public by default
Attachments in emails	Public	Gov Code 6253(b); No exemption, thus public by default
Timestamps or timezones of sending or receiving a communication	Public	No citation, thus public by default
Standardized file format structures and header names	Public	This is not information specific to the City's systems, and is publicly documented. No citation, thus public by default
Government email address	Public	No citation, thus public by default

²⁰ Wikipedia contributors. (2019, October 10). Email. In Wikipedia, The Free Encyclopedia. Retrieved 22:09, October 16, 2019, from <https://en.wikipedia.org/w/index.php?title=Email&oldid=920475854>

²¹ Wikipedia contributors. (2019, October 9). Office Open XML. In Wikipedia, The Free Encyclopedia. Retrieved 23:44, October 16, 2019, from https://en.wikipedia.org/w/index.php?title=Office_Open_XML&oldid=920342339

²² *Ibid*

Personal email address of govt employee used for govt business	Public	Gov Code 6254.3(b)(1)
Personal email address of govt employee not used for govt business	Exempt	CA Constitution, Prop B
Personal email address of private citizen	Exempt	CA Constitution, Prop B
Government IP address	Unsure	These are sent in emails sent by the govt to the public, and they are publicly and officially documented as owned by the City (as a group, not individually) by the American Registry for Internet Numbers. There could thus be a debate on individual identifiers vs subnetworks, but that is beyond the scope of this analysis. Gov Code 6254.19
Personal IP address	Exempt	CA Constitution, Prop B
Security configurations	Exempt	Gov Code 6254.19
Non-standard or proprietary file format structures and header names	Case by case	Possibly Gov Code 6253.9(f) and/or 6254.19
Application version numbers	Unsure	Possibly Gov Code 6254.19
Application version names	Case by case	In certain cases, these are "enterprise systems" and must be disclosed. In other cases, Gov Code 6254.19
Misc. header values	Case by case	In some cases, Gov Code 6254.19; in other cases they are not information security records and should be disclosed
Message identifiers	Case by case	In some cases, Gov Code 6254.19; in other cases they are not information security records and should be disclosed
Prior versions of a document	Case by Case	SFAC 67.24(a) Deliberative process exemption prohibited

VI. Relevant Terminology

Information Security Terms

The definitions below are taken from the US Department of Homeland Security’s “Glossary of Common Cybersecurity Terminology” (<https://niccs.us-cert.gov/about-niccs/glossary>, published November 28, 2018, retrieved October 16, 2019, no claim to original government works). The explanations are cited from Wikipedia.

Term	US DHS/NICCS Definition	Our explanation
<p>Spoofing</p>	<p>Faking the sending address of a transmission to gain illegal [unauthorized] entry into a secure system. Extended Definition: The deliberate inducement of a user or resource to take incorrect action. Note: Impersonating, masquerading, piggybacking, and mimicking are forms of spoofing.</p>	<p>We presume this is the key concern of the City. The City wishes to withhold certain information to prevent or reduce the likelihood of impersonation of City employees or computers. This is indeed risky and thus info may be properly exempt under GC 6254.19. It is unfortunately an extremely common type of attack due to the fact that email²³ and IP (Internet protocol) were originally invented as insecure protocols and do not in general verify the sender’s identity. Numerous statistical and cryptographic mechanisms have been built on top of the email and IP protocols to make them safer, including general spam detectors, DKIM, SPF, DMARC, and SSL/TLS, which are beyond the scope of this report.²⁴</p>
<p>Phishing</p>	<p>A digital form of social engineering to deceive individuals into providing sensitive information.</p>	<p>Phishing is often performed by first performing spoofing:²⁵ If someone can trick someone into thinking a message came from a City employee, then they might click a link and fill out a form (for example a login page which would steal your passwords) or reply with</p>

²³ Wikipedia contributors. (2019, September 19). Email spoofing. In Wikipedia, The Free Encyclopedia. Retrieved 23:49, October 16, 2019, from https://en.wikipedia.org/w/index.php?title=Email_spoofing&oldid=916615676

²⁴ Ibid

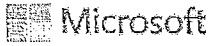
²⁵ Ibid

		confidential information. This concern is a good reason to withhold certain information under GC 6254.19.
Malware	Software that compromises the operation of a system by performing an unauthorized function or process. Synonym(s): malicious code, malicious applet, malicious logic	This is malicious computer software that attempts to do criminal damage. While there are numerous attacks used, spoofing and phishing are methods attackers could use to install malware by tricking City employees. ²⁶ This concern is a good reason to withhold certain information under GC 6254.19.

General Terms

- **Native format** - The format regularly used by the agency software system to store a record. This is the record as physically “retained” by the agency. All easily generated formats are produced *from* this format. This format is what the CPRA calls the “electronic format in which it holds the information” (Gov Code 6253.9(a)(1)). It is also an “available” format under SFAC 67.21(1).
- **Easily generated format** - a format that can be exported, converted, or saved from the native file format, “easily” under SFAC 67.21(1).

²⁶ Ibid



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EXHIBIT M - Microsoft Guide For Email Headers

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View internet message headers in Outlook

Outlook for Office 365, Outlook 2019, Outlook 2016, Outlook 2013, Outlook 2010, Outlook 2007

An email message internet header provides a list of technical details about the message, such as who sent it, the software used to compose it, and the email servers that it passed through on its way to the recipient. Most of the time, only an administrator will need to view internet headers for a message. If you want to add a header to your email message, see Apply stationery, backgrounds, or themes to email messages.

Some senders use spoofing to disguise their email address. By checking the header, you can find out if the email address is different than it appears, and add it to your blocked senders list.

Desktop

Web

View message headers in Outlook on your desktop

1. Double-click an email message to open it outside of the Reading Pane.
2. Click **File > Properties**.

Was this information helpful?

Yes

No



3. Header information appears in the **Internet headers** box.

Tip: You can highlight the information in that box, press **Ctrl+C** to copy, and paste it into Notepad or Word to see the entire header at once.

Contents of email headers

Consider an email exchange between two people, Anton Kirilov and Kelly J. Weadock. Anton's email address is anton@proseware.com and Kelly's address is kelly@litwareinc.com. Kelly uses Microsoft Office Outlook 2007. The Internet header associated with Kelly's message to Anton looks as follows:

```
Microsoft Mail Internet Headers Version 2.0Received: from
mail.litwareinc.com ([10.54.108.101]) by mail.proseware.com with
Microsoft SMTPSVC(6.0.3790.0);Wed, 12 Dec 2007 13:39:22
-0800Received: from mail ([10.54.108.23] RDNS failed) by
mail.litware.com with Microsoft SMTPSVC(6.0.3790.0);Wed, 12 Dec 2007
13:38:49 -0800From: "Kelly J. Weadock" <kelly@litware.com>To:
<anton@proseware.com>Cc: <tim@cpandl.com>Subject: Review of staff
assignmentsDate: Wed, 12 Dec 2007 13:38:31 -0800MIME-Version:
1.0Content-Type: multipart/mixed;X-Mailer: Microsoft Office Outlook,
Build 12.0.4210X-MimeOLE: Produced By Microsoft MimeOLE
V6.00.2800.1165Thread-Index: AcON3CInEwkfLOQsQGeK8VCv3M+ipA==Return-
Path: kelly@litware.comMessage-ID:
<MAILbbnews5TqCRL00000013@mail.litware.com>X-OriginalArrivalTime: 12
Dec 2007 21:38:50.0145 (UTC)
```

Note: The sample header might not contain all items found in your email headers. These are the most common entries.

When Kelly sends an email message to anton@proseware.com, she composes it from her computer, which is identified as (101-177.nv.litwareinc.com). The composed text is passed from her computer to the email server, mail.litwareinc.com. This is the last that Kelly will see of her email message, because further processing is handled by email servers with no intervention from her. When Kelly's email server receives the message for anton@proseware.com, it contacts Proseware's email server and delivers the message to it. The message is stored on the proseware.com server until Anton checks his Proseware email messages.

Interpreting email headers

Was this information helpful?

Yes

No

Microsoft Mail Internet Headers Version 2.0

This header is added by Outlook.

Received: from mail.litwareinc.com ([10.54.108.101]) by mail.proseware.com with Microsoft SMTPSVC(6.0.3790.0);
Tue, 12 Dec 2017 13:39:22 -0800

This information says that the message transfer occurred on Tuesday, December 12, 2017, at 13:39:22 (1:39:22 in the afternoon) Pacific Standard Time (which is 8 hours later than Coordinated Universal Time (Greenwich Mean Time); thus the "-0800").

Received: from mail ([10.54.108.23] RDNS failed) by mail.litware.com with Microsoft SMTPSVC(6.0.3790.0);
Tue, 12 Dec 2017 13:38:49 -0800

This message transfer occurred on Tuesday, December 12, 2017, at 13:38:49 (1:38:49 in the afternoon) Pacific Standard Time (which is 8 hours later than Coordinated Universal Time (UTC); thus the "-0800").

From: "Kelly J. Weadock" <kelly@litware.com>

This message was sent by Kelly J. Weadock from the email address kelly@litware.com.

To: <anton@proseware.com>

This is the person to whom the email message is addressed.

Cc: <tim@cpandl.com>

These are the person or persons who receive carbon copies of the message.

Note: Recipients of blind carbon copies (Bcc) do not appear in the header.

Subject: Review of staff assignments

This is the subject of the email message.

Date: Tue, 12 Dec 2017 13:38:31 -0800

This indicates the date and time that the email message was sent, based upon the computer clock on the sender's computer.

MIME-Version: 1.0

This parameter specifies the version of the MIME protocol that was used by the sender.

Content-Type: multipart/mixed;

This is an additional MIME header. It tells MIME-compliant email programs about the type of content to expect in the message.

Was this information helpful?

Yes

No

This information indicates that the message was sent by using Microsoft Office Outlook with a build version of 12.0.4210.

X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2800.1165

This entry indicates the email software (MIME OLE software) used by the sender:

Thread-Index: AcON3CInEwkfL0QsQGeK8VCv3M+ipA==

This header is used to associate multiple messages with a similar thread. For example, in Outlook, the conversation view uses this information to find messages from the same conversation thread.

Return-Path: kelly@litware.com

This entry specifies how to reach the message sender.

Message-ID: <MAILbbnews5TqCRL00000013@mail.litware.com>

The message has been assigned this number by mail.litware.com for identification purposes. This ID will always be associated with the message.

X-OriginalArrivalTime: 12 Dec 2017 21:38:50.0145 (UTC)

This is a time stamp placed on the message when it first passes through a server running Microsoft Exchange.



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What's new

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Microsoft

Store

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Microsoft in

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Developer

Microsoft Visual

Company

Careers


Was this information helpful?

Yes

No



Surface Pro 7	Download Center	Office for students	Automotive	Windows Dev Center	Company news
Windows 10 apps	Microsoft Store support	Office 365 for schools	Government	Developer Network	Privacy at Microsoft
Office apps	Returns	Deals for students & parents	Healthcare	TechNet	Investors
	Order tracking	Microsoft Azure in education	Manufacturing	Microsoft developer program	Diversity and inclusion
	Store locations	Retail		Channel 9	Accessibility
	Buy online, pick up in store			Office Dev Center	Security
	In-store events			Microsoft Garage	

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Was this information helpful?

Yes

No



GOVERNMENT CODE - GOV

TITLE 1. GENERAL [100 - 7914] (*Title 1 enacted by Stats. 1943, Ch. 134.*)

DIVISION 7. MISCELLANEOUS [6000 - 7599.2] (*Division 7 enacted by Stats. 1943, Ch. 134.*)

CHAPTER 3.5. Inspection of Public Records [6250 - 6276.48] (*Chapter 3.5 added by Stats. 1968, Ch. 1473.*)

ARTICLE 1. General Provisions [6250 - 6270.7] (*Article 1 heading added by Stats. 1998, Ch. 620, Sec. 1.*)

6250. In enacting this chapter, the Legislature, mindful of the right of individuals to privacy, finds and declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state.

(*Amended by Stats. 1970, Ch. 575.*)

6251. This chapter shall be known and may be cited as the California Public Records Act.

(*Added by Stats. 1968, Ch. 1473.*)

6252. As used in this chapter:

(a) "Local agency" includes a county; city, whether general law or chartered; city and county; school district; municipal corporation; district; political subdivision; or any board, commission or agency thereof; other local public agency; or entities that are legislative bodies of a local agency pursuant to subdivisions (c) and (d) of Section 54952.

(b) "Member of the public" means any person, except a member, agent, officer, or employee of a federal, state, or local agency acting within the scope of his or her membership, agency, office, or employment.

(c) "Person" includes any natural person, corporation, partnership, limited liability company, firm, or association.

(d) "Public agency" means any state or local agency.

(e) "Public records" includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. "Public records" in the custody of, or maintained by, the Governor's office means any writing prepared on or after January 6, 1975.

(f) (1) "State agency" means every state office, officer, department, division, bureau, board, and commission or other state body or agency, except those agencies provided for in Article IV (except Section 20 thereof) or Article VI of the California Constitution.

(2) Notwithstanding paragraph (1) or any other law, "state agency" shall also mean the State Bar of California, as described in Section 6001 of the Business and Professions Code.

(g) "Writing" means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

(*Amended by Stats. 2015, Ch. 537, Sec. 20. (SB 387) Effective January 1, 2016.*)

6252.5. Notwithstanding the definition of "member of the public" in Section 6252, an elected member or officer of any state or local agency is entitled to access to public records of that agency on the same basis as any other person. Nothing in this section shall limit the ability of

elected members or officers to access public records permitted by law in the administration of their duties.

This section does not constitute a change in, but is declaratory of, existing law.

(Added by Stats. 1998, Ch. 620, Sec. 3. Effective January 1, 1999.)

6252.6. Notwithstanding paragraph (2) of subdivision (a) of Section 827 of the Welfare and Institutions Code, after the death of a foster child who is a minor, the name, date of birth, and date of death of the child shall be subject to disclosure by the county child welfare agency pursuant to this chapter.

(Added by Stats. 2003, Ch. 847, Sec. 3. Effective January 1, 2004.)

6252.7. Notwithstanding Section 6252.5 or any other provision of law, when the members of a legislative body of a local agency are authorized to access a writing of the body or of the agency as permitted by law in the administration of their duties, the local agency, as defined in Section 54951, shall not discriminate between or among any of those members as to which writing or portion thereof is made available or when it is made available.

(Added by Stats. 2008, Ch. 63, Sec. 2. Effective January 1, 2009.)

6253. (a) Public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as hereafter provided. Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.

(b) Except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, shall make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable. Upon request, an exact copy shall be provided unless impracticable to do so.

(c) Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. In unusual circumstances, the time limit prescribed in this section may be extended by written notice by the head of the agency or their designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension for more than 14 days. When the agency dispatches the determination, and if the agency determines that the request seeks disclosable public records, the agency shall state the estimated date and time when the records will be made available. As used in this section, "unusual circumstances" means the following, but only to the extent reasonably necessary to the proper processing of the particular request:

- (1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.
- (2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.
- (3) The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.
- (4) The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.

(d) Nothing in this chapter shall be construed to permit an agency to delay or obstruct the inspection or copying of public records.

(1) A requester who inspects a disclosable record on the premises of the agency has the right to use the requester's equipment on those premises, without being charged any fees or costs, to photograph or otherwise copy or reproduce the record in a manner that does not require the equipment to make physical contact with the record, unless the means of copy or reproduction would result in either of the following:

(A) Damage to the record.

(B) Unauthorized access to the agency's computer systems or secured networks by using software, equipment, or any other technology capable of accessing, altering, or compromising the agency's electronic records.

(2) The agency may impose any reasonable limits on the use of the requester's equipment that are necessary to protect the safety of the records or to prevent the copying of records from being an unreasonable burden to the orderly function of the agency and its employees. In addition, the agency may impose any limit that is necessary to maintain the integrity of, or ensure the long-term preservation of, historic or high-value records.

(3) The notification of denial of any request for records required by Section 6255 shall set forth the names and titles or positions of each person responsible for the denial:

(e) Except as otherwise prohibited by law, a state or local agency may adopt requirements for itself that allow for faster, more efficient, or greater access to records than prescribed by the minimum standards set forth in this chapter.

(f) In addition to maintaining public records for public inspection during the office hours of the public agency, a public agency may comply with subdivision (a) by posting any public record on its internet website and, in response to a request for a public record posted on the internet website, directing a member of the public to the location on the internet website where the public record is posted. However, if after the public agency directs a member of the public to the internet website, the member of the public requesting the public record requests a copy of the public record due to an inability to access or reproduce the public record from the internet website, the public agency shall promptly provide a copy of the public record pursuant to subdivision (b).

(Amended by Stats. 2019, Ch. 695, Sec. 1. (AB 1819) Effective January 1, 2020.)

6253.9. (a) Unless otherwise prohibited by law, any agency that has information that constitutes an identifiable public record not exempt from disclosure pursuant to this chapter that is in an electronic format shall make that information available in an electronic format when requested by any person and, when applicable, shall comply with the following:

(1) The agency shall make the information available in any electronic format in which it holds the information.

(2) Each agency shall provide a copy of an electronic record in the format requested if the requested format is one that has been used by the agency to create copies for its own use or for provision to other agencies. The cost of duplication shall be limited to the direct cost of producing a copy of a record in an electronic format.

(b) Notwithstanding paragraph (2) of subdivision (a), the requester shall bear the cost of producing a copy of the record, including the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record when either of the following applies:

(1) In order to comply with the provisions of subdivision (a), the public agency would be required to produce a copy of an electronic record and the record is one that is produced only at otherwise regularly scheduled intervals.

(2) The request would require data compilation, extraction, or programming to produce the record.

(c) Nothing in this section shall be construed to require the public agency to reconstruct a record in an electronic format if the agency no longer has the record available in an electronic format.

(d) If the request is for information in other than electronic format, and the information also is in electronic format, the agency may inform the requester that the information is available in electronic format.

(e) Nothing in this section shall be construed to permit an agency to make information available only in an electronic format.

(f) Nothing in this section shall be construed to require the public agency to release an electronic record in the electronic form in which it is held by the agency if its release would jeopardize or compromise the security or integrity of the original record or of any proprietary software in which it is maintained.

(g) Nothing in this section shall be construed to permit public access to records held by any agency to which access is otherwise restricted by statute.

(Added by Stats. 2000, Ch. 982, Sec. 2. Effective January 1, 2001.)

6254.19. Nothing in this chapter shall be construed to require the disclosure of an information security record of a public agency, if, on the facts of the particular case, disclosure of that record would reveal vulnerabilities to, or otherwise increase the potential for an attack on, an information technology system of a public agency. Nothing in this section shall be construed to limit public disclosure of records stored within an information technology system of a public agency that are not otherwise exempt from disclosure pursuant to this chapter or any other provision of law.

(Added by Stats. 2010, Ch. 205, Sec. 1. (AB 2091). Effective January 1, 2011.)

EVIDENCE CODE - EVID

DIVISION 8. PRIVILEGES [900 - 1070] (*Division 8 enacted by Stats. 1965, Ch. 299.*)CHAPTER 4. Particular Privileges [930 - 1063] (*Chapter 4 enacted by Stats. 1965, Ch. 299.*)ARTICLE 9. Official Information and Identity of Informer [1040 - 1047] (*Article 9 enacted by Stats. 1965, Ch. 299.*)

1040. (a) As used in this section, "official information" means information acquired in confidence by a public employee in the course of his or her duty and not open, or officially disclosed, to the public prior to the time the claim of privilege is made.

(b) A public entity has a privilege to refuse to disclose official information, and to prevent another from disclosing official information, if the privilege is claimed by a person authorized by the public entity to do so and either of the following apply:

(1) Disclosure is forbidden by an act of the Congress of the United States or a statute of this state.

(2) Disclosure of the information is against the public interest because there is a necessity for preserving the confidentiality of the information that outweighs the necessity for disclosure in the interest of justice; but no privilege may be claimed under this paragraph if any person authorized to do so has consented that the information be disclosed in the proceeding. In determining whether disclosure of the information is against the public interest, the interest of the public entity as a party in the outcome of the proceeding may not be considered.

(c) Notwithstanding any other law, the Employment Development Department shall disclose to law enforcement agencies, in accordance with subdivision (i) of Section 1095 of the Unemployment Insurance Code, information in its possession relating to any person if an arrest warrant has been issued for the person for commission of a felony.

(Amended by Stats. 2015, Ch. 20, Sec. 1. (SB 79) Effective June 24, 2015.)

SEC. 67.1. FINDINGS AND PURPOSE.

The Board of Supervisors and the People of the City and County of San Francisco find and declare:

- (a) Government's duty is to serve the public, reaching its decisions in full view of the public.
- (b) Elected officials, commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The people do not cede to these entities the right to decide what the people should know about the operations of local government.
- (c) Although California has a long tradition of laws designed to protect the public's access to the workings of government, every generation of governmental leaders includes officials who feel more comfortable conducting public business away from the scrutiny of those who elect and employ them. New approaches to government constantly offer public officials additional ways to hide the making of public policy from the public. As government evolves, so must the laws designed to ensure that the process remains visible.
- (d) The right of the people to know what their government and those acting on behalf of their government are doing is fundamental to democracy, and with very few exceptions, that right supersedes any other policy interest government officials may use to prevent public access to information. Only in rare and unusual circumstances does the public benefit from allowing the business of government to be conducted in secret, and those circumstances should be carefully and narrowly defined to prevent public officials from abusing their authority.
- (e) Public officials who attempt to conduct the public's business in secret should be held accountable for their actions. Only a strong Open Government and Sunshine Ordinance, enforced by a strong Sunshine Ordinance Task Force, can protect the public's interest in open government.
- (f) The people of San Francisco enact these amendments to assure that the people of the City remain in control of the government they have created.
- (g) Private entities and individuals and employees and officials of the City and County of San Francisco have rights to privacy that must be respected. However, when a person or entity is before a policy body or passive meeting body, that person, and the public, has the right to an open and public process.

(Added by Ord. 265-93, App. 8/18/93; amended by Proposition G, 11/2/99)

SEC. 67.20. DEFINITIONS.

Whenever in this article the following words or phrases are used, they shall mean:

- (a) "Department" shall mean a department of the City and County of San Francisco.
- (b) "Public Information" shall mean the content of "public records" as defined in the California Public Records Act (Government Code Section 6252), whether provided in documentary form or in an oral communication. "Public Information" shall not include "computer software" developed by the City and County of San Francisco as defined in the California Public Records Act (Government Code Section 6254.9).
- (c) "Supervisor of Records" shall mean the City Attorney.

(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 375-96, App. 9/30/96; Proposition G, 11/2/99)

SEC. 67.21. PROCESS FOR GAINING ACCESS TO PUBLIC RECORDS; ADMINISTRATIVE APPEALS.

- (a) Every person having custody of any public record or public information, as defined herein, (hereinafter referred to as a custodian of a public record) shall, at normal times and during normal and reasonable hours of operation, without unreasonable delay, and without requiring an appointment, permit the public record, or any segregable portion of a record, to be inspected and examined by any person and shall furnish one copy thereof upon payment of a reasonable copying charge, not to exceed the lesser of the actual cost or ten cents per page.
- (b) A *custodian of a public record* shall, as soon as possible and within ten days following receipt of a request for inspection or copy of a public record, comply with such request. Such request may be delivered to the office of the custodian by the requester orally or in writing by fax, postal delivery, or e-mail. If the custodian believes the record or information requested is not a public record or is exempt, the custodian shall justify withholding any record by demonstrating, in writing as soon as possible and within ten days following receipt of a request, that the record in question is exempt under express provisions of this ordinance.
- (c) A *custodian of a public record* shall assist a requester in identifying the existence, form, and nature of any records or information maintained by, available to, or in the custody of the custodian; whether or not the contents of those records are exempt from disclosure and shall, when requested to do so, provide in writing within seven days following receipt of a request, a statement as to the existence, quantity, form and nature of records relating to a particular subject or questions with enough specificity to enable a requester to identify records in order to make a request under (b). A custodian of any public record, when not in possession of the record requested, shall assist a requester in directing a request to the proper office or staff person.
- (d) If the custodian refuses, fails to comply, or incompletely complies with a request described in (b), the person making the request may petition the *supervisor of records* for a determination whether the record requested is public. The supervisor of records shall inform the petitioner, as soon as possible and within 10 days, of its determination whether the record requested, or any part of the record requested, is public. Where requested by the petition, and where otherwise desirable, this determination shall be in writing. Upon the determination by the supervisor of records that the record is public, the supervisor of records shall immediately order the custodian of the public record to comply with the person's request. If the custodian refuses or fails to comply with any such order within 5 days, the supervisor of records shall notify the district attorney or the attorney general who shall take whatever measures she or he deems necessary and appropriate to insure compliance with the provisions of this ordinance.
- (e) If the custodian refuses, fails to comply, or incompletely complies with a request described in (b) above or if a petition is denied or not acted on by the supervisor of public records, the person making the request may petition the Sunshine Task Force for a determination whether the record requested is public. The Sunshine Task Force shall inform the petitioner, as soon as possible and within 2 days after its next meeting but in no case later than 45 days from when a petition in writing is received, of its determination whether the record requested, or

any part of the record requested, is public. Where requested by the petition, and where otherwise desirable, this determination shall be in writing. Upon the determination that the record is public, the Sunshine Task Force shall immediately order the custodian of the public record to comply with the person's request. If the custodian refuses or fails to comply with any such order within 5 days, the Sunshine Task Force shall notify the district attorney or the attorney general who may take whatever measures she or he deems necessary to insure compliance with the provisions of this ordinance. The Board of Supervisors and the City Attorney's office shall provide sufficient staff and resources to allow the Sunshine Task Force to fulfill its duties under this provision. Where requested by the petition, the Sunshine Task Force may conduct a public hearing concerning the records request denial. An authorized representative of the custodian of the public records requested shall attend any hearing and explain the basis for its decision to withhold the records requested.

(f) The administrative remedy provided under this article shall in no way limit the availability of other administrative remedies provided to any person with respect to any officer or employee of any agency, executive office, department or board; nor shall the administrative remedy provided by this section in any way limit the availability of judicial remedies otherwise available to any person requesting a public record. If a custodian of a public record refuses or fails to comply with the request of any person for inspection or copy of a public record or with an administrative order under this section, the *superior court* shall have jurisdiction to order compliance.

(g) In any court proceeding pursuant to this article there shall be a presumption that the record sought is public, and the burden shall be upon the custodian to prove with specificity the exemption which applies.

(h) On at least an annual basis, and as otherwise requested by the Sunshine Ordinance Task Force, the supervisor of public records shall prepare a tally and report of every petition brought before it for access to records since the time of its last tally and report. The report shall at least identify for each petition the record or records sought, the custodian of those records, the ruling of the supervisor of public records, whether any ruling was overturned by a court and whether orders given to custodians of public records were followed. The report shall also summarize any court actions during that period regarding petitions the Supervisor has decided. At the request of the Sunshine Ordinance Task Force, the report shall also include copies of all rulings made by the supervisor of public records and all opinions issued.

(i) The San Francisco City Attorney's office shall act to protect and secure the rights of the people of San Francisco to access public information and public meetings and shall not act as legal counsel for any city employee or any person having custody of any public record for purposes of denying access to the public. The City Attorney may publish legal opinions in response to a request from any person as to whether a record or information is public. All communications with the City Attorney's Office with regard to this ordinance, including petitions, requests for opinion, and opinions shall be public records.

(j) Notwithstanding the provisions of this section, the City Attorney may defend the City or a City Employee in litigation under this ordinance that is actually filed in court to any extent required by the City Charter or California Law.

(k) Release of documentary public information, whether for inspection of the original or by providing a copy, shall be governed by the California Public Records Act (Government Code Section 6250 et seq.) in particulars not addressed by this ordinance and in accordance with the enhanced disclosure requirements provided in this ordinance.

(l) Inspection and copying of documentary public information stored in electronic form shall be made available to the person requesting the information in any form requested which is available to or easily generated by the department, its officers or employees, including disk, tape, printout or monitor at a charge no greater than the cost of the media on which it is duplicated. Inspection of documentary public information on a computer monitor need not be allowed where the information sought is necessarily and unseparably intertwined with information not subject to disclosure under this ordinance. Nothing in this section shall require a department to program or reprogram a computer to respond to a request for information or to release information where the release of that information would violate a licensing agreement or copyright law.

(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 253-96, App. 6/19/96; Proposition G, 11/2/99)

SEC. 67.21-1. POLICY REGARDING USE AND PURCHASE OF COMPUTER SYSTEMS.

(a) It is the policy of the City and County of San Francisco to utilize computer technology in order to reduce the cost of public records management, including the costs of collecting, maintaining, and disclosing records subject to disclosure to members of the public under this section. To the extent that it is technologically and economically feasible, departments that use computer systems to collect and store public records shall program and design these systems to ensure convenient, efficient, and economical public access to records and shall make public records easily accessible over public networks such as the Internet.

(b) Departments purchasing new computer systems shall attempt to reach the following goals as a means to achieve lower costs to the public in connection with the public disclosure of records:

(1) Implementing a computer system in which exempt information is segregated or filed separately from otherwise disclosable information.

(2) Implementing a system that permits reproduction of electronic copies of records in a format that is generally recognized as an industry standard format.

(3) Implementing a system that permits making records available through the largest non-profit, non-proprietary public computer network, consistent with the requirement for security of information.

(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 253-96, App. 6/19/96; Proposition G, 11/2/99)

SEC. 67.22. RELEASE OF ORAL PUBLIC INFORMATION.

Release of oral public information shall be accomplished as follows:

(a) Every department head shall designate a person or persons knowledgeable about the affairs of the department, to provide information, including oral information, to the public about the department's operations, plans, policies and positions. The department head may designate himself or herself for this assignment, but in any event shall arrange that an alternate be available for this function during the absence of the person assigned primary responsibility. If a department has multiple bureaus or divisions, the department may designate a person or persons for each bureau or division to provide this information.

(b) The role of the person or persons so designated shall be to provide information on as timely and responsive a basis as possible to those members of the public who are not requesting information from a specific person. This section shall not be interpreted to curtail existing informal contacts between employees and members of the public when these contacts are occasional, acceptable to the employee and the department, not disruptive of his or her operational duties and confined to accurate information not confidential by law.

(c) No employee shall be required to respond to an inquiry or inquiries from an individual if it would take the employee more than fifteen minutes to obtain the information responsive to the inquiry or inquiries.

(d) Public employees shall not be discouraged from or disciplined for the expression of their personal opinions on any matter of public concern while not on duty, so long as the opinion (1) is not represented as that of the department and does not misrepresent the department position; and (2) does not disrupt coworker relations; impair discipline or control by superiors, erode a close working relationship premised on personal loyalty and confidentiality, interfere with the employee's performance of his or her duties or obstruct the routine operation of the office in a manner that outweighs the employee's interests in expressing that opinion. In adopting this subdivision, the Board of Supervisors intends merely to restate and affirm court decisions recognizing the First Amendment rights enjoyed by public employees. Nothing in this section shall be construed to provide rights to City employees beyond those recognized by courts, now or in the future, under the First Amendment, or to create any new private cause of action or defense to disciplinary action.

(e) Notwithstanding any other provisions of this ordinance, public employees shall not be discouraged from or disciplined for disclosing any information that is public information or a public record to any journalist or any member of the public. Any public employee who is disciplined for disclosing public information or a public record shall have a cause of action against the City and the supervisor imposing the discipline.

(Added by Ord. 265-93, App. 8/18/93; amended by Proposition G, 11/2/99)

SEC. 67.23. PUBLIC REVIEW FILE – POLICY BODY COMMUNICATIONS.

(a) The clerk of the Board of Supervisors and the clerk of each board and commission enumerated in the charter shall maintain a file, accessible to any person during normal office hours, containing a copy of any letter, memorandum or other communication which the clerk has distributed to or received from a quorum of the policy body concerning a matter calendared by the body within the previous 30 days or likely to be calendared within the next 30 days, irrespective of subject matter, origin or recipient, except commercial solicitations, periodical publications or communications exempt from disclosure under the California Public Records Act (Government Code Section 6250 et seq.) and not deemed disclosable under Section 67.24 of this article.

(b) Communications, as described in subsection (a), sent or received in the last three business days shall be maintained in chronological order in the office of the department head or at a place nearby, clearly designated to the public. After documents have been on file for two full days, they may be removed, and, in the discretion of the board or commission, placed in a monthly chronological file.

(c) Multiple-page reports, studies or analyses which are accompanied by a letter or memorandum of transmittal need not be included in the file so long as the letter or memorandum of transmittal is included.

(Added by Ord. 265-93, App. 8/18/93; amended by Proposition G, 11/2/99)

SEC. 67.24. PUBLIC INFORMATION THAT MUST BE DISCLOSED.

Notwithstanding a department's legal discretion to withhold certain information under the California Public Records Act, the following policies shall govern specific types of documents and information and shall provide enhanced rights of public access to information and records:

(a) Drafts and Memoranda.

(1) Except as provided in subparagraph (2), no preliminary draft or department memorandum, whether in printed or electronic form, shall be exempt from disclosure under Government Code Section 6254, Subdivision (a) or any other provision. If such a document is not normally kept on file and would otherwise be disposed of, its factual content is not exempt under Subdivision (a). Only the recommendation of the author may, in such circumstances, be withheld as exempt.

(2) Draft versions of an agreement being negotiated by representatives of the City with some other party need not be disclosed immediately upon creation but must be preserved and made available for public review for 10 days prior to the presentation of the agreement for approval by a policy body, unless the body finds that and articulates how the public interest would be unavoidably and substantially harmed by compliance with this 10-day rule, provided that policy body as used in this subdivision does not include committees. In the case of negotiations for a contract, lease or other business agreement in which an agency of the City is offering to provide facilities or services in direct competition with other public or private entities that are not required by law to make their competing proposals public or do not in fact make their proposals public, the policy body may postpone public access to the final draft agreement until it is presented to it for approval.

(b) Litigation Material.

(1) Notwithstanding any exemptions otherwise provided by law, the following are public records subject to disclosure under this Ordinance:

- (i) A pre-litigation claim against the City;
 - (ii) A record previously received or created by a department in the ordinary course of business that was not attorney/client privileged when it was previously received or created;
 - (iii) Advice on compliance with, analysis of, an opinion concerning liability under, or any communication otherwise concerning the California Public Records Act, the Ralph M. Brown Act, the Political Reform Act, any San Francisco Governmental Ethics Code, or this Ordinance.
- (2) Unless otherwise privileged under California law, when litigation is finally adjudicated or otherwise settled, records of all communications between the department and the adverse party shall be subject to disclosure, including the text and terms of any settlement.

(c) **Personnel Information.** None of the following shall be exempt from disclosure under Government Code Section 6254, subdivision (c), or any other provision of California Law where disclosure is not forbidden:

- (1) The job-pool characteristics and employment and education histories of all successful job applicants, including at a minimum the following information as to each successful job applicant:
 - (i) Sex, age and ethnic group;
 - (ii) Years of graduate and undergraduate study, degree(s) and major or discipline;
 - (iii) Years of employment in the private and/or public sector;
 - (iv) Whether currently employed in the same position for another public agency.
 - (v) Other non-identifying particulars as to experience, credentials, aptitudes, training or education entered in or attached to a standard employment application form used for the position in question.
- (2) The professional biography or curriculum vitae of any employee, provided that the home address, home telephone number, social security number, age, and marital status of the employee shall be redacted.
- (3) The job description of every employment classification.
- (4) The exact gross salary and City-paid benefits available to every employee.
- (5) Any memorandum of understanding between the City or department and a recognized employee organization.
- (6) The amount, basis, and recipient of any performance-based increase in compensation, benefits, or both, or any other bonus, awarded to any employee, which shall be announced during the open session of a policy body at which the award is approved.
- (7) The record of any confirmed misconduct of a public employee involving personal dishonesty, misappropriation of public funds, resources or benefits, unlawful discrimination against another on the basis of status, abuse of authority, or violence, and of any discipline imposed for such misconduct.

(d) **Law Enforcement Information.**

The District Attorney, Chief of Police, and Sheriff are encouraged to cooperate with the press and other members of the public in allowing access to local records pertaining to investigations, arrests, and other law enforcement activity. However, no provision of this ordinance is intended to abrogate or interfere with the constitutional and statutory power and duties of the District Attorney and Sheriff as interpreted under Government Code section 25303, or other applicable State law or judicial decision. Records pertaining to any investigation, arrest or other law enforcement activity shall be disclosed to the public once the District Attorney or court determines that a prosecution will not be sought against the subject involved, or once the statute of limitations for filing charges has expired, whichever occurs first. Notwithstanding the occurrence of any such event, individual items of information in the following categories may be segregated and withheld if, on the

particular facts, the public interest in nondisclosure clearly and substantially outweighs the public interest in disclosure:

- (1) The names of juvenile witnesses (whose identities may nevertheless be indicated by substituting a number or alphabetical letter for each individual interviewed);
- (2) Personal or otherwise private information related to or unrelated to the investigation if disclosure would constitute an unwarranted invasion of privacy;
- (3) The identity of a confidential source;
- (4) Secret investigative techniques or procedures;
- (5) Information whose disclosure would endanger law enforcement personnel; or
- (6) Information whose disclosure would endanger the successful completion of an investigation where the prospect of enforcement proceedings is concrete and definite.

This Subdivision shall not exempt from disclosure any portion of any record of a concluded inspection or enforcement action by an officer or department responsible for regulatory protection of the public health, safety, or welfare.

(e) Contracts, Bids and Proposals.

(1) Contracts, contractors' bids, responses to requests for proposals and all other records of communications between the department and persons or firms seeking contracts shall be open to inspection immediately after a contract has been awarded. Nothing in this provision requires the disclosure of a private person's or organization's net worth or other proprietary financial data submitted for qualification for a contract or other benefit until and unless that person or organization is awarded the contract or benefit. All bidders and contractors shall be advised that information provided which is covered by this subdivision will be made available to the public upon request. Immediately after any review or evaluation or rating of responses to a Request for Proposal ("RFP") has been completed, evaluation forms and score sheets and any other documents used by persons in the RFP evaluation or contractor selection process shall be available for public inspection. The names of scorers, graders or evaluators, along with their individual ratings, comments, and score sheets or comments on related documents, shall be made immediately available after the review or evaluation of a RFP has been completed.

(2) Notwithstanding the provisions of this Subdivision or any other provision of this ordinance, the Director of Public Health may withhold from disclosure proposed and final rates of payment for managed health care contracts if the Director determines that public disclosure would adversely affect the ability of the City to engage in effective negotiations for managed health care contracts. The authority to withhold this information applies only to contracts pursuant to which the City (through the Department of Public Health) either pays for health care services or receives compensation for providing such services, including mental health and substance abuse services, to covered beneficiaries through a pre-arranged rate of payment. This provision also applies to rates for managed health care contracts for the University of California, San Francisco, if the contract involves beneficiaries who receive services provided jointly by the City and University. This provision shall not authorize the Director to withhold rate information from disclosure for more than three years.

(3) During the course of negotiations for:

- (i) personal, professional, or other contractual services not subject to a competitive process or where such a process has arrived at a stage where there is only one qualified or responsive bidder;
- (ii) leases or permits having total anticipated revenue or expense to the City and County of five hundred thousand dollars (\$500,000) or more or having a term of ten years or more; or
- (iii) any franchise agreements,

all documents exchanged and related to the position of the parties, including draft contracts, shall be made available for public inspection and copying upon request. In the event that no records are prepared or exchanged

during negotiations in the above-mentioned categories, or the records exchanged do not provide a meaningful representation of the respective positions, the City Attorney or City representative familiar with the negotiations shall, upon a written request by a member of the public, prepare written summaries of the respective positions within five working days following the final day of negotiation of any given week. The summaries will be available for public inspection and copying. Upon completion of negotiations, the executed contract, including the dollar amount of said contract, shall be made available for inspection and copying. At the end of each fiscal year, each City department shall provide to the Board of Supervisors a list of all sole source contracts entered into during the past fiscal year. This list shall be made available for inspection and copying as provided for elsewhere in this Article.

(f) **Budgets and Other Financial Information.** Budgets, whether tentative, proposed or adopted, for the City or any of its departments, programs, projects or other categories, and all bills, claims, invoices, vouchers or other records of payment obligations as well as records of actual disbursements showing the amount paid, the payee and the purpose for which payment is made, other than payments for social or other services whose records are confidential by law, shall not be exempt from disclosure under any circumstances.

(g) Neither the City nor any office, employee, or agent thereof may assert California Public Records Act Section 6255 or any similar provision as the basis for withholding any documents or information requested under this ordinance.

(h) Neither the City nor any office, employee, or agent thereof may assert an exemption for withholding for any document or information based on a "deliberative process" exemption, either as provided by California Public Records Act Section 6255 or any other provision of law that does not prohibit disclosure.

(i) Neither the City, nor any office, employee, or agent thereof, may assert an exemption for withholding for any document or information based on a finding or showing that the public interest in withholding the information outweighs the public interest in disclosure. All withholdings of documents or information must be based on an express provision of this ordinance providing for withholding of the specific type of information in question or on an express and specific exemption provided by California Public Records Act that is not forbidden by this ordinance.

(Added by Ord. 265-93, App. 8/18/93; amended by Ord. 292-95, App. 9/8/95; Ord. 240-98, App. 7/17/98; Proposition G, 11/2/99)

SEC. 67.25. IMMEDIACY OF RESPONSE.

(a) Notwithstanding the 10-day period for response to a request permitted in Government Code Section 6256 and in this Article, a written request for information described in any category of non-exempt public information shall be satisfied no later than the close of business on the day following the day of the request. This deadline shall apply only if the words "Immediate Disclosure Request" are placed across the top of the request and on the envelope, subject line, or cover sheet in which the request is transmitted. Maximum deadlines provided in this article are appropriate for more extensive or demanding requests, but shall not be used to delay fulfilling a simple, routine or otherwise readily answerable request.

(b) If the voluminous nature of the information requested, its location in a remote storage facility or the need to consult with another interested department warrants an extension of 10 days as provided in Government Code Section 6456.1, the requester shall be notified as required by the close of business on the business day following the request.

(c) The person seeking the information need not state his or her reason for making the request or the use to which the information will be put, and requesters shall not be routinely asked to make such a disclosure. Where a record being requested contains information most of which is exempt from disclosure under the California Public Records Act and this article, however, the City Attorney or custodian of the record may inform the requester of the nature and extent of the non-exempt information and inquire as to the requester's purpose for seeking it, in order to suggest alternative sources for the information which may involve less redaction or to otherwise prepare a response to the request.

(d) Notwithstanding any provisions of California Law or this ordinance, in response to a request for information describing any category of non-exempt public information, when so requested, the City and County shall produce any and all responsive public records as soon as reasonably possible on an incremental or "rolling" basis such that responsive records are produced as soon as possible by the end of the same business day that they are reviewed and collected. This section is intended to prohibit the withholding of public records that are responsive to a records request until all potentially responsive documents have been reviewed and collected. Failure to comply with this provision is a violation of this Article.

(Added by Ord. 265-93, App. 8/18/93; amended by Proposition G, 11/2/99)

SEC. 67.26. WITHHOLDING KEPT TO A MINIMUM.

No record shall be withheld from disclosure in its entirety unless all information contained in it is exempt from disclosure under express provisions of the California Public Records Act or of some other statute. Information that is exempt from disclosure shall be masked, deleted or otherwise segregated in order that the nonexempt portion of a requested record may be released, and keyed by footnote or other clear reference to the appropriate justification for withholding required by Section 67.27 of this Article. This work shall be done personally by the attorney or other staff member conducting the exemption review. The work of responding to a public-records request and preparing documents for disclosure shall be considered part of the regular work duties of any City employee, and no fee shall be charged to the requester to cover the personnel costs of responding to a records request.

(Added by Ord. 265-93, App. 8/18/93; amended by Proposition G, 11/2/99)

SEC. 67.27. JUSTIFICATION OF WITHHOLDING.

Any withholding of information shall be justified, in writing, as follows:

- (a) A withholding under a specific permissive exemption in the California Public Records Act, or elsewhere, which permissive exemption is not forbidden to be asserted by this ordinance, shall cite that authority.
- (b) A withholding on the basis that disclosure is prohibited by law shall cite the specific statutory authority in the Public Records Act or elsewhere.
- (c) A withholding on the basis that disclosure would incur civil or criminal liability shall cite any specific statutory or case law, or any other public agency's litigation experience, supporting that position.
- (d) When a record being requested contains information, most of which is exempt from disclosure under the California Public Records Act and this Article, the custodian shall inform the requester of the nature and extent of the nonexempt information and suggest alternative sources for the information requested, if available.

(Added by Ord. 265-93, App. 8/18/93; amended by Proposition G, 11/2/99)

SEC. 67.28. FEES FOR DUPLICATION

Leger, Cheryl (BOS)

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Wednesday, January 8, 2020 12:58 AM
To: SOTF, (BOS)
Subject: SOTF 19044 and 19091
Attachments: signature.asc

Ms. Leger,

1. As a note, 19044 was postponed **twice** by Respondents before (July 3 and June 25) and I will not consent to any further postponements, as the City Attorney attempts to further obstruct my right of public access.
2. Please provide any updated DCA memos or City responses for 19044 and 19091. If the City/DCAs hasn't added anything to these files after Oct. 2 and Oct. 15 respectively, I don't need anything.
3. Please dismiss Tyrone Jue as a respondent from 19091.
4. Is SOTF 19109 still in your case list? Your minutes state that 19109 is the metadata portion of my case 19091, but your tracking spreadsheet says someone else got that number 19109. I don't want to lose my case there.

NOTE: 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

Leger, Cheryl (BOS)

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Tuesday, January 7, 2020 5:53 PM
To: SOTF, (BOS).
Subject: Question re: Jan 21 / 19044 / 19105
Attachments: signature.asc

Ms. Leger and/or Chair Wolfe,

Thank you for the notice of Appearance.

Will January 21 directly consider the specific metadata issues in 19044 (instead of continuing to argue generic metadata issues still), or is there a separate 19105 SOTF hearing during the same meeting (hopefully prior to 19044 in the agenda)?

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Sincerely,

Anonymous

Leger, Cheryl (BOS)

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Wednesday, December 18, 2019 1:43 PM
To: SOTF, (BOS)
Subject: Scheduling Request for SOTF 19044
Attachments: signature.asc

Chair Wolfe and Clerk Leger,

I am requesting that SOTF 19044 be scheduled at the Full Task Force as soon as possible.

On Oct. 2, the full Task Force moved as follows in Case 19044 Anonymous vs Herrera, et al.:

"Moved by Vice Chair J. Wolf, seconded by Member Martin, to refer the matter to the Technology Committee. The SOTF requested that the Technology Committee review the issue of metadata and develop standards regarding the matter as it related to public records."

On Dec. 17, the IT Committee moved 3-0 to recommend to the full Task Force the following 3 positions regarding metadata (I am paraphrasing, as your minutes are not yet published):

- no evidence metadata is excluded from definition of "public record"
- burden of retrieving or redacting metadata cannot create exemptions
- city must follow existing Sunshine process of justifying every item of redacted metadata (whether IT security GC6254.19 or otherwise)

Therefore, I believe 19044 is once again ripe for consideration before the Full Task Force and I request that it be scheduled without delay.

I would also like to point out that in Order 19047 (Mayor's calendars), the Mayor's Office has refused after issuance of your order to produce either the .ICS files or metadata until the metadata issue goes back before the Task Force.

Thank you for your consideration.

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Sincerely,

Anonymous

(BOS) victor.young@sfgov.org; SOTF, (BOS) sotf@sfgov.org > > Subject: Apparent error in 19047 Minutes / Oct. 2
> > This message is from outside the City email system. Do not open links or attachments from untrusted sources.
> > I would like to report what appears to be an erroneous elision in the 19047 minutes of Oct. 2.
> > It is missing that the Mayor did not provide her non-Prop G or 2nd calendar account until months later, and those non-Prop G calendars are public records. This was repeatedly discussed in my presentation and rebuttal (see P348, #1; P354, #2 and #3, and P355, #1), and it is at least as important as the ICS format issues which are mentioned; I don't want it to be missed in the order of determination.
> > If need be, I can go through the audio recording and point it out as well.
> > What is the process of ensuring that is in there? Do I need to speak at public comment re: approving the prior minutes in your next full meeting to ask SOTF to amend that?
> > --Anonymous

</arecordsrequestor@protonmail.com>

Leger, Cheryl (BOS)

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Friday, October 11, 2019 11:25 AM
To: SOTF, (BOS)
Cc: Calvillo, Angela (BOS)
Subject: RE: SOTF - Compliant Committee agenda and packet for October 15, 2019 - online

Sounds good -

Regarding the following statement you made: "It would be appreciated if you could provide testimony and documentation regarding the matter the Committee will not be discussing specific complaint."

I'm sorry; I don't understand this sentence as there might be a typo or missing word.

However, I am happy to provide documentation re: metadata, and I will also provide telephonic commentary- under what file number would you like me to provide papers to be included in the packet?

Thanks!
Anonymous

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

On Friday, October 11, 2019 10:57 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Anonymous:

- The phone number and code will not change. 877-402-9753 code 5547726
- Unless otherwise noticed, submitted complaints will not be considered at the IT 10/22 meeting. It is my understanding that the goal of the committee is to develop a policy to address requests for metadata citywide. It would be appreciated if you could provide testimony and documentation regarding the matter the Committee will not be discussing specific complaint.

Victor Young
Assistant Clerk
Board of Supervisors
phone 415-554-7723 | fax 415-554-5163

victor.young@sfgov.org | www.sfbos.org

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Thursday, October 10, 2019 6:25 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Cc: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Subject: RE: SOTF - Compliant Committee agenda and packet for October 15, 2019 - online

Thank you for the fix!

FYI - the agenda link https://sfgov.org/sunshine/sites/default/files/complaint101519_agenda.pdf gives a 503 Service Unavailable error so I was unable to verify.

1) Yes I am requesting telepresence for Oct. 15. I assume I will receive a conf call number in due course. Oct. 2 SOTF was the first time I could actually hear the podium/respondent, so hopefully it works the same way this time.

2) I am happy to appear before the Oct. 22 IT Committee (telephonically as always) re: metadata. Is the referral of 19044 officially being re-taken up at that time (I did not see it on the notice of appearance, which also includes my 19095)? If so, the Oct 2 file for 19044 , and my memorandum titled "SOTF 19044 - Committee Recommendation on Email Headers" on Oct 3 should be included. If however 19044 is not being officially taken up, I am not certain whether I am permitted by your rules to submit any documents or make an adversarial presentation.

3) Thanks. For 19091 which is already agendized I plan to request the committee move to divide. My cases each involve numerous sometimes nuanced alleged violations, so I can provide specific determination numbers or page numbers. For future complaints, I am also happy to designate "Metadata" allegations vs. non-metadata ones.

Also, please continue sending official notices or orders to the per-case contact email addresses I have provided in each of my complaint forms (the muckrock.com ones).

They are essentially case docketing addresses that keep all the documents organized by case.

--Anonymous

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

On Thursday, October 10, 2019 4:43 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Anonymous:

The agenda packets have been updated.

Other issues for consideration:

- I assume you are requesting testimony by phone for the 10/15 meeting. Please be sure to make the request prior to each of the meeting as we may have difference clerks covering the meeting.
- The Information Technology Committee will be meeting in place of the Compliance and Amendments Committee on 10/22. I will add you to the notice list and hope that you will participate in the SOTF's effort to develop policy regarding metadata.
- We will most likely be able to divide your files administratively but I will need to speak with Cheryl in order to prevent confusion.

Victor Young

Assistant Clerk

Board of Supervisors

phone 415-554-7723 | fax 415-554-5163

victor.young@sfgov.org | www.sfbos.org

From: Anonymous <arecordsrequestor@protonmail.com>

Sent: Thursday, October 10, 2019 11:47 AM

To: SOTF, (BOS) <sotf@sfgov.org>; Young, Victor (BOS) <victor.young@sfgov.org>

Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>

Subject: Re: SOTF - Compliant Committee agenda and packet for October 15, 2019 - online

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

SOTF/Mr. Young,

There are two omissions in my case packets.

19094 is missing the attached document A.pdf (which is a rebuttal to 19095 as well, but I previously requested added to the 19094 file too, since the issue is the same).

19091 is missing the following two documents:

https://cdn.muckrock.com/foia_files/2019/09/05/2019-09-05_Response_to_Muckrock.pdf

https://cdn.muckrock.com/foia_files/2019/10/01/Ltr_to_Muckrock_10.1.2019.pdf

Please correct, and resend packets to the Task Force/committee if needed; these documents were provided by me in a timely manner, before deadlines, and are important to my arguments.

--Anonymous

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

On Thursday, October 10, 2019 10:56 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Good Afternoon:

The agenda packet for the Complaint Committee of the Sunshine Ordinance Task Force October 15, 2019, 5:30 p.m. meeting is available online at the following link:

https://sfgov.org/sunshine/sites/default/files/complaint101519_agenda.pdf

The packet material is linked each item listed on the agenda. Click anywhere on the title of the item to open the link to the pdf of the packet material in question. Please note that the additional material may have been added to the file and is available as part of the packet at the above listed link.

Victor Young

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall., Room 244

San Francisco CA 94102

phone 415-554-7724 | fax 415-554-5163

victor.young@sfgov.org | www.sfbos.org

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the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

Leger, Cheryl (BOS)

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Monday, October 21, 2019 3:29 PM
To: SOTF, (BOS)
Subject: RE: SOTF 19047 - Documentation to add

Both please. I have forwarded all the other files as well under the correct file number.

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

On Monday, October 21, 2019 3:24 PM, SOTF, (BOS) <sof@sfgov.org> wrote:

Please clarify which file you wish to add this documentation; 19044 or 19047? Thank you.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724



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From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Sunday, October 20, 2019 11:07 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: SOTF 19047 - Documentation to add.

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Also add the attachment to 19047 please.

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

On Saturday, October 19, 2019 11:34 PM, Anonymous <arecordsrequestor@protonmail.com> wrote:

Please enter the attached documents into the following file numbers, along with this transmittal email.

19044

The attached documents are the US Library of Congress's description of .ICS calendar file formats.

An acknowledgment would be appreciated.

Thanks,

Anonymous

Leger, Cheryl (BOS)

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Sunday, October 20, 2019 11:08 AM
To: SOTF, (BOS)
Subject: SOTF 19044 - more Documentation to add
Attachments: LOC-EML.pdf; LOC-MSG.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Also add to 19044 please.

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

On Saturday, October 19, 2019 11:24 PM, Anonymous <arecordsrequestor@protonmail.com> wrote:

Please enter the attached documents into the following file numbers, along with this transmittal email.

19047, 19091, 19097, 19098

The attached documents are the US Library of Congress's description of .EML and .MSG email file formats.

In addition, please let me know the new divided File # for the email metadata issues split out from 19091, and also add the attached documents to whatever that new file number is.

An acknowledgment would be appreciated.

Thanks,

Anonymous

Sustainability of Digital Formats: Planning for Library of Congress Collections

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Format Description Properties ⁱ

- ID: fdd000388
- Short name: EML
- Content categories: text, email
- Format Category: file-format
- Other facets: unitary, binary, structured, symbolic
- Last significant FDD update: 2014-04-01
- Draft status: Full

Identification and description ⁱ

Full name	Email (Electronic Mail Format)
Description	<p>EML, short for electronic mail or email, is a file extension for an email message saved to a file in the Internet Message Format protocol for electronic mail messages. It is the standard format used by Microsoft Outlook Express as well as some other email programs. Since EML files are created to comply with industry standard RFC 5322, EML files can be used with most email clients, servers and applications. See IMF for a description of the message syntax.</p> <p>EML files typically store each message as a single file (unlike MBOX which concatenates all the messages from a folder into one file), and attachments may either be included as MIME content in the</p>

	message or written off as a separate file, referenced from a marker in the EML file.
Relationship to other formats	
Defined via	<u>IMF</u> , Internet Mail Format

Local use

LC experience or existing holdings	
LC preference	

Sustainability factors

Disclosure	Partially documented through RFC 5322 but documentation about EML specifically is not readily available.
Documentation	There is no known specification that defines EML as a file format to store email messages on a file system although it is commonly considered to be an extension of <u>IMF</u> as defined in RFC 5322.
Adoption	<p>Besides the Microsoft Outlook Express, EML files can be opened using most email clients, such as Microsoft Outlook, Microsoft Entourage, Mozilla Thunderbird, Apple Mail, or IncrediMail. Since EML files are plain text and formatted much like MHT (MIME HTML) files, they can also be opened directly in the Internet Explorer, Mozilla Firefox and Opera, by first changing the file extension from .eml to .mht. It is also possible to view EML files using notepad or any other text editor.</p> <p>Windows 8, however, does not natively support EML in the built in Mail application so an <u>EML Viewer</u> was developed in order to support reading EML files.</p> <p><u>Prom reports</u> that <u>MBOX</u> and EML have "achieved a certain status as de facto standards because most modern email clients and servers can import and export one or both of the formats" including Thunderbird, Apple Mail, Outlook and Eudora. In addition, external programs such as Aid4Mail, Emailchemy and Xena can convert between the two formats and numerous proprietary formats. Once in an <u>MBOX</u> or EML format, the data can be parsed into XML using standardized schemas.</p> <p>Harvard University Libraries' <u>Electronic Archiving System (EAS)</u> normalizes email messages to EML.</p>
Licensing and patents	None
Transparency	EML files are usually simple text files and can be opened in Notepad or a web browser, either by changing the extension from eml to txt or HTML, or by changing the file association to Notepad.
Self-documentation	See <u>IMF</u>

External dependencies	None
Technical protection considerations	None

Quality and functionality factors ⁱ

File type signifiers and format identifiers ⁱ

Tag	Value	Note
Filename extension	eml	
Internet Media Type	message/rfc822	This is the common MIME type for all formats based on RFC 822.
Pronom PUID	See note.	No corresponding PUID because EML is based on <u>IMF</u>
Wikidata Title ID	See note.	See <u>IMF</u>

Notes ⁱ

General	
History	

Format specifications ⁱ

- See IMF

Useful references

URLs

- PRONOM entry for fmt/278 (<http://nationalarchives.gov.uk/PRONOM/fmt/278>). Information in PRONOM from the UK National Archives about Internet Message Format which defines EML. PUID: fmt/278
- Internet mail message header format (<http://cr.yp.to/immhf.html>). Describes format of an Internet mail message header
- Archivematica Email Preservation (https://wiki.archivematica.org/Email_preservation). Brief formats descriptions including EML
- Wikipedia Email (<http://en.wikipedia.org/wiki/Email>). Includes discussion of many email formats including EML
- EML-file extension - Email message file (<http://www.file-extensions.org/eml-file-extension>).

- Preserving Email: DPC Technology Watch report 2011 by Christopher J. Prom
(<http://dx.doi.org/10.7207/twr11-01>). Excellent coverage of issues with preserving email.

Last Updated: 06/06/2018

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Microsoft Outlook Item (MSG)

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Format Description Properties

- ID: fdd000379
- Short name: MSG
- Content categories: text, email
- Format Category: file-format
- Other facets: unitary, binary, structured, symbolic
- Last significant FDD update: 2014-03-28
- Draft status: Full

Identification and description

Full name	Microsoft Outlook Item (MSG)
Description	<p>The Outlook Item MSG (.msg) file format is a syntax for storing a single Message object, such as an email, an appointment, a contact, a task, and so on, in a file. Any properties that are present on the Message object, including Attachment objects, are also present in the MSG file.</p> <p>MSG is based on the CFB 3 format which implements a simplified file system through a hierarchical collection of storage objects and stream objects which behave as directories and files, respectively within a single file. Message files contain objects which contain properties and collections of properties. For all intents and purposes,</p>

P769

	<p>objects are represented by storages and properties are represented and reside in streams.</p> <p>MSG specifies five storage elements, each representing one major component of the Message object and a number of streams are contained within those storages, each stream representing a property (or a set of properties) of that component.</p> <p>The storages are:</p> <ul style="list-style-type: none"> • Recipient object storage • Attachment object storage • Embedded Message object storage • Custom attachment storage • Named property mapping storage <p>The numbers and types of storages and streams present in a MSG file depend on the type of Message object; the number of Recipient objects and Attachment objects it has, and other properties. Properties define attributes of the object like the sender email, whether a read receipt was requested by the sender, whether this message was auto forwarded, an attachment's filename, etc.</p> <p>String properties in MSG must be either Unicode or non-Unicode. The .msg File Format does not allow the presence of both simultaneously.</p>
Production phase	MSG files provide a mechanism for the storage of an email message, an appointment, a contact, or a task within a file system.
Relationship to other formats	
Defined via	CFB 3, Compound File Binary File Format, Version 3
Defined via	CFB 4, Compound File Binary File Format, Version 4

Local use ⁱ

LC experience or existing holdings	
LC preference	

Sustainability factors ⁱ

Disclosure	Fully documented. Proprietary file format developed by Microsoft.
Documentation	[MS-OXMSG]: Outlook Item (.msg) File Format specification available from Microsoft.
Adoption	MSG is implemented in the following Microsoft products: Microsoft Exchange Server 2003-2013 and Microsoft Office Outlook 2003-2013.
Licensing and patents	The MSG format specification is covered by the Microsoft Interoperability Program. See <u>Useful references</u> below. Microsoft

	claims no patents in the MSG format. Patents and licenses may apply to some operations and protocols that are used by Microsoft in its electronic mail products and that the MSG format is designed to support. In late 2015, the only patents listed by Microsoft as associated with the related protocol specifications listed in this format description are associated with operational systems for managing messages according to a retention policy: US 8620869 B2 -- Techniques to manage retention policy tags ; and US 20140095641 A1 -- Techniques to manage retention policy tags .
Transparency	A .msg file can be saved in Outlook or compatible email client and then viewed in an hex editor or binary file parser.
Self-documentation	See CFB 3
External dependencies	None
Technical protection considerations	None

Quality and functionality factors ⁱ

File type signifiers and format identifiers ⁱ

Tag	Value	Note
Filename extension	msg	From specification
Internet Media Type	application/vnd.ms-outlook	Not registered with IANA but listed on MIME Types by Content Type .
File signature		See CFB 3

Notes ⁱ

General	<p>Microsoft reports that there are scenarios for which storing a Message object in the MSG format would not be advisable:</p> <ul style="list-style-type: none"> • Maintaining a large standalone archive. A better option would be a more full-featured format that can render views more efficiently. • Sending information to an unknown receiver. In this scenario, it is possible that the format is not supported by the receiver or that information that is private or irrelevant might be transmitted. <p>MSG provides some security mechanisms for ensuring that clients read the correct number of bytes from constituent streams.</p> <ul style="list-style-type: none"> • In the case of multiple-valued variable length properties, the length stream contains the lengths of each value. Clients can
----------------	---

	<p>compare the lengths obtained from there with the actual length of the value streams. If they are not in sync, it can be assumed that there is data corruption.</p> <ul style="list-style-type: none"> • In case of the strings, stream entries are stored prefixed with their lengths; and if any inconsistency is detected, clients can assume that there is data corruption.
History	

Format specifications ⁱ

- [\[MS-OXMSG\]: Outlook Item \(.msg\) File Format](https://msdn.microsoft.com/en-us/library/cc463912.aspx) (https://msdn.microsoft.com/en-us/library/cc463912.aspx). Format specification from Microsoft. Document covered by Microsoft Interoperability Program. No patents are associated with this specification..
- Property schemas for MSG Message objects are defined by separate documents. These protocol specifications are covered by the Microsoft Interoperability Program. See [Useful References](#) below. The only associated patents listed by Microsoft relate to active operation of a mail system that uses tags to manage and expire messages in line with a retention policy.
 - [\[MS-OXCMSG\]: Message and Attachment Object Protocol](https://msdn.microsoft.com/en-us/library/cc463900.aspx) (https://msdn.microsoft.com/en-us/library/cc463900.aspx). Specifies the basic property schema for a Message object
 - [\[MS-OXPROPS\]: Exchange Server Protocols Master Property List](https://msdn.microsoft.com/en-us/library/cc433490.aspx) (https://msdn.microsoft.com/en-us/library/cc433490.aspx). Specifies the basic property schema for a Message object and the default property schema for a Folder object

Useful references

URLs

- Helpful blog series from Microsoft Open Specifications Support Team Blog on MSG format
 - [.MSG File Format \(Part 1\)](http://blogs.msdn.com/b/openspecification/archive/2009/11/06/msg-file-format-part-1.aspx) (http://blogs.msdn.com/b/openspecification/archive/2009/11/06/msg-file-format-part-1.aspx). Overview of the MSG format
 - [.MSG File Format, Rights Managed Email Message \(Part 2\)](http://blogs.msdn.com/b/openspecification/archive/2010/06/20/msg-file-format-rights-managed-email-message-part-2.aspx) (http://blogs.msdn.com/b/openspecification/archive/2010/06/20/msg-file-format-rights-managed-email-message-part-2.aspx). General exploration of rights managed MSG email messages
 - [.MSG File Format, Rights Managed Email Message \(Part 3\)](http://blogs.msdn.com/b/openspecification/archive/2011/06/14/msg-file-format-rights-managed-email-message-part-3.aspx) (http://blogs.msdn.com/b/openspecification/archive/2011/06/14/msg-file-format-rights-managed-email-message-part-3.aspx). More detail about rights managed MSG email messages
- Links related to the Microsoft Interoperability Program, a documentation program designed in connection with the 2009 Interoperability Undertaking between Microsoft and the European Commission. Covers Exchange-Outlook protocols documentation.
 - [Microsoft Interoperability Program](https://msdn.microsoft.com/en-us/library/gg134029.aspx). (https://msdn.microsoft.com/en-us/library/gg134029.aspx).
 - [Microsoft Statement on European Commission Decision, December 2009](http://news.microsoft.com/2009/12/16/microsoft-statement-on-european-commission-decision/). (http://news.microsoft.com/2009/12/16/microsoft-statement-on-european-commission-decision/).
 - [Persistent Microsoft link to Microsoft Statement on European Commission Decision, December 2009](http://go.microsoft.com/fwlink/?LinkId=179741). (http://go.microsoft.com/fwlink/?LinkId=179741).
 - [Microsoft Open Specifications Programs: Patent Promises and Patents](https://msdn.microsoft.com/en-us/openspecifications/dn750984) (https://msdn.microsoft.com/en-us/openspecifications/dn750984). Includes an interactive table that enables identification of any Microsoft patents or patent applications that Microsoft believes to be associated with a published specification.

10/19/2019

Microsoft Outlook Item (MSG)

- Microsoft Interoperability Program (MIP): Patent License and Covenant Agreements
(<https://msdn.microsoft.com/en-us/openspecifications/dn646762>). See Patent Pledge for Open Source Developers.
- See also CFB 3

Last Updated: 05/18/2018

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Leger, Cheryl (BOS)

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Thursday, October 3, 2019 6:09 PM
To: SOTF, (BOS); Young, Victor (BOS)
Cc: Calvillo, Angela (BOS)
Subject: RE: SOTF Admin - Case Management 19089, 19091, 19094, 19095, 19097, and 19098

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you. Until I hear otherwise, I still intend to present 19091 and 19094 as agendized to Oct. 15 and will have documents to you by the deadline. (19095 is not about email headers as stated previously.)

Re: the other complaints: If the Technology Committee will hear 19044 (as referred), 19097, and 19098 and make whatever splitting decisions it needs to, that makes sense. There is no justification however to delay the numerous non-email-header issues in 19097 and 19098.

Please let me know your conclusion when you have one.

Thanks,
Anonymous

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

On Thursday, October 3, 2019 4:58 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Anonymous:

I will work with Chair Wolfe to determine the best way to handle 19097, 19098 and the other complaints. Please note that the Technology Committee can also hear complaints and divide the issues at their discretion.

Victor Young
Assistant Clerk
Board of Supervisors
phone 415-554-7723 | fax 415-554-5163

victor.young@sfgov.org | www.sfbos.org

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Thursday, October 3, 2019 3:45 PM

To: SOTF, (BOS) <sotf@sfgov.org>; Young, Victor (BOS) <victor.young@sfgov.org>
Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Subject: RE: SOTF Admin - Case Management 19089, 19091, 19094, 19095, 19097, and 19098

** For inclusion in all file numbers in the subject line, and for (acting) Administrator response **

Thanks! 2 corrections I believe:

1) 19095 has no email header allegations so I believe it should go only to the normal committee on Oct. 22 and not to TBD Technology.

2) 19097 and 19098 should also be in the normal queue to be heard for jurisdiction at the (non-Technology) committee whenever the agenda permits -- just like 19091, they have numerous non-email-header allegations and the (non-Technology) Committee I assume can split the files and refer the email header issues to Technology Committee while sending the remainder to SOTF (if they find jurisdiction).

Thanks,

Anonymous

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

On Thursday, October 3, 2019 3:25 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Anonymous:

Regarding the October 15, 2019, Complaint Committee Meeting:

19091 - We will present to possibility of divide the file during the meeting.

19094 - Will proceed as scheduled.

October 22, 2019, File No. 19095, Compliance and Amendments Committee Meeting

19095 – tentatively scheduled for hearing

TBD Technology Committee

19097

19098

19095

19044 (heard by the SOTF and referred to the Technology Committee)

TBD SOTF

19089- previously heard and committee and pending scheduling before the SOTF.

Please contact me if my understanding is incorrect.

Victor Young

Assistant Clerk

Board of Supervisors

phone 415-554-7723 | fax 415-554-5163

victor.young@sfgov.org | www.sfbos.org

From: Anonymous <arecordsrequestor@protonmail.com>

Sent: Thursday, October 3, 2019 1:41 PM

To: Young, Victor (BOS) <victor.young@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>

Subject: SOTF Admin - Case Management 19089, 19091, 19094, 19095, 19097, and 19098

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

**** For inclusion in all file numbers in the subject line, and for (acting) Administrator response ****

Please see and respond as needed on separate threads for 19047 and 19044, sent earlier today, to keep everything well-organized.

Mr. Young,

Thank you for your work last evening, and for the task force's extensive investigation as well. I understand it is 'after hours' for you, and the commissioners are volunteers and these meetings can go on for a long time.

You pointed out during the hearing we should discuss the disposition of my other pending cases re: IT Committee referral. (As a disclaimer, I have a right to remain anonymous and have no legal obligation to acknowledge that various anonymous requests are from the same person; while I am voluntarily indicating that I am the same anonymous complainant below, I am under no obligation to do so in the future, nor do I voluntarily undertake any such obligation in the future or in any case not specifically numbered below. Please do not simply assume all anonymous complaints are from me, or impute responsibility for them to me.)

The following are some of my pending cases with a summary of the allegations (the summaries are not exhaustive and not limiting):

- **19089** vs City Atty - jurisdiction found, awaiting Full Task Force - subject matter: whether the Supervisor of Records must provide timely/complete determinations to petitions under 67.21(d) in 10 days
- **19091** vs Mayor - on committee Oct. 15 - subject matter: use of secret chat apps; violations of City of San Jose v Superior Court (Smith, 2017); images and

attachments withheld; text messages withheld; email addresses withheld; and email headers withheld

- **19094** vs Dept of Tech. - on committee Oct. 15 - subject matter: failure to immediately respond; violations of 67.21(k) incorporating by reference CPRA Gov Code 6270.5; withholding parts of the enterprise system catalog/SB 272
- **19095** vs City Atty - awaiting Committee - subject matter: violations of 67.21(k) incorporating by reference CPRA Gov Code 6270.5, withholding parts of the enterprise system catalog/SB 272
- **19097** vs Dept of Public Works - awaiting committee - subject matter: violations of City of San Jose v Superior Court (Smith, 2017); images and hyperlinks withheld; email addresses withheld; and email headers withheld
- **19098** vs Police Dept - awaiting committee - subject matter: timeliness; failure to justify redactions; violations of City of San Jose v Superior Court (Smith, 2017); images and hyperlinks withheld; text messages withheld; email addresses withheld; and email headers withheld

Therefore, 19089, 19094, and 19095 should proceed completely unaffected.

I would suggest that the Oct. 15 committee use its power at the hearing to split 19091 into two files, a new file (say 19091-B) for the email headers allegation sent to the IT committee for its recommendation for overall city guidelines, and keep all the other important allegations in 19091 which should proceed undelayed.

I would suggest that 19097 and 19098 are similarly split at initial committee.

Some upcoming un-filed complaints may involve (without limitation): police misconduct records, secrecy of City contracts, secrecy of City financials, use of non-profits as a shield, privatized govt functions; improper use of Attorney-Client privilege, and more. I intend to continue to file requests, and if needed complaints, comprehensively auditing all parts of the City's public records regime, and subject to SFAC 67.21(e) requiring Task Force determination within 45 days, and I expect my complaints continue to be fairly heard in my "queue" order, subject to your 2-item-per-meeting procedure, and not delayed based on my identity.

In some of the future cases, a portion will again be related to email headers (simply because the evidence of what the govt is doing is usually *in* the emails), but the remainder will not be. I assume your committees will split them if and as needed. However I intend to file them before the IT committee recommendation is complete because the Respondent is always required to respond within 5 business days and is on notice that they should not destroy responsive records, and to preserve any statutes of limitation if imposed by future Court proceedings.

I will call later today if I don't hear from you by email, as I need to start working on the correct set of case presentations.

Thanks a lot!

Anonymous

Leger, Cheryl (BOS)

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Thursday, October 3, 2019 11:55 AM
To: SOTF, (BOS); Young, Victor (BOS)
Cc: COTE, JOHN (CAT); RUSSI, BRAD (CAT)
Subject: SOTF 19044 - Committee Recommendation on Email Headers

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

****For inclusion in 19044 File, and for distribution to Task Force members****

Task Force,

Thank you for your referral of Case 19044 to the IT committee for consideration of consistent city-wide email header disclosure requirements and for independent, expert IT advice on the matter. Please take up this Committee matter with urgency as I have been waiting for many months since my May complaint and there were parts of 19044 unrelated to metadata that are now pending the committee hearing. Moreover, I had originally made a compromise offer to the City Attorney on May 17th for **their** office to make this city-wide guidance voluntarily, but they did not accept it:

"... the City Attorney publishes an opinion that in its independent legal judgment, and in good faith consultation with information technology security experts, that all e-mail header names are non-exempt and at least the following e-mail header values (in addition to body, attachments and inline images) [Date, Sender, Message-Id, To, From, Subject, Mime-Version, Content-Type, Return-Path, Cc, Bcc, X-Envelope-From, Thread-Topic, Thread-Index, Sender, References, In-Reply-To, X-Originatororg, Delivered-To, X-Forwarded-To, X-Forwarded-For] are in fact not automatically exempt from disclosure (unless the specific [sic] content is exempt); ..."

The City Attorney's refusal to acknowledge that agency metadata is public **in general** is what has caused some, but not all, of the disputes between the City and myself, and is what is most troubling. As your members stated, **the burden of proof of exemption is always on the City, not on me or other requestors.** The failure of the Respondents yesterday to produce the IT professionals who redacted the record must weigh against the City, not against the complainant.

Mr. Cote was exactly right in one respect - there is no court case (or statute, known to me) declaring all metadata private (or public), but for precisely that reason, in San Francisco even if not California as a whole, metadata must be disclosed except the specific minimal parts which are exempt for reasons like security, privacy, etc. The analysis Chair Wolfe read from the League of California Cities (pg. 14; which does not even consider the extra requirements in SF) is on point. The Sunshine Ordinance is very clear that all records are presumed public unless case law or statute exemption can be found, and even then only minimal redaction of those parts is allowed.

Questions I hope that your task force or IT committee will take up, and I hope you will request from your DCA and IT experts, and of Respondents, include:

1. How can we distinguish objectively between what is metadata vs data? If we allow this arbitrary distinction, can the government merely call things "metadata" to hide them from the public? This is the kind of open season against transparency the Admin Code repeatedly prohibits.
2. How can a blanket exemption of metadata be squared with the language of SFAC 67.26 and 67.27? What is the court case or statute to cite?
3. How does the City square a withholding of all metadata or the raw electronic file with *Sierra Club v. Superior Court* (2013) in which GIS electronic databases were deemed non-exempt by the CA Supreme Court?

4. Are the email addresses in the From/To/Cc/Bcc/Sender/etc. of emails metadata or data? In some views in Outlook you can see them on the "face," (a vague non-technical term) in others you cannot. Under what citation are public employee email addresses possibly exempt from disclosure?
5. What legal justification is there to withhold or redact standardized protocol field or header names in any file or format? What about for non-standard vendor-specific header names (X-MS-*, X-Microsoft-*, etc.)? The City's Chief of Security acknowledged some of these over-redactions on the audio record.
6. Why do some City agencies release without issue .eml/.msg files with headers (DPW, Library, the Task Force administration itself, etc.), while others do not?
7. What precise header values in an email must be exempt under Gov Code 6254.19? Is there any *other* justification for withholding email header values?
8. Are all, some, or no portions of IP addresses exempt under 6254.19? What about the subnetwork prefix which merely identifies that a communication originated from an SF-owned network but not the specific computer?
9. Are all, some, or no portions of hostnames exempt under 6254.19? What about the domain suffix which merely identifies that a communication originated from an SF-owned network but not the specific computer?
10. How can the City Attorney square the "too much work" argument to avoid production of metadata with the language of SFAC 67.26 which states that redaction and production is explicitly part of government employee jobs and no fees may be charged?

There are numerous questions here that will require thorough legal and technical analysis. Sadly, the City Attorney (incl. the Supervisor of Records) has refused to meaningfully consider the many nuances thus far, and merely blanket rejects metadata requests and petitions without even a precise definition of *what* metadata is or a careful legal analysis of these issues.

Thank you for your thoughtful consideration in these matters.

Sincerely,

Anonymous

Leger, Cheryl (BOS)

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Saturday, October 19, 2019 11:34 PM
To: SOTF, (BOS)
Subject: SOTF 19044 - Documentation to add
Attachments: LOC-ICS.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please enter the attached documents into the following file numbers, along with this transmittal email.

19044.

The attached documents are the US Library of Congress's description of .ICS calendar file formats.

An acknowledgment would be appreciated.

Thanks,

Anonymous

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iCalendar Electronic Calendar and Scheduling Format

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Format Description Properties ⁱ

- ID: fdd000394
- Short name: iCal
- Content categories: text, other (calendar)
- Format Category: encoding
- Other facets: unitary, text, structured, sampled
- Last significant FDD update: 2014-05-01
- Draft status: Full

Identification and description ⁱ

Full name	iCalendar Electronic Calendar and Scheduling Format
Description	iCalendar, or iCal, is a widely-used format for the exchange of electronic calendaring and scheduling data between applications or systems. Based on the vCalendar format created by the Internet Mail Consortium, iCalendar files can be exchanged through a wide variety of methods including SMTP, HTTP, interactive desktop protocols such as the use of a memory-based clipboard or drag/drop interactions, and others because they are designed to be independent of specific transport protocols. The iCalendar format supports functionality such as requesting, replying to, modifying, and canceling meetings or appointments, to-dos, and journal-entries. Through the iCalendar Transport-independent Interoperability

	<p>Protocol (iTIP) defined in RFC 2446, iCalendar objects can be used to define other calendaring and scheduling operations such as requesting for and replying with free/busy time data.</p> <p>See Notes for description of the file structure.</p>
Relationship to other formats	
Has subtype	hCalendar , HTML Electronic Calendar and Scheduling Format. HTML representation of iCal calendar information

Local use ⁱ

LC experience or existing holdings	
LC preference	

Sustainability factors ⁱ

Disclosure	Open standards available from Internet Engineering Task Force (IETF).
Documentation	iCalendar is fully documented though RFC 5545, RFC 2446, and RFC 2447.
Adoption	<p>According to Wikipedia (accessed on May 1, 2014), "iCalendar is used and supported by a large number of products, including Google Calendar, Apple Calendar (formerly iCal), IBM Lotus Notes, Yahoo! Calendar, Evolution (software), eM Client, Lightning extension for Mozilla Thunderbird and SeaMonkey, and partially by Microsoft Outlook and Novell GroupWise."</p> <p>The iCalendar implementation page on Microformats.com provides details about some modifications for specific implementations including Apple iCal 2.0.5 (date and date-time formatting) and Microsoft Outlook 2003 (where the VEVENTS calendar component is required to have UID, DTSTAMP, and METHOD properties or an error is returned).</p>
Licensing and patents	None
Transparency	<p>The primary content of iCalendar files is straightforward text that can be read by humans or processed by computers. An iCalendar file consists of lines of text, each line limited to 75 octets and delimited by a CRLF sequence. The default character encoding is UTF-8. To facilitate automated parsing, RFC 5545 defines the iCalendar format using ABNF notation, as defined in RFC 5234.</p> <p>Applications must also read, but are not required to write, US-ASCII.</p> <p>Calendar objects, such as events, may have binary attachments encoded using the BASE64 encoding defined in RFC 4648 and embedded inline.</p>
Self-documentation	iCalendar has syntax and structure that features well-defined

	metadata. See Notes for description of the file structure.
External dependencies	None
Technical protection considerations	None

Quality and functionality factors ⁱ

File type signifiers and format identifiers ⁱ

Tag	Value	Note
Filename extension	ics ifb	"ics" is used to designate a file containing calendaring and scheduling information consistent with text/calendar MIME content type. "ifb" is used to designate a file containing free or busy time information consistent with text/calendar MIME content type.
Internet Media Type	text/calendar	Registered with IANA
Mac OS file type	iCal iFBf	"iCal" is used to designate a file containing calendaring and scheduling information consistent with text/calendar MIME media type. "iFBf" is used to designate a file containing free or busy time information consistent with text/calendar MIME media type.
File signature	fmt/388	<u>PRONOM entry for Internet Calendar and Scheduling format.</u> Identification based on internal signifier.

Notes ⁱ

General	<p>At the most basic level, iCalendar files are organized into individual lines of text (called content lines) which are limited to 75 octets in length. Content lines are delimited by a CRLF sequence. Long data items (i.e., longer than 75 octets) can be split between any two characters by inserting a CRLF immediately followed by a single SPACE or TAB white-space character.</p> <p>At a higher level of structure, the Calendaring and Scheduling Core Object is a collection of calendaring and scheduling information. Typically, this information will consist of an iCalendar stream with a one or more sequentially grouped iCalendar objects together in an iCalendar stream.</p> <p>Within the iCalendar object, the first line must be "BEGIN:VCALENDAR" and the last line must be "END:VCALENDAR". Between these encapsulating lines is the iCalendar body which consists of a sequence of calendar properties and one or more calendar components. The calendar properties are</p>
----------------	--

attributes that apply to the calendar object as a whole. The calendar components are collections of properties that express a particular calendar semantic. For example, the calendar component can specify an event, a to-do, a journal entry, time zone information, free/busy time information, or an alarm.

Within the iCalendar body structure:

- two calendar properties are required and may not appear more than once: "PRODID" which specifies the identifier for the product that created the iCalendar object and "VERSION" which specifies the identifier corresponding to the highest version number or the minimum and maximum range of the iCalendar specification that is required in order to interpret the iCalendar object. The value "VERSION:2.0" indicates that the data is in iCalendar format as specified in [RFC 5545](#). "VERSION:1.0" is used to specify that data is in the now-defunct [vCalendar format](#);
- two calendar properties are optional and may not appear more than once: "CALSCALE" which defines the calendar scale used for the calendar information specified in the iCalendar object (default is Gregorian) and "METHOD" which defines the iCalendar object method associated with the calendar object;
- other calendar properties are optional and may appear more than once.

Applications that import iCalendar objects are expected to support all of the component types defined in RFC 5545. Practically, this means that applications are expected to ignore values they don't recognize and should not silently drop any components as that can lead to user data loss.

Moreover, compliant applications must generate iCalendar streams in the UTF-8 charset and must accept iCalendar streams in UTF-8 or US-ASCII charsets. A different character set can be specified using the "charset" MIME parameter.

iCalendar objects can have attachments. The default value type for the Attach descriptive component property is [URI](#). The value type can also be set to BINARY to indicate inline binary encoded content information.

History

iCalendar is based on the [vCalendar](#) format published in 1996 by the Internet Mail Consortium (IMC). [RFC 2445](#), which defined the first iCalendar format, was created by the Internet Engineering Task Force Calendaring and Scheduling Working Group in 1998; the [RFC 5545](#) update and current specification was published by IETF in 2009.

Format specifications

- RFCs for iCal
 - [RFC 5545: Internet Calendaring and Scheduling Core Object Specification \(iCalendar\)](#) (<http://www.ietf.org/rfc/rfc5545.txt>). Current RFC

- o [RFC 2445: Internet Calendaring and Scheduling Core Object Specification \(iCalendar\)](http://www.ietf.org/rfc/rfc2445.txt) (http://www.ietf.org/rfc/rfc2445.txt). Obsoleted by RFC 5545
- o [RFC 2446: iCalendar Transport-Independent Interoperability Protocol \(iTIP\) Scheduling Events, BusyTime, To-dos and Journal Entries](http://www.ietf.org/rfc/rfc2446.txt) (http://www.ietf.org/rfc/rfc2446.txt). Specifies how calendaring systems use iCalendar objects to inter-operate with other calendar systems
- o [RFC 2447: iCalendar Message-Based Interoperability Protocol \(iMIP\)](http://www.ietf.org/rfc/rfc2447.txt) (http://www.ietf.org/rfc/rfc2447.txt). Specifies a binding from RFC 2446 (iTIP) to Internet email-based transports

Useful references

URLs

- [Wikipedia entry for iCalendar](http://en.wikipedia.org/wiki/ICalendar) (http://en.wikipedia.org/wiki/ICalendar).
- [Wikipedia entry for Calendaring Software](http://en.wikipedia.org/wiki/Calendaring_software) (http://en.wikipedia.org/wiki/Calendaring_software).
- [PRONOM entry for fmt/388. Outline entry only.](http://www.nationalarchives.gov.uk/PRONOM/fmt/388) (http://www.nationalarchives.gov.uk/PRONOM/fmt/388). Information in PRONOM from UK National Archives about Internet Calendar and Scheduling format. PUID: fmt/388.
- [vCard and vCalendar](http://www.imc.org/pdi/) (http://www.imc.org/pdi/). Information about vCalendar, precursor to iCal, from the now defunct IMC
- [Google: Format iCalendar files](https://support.google.com/calendar/answer/45664?hl=en) (https://support.google.com/calendar/answer/45664?hl=en). Basic overview of format including instructions on editing iCalendar files
- [Microformats.org iCalendar implementations](http://microformats.org/wiki/icalendar-implementations) (http://microformats.org/wiki/icalendar-implementations). Includes modifications for specific implementations

Last Updated: Monday, 27-Feb-2017 09:55:25 EST

[Digital Preservation Home](#) | [Digital Formats Home](#)

#19044
Anonymous
vs
Office of City Attorney, et al.

Before the Sunshine Ordinance Task Force
San Francisco City Hall
October 2, 2019

Re: Disclosure of Emails in Native Formats and with
Metadata & Headers

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Questions for the Task Force / Proposed Findings

1. Must city agencies release emails in “.msg” or “.eml” format or other native email formats, when so requested? Yes.
2. Must city agencies release PDFs in full-text format instead of image/scanned format? Yes.
3. Must city agencies release email metadata and headers, when so requested, and to what degree? Yes, all of them, except those values explicitly exempt (security, privilege, etc.).
4. Must the Supervisor of Records provide a determination within 10 days? Yes.

I am not an attorney or IT administrator. Instead, this presentation is my lay opinion based on my research.

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High level - what the Task Force needs to determine today.

1. Gov Code 6253(b), 6253.9 and SFAC 67.21(l) together require Government to produce records in ANY format that is either: original, available OR “easily generated.” .msg emails are easily generated by a ~2-click export from Outlook. Note: ease of redaction is not addressed; only ease of generating the format. SFAC 67.26 dictates that such redaction is a normal part of Government employee work, and no fee be charged.
2. Text PDFs are “easily generated.” Good Govt Guide again discusses this in the context of accessibility.
3. SFAC 67.26 and 67.27 permit agencies ONLY to redact/withhold exempt information. All other info, no matter how small, must be released, and redaction is a normal part of the job for custodians and attorneys. Some info, like email addresses, formatting, timestamps are obviously public.
4. SFAC 67.21(d) requires determination and within 10 days of petition.

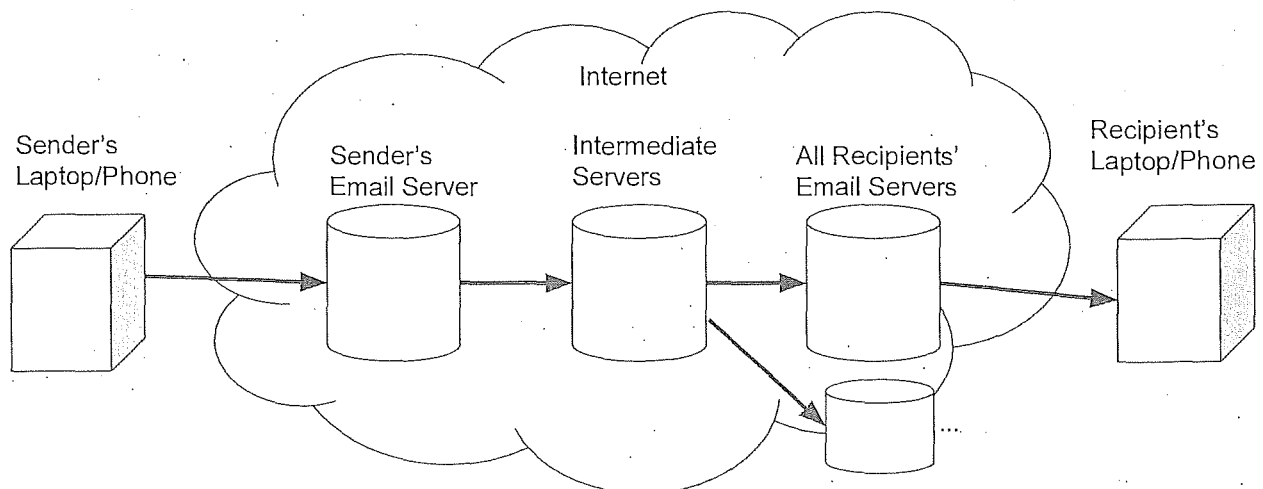
Timeline & Facts of the Case

1. **April 20, 2019** - Immediate Disclosure Request (IDR)* for 2 emails between Coolbrith and myself in a native format, with metadata/headers
 2. **April 24** - PDFs of both emails, without headers/metadata, without justification, provided.
 3. **May 8** - Follow-up; respondent refuses to provide any other info. SOTF complaint and Supervisor of Records petition filed.
 4. **May 17** - Respondent provides an image PDF with nearly all headers redacted of 1 of the 2 emails (2nd email not provided)
 5. **May 18** - 10-day Deadline for Supervisor of Records determination expires; numerous follow-ups for months
 6. **Aug. 20** - Complaint Committee finds jurisdiction & records are public, refers to SOTF
 7. **Aug. 21** - New IDR for just the redacted header names from May 17.
 8. **Aug. 22** - Respondent responds with no further disclosure for Aug 21 IDR, GC 6253.9(f), 6254.19.
 9. **Aug. 23** - IDR for each of 50 potential individual header values from May 17.
 10. **Aug. 26** - Resp. (as Sup. of Records) denies petition, 110 days after filing.
 11. **Sept. 3** - Resp rejects all Aug. 23 IDR's under GC 6253.9(f), 6254.19
- * Other records requested were provided satisfactorily and are not at issue here.

See Appendices for responses.

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How Email Works



- Each computer/server can add and delete headers, including evidence that the email traveled through that server and when
- Each computer/server can store a copy of the email record as *they see it* - so the sender and recipient (and their email servers) retain different versions of the same email with different headers

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An Email* in PDF Format

From: Wiggins, Matthew (CON)
To: Steinberg, David (DPW)
Date: Nov 29, 2018 at 4:14 PM
Subject: RE: Custodians letter
Attachment(s): 2

Hi David-

Apologies for not getting back to you sooner – between the holidays and the Butte County fires, it's been hectic over here. But apologies either way.

I'm also sorry to say that I was directed by my leadership to not sign the letter. The thinking was that this could start an unnecessary escalation with the SOTF; I'm not sure I agree with that interpretation but will follow my orders. Sorry to not be able to support the group effort.

Thanks,
Matt

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* This is not the e-mail at issue in this case. This is an email public record already released, unredacted, by the City (DPW) online. The city released a .msg, I converted it to a PDF for purposes of illustration.

Source: Excerpt of PDF conversion of a .msg e-mail public record published online by CCSF/DPW at: <https://sanfrancisco.nextrequest.com/documents/1669341/>

Meaning of Email Headers [1/2]

Attorney/Client Privileged & Confidential

Received: from [REDACTED].internal.outlook.com (2603:[REDACTED]) by [REDACTED].prod.outlook.com with HTTP via [REDACTED].PROD.OUTLOOK.COM; Fri, 30 Nov 2018 00:14:44 +0000
 Received: from [REDACTED].prod.outlook.com ((fe80:[REDACTED])) by [REDACTED].prod.outlook.com ((fe80:[REDACTED])) with mapi id [REDACTED]; Fri, 30 Nov 2018 00:14:43 +0000
 Content-Type: application/ms-tnef; name="winmail.dat"
 Content-Transfer-Encoding: binary
 From: "Wiggins, Matthew (CON)" <matthew.wiggins@sfgov.org>
 To: "Steinberg, David (DPW)" <david.steinberg@sfdpw.org>
 Subject: RE: Custodians letter
 Thread-Topic: Custodians letter
 Thread-Index: AdSIG3aViiUcxRrhQ7CxVwcG+MMiRgAHZ4cw
 Date: Fri, 30 Nov 2018 00:14:43 +0000
 Message-ID: <[REDACTED]2B285E39F7D30@[REDACTED].prc>
 References: <[REDACTED]9E75D43AFFD20@[REDACTED].prc>
 In-Reply-To: <[REDACTED]9E75D43AFFD20@[REDACTED].prc>
 Accept-Language: en-US
 Content-Language: en-US
 X-MS-Has-Attach: yes
 X-MS-Exchange-Organization-SCL: -1
 X-MS-TNEF-Correlator: <DM5PR09MB1466928FFB46ADD52B285E39F7D30@[REDACTED].prc>
 MIME-Version: 1.0
 X-MS-Exchange-Organization-MessageDirectionality: Originating
 X-MS-Exchange-Organization-AuthSource: [REDACTED].prod.outlook.com
 X-MS-Exchange-Organization-AuthAs: Internal

Received: hostnames, IP addresses, and timestamps of the computers that routed the message

Content-Type: computer encoding used

From, To: e-mail addresses

Sometimes "**Sender**" and

"**X-Envelope-From**" headers are present, showing who sent a message on someone else's behalf (ex. admin. assistants)

Thread-Topic, Thread-Index: Allows you to identify multiple messages in one chain.

Date: Transmission timestamp

Message-ID: Unique ID of this message

References, In-Reply-To: Ids of messages you replied to, forwarded, etc.

X-MS-*: Non-standard Microsoft-specific headers

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This is the same email as previous slide, but a view of the actual underlying record. [Part 1 of 2]

All redactions on this slide were made voluntarily by complainant. The City (DPW) already published the entire record, unredacted, online.

Source: Annotated Excerpt of a .msg e-mail public record published online by CCSF/DPW at: <https://sanfrancisco.nextrequest.com/documents/1669341/>

Meaning of Email Headers [2/2]

X-MS-Exchange-Organization-AuthMechanism: 04
X-Originating-IP: [208.121.1.0/24]
X-MS-Exchange-Organization-Network-Message-Id: [redacted]

X-MS-PublicTrafficType: Email

X-Microsoft-Exchange-Organization-AuthAs: Anonymous
[redacted]

X-MS-Exchange-Organization-AuthAs: Anonymous
X-Microsoft-Exchange-Organization-AuthSource: [redacted]

[redacted]

X-MS-Exchange-Organization-AuthSource: [redacted]
X-MS-Exchange-Organization-AuthAs: Anonymous

Return-Path: matthew.wiggins@sfgov.org
X-MS-Exchange-Transport-EndToEndLatency: 00:00:01.3275004
X-MS-Exchange-Processed-By-BccFoldering: 15.20.1382.019

X-Microsoft-Exchange-Organization-AuthAs: Anonymous
[redacted]

X-Microsoft-Exchange-Organization-AuthAs: Anonymous
[redacted]

X-Microsoft-Exchange-Organization-AuthAs: Anonymous
[redacted]

X-Microsoft-Exchange-Organization-AuthAs: Anonymous
[redacted]

X-Microsoft-Exchange-Organization-AuthAs: Anonymous
[redacted]

X-Originating-IP: The email author's computer's IP address.

The prefix "208.121." is a block of IP addresses owned by the SF Dept. of Technology. This information is officially and publicly documented by the American Registry for Internet Numbers: <https://search.arin.net/rdap/?query=208.121.0.0>

Return-Path: another header indicating the author or the location the "bounces" should be sent.

Many other headers can exist in an email. Technically, an email server could add any headers it wants to, but there is a standard of common headers defined by industry bodies.

This is the same email as previous slide, but a view of the actual underlying record. [Part 2 of 2]

All redactions on this slide were made voluntarily by complainant. The City (DPW) already published the entire record, unredacted, online.

Source: Annotated Excerpt of a .msg e-mail public record published online by CCSF/DPW at: <https://sanfrancisco.nextrequest.com/documents/1669341/>

Emails in “.msg”/“.eml” format are “easily generated” under SFAC 67.21(l), and must be provided

- The City has already released .msg emails for years. Earliest on NextRequest was released November 9, 2017 (could be others outside of NextRequest)
 - See: <https://sanfrancisco.nextrequest.com/documents?filter=.msg>
- Public Works (DPW) released >200 raw emails in .msg format (many with headers) to me on Aug. 23 in less than 2 days of receiving my request.
 - See: <https://sanfrancisco.nextrequest.com/requests/19-3455> and <https://sanfrancisco.nextrequest.com/requests/19-3456>
- When I requested their policies/guidelines re: releasing .msg emails, DPW provided Respondent's Good Government Guide (Feb 2019), pp. 100-102
 - See: <https://sanfrancisco.nextrequest.com/requests/19-3496>
- GC 6253.9(a) is superseded by the stronger requirement of SFAC 67.21(l)

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NOTE: Wherever I ask for “.msg,” “.eml” may be used as well - they both provide the full content of the original record. However, “.eml” may be preferable for the City, because it stores the headers in a human-readable plain text format, so it should be extremely straightforward to redact. Furthermore “.eml” is just as easy to export, and other city agencies (such as the Library) have provided me .eml emails.

CPRA requires “exact copies” when practicable. It is clearly practicable for the City to release “.msg” and “.eml” records, since some departments already do so. In the end, the City and County of San Francisco is a single entity that can sue and be sued; there is no legally distinct DPW vs City Attorney’s office, etc.

Emails headers are not *all* exempt

- Records are presumed public unless explicitly exempt by ordinance, statute, or case law (generic balancing test prohibited by SFAC)
- City has already released email metadata/headers for years and still does so (see previous NextRequest links)
- No plausible argument for exemption of common information like the From, To, Cc, Sender, X-Envelope-From, and Bcc public employee e-mail addresses (not just employee names), and all timestamps indicating when messages were sent and received.
- Emails are not “information security records” under GC 6254.19
 - This would include records like: network firewall rules, lists of passwords, cryptographic private key materials, and *possibly*, *certain* header values, but not emails/headers in general
- Non-City (external) recipients regularly receive numerous headers (unredacted, of course) when City employees, including Respondents, send emails to them. These headers include the IP addresses, hostnames, etc. That is simply how email works.

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Dictionary definition of “information security”: “The state of being protected against the unauthorized use of information, especially electronic data, or the measures taken to achieve this.” - https://www.lexico.com/en/definition/information_security, based on Oxford dictionary

Respondents raise concerns of spoofing, phishing, and other similar concerns. These are concerns of IT organizations in general, but they can be mitigated through standard email security measures like DKIM, SPF, DMARC, signed DNS entries, and many other standards -- since much of the header information they seek to exempt is *already* put into the public domain *every time* they send an email outside the City and since the City already releases such records online as well. If they do not use these technologies, they should consult their IT professionals (as I am not providing professional advice).

Sample of Respondent's May 17 Disclosure (A3/A4)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Note that names of redacted headers were withheld, too.

Approx ~2 more pages of black rectangles in the disclosure.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Document was provided as an **image** PDF (no selectable text)

Respondent's own Good Government Guide's "Information in electronic form" section acknowledges the use of PDFs in full-text, not image, format to allow accessibility and analysis by public. Text PDFs are "easily generated."

Date: Thu, 18 Apr 2019 17:30:50 +0000
 Sender: 71969-51399120@requests.muckrock.com
 Message-Id: <20190418173050.1.2B43534B4544D903@requests.muckrock.com>
 To: cityattorney@sfcityatty.org
 From: 71969-51399120@requests.muckrock.com
 Subject: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions
 Mime-Version: 1.0
 Content-Type: multipart/mixed; boundary="b2e1fbcebbd64db587dfc7e9a4eeaf40"
 Return-Path: bounce+5bea6f.556-cityattorney=sfcityatty.org@requests.muckrock.com
 [Redacted]

All redactions on this slide were made by Respondent. May 17, 2019 production.

Withholding names of headers is like withholding the field name "Social Security Number" in a form, when you should just redact the SSN *itself*.

Email "A5/A6" so-far disclosed lacks even basic e-mail address headers

Coolbrith, Elizabeth (CAT)

From: Coolbrith, Elizabeth (CAT) on behalf of CityAttorney
Sent: Thursday, April 18, 2019 12:59 PM
To: '71969-51399120@requests.muckrock.com'
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions

This is a PDF provided by recipient of a print-out of the A5/A6 email. Note that the **From** and **Sender addresses** are represented as names, not as email addresses.

Hello,

I am writing in response to your immediate disclosure request received April 18, 2019. Please note that we are invoking an extension of time under Government Code section 6253(c) due to the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records. We will endeavor to process your request as quickly as possible and anticipate responding no later than the close of business May 3, 2019.

City employee emails are not exempt from disclosure.



Please send replies to cityattorney@sfcityatty.org

Sincerely,

Elizabeth A. Coolbrith
 Paralegal
 Office of City Attorney Dennis Herrera
 (415) 554-4685 Direct
www.sfcityattorney.org
 Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

This is an excerpt of the April 24, 2019 production by Respondent.

From: 71969-51399120@requests.muckrock.com <71969-51399120@requests.muckrock.com>
Sent: Thursday, April 18, 2019 10:31 AM
To: CityAttorney <cityattorney@SFCITYATTY.ORG>
Subject: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions

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Native formats and headers/metadata are of great public interest

- Native formats allow the public to efficiently analyze and search through public records; image PDFs do not allow this
- Headers and metadata allow answers to investigative and journalistic questions like:
 - Who knew what when (timestamps, mailing list memberships)
 - Who actually wrote an email on behalf of a superior
 - What 'secret' (BCC) recipients exist for an email

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Request for Relief - Find Respondents Violated:

1. **SFAC 67.21(d)** - Resp. (as Supervisor of Records) failed to provide legal determination within 10 days of May 8 petition. Response on Aug. 26.
2. **SFAC 67.21(l)** - Resp. failed to provide emails in requested “.msg” format (or text PDFs), which are “easily generated”, on April 24 and May 17.
3. **SFAC 67.21(b), 67.26** - Resp. withheld more than the legally exempt portions of the records, on April 24, May 8, May 17, Aug. 22, and Sept. 3.
4. **SFAC 67.21(b), 67.27** - Resp. failed to justify withholding, on April 24 and May 8.
5. **SFAC 67.21(k)** - Violations of CPRA, incorporated by reference.
6. **SFAC 67.21(c)** - Resp. failed to indicate the existence or non-existence of items requested on Sept. 3.

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Request for Relief - Order Immediate Disclosure of:

1. All requested **email records in the “.msg” or “.eml” format** (instead of .pdf format), with justified redactions if any
2. Regardless, if PDFs of text are disclosed, they must be full-text & searchable, not images
3. The **email identified “A5/A6”** (which was not produced on May 17)
- 4a. **Names and non-exempt values of all email headers** in all requested email (regardless of format)

Or, if you are unable to today determine which header values are exempt from disclosure:

- 4b. All **names of all email headers** in all requested email
- 4c. The **values** of all of the email headers in either Appendix A1, A2, or A3

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Appendix A1 - 87 Minimal Requested Header Values

Age, Alternate-Recipient, Alternates, ARC-Authentication-Results, ARC-Message-Signature, ARC-Seal, Authentication-Results, Autoforwarded, Auto-Submitted, Autosubmitted, Bcc, Body, CalDAV-Timezones, Cc, Comments, Content-Description, Content-Duration, Content-Encoding, Content-Disposition, Content-Language, Content-MD5, Content-Type, Date, Date-Received, Deferred-Delivery, Delivery-Date, Disclose-Recipients, Distribution, DKIM-Signature, Encoding, ETag, Expires, Followup-To, Forwarded, From, Generate-Delivery-Report, Host, Importance, In-Reply-To, Keywords, Label, Language, Latest-Delivery-Time, List-Archive, List-Id, List-Owner, Location, Message-ID, Message-Type, MIME-Version, Organization, Original-From, Original-Message-ID, Original-Recipient, Original-Sender, Originator-Return-Address, Priority, Received, Received-SPF, References, Reply-By, Reply-To, Resent-Bcc, Resent-Cc, Resent-Date, Resent-From, Resent-Message-ID, Resent-Reply-To, Resent-Sender, Resent-To, Return-Path, Sender, Subject, To, Topic, Xref, Thread-Index, Thread-Topic, X-Envelope-From, X-Envelope-To, Delivered-To, Mailing-List, Accept-Language, X-Originating-Ip, X-MS-Exchange-Organization-ExpirationStartTime, X-MS-Exchange-CrossTenant-OriginalArrivalTime, X-MS-Exchange-CrossTenant-UserPrincipalName

Header names are case-insensitive, and can be repeated

See for example: <https://www.iana.org/assignments/message-headers/message-headers.xhtml>

Appendix A2 - 75 Minimal Requested Header Values

Age, Alternate-Recipient, Alternates, ~~ARC-Authentication-Results~~, ~~ARC-Message-Signature~~, ~~ARC-Seal~~, ~~Authentication-Results~~, Autoforwarded, Auto-Submitted, Autosubmitted, Bcc, Body, CalDAV-Timezones, Cc, Comments, Content-Description, Content-Duration, Content-Encoding, Content-Disposition, Content-Language, ~~Content-MD5~~, Content-Type, Date, Date-Received, Deferred-Delivery, Delivery-Date, Disclose-Recipients, Distribution, ~~DKIM-Signature~~, Encoding, ETag, Expires, Followup-To, Forwarded, From, Generate-Delivery-Report, ~~Host~~, Importance, In-Reply-To, Keywords, Label, Language, Latest-Delivery-Time, List-Archive, List-Id, List-Owner, Location, Message-ID, Message-Type, MIME-Version, Organization, Original-From, Original-Message-ID, Original-Recipient, Original-Sender, Originator-Return-Address, Priority, Received, ~~Received-SPF~~, References, Reply-By, Reply-To, Resent-Bcc, Resent-Cc, Resent-Date, Resent-From, Resent-Message-ID, Resent-Reply-To, Resent-Sender, Resent-To, Return-Path, Sender, Subject, To, Topic, Xref, Thread-Index, Thread-Topic, X-Envelope-From, X-Envelope-To, Delivered-To, Mailing-List, Accept-Language, ~~X-Originating-Ip~~, ~~X-MS-Exchange-Organization-ExpirationStartTime~~, ~~X-MS-Exchange-CrossTenant-OriginalArrivalTime~~, ~~X-MS-Exchange-CrossTenant-UserPrincipalName~~

Except: All IP addresses and hostnames (but must disclose all timestamps in the Received fields)

Header names are case-insensitive, and can be repeated

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Appendix A3 - 50 Minimal Requested Header Values

Age, Alternate-Recipient, Alternates, ~~ARC-Authentication-Results~~, ~~ARC-Message-Signature~~, ~~ARC-Seal~~, ~~Authentication-Results~~, Autoforwarded, Auto-Submitted, Autosubmitted, **Bcc, Body**, CalDAV-Timezones, **Cc**, Comments, ~~Content-Description~~, ~~Content-Duration~~, **Content-Encoding**, ~~Content-Disposition~~, ~~Content-Language~~, ~~Content-MD5~~, **Content-Type**, **Date**, **Date-Received**, ~~Deferred-Delivery~~, **Delivery-Date**, ~~Disclose-Recipients~~, ~~Distribution~~, ~~DKIM-Signature~~, ~~Encoding~~, ~~ETag~~, **Expires**, **Followup-To**, **Forwarded**, **From**, **Generate-Delivery-Report**, ~~Host~~, **Importance**, **In-Reply-To**, **Keywords**, **Label**, **Language**, **Latest-Delivery-Time**, ~~List-Archive~~, ~~List-Id~~, ~~List-Owner~~, ~~Location~~, **Message-ID**, **Message-Type**, **MIME-Version**, **Organization**, **Original-From**, **Original-Message-ID**, **Original-Recipient**, **Original-Sender**, ~~Originator-Return-Address~~, **Priority**, **Received**, ~~Received-SPF~~, **References**, ~~Reply-By~~, **Reply-To**, **Resent-Bcc**, **Resent-Cc**, **Resent-Date**, **Resent-From**, **Resent-Message-ID**, **Resent-Reply-To**, **Resent-Sender**, **Resent-To**, ~~Return-Path~~, **Sender**, **Subject**, **To**, **Topic**, ~~Xref~~, **Thread-Index**, **Thread-Topic**, **X-Envelope-From**, **X-Envelope-To**, **Delivered-To**, **Mailing-List**, **Accept-Language**, ~~X-Originating-Ip~~, ~~X-MS-Exchange-Organization-ExpirationStartTime~~, ~~X-MS-Exchange-CrossTenant-OriginalArrivalTime~~, ~~X-MS-Exchange-CrossTenant-UserPrincipalName~~

Except: All IP addresses and hostnames (but must disclose all timestamps in the Received fields)

Header names are case-insensitive, and can be repeated

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Appendix B1a - April 24 Response excerpt

- Provided PDFs of the emails, lacking even basic headers like the From and To email addresses.
- Failed to justify their withholding of headers or use of PDF format.
- Withheld information that is not exempt.

Dear Sir/Madam,

The attached two emails are responsive to portions A3/A4, and A5/A6 of your request below. We have conducted a reasonable and diligent search and did not locate any further responsive documents.

In addition, please note that we already responded to portion B of your request, on 4/22/2019.

If you have further questions or need anything additional, please feel free to reach out to us at the below contact information.

Please send replies to
cityattorney@sfcityatty.org<mailto:cityattorney@sfcityatty.org>

Sincerely,

[cid:image002.jpg@01D4FA8E.F0958DA0]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Appendix B1b - April 24 Disclosed A3/A4 record excerpt (PDF)

- Provided PDFs of the emails, lacking even basic headers like the From and To email addresses.
- Failed to justify their withholding of headers or use of PDF format.
- Withheld information that is not exempt.

Coolbrith, Elizabeth (CAT)

From: 71969-51399120@requests.muckrock.com
Sent: Thursday, April 18, 2019 10:31 AM
To: CityAttorney
Subject: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions
Attachments: ZX03-190418-0620-20SF20Attorney.pdf

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

April 18, 2019

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.
Please see the attached letter.

Filed via MuckRock.com
E-mail (Preferred): 71969-51399120@requests.muckrock.com

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Appendix B1c - April 24 Disclosed A5/A6 record excerpt (PDF)

- Provided PDFs of the emails, lacking even basic headers like the From and To email addresses.
- Failed to justify their withholding of headers or use of PDF format.
- Withheld information that is not exempt.

Coolbrith, Elizabeth (CAT)

From: Coolbrith, Elizabeth (CAT) on behalf of CityAttorney
 Sent: Thursday, April 18, 2019 12:59 PM
 To: '71969-51399120@requests.muckrock.com'
 Subject: RE: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions

Hello,

I am writing in response to your immediate disclosure request received April 18, 2019. Please note that we are invoking an extension of time under Government Code section 6253(c) due to the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records. We will endeavor to process your request as quickly as possible and anticipate responding no later than the close of business May 3, 2019.



Please send replies to cityattorney@sfcityatty.org

Sincerely,

Elizabeth A. Coolbrith
 Paralegal
 Office of City Attorney Dennis Herrera
 (415) 554-4685 Direct
www.sfcityattorney.org
 Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

From: 71969-51399120@requests.muckrock.com <71969-51399120@requests.muckrock.com>
 Sent: Thursday, April 18, 2019 10:31 AM
 To: CityAttorney <cityattorney@SFCITYATTY.ORG>
 Subject: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Appendix B2 - May 8 Response excerpt

- Failed to justify their withholding.
- Withheld information that is not exempt.

Hello,

We already completed our response to your request on April 24, 2019. We do not intend to produce anything further in response to your request.

Please send replies to
cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image002.jpg@01D50583.20D9FFB0]Elizabeth A. Coolbrith
 Paralegal
 Office of City Attorney Dennis Herrera

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Appendix B4 - Aug. 22 - response to requests for the names of the redacted headers in May 17 disclosure

- Withheld information that is not exempt.

Thank you for your request. We respectfully decline to produce the additional information you have requested, because we believe it is exempt from disclosure under Cal Govt Code sections 6253.9(f) and 6254.19, and as explained more fully in our prior responses to you concerning email metadata.

Please send replies to cityattorney@sfcityatty.org<mailto:cityattorney@sfcityatty.org>

Sincerely,

[cid:image002.jpg@01D55906.692CD7C0]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

Appendix B5 - Sept. 3 - response to requests for 50 specific headers

- Withheld information that is not exempt.
- Failed to indicate existence vs non-existence of records.

We respectfully decline to produce the additional information you have requested, because we believe it is exempt from disclosure under Cal Govt Code sections 6253.9(f) and 6254.19, consistent with our prior responses to you concerning email metadata.

Please send replies to cityattorney@sfcityatty.org<mailto:cityattorney@sfcityatty.org>

Sincerely,

[cid:image002.jpg@01D5624D.AC3C1440]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera

19044 Anonymous v Office of City Attorney, Herrera, Coolbrith

2019 Public Records Audit - San Francisco

Access:

Respondent Agency	Focus	Internal Ref. #	Public Records Request / Issue / Petition	Status	0. SF Supervisor of Records Petition			1. SF Sunshine Ordinance Task Force							2. CA Superior Court		
					Petition Sent	Reply Recv. (due 10 days)	Petition Determination	SOTF Case#	Reg'd Violations (SOTF)	Individual Respondents	Status	Committee Date	Committee Determination	En Banc Date	Task Force Determination	Attorneys Rep.	SF 67.21(f) Order
City Attorney	Electronic Records	72056	Disclose Email, in native format, with metadata	Incomplete	2019-05-08	2019-08-26	Denied	19044	67.21, 67.26, 67.27	Herrera, Coobith	Pending Full SOTF	2019-08-26	3-0 Records are public	2019-10-02			
Mayor	Electronic Records	72902	Disclose Calendars, in native format, with metadata	Incomplete	2019-05-15	2019-08-26	Denied	19047	67.21, 67.26, 67.27	Breed, Heckel	Pending Full SOTF	2019-08-26	3-0 Records are public	2019-10-02			
Mayor	Electronic Records	72902	Calendar records that exceed the Prop G/67, 29-5 requirements are also public records	Incomplete	2019-08-27	2019-09-05	Unclear response in mail, pending in SOTF	See 19047									
Mayor	Electronic Records	72902	GC 6254(f) is not a valid exemption for Mayor's calendar. Calendar recurrence metadata must be disclosed.	Incomplete	2019-09-06			See 19047									
City Attorney	Watchdog Enforcement	72902	Failure to respond within 10 days to Supervisor of Records petition in Req 72902 / SOTF 19047	Completed after Complaint	11/A			19089	67.21(d)	Herrera, Russ	Pending Full SOTF	2019-09-24	3-0 Records are public				
Board of Sup's & Clerk	Electronic Records	72912	Disclose past and future Calendars, in native format, with metadata; incl. personal devices/accounts	Incomplete	Pending			Pending	Pending								
Board of Sup's & Clerk	Electronic Records	72999	Disclose Email, in native format, with metadata, incl. personal devices/accounts	Incomplete	Pending			Pending	Pending								
Board of Sup's & Clerk	Electronic Records	76409	Disclose chat/text messages, in native format, with metadata; incl. personal devices and accounts	Incomplete	Pending			Pending	Pending								
Mayor	Electronic Records	76434	Use of secret/personal chat apps for public business; Disclose email and chat, in native format, with metadata; incl. personal devices and accounts	Incomplete	2019-08-26	2019-09-05	Denied in part, pending in part	19091	67.21, 67.26, 67.27, 67.29-7	Breed, Heckel, Jue, Elsherd, Power, Bruss, Philour, Cretan, Kuttler	Pending Committee (rebuttal sent)						
Mayor	Electronic Records	76434	Public employee email addresses, formatting, timestamps, attachments, images, and more in emails must be disclosed	Incomplete	2019-09-10			See 19091	See above								
Police Department	Electronic Records	76435	Use of secret/personal chat apps for public business; Disclose email and chat, in native format, with metadata; incl. personal devices and accounts	Incomplete	2019-09-13			Sent	67.21, 67.26, 67.27								
Mayor	Electronic Records	79117	Disclose past and future Calendars, in native format, with metadata, incl. personal devices/accounts	Incomplete	2019-09-06			See 19047									
Mayor	Electronic Records	79161	SB 272 / Enterprise Systems catalog; email and calendar system inappropriately excluded as 'enterprise system'	Incomplete	11/A			Pending	67.21(k) (GC 6270.5), 67.21, 67.26, 67.27								
Dept of Technology	Electronic Records	79182	SB 272 / Enterprise Systems catalog; email and calendar system inappropriately excluded as 'enterprise system'; failure to immediately disclose	Incomplete	11/A			19094	67.21(k) (GC 6270.5), 67.21, 67.26, 67.27	Gerull	Pending Committee						
City Attorney	Electronic Records	79182	SB 272 / Enterprise Systems catalog; email and calendar system inappropriately excluded as 'enterprise system'	Incomplete	11/A			19095	67.21(k) (GC 6270.5), 67.21, 67.26, 67.27	Herrera, Coobith	Pending Committee (rebuttal sent)						
Mayor	Electronic Records	79193	Disclose Email and meeting minutes/agendas of Custodians of Records Working Group in native format, with metadata; City employee lobbying of the SOTF	Incomplete													
Public Works	Electronic Records	79194	Disclose Email and meeting minutes/agendas of Custodians of Records Working Group in native format, with metadata; City employee lobbying of the SOTF	Completed without Complaints					None - Provided .msg, .docx, and also native files with metadata								
Public Works	Electronic Records	79356	Disclose Email, in native format, with metadata, incl. personal devices/accounts	Incomplete	2019-09-06			19097	67.21, 67.26, 67.27	Nuru, Spritz	Pending Reply						
Fine Arts Museums of San Francisco	Privatized Govt	79999	FAMSF/FAMF/COFAM relationship - City electronic Public Records stored on or re: non-profits' private property must be disclosed	Incomplete	2019-09-12			19110	67.21, 67.29-6, 67.29-7								
City Attorney	Watchdog Enforcement	80172	Sup. of Records directions to City agencies are not attorney-client privileged and must be disclosed	Incomplete	11/A			19192	67.21, 67.26, 67.27	Herrera, Coobith							

2019 Public Records Audit - San Francisco

Respondent Agency	Focus	Internal Rec. #	Public Records Demanded / Issue / Petition	Status
Mayor	Police Misconduct	80191	Adachi-Carmody Incident - Police raid on Journalist - Shield Law - All emails, chats, text messages, and on private property, in electronic format and with metadata	Pending
Police Department	Police Misconduct	80193	Adachi-Carmody Incident - Police raid on Journalist - Shield Law - All emails, chats, text messages, and on private property, in electronic format and with metadata	Pending
Police Commission	Police Misconduct	80239	Adachi-Carmody Incident - Police raid on Journalist - Shield Law - All emails, chats, text messages, and on private property, in electronic format and with metadata	Pending

Appeals:

0. SF Supervisor of Records Petition

Petition Sent	Reply Recv. (due 10 days)	Petition Determination

1. SF Sunshine Ordinance Task Force

SOTF Case#	Attorney Violations (SFAC)	Individual Respondents	Status

Committee Date
Committee Determination

En Banc Date

Task Force Determination

2. CA Superior Court

Attorney Rep.	SF 87.2411 Order	SF 87.2416 Order	CPRA Mandamus Order

Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com
Sent: Thursday, September 19, 2019 3:06 PM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

September 19, 2019

This is a follow up to a previous request:

Thanks - please let me know the conference call number for Oct. 2 for 19044 and 19047.

Also, is there a mechanism to make a computer/video conference presentation via something like Skype, or alternatively to ensure the Task Force has printed out copies of a slide deck that I can share to be included in the agenda packet?

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAuFBaWTyfyRXNxlh3MkFOGTxo%3A1iB4YQ%3APY Lj-5l2LG7ijCIMKvOhZTUNysw&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Fac counts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 72056
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On Sept. 19, 2019:

Subject: SOTF - Notice of Appearance - Sunshine Ordinance Task Force: October 2, 2019, 4:00 p.m., Room 408
Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in one of the following complaints scheduled before the Sunshine Ordinance Task Force to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: October 2, 2019

Location: City Hall, Room 408

Time: 4:00 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 17097: Complaint filed by Marc Bruno against the Planning Department, Board of appeals and the Department of Building Inspection for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a public records request in a timely and/or complete manner.

File No. 17114: Complaint filed by Marc Bruno against the Department of Building Inspection for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a public records request in a timely and/or complete manner.

File No. 17115: Complaint filed by Marc Bruno against the Board of Appeals for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a public records request in a timely and/or complete manner.

File No. 17079: Complaint filed by Mary Miles against Mike Sallaberry, San Francisco Municipal Transportation Agency, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 17080: Complaint filed by Mary Miles against Will Tabajonda, San Francisco Municipal Transportation Agency, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 17081: Complaint filed by Mary Miles against Luis Montoya, San Francisco Municipal Transportation Agency, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19047: Complaint filed by Anonymous against Mayor London Breed, Hank Heckel and the Office of the Mayor for allegedly violating Administrative Code, (Sunshine Ordinance) Sections 67.25 and 67.29-5, by failing to respond to a request for public records in a timely and/or complete manner.

File No. 19010: Hearing to consider action to close Sunshine Ordinance Task Force complaints due inactivity and other violations of the SOTF Complaint Procedures for the following files:

17102 Liz Arbus vs Arts Commission

18071 Liz Arbus vs Arts Commission

18085 Liz Arbus vs Arts Commission

18090 Carlos Petri vs Office of the City Attorney

18091 Mark Zuckerberg vs Arts Commission

19009 Lucinda Page vs Arts Commission.

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure). For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, September 25, 2019.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center<<http://www.sfbos.org/index.aspx?page=9681>> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information-including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees-may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

On Sept. 3, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

We respectfully decline to produce the additional information you have requested, because we believe it is exempt from disclosure under Cal Govt Code sections 6253.9(f) and 6254.19, consistent with our prior responses to you concerning email metadata.

Please send replies to cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image002.jpg@01D5624D.AC3C1440]Elizabeth A. Coolbrith

Paralegal

Office of City Attorney Dennis Herrera

(415) 554-4685 Direct

www.sfcityattorney.org

Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>> Twitter<<https://twitter.com/SFCityAttorney>>

Instagram<<https://www.instagram.com/sfcityattorney/>>

On Aug. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

You have sent us multiple record requests over the last week, many of which are still in progress due to their volume and complexity. In the below email, you purport to make another immediate disclosure request consisting of 50 discrete questions concerning email metadata. As you may be aware, the immediate disclosure process is intended to facilitate the response for requests that are "simple, routine, or otherwise readily answerable." Admin Code 67.25(a). This request does not meet that standard, due to how extensive it is, the many sub-parts, and the significant security concerns at stake. Therefore, the immediate disclosure deadlines do not apply. We will respond to this request based on the regular deadlines and will get back to you as soon as possible.

Please send replies to cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image003.jpg@01D55C1E.96E25FD0]Elizabeth A. Coolbrith

Paralegal

Office of City Attorney Dennis Herrera

(415) 554-4685 Direct

www.sfcityattorney.org

Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>> Twitter<<https://twitter.com/SFCityAttorney>>

Instagram<<https://www.instagram.com/sfcityattorney/>>

On Aug. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
SOTF,

RE: 19044, Anonymous v Office of City Attorney, et al.

(resending with attachment)

The Supervisor of Records provided the attached response today, 110 days after our petition. I plan to dispute his conclusions at the full Task Force meeting considering 19044.

Since his response was provided 110 days (instead of 10 days) after my petition, I will not my withdraw my allegations before the SOTF regarding a 67.21(d) violation.

Thanks,

Anonymous (19044)

On Aug. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information SOTF,

RE: 19044, Anonymous v Office of City Attorney, et al.

The Supervisor of Records provided the attached response today, 110 days after our petition. I plan to dispute his conclusions at the full Task Force meeting considering 19044.

Since his response was provided 110 days (instead of 10 days) after my petition, I will not my withdraw my allegations before the SOTF regarding a 67.21(d) violation.

Thanks,

Anonymous (19044)

On April 20, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:

20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:

<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:

<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAuFBaWTyfyRXNxlh3MkFOGTxo%3A1iB4YQ%3APYLj-5l2LG7ijCIMKvOhZTUNysw&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 72056
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



Leger, Cheryl (BOS)

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Thursday, September 12, 2019 5:58 PM
To: SOTF, (BOS)
Subject: Case Management

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon SOTF,

I am the anonymous complainant in the following pending cases:

- 19044 v City Attorney (re: Email, 67.21(d) failure) - awaiting en banc scheduling
- 19047 v Mayor (re: Calendars) - awaiting en banc scheduling

- 19089 v City Attorney (re: 67.21(d) failure) - scheduled committee 9/24

- 19091 v Mayor (re: Email, text, chat, personal accounts) - awaiting committee scheduling
- 19094 v Dept. of Technology (re: SB 272 failure) - awaiting committee scheduling
- 19095 v City Attorney (re: SB 272 failure) - awaiting committee scheduling
- 19097 v Public Works (re: Email, personal accounts) - awaiting committee scheduling

I believe your internal rules, but not the Ordinance, have an overridable maximum of 2 complaints per meeting per complainant.

I am voluntarily informing you, and entering into the public record, that I am the same anonymous complainant in each of the above cases so you may enforce your agenda fairness rules as you see fit. Please continue to use the individual email addresses I have filed as contact information however for formal notices and replies and such in each of those cases so they are automatically organized to the correct docket.

My requests/questions for either the committee chairs or administrators are as follows:

1. Can you schedule 19094 and 19095 together for committee? They share a lot of factual and legal subject matter, with different respondents.
2. Can you schedule 19091 and 19097 together for committee? They share a lot of legal subject matter, with different respondents and facts.
3. I expect to file shortly a series of additional complaints regarding matters of significantly more public interest in disclosure, is it permitted for a complainant to request that their later-filed complaints are prioritized before their own earlier-filed complaints?
4. I understand you have a large backlog of complaints. Is there any mechanism for complainants to enforce the 45 day requirement in SFAC 67.21(e) "The Sunshine Task Force shall inform the petitioner, as soon as possible and within 2 days after its next meeting but in no case later than 45 days from when a petition in writing is received, of its determination whether the record requested, or any part of the record requested, is public."
5. The Ordinance appears to require a hearing only if the complainant requests it ("Where requested by the petition, the Sunshine Task Force may conduct a public hearing concerning the records request denial."). Is there a process to submit a complaint "on the briefs" where the Task Force would issue orders based just on the written record from complainants and respondents?

If my requests for coordinated scheduling would delay hearing any file (ex. because only 1 slot and not 2 are available), then please ignore my requests and please choose the scheduling option with minimal delay.

Sincerely,

Anonymous

Sent with ProtonMail Secure Email.

Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com
Sent: Monday, August 5, 2019 5:06 PM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

August 5, 2019

This is a follow up to a previous request:

Thank you. I would prefer to remain anonymous, and therefore not provide a phone number. Is it possible to get a call-in code or similar instead?

Filed via MuckRock.com
E-mail (Preferred): 72056-97339218@requests.muckrock.com
Upload documents directly:
https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAUFBaWTyfyRXNxLh3MkFOGTxo%3A1humyp%3AMWbeKSNlj_ZGgbb_xP2_plkFyjM
Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):
MuckRock News
DEPT MR 72056
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On Aug. 5, 2019:

Subject: SOTF - Complaint Committee hearing of August 20, 2019

Dear Anonymous:

I write to you today to confirm your audio appearance at the August 20, 2019, Complaint Committee hearing. This is because you will need to provide your telephone number for a telephone appearance in hearing room 408 at City Hall in San Francisco. I will forward instructions for your appearance before that date.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center<<http://www.sfbos.org/index.aspx?page=9681>> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information-including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees-may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

On July 29, 2019:

Subject: SOTF - Notice of Appearance - Complaint Committee; August 20, 2019 5:30 p.m.

Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in one of the following complaints scheduled before the Complaint Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: August 20, 2019

Location: City Hall, Room 408

Time: 5:30 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 19068: Complaint filed by Sophia De Anda against the Human Services Agency for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19061: Complaint filed by John Hooper against the Office of Economic and Workforce Development for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19062: Complaint filed by John Hooper against Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19047: Complaint filed by Anonymous against Mayor London Breed, Hank Heckel and the Office of the Mayor for allegedly violating Administrative Code, (Sunshine Ordinance) Sections 67.25 and 67.29-5, by failing to respond to a request for public records in a timely and/or complete manner.

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure). For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, August 13, 2019.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center<<http://www.sfbos.org/index.aspx?page=9681>> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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On July 24, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Sunshine Ordinance Task Force,

In re: SOTF 19044, I have some information to add to the record:

- I petitioned the Supervisor of Records re: this issue on May 8.
 - Bradley Russi, Deputy City Attorney, on behalf of the Supervisor of Records, acknowledged this request on May 14.
 - On May 21, Russi said they "hope to have a response to you no later than the end of next week."
 - Russi replied again on June 7, with no estimated date.
 - On June 27, Russi indicated they would "respond tomorrow or early next week."
 - On July 1, Russi indicated they "won't be able to respond to your petitions until next week"
 - On July 24, Russi again refused to provide an estimated date.
 - As you well know, the City Attorney (respondent) serves as the Supervisor of Records as well.
 - I therefore further allege in SOTF 19044 that the Supervisor of Records (i.e. the City Attorney) has violated SF Admin Code 67.21(d) which states in relevant part "...The supervisor of records shall inform the petitioner, as soon as possible and within 10 days, of its determination whether the record requested, or any part of the record requested, is public. ..."
- All deadlines have long passed.
- The Office of the City Attorney, as respondent, has gotten a continuance in 19044 for each of June 25, July 3, and July 23.
 - The respondent appears to be delaying a full response for an unreasonable amount of time.
 - I ask that the Task Force take this in to account when judging this case.

Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Thank you,
Anonymous

On July 24, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

I thought we would be able to get back to you sooner, but unfortunately we are still investigating these issues and have not reached a resolution. We are continuing to look into the questions you have raised and hope to be able to provide a response soon. Thank you for your patience.

[cid:image002.jpg@01D54227.0C6F0DA0]Bradley Russi
Deputy City Attorney
Office of City Attorney Dennis Herrera
City Hall, Room 234
1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102
www.sfcityattorney.org

On July 22, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Supervisor of Records,

Re: My May 8 supervisor-of-records-petition

On July 1, Deputy City Attorney Russi said your office would finish responding to my petition "next week."
SF Admin Code 67.21(d) states "...The supervisor of records shall inform the petitioner, as soon as possible and within 10 days, of its determination whether the record requested, or any part of the record requested, is public. ..."

All deadlines have long expired. Please provide a reply to my petition immediately.

Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Thanks,
Anonymous

On April 20, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:
<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A2. the e-mail message with Message-Id:
<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:
<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A4. the e-mail message with Message-Id:
<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:
<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:
<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many

detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1humyp%3AMWbeKSNLj_ZGgbb_xP2_plkFyjM

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For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

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Leger, Cheryl (BOS)

From: 72902-46637773@requests.muckrock.com on behalf of '72902-46637773@requests.muckrock.com' <72902-46637773@requests.muckrock.com>
Sent: Tuesday, August 27, 2019 12:41 AM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request #19047
Attachments: 01364809.pdf; May15-Petition.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

August 27, 2019

This is a follow up to request number 19047:

SOTF,

RE: Case 19089, Anonymous v Supervisor of Records (City Attorney)

We have now received a response (a denial, attached) from the Supervisor of Records; please add it to your 19089 File. The attached response bears a date of August 26, 2019, and the attached petition bears a date of May 15, 2019. Since Aug 26 is clearly more than 10 days after May 15, a violation by respondent of SFAC 67.21(d) is clear, which is the sole issue in the case.

If permitted by your bylaws or procedures and acceptable to Respondent, I am happy to waive a public hearing with oral argument in the interest of reducing the cost to both the City and myself, and instead submit case 19089 for your Task Force's consideration on the basis of my written complaint, the attached evidence, and any response by the Respondent, with the requested relief being a finding that the Supervisor of Records violated SFAC 67.21(d) and an associated Order of Determination.

Thanks,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72902-46637773@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAxJlxKbHL78P4hPis99lsuo1Y%3A1i2W5y%3AdluF-P95RhqXk6f-HUxEdBML_QQ&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Foffice-of-the-mayor-3891%252Fapril-28-may-4-2019-calendar-immediate-disclosure-request-72902%252F%253Femail%253Dsotf%252540sf.gov.org

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72902

411A Highland Ave

Somerville, MA 02144-2516

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On Aug. 27, 2019:

Subject: RE: California Public Records Act Request #19047

Thank you for your response, Supervisor of Records. We will continue to pursue SOTF 19047 v the Mayor re: the calendar data and SOTF 19089 v your office re: your prior violation of SFAC 67.21(d).

Sincerely,
Anonymous

On Aug. 26, 2019:

Subject: response to petition re mayor's office

To Whom it may concern:

Please see the attached response to your petition to the Supervisor of Records, submitted on May 15, 2019, concerning the Mayor's Office's response to your May 8, 2019 request. Thank you.

On Aug. 23, 2019:

Subject: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19089

Good Afternoon:

Bradley Russi and the City Attorney's Office have been named as Respondents in the attached complaint filed with the Sunshine Ordinance Task Force. Please respond to the following complaint/request within five business days.

The Respondent is required to submit a written response to the allegations including any and all supporting documents, recordings, electronic media, etc., to the Task Force within five (5) business days of receipt of this notice. This is your opportunity to provide a full explanation to allow the Task Force to be fully informed in considering your response prior its meeting.

Please include the following information in your response if applicable:

1. List all relevant records with descriptions that have been provided pursuant to the Complainant request.
2. Date the relevant records were provided to the Complainant.
3. Description of the method used, along with any relevant search terms used, to search for the relevant records.
4. Statement/declaration that all relevant documents have been provided, does not exist, or has been excluded.
5. Copy of the original request for records (if applicable).

Please refer to the File Number when submitting any new information and/or supporting documents pertaining to this complaint.

The Complainant alleges:

Complaint Attached.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center<<http://www.sfbos.org/index.aspx?page=9681>> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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On Aug. 21, 2019:

Subject: RE: California Public Records Act Request #19047

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

No, this specific issue was not discussed at Aug. 20 meeting. I believe you may be referring to: At last night's meeting, I pointed out that the Supervisor of Records has refused to provide a timely (10-day) opinion in *19044*, where he is already the respondent in the case as the City Attorney. Therefore, during questioning by the Committee, I asked the SOTF to find (in addition to other violations) a timeliness violation in 19044 on that basis.

The complaint here is against the Supervisor of Records' (in)actions in *19047* as violating the timeliness requirement of 67.21(d). Since only the Mayor, and not the Sup. of Records, is the respondent in 19047, I did not make those allegations against the Sup. of Records last night as it does not seem fair to do so without giving notice that they would need to appear for 19047. I know of no way to compel an opinion except filing a new complaint each time the Sup. of Records fails to perform their duties under 67.21(d). If I don't make the specific allegation, I don't know if the SOTF would have the authority to make any orders re: each failure.

I understand the SOTF may want to combine this new complaint with 19047 under its procedures, however I'll point out that the respondents, types of allegations, and the legal question to be resolved would be different (ex. "Are native electronic formats, metadata/headers, and non-Prop G calendars exempt from Sunshine Ordinance?" VS "Can the Sup. of Records fail to provide an opinion within 10 days of a petition?").

If your procedure/bylaws allows you to skip the committee intake process at your discretion, I respectfully request that this complaint be considered for such process. I'm not sure what additional fact-finding can be done in this case.

Sincerely,
Anonymous

=====

Complaint against which Department or Commission
Supervisor of Records (aka City Attorney)

Name of individual contacted at Department or Commission
Dennis Herrera (City Attorney), Bradley Russi (Deputy City Attorney)

Alleged Violation
Public Records

Sunshine Ordinance Section:
67.21(d)

Please describe alleged violation:

If the Task Force has any mechanism to take up this complaint as the SOTF en banc, instead of first via a committee, to avoid months of waiting, I would like to take that path. The Supervisor of Records' violation of the Sunshine Ordinance is especially dangerous to San Francisco's public records regime, since it is he who is responsible (among others) for enforcing the public's access to records.

SF Admin Code 67.21(d) states "...The supervisor of records shall inform the petitioner, as soon as possible and within 10 days, of its determination whether the record requested, or any part of the record requested, is public. ..."

There are no extensions or exceptions to this 10 day deadline.

I petitioned the Supervisor of Records on May 15th for a determination re: the records at issue in SOTF 19047, Anonymous vs. Mayor (re: electronic calendar records). The deadline was therefore May 25, no later, for a legal opinion from the Supervisor of Records.

On May 21st, Deputy City Attorney Russi said " I hope to have a response to you no later than the end of next week."

On June 7th, Russi said "We are still working through the issues raised by your petition and appreciate your patience."

On July 1st, Russi said they "...won't be able to respond to your petitions until next week. "

On July 24th, Russi said "We are continuing to look into the questions you have raised and hope to be able to provide a response soon."

This is a clear violation of 67.21(d).

[[Please note the Supervisor of Records has similarly delayed a response to a petition re: SOTF 19044, but since the respondent in 19044 is the City Attorney himself (who is in fact the Supervisor of Records), that allegation is being handled in 19044 itself.]]

Name
Anonymous

Email
72902-46637773@requests.muckrock.com <mailto:72902-46637773@requests.muckrock.com>

If anonymous, please let us know how to contact you. Thank you.

Email 72902-46637773@requests.muckrock.com <mailto:72902-46637773@requests.muckrock.com>

On Aug. 21, 2019:

Subject: RE: New Response Complaint Form.

Dear Anonymous:

It is the process of the Sunshine Task Force to have complaints heard at the Committee level first to determine if the records are public, there is jurisdiction and whether or not to forward to the SOTF for review and to make a ruling on the matter. The complaint below seems to be your commentary of what took place during the hearing last night. Can you please confirm if this is true? Thank you.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

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On May 8, 2019:

Subject: California Public Records Act Request: April 28-May 4, 2019 Calendar - Immediate Disclosure Request

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance, made before close of business May 8, 2019.

**** Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). ****

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"1. an electronic copy, in the original electronic format, with all calendar item headers, email addresses, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the Mayor's calendar, with all items, from April 28 to May 4, 2019 (inclusive)."

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, calendars exported in the .ics, iCalendar, or vCard formats with all non-exempt headers, metadata, attachments, etc. are best. Such formats are easily exportable from Google Calendar, Microsoft Outlook, Microsoft Exchange or other common calendaring/email systems.

However, if you choose to convert calendar items, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original calendar item record (as specified in request "1"), which contains many detailed headers beyond the ones generally printed out. If you instead provide PDFs or printed items with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72902-46637773@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAxJlxKbHL78P4hPis99lsuo1Y%3A1i2W5y%3AdluF-P95RhgXk6f-HUxedBML_QQ&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Foffice-of-the-mayor-3891%252Fapril-28-may-4-2019-calendar-immediate-disclosure-request-72902%252F%253Femail%253Dsotf%252540sfgov.org

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72902

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA
City Attorney

OFFICE OF THE CITY ATTORNEY

BRADLEY A. RUSSI
DEPUTY CITY ATTORNEY

Direct Dial: (415) 554-4645
Email: brad.russi@sfcityattty.org

August 26, 2019

Sent via email (72902-46637773@requests.muckrock.com)

Re: Petition to Supervisor of Records

To Whom It May Concern:

This letter responds to your petition to the Supervisor of Records concerning your May 8, 2019 request to the Mayor's Office for the following:

an electronic copy, in the original electronic format, with all calendar item headers, email addresses, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the Mayor's calendar, with all items, from April 28 to May 4, 2019 (inclusive).

In response to this request, the Mayor's Office produced the Mayor's calendar entries in PDF format from the time period at issue. The Mayor's Office explained that it provided the records in PDF format for ease of transferability and to protect the security of the original record, citing Government Code Section 6253.9.

Under the Sunshine Ordinance (Section 67.21(d) of the Administrative Code), the Supervisor of Records is responsible for determining whether a City department has withheld a record, or any part of a record, without a lawful basis for doing so – for determining “whether the record requested, or any part of the record requested, is public.” You contend that the Mayor's Office improperly withheld headers, email addresses, metadata, timestamps, attachments, appendices, exhibits, and inline images from its response to your request.

We understand that the responsive calendar entries include no email addresses, attachments, appendices, exhibits, or inline images, and thus the Mayor's Office did not improperly withhold this information.

With regard to metadata, which we understand would include headers and timestamps, we conclude that the Mayor's Office properly withheld this information.

First, you contend that the Mayor's Office should provide this information by producing the calendar entries in the “original electronic format.” But you also request that the calendar entries be exported to “.ics, iCalendar, or vCard formats.” The Public Records Act does not require the Mayor's Office to produce records in a format that it does not store them unless the Mayor's Office has used the records in the requested format or provided them in the requested format to another agency. Gov't Code § 6253.9. We understand that the Mayor's Office does not hold the records in any of these formats, and it has not used any of these formats or provided

Letter to Anonymous
August 26, 2019
Page 2

the records in these formats to any agency. By contrast, the Mayor's Office does store calendar entries in PDF format, and it has used that format to provide the records in the past.

Second, the Mayor's Office has determined that disclosure of the metadata associated with the original electronic files – whether by producing it in native format or disclosing the metadata in some other format – may jeopardize or compromise the security of the City's computer system. Thus the Mayor's Office may decline to produce the metadata under Government Code Section 6253.9(f). Also, the Mayor's Office has determined that metadata contained in original electronic files may include unique identifiers for individual computer terminals and computer servers and associated security certificates and similar information. This information is highly sensitive, as disclosing it could allow a hacker to penetrate the City's computer system, "spoof" emails and insert themselves into confidential and/or privileged discussions, or send unauthorized emails on behalf of city officials. Therefore the information may be withheld under Government Code section 6254.19. Given this security risk, the information may also be withheld because there is a substantial need for confidentiality that outweighs any interest the public may have in accessing this information. *See* Cal. Evid. Code § 1040; Gov't Code § 6254(k).

For the reasons stated above, your petition is denied.

Very truly yours,

DENNIS J. HERRERA
City Attorney



Bradley A. Russi
Deputy City Attorney

72902-46637773@requests.muckrock.com (Anonymous requestor)

US mail to: MuckRock News, DEPT MR 72902, 411A Highland Ave, Somerville, MA 02144-2516

Please use email only. I am an anonymous user of MuckRock.com, not a MuckRock representative.

Supervisor of Records
City Hall, Room 234
1 Dr. Carlton B. Goodlett Pl.
San Francisco CA 94102
cityattorney@SFCITYATTY.ORG
sent via email to Supervisor of Records

Our ref.
#72902

Date
2019-05-15

RE: SF Sunshine Ordinance petition against Mayor, ref 72902

To the Supervisor of Records of the City and County of San Francisco:

NOTE: Every response you send or provide (including all responsive records) may be automatically and immediately visible to the general public on the MuckRock.com web service used to issue this request. (I am not a representative of MuckRock)

This petition is addressed to you in your capacity as Supervisor of Records, with regards to the actions of the Office of Mayor with regards to a Sunshine Ordinance / California Public Records Act request.

On May 8, 2019, I made an anonymous, Immediate Disclosure, request (see Attachment 1) for public records to Office of Mayor.

Unsatisfied with the Mayor's response, I filed an anonymous complaint with the SF Sunshine Ordinance Task Force (see Attachment 2) regarding my experience, which has been captioned by the Task Force as File 19047, *Anonymous v. Mayor London Breed and Hank Heckel, Office of the Mayor*. Included in the attachment are exhibits detailing the request, the Mayor's responses, and my reasoning that the response of the Mayor was inadequate under the Sunshine Ordinance and the California Public Records Act, all of which I incorporate into this petition.

As the complaint describes, the rights under the Sunshine Ordinance that I wish to vindicate are similar, but not identical (calendar vs. email content, and other minor differences), to those of my pending complaint against your office in its capacity as City Attorney in Task Force File 19044, *Anonymous v. Dennis Herrera, Elizabeth Coolbrith* and the related petition I filed with your office

as Supervisor of Records. Please however note the distinct email addresses used for each of these proceedings and keep communications separate.

While there is a City Attorney opinion¹ entitled "Providing Electronic Records In PDF Rather Than Word Format When Responding To A Public Records Request," I believe that the opinion does not apply to the Mayor's request for two reasons because the calendar data I have requested, unlike Word documents, do not contain 'track changes' metadata that includes prior revisions. Furthermore, if you do believe the opinion is applicable, I believe, though I am not an attorney, the opinion's interpretation of Govt Code 6253.9(f) in section "Protecting The Text Of The Electronic Record" is wrong for the reasons detailed in my Attachment 2, Section D.2. Regardless, none of that justifies a public agency not providing a justification for withholding the portions of the records I requested, but were not withheld. I also ask that you consider any potential conflict of interest in these various cases.

In parallel with Task Force complaint 19047, I am anonymously petitioning you under SF Admin Code Sec 67.21(d)² to, within 10 days, direct the Mayor to: (1) provide us with the full public records requested as specified in Attachment 1, (2) provide in writing any justifications for withholding specific parts of the responsive records, and (3) provide us all other relief requested of the Task Force in Section E of Attachment 2, to the extent compatible with your powers as Supervisor of Records.

encl: Attachment 1 – May 8, 2019 request

encl: Attachment 2 – Complaint Filed with SF Sunshine Ordinance Task Force, including Exhibits A and B

¹<https://www.sfcityattorney.org/wp-content/uploads/2015/07/Providing-Electronic-Records-in-PDF-Rather-than-Word-Format-When-Responding-to-a-Public-Records-Request.pdf>

²"(d) If the custodian refuses, fails to comply, or incompletely complies with a request described in (b), the person making the request may petition the supervisor of records for a determination whether the record requested is public. The supervisor of records shall inform the petitioner, as soon as possible and within 10 days, of its determination whether the record requested, or any part of the record requested, is public. Where requested by the petitioner, and where otherwise desirable, this determination shall be in writing. Upon the determination by the supervisor of records that the record is public, the supervisor of records shall immediately order the custodian of the public record to comply with the person's request. If the custodian refuses or fails to comply with any such order within 5 days, the supervisor of records shall notify the district attorney or the attorney general who shall take whatever measures she or he deems necessary and appropriate to insure compliance with the provisions of this ordinance."

Attachment 1 - request sent to mayorsunshinerequests@sfgov.org

May 8, 2019

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance, made before close of business May 8, 2019.

** Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). **

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"1. an electronic copy, in the original electronic format, with all calendar item headers, email addresses, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the Mayor's calendar, with all items, from April 28 to May 4, 2019 (inclusive)."

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, calendars exported in the .ics, iCalendar, or vCard formats with all non-exempt headers, metadata, attachments, etc. are best. Such formats are easily exportable from Google Calendar, Microsoft Outlook, Microsoft Exchange or other common calendaring/email systems.

However, if you choose to convert calendar items, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original calendar item record (as specified in request "1"), which contains many detailed headers beyond the ones generally printed out. If you instead provide PDFs or printed items with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Attachment 2 - Task Force complaint

72902-46637773@requests.muckrock.com (Anonymous requestor)

US mail to: MuckRock News, DEPT MR 72902, 411A Highland Ave, Somerville, MA 02144-2516

Please use email only. I am an anonymous user of MuckRock.com, not a MuckRock representative.

SUNSHINE ORDINANCE TASK FORCE

Room 244 - Tel. (415) 554-7724; Fax (415) 554-7854

1 Dr. Carlton B. Goodlett Place

San Francisco CA 94102

cc: Office of the Mayor (mayorsunshinerequests@sfgov.org)

sent via email and web-form to Task Force, email to Office of Mayor

Our ref.
#72902

Date
2019-05-10

RE: SF Sunshine Ordinance Complaint against Office of Mayor, ref 72902

To Whom It May Concern:

NOTE: Every response you send or provide (including all responsive records) may be automatically and immediately visible to the general public on the MuckRock.com web service used to issue this request. (I am not a representative of MuckRock)

A. METADATA:

Complainant Name: (Anonymous - use email 72902-46637773@requests.muckrock.com)

Date of Request: May 8, 2019

Complaint Against Employees: London N. Breed (Breed) in her official capacity as Mayor, Hank Heckel (Heckel) in his official capacity as Compliance Officer for Office of Mayor

Complaint Against Agency: Office of Mayor

Yes - Alleged violation of public records access

Yes - Alleged failure to provide information in a timely manner in accordance with the provisions of the Sunshine Ordinance

No - Alleged violation of a public meeting

B. NARRATIVE:

On May 8, 2019 we sent a San Francisco Sunshine Ordinance (Ordinance) and California Public Records Act (CPRA) request to the Office of Mayor (enclosed herein as Exhibit A, which also includes the communication back and forth with the Mayor's office and Heckel) for, *inter alia*:

"1. an electronic copy, in the original electronic format, with all calendar item headers, email addresses, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the Mayor's calendar, with all items, from April 28 to May 4, 2019 (inclusive)."

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, calendars exported in the .ics, iCalendar, or vCard formats with all non-exempt headers, metadata, attachments, etc. are best. Such formats are easily exportable from Google Calendar, Microsoft Outlook, Microsoft Exchange or other common calendaring/email systems.

However, if you choose to convert calendar items, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original calendar item record (as specified in request "1"), which contains many detailed headers beyond the ones generally printed out. If you instead provide PDFs or printed items with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

On May 8, 2019 Heckel acknowledged the request and on May 9, 2019 Heckel replied on behalf of Breed with records responsive to the request in relevant part:

Re: Public Records Request received May 8, 2019

To whom it may concern:

This responds to your Immediate Disclosure Request below.

Response Dated April 24, 2019 *[sic]*

Thank you for your inquiry. Please see attached the requested information.

This information has been provided in a PDF format for its ease of transferability and accessibility, consistent with Cal. Gov. Code 6253.9(a)(1). Moreover, pursuant to Cal. Gov. Code 6253.9 (f), an agency is not required to provide an electronic record in an electronic format that would jeopardize or compromise the security or integrity of the original record. The PDF format ensures the security and integrity of the original record.

and attached a PDF form (Exhibit B – the PDF file itself can also be downloaded at https://cdn.muckrock.com/foia_files/2019/05/09/MuckRock_Calendar_Request_4-27_-_5-4.pdf) of the requested calendar including only: times, physical locations, and titles of events and names or descriptions of some attendees, to which I replied on the same day in relevant part:

We do not believe your arguments re: the acceptability of PDF format are valid and intend to contest them at the Sunshine Task Force. First, 6253.9(f) protects the integrity and security of the *original* record, not the copy of the record you provide to the public. Regardless, PDFs which are not digitally signed can be quite easily edited by anyone, no differently than editing say the .ics calendar file you could have provided to us. Second, 6253.9(a)(1) plainly requires provision of the *[sic]* in "any electronic format in which it holds the information" and we asked for the original format. Our understanding of computer systems indicates that format is not PDF.

In the mean time, I will point out that the original electronic format of the Mayor's calendar may contain substantial additional information (such as email addresses, conference call numbers, actual names of attendees instead of group descriptions, the acceptance/rejection of individual attendees to the invite, etc.) than that which was printed out for us. In addition to, and separately from, not being in the original format, by converting to PDF, you may have withheld such portions of the record from us, without pointing out to us that the portions were in fact withheld nor providing statutory justification for exemption (required by CPRA and the Sunshine Ordinance) nor providing the name and title of the official responsible for such withholding. Please provide all such information, if any information was withheld in the PDF you released to us, as compared to the original format.

Since I had previously requested the entire calendar items in their original electronic format, I proceeded to file this complaint.

C. COMPLAINTS:

I make the following allegations. I am not an attorney, so my understanding is associated with proper sections of the law to the best of my (lay) ability.

1. Violations of SF Admin Code Sec. 67.27. Justification Of Withholding

On May 9, 2019, Heckel's response did not justify withholding portions of the responsive calendar records (namely the headers and metadata, which we had specifically requested in our original request). No statutory nor case law authority was provided. Note Heckel provided an argument (which we believe to be wrong, see below) for why he had not provided the original format. He did not provide any justification for withholding the header and metadata information, even in PDF format. Our original request did indicate that if the Mayor were to convert the calendar to PDF format, we still wanted the entire record with all headers, metadata, etc.

We specifically asked for calendars in the original electronic format. Calendars are not stored in PDF format by calendaring systems. From the City's SB 272 enterprise systems list, it appears the

City¹ uses Microsoft Exchange/Outlook as its email and calendaring system. Such a system should be able to export a full copy of calendar items in iCalendar/.ics format, which preserves most if not all of the item's content. This could be done by simply printing out the .ics/iCalendar exported file and redacting as needed.

2. Violations of SF Admin Code Sec. 67.26. Withholding Kept To A Minimum

On May 9, 2019, responsive records as provided in an attachment to Heckel's response (Exhibit B) did not withhold the minimum necessary portions of the calendars requested. While it may be argued that some of the headers of a calendar item could be withheld for privacy reasons (though we do not concede such point), that does not mean the Mayor can withhold all portions of the calendar items other than Time, Title, Physical Location, and (sometimes) Attendee Names/Descriptions.

3. Violations of SF Admin Code Sec. 67.21. Process For Gaining Access To Public Records; Administrative Appeals.

67.21(b) ("...If the custodian believes the record or information requested is not a public record or is exempt, the custodian shall justify withholding any record by demonstrating, in writing as soon as possible and within ten days following receipt of a request, that the record in question is exempt under express provisions of this ordinance...") was violated by Heckel's May 9, 2019 response wherein he did not indicate that the Mayor was withholding the remaining portions of the full calendar item records, with headers and metadata.

67.21(1) ("Inspection and copying of documentary public information stored in electronic form shall be made available to the person requesting the information in any form requested which is available to or easily generated by the department...") was violated on May 9, 2019 since Heckel provided the calendars requested in PDF format and not the raw/original format stored by the email servers. This original format (which we specifically requested) contains those additional headers we requested. As described in Complaint 1, paragraph 2, we believe exporting of calendar items in iCalendar/.ics format should be easy given the City's systems.

4. Violations of CA Govt Code 6253.9

6253.9(a)(1) ("...The agency shall make the information available in any electronic format in which it holds the information...") was violated for reasons stated under the second paragraph of complaint #3.

5. Violations of CA Govt Code 6253

6253(a) ("Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.") was violated for reasons stated under complaint #2. Portions of the responsive email records (headers, metadata) that are not exempt under the law were deleted by using the PDF print-out formats that the Mayor chose.

¹For some reason, it appears only SF Public Health has listed its email system, not the Mayor, so this is an extrapolation.

6. Violations of CA Govt Code 6255

6255(a) was violated for reasons stated under complaint #1.

D. REBUTTALS:

1. CA Govt Code 6253.9(a)(1) does not permit use of formats for "transferability and accessibility"

In Heckel's May 9 response, the Office of the Mayor argued "This information has been provided in a PDF format for its ease of transferability and accessibility, consistent with Cal. Gov. Code 6253.9(a)(1)."

By its plain language, that is not what 6253.9(a)(1) requires. CA Govt Code 6253.9(a) reads:

(a) Unless otherwise prohibited by law, any agency that has information that constitutes an identifiable public record not exempt from disclosure pursuant to this chapter that is in an electronic format shall make that information available in an electronic format when requested by any person and, when applicable, shall comply with the following:

- (1) The agency shall make the information available in any electronic format in which it holds the information.
- (2) Each agency shall provide a copy of an electronic record in the format requested if the requested format is one that has been used by the agency to create copies for its own use or for provision to other agencies. The cost of duplication shall be limited to the direct cost of producing a copy of a record in an electronic format.

Since there is no ambiguity in the statute's language, 6253.9(a)(1) should be given its plain meaning. Nothing in this clause refers to conversion of files for transferability and accessibility.

2. CA Govt Code 6253.9(f) protects the security and integrity of originals, not copies

In Heckel's May 9 response, the Office of the Mayor argued "pursuant to Cal. Gov. Code 6253.9 (f), an agency is not required to provide an electronic record in an electronic format that would jeopardize or compromise the security or integrity of the original record. The PDF format ensures the security and integrity of the original record."

This argument fails for two reasons.

Most importantly, 6253.9(f) states (emphasis mine) "Nothing in this section shall be construed to require the public agency to release an electronic record in the electronic form in which it is held by the agency if its release would jeopardize or compromise the security or integrity of the *original record* or of any proprietary software in which it is maintained." The Mayor appears to believe that the PDF format makes it harder for someone to modify the file. However that would be (if it was true) a protection of the integrity of *the copy*. That is not what the statute requires.

Otherwise, physical copies could not be provided under the CPRA, as they can be easily altered in writing/printed, and recopied, and passed off as the originals.

Secondarily, the PDF format, in the form that the Mayor has used it to provide the responsive record on May 9, does not even protect the security and integrity of *the copy*. Anyone can modify a PDF file with, among many other products, Apple's Preview app (a free default app that comes with Mac OS X computers), Adobe's Acrobat or Photoshop. Persons could also of course modify the iCalendar/.ics exported file copies just as easily. If the Mayor wants to use the PDF format to protect the copies (even though that is not what the statute requires), they would need to be, for example, digitally signed, which is an information technology solution that uses cryptography to make it extremely difficult to pass off an altered version of the copy as identical to the original. My examination of the PDF file provided by Heckel (https://cdn.muckrock.com/foia_files/2019/05/09/MuckRock_Calendar_Request_4-27_-_5-4.pdf) shows no indication of a standard PDF digital signature.

E. RELIEF REQUESTED

I have a parallel pending complaint (*Anonymous v. Dennis Herrera, Elizabeth Coolbrith*, SOTF File No. 19044) against the Office of the City Attorney for similar (but not identical) claims regarding alleged failure to disclose emails (not calendars) in their full, original electronic format. I ask the Task Force to keep in mind the possible conflicts of interest apparent in an attorney from the Office of City Attorney assisting the Task Force on this complaint, for which a ruling in my favor would tend to also favor finding against the City Attorney in case 19044 as well.

I ask the Task Force to find that the Office of the Mayor violated the Sunshine Ordinance (including any requirements of the CPRA incorporated by reference in SF Admin Code) on May 9, 2019.

I ask the Task Force to direct the Mayor or her delegate to produce the full calendars we originally requested, with redaction of only those headers or metadata (if any) that can be justified legally and explicitly.

I ask the Task Force to direct that calendars be produced by San Francisco agencies subject to the Sunshine Ordinance in their original format, preserving headers and metadata, except those that can be withheld with explicit justification.

I ask for a hearing, to the extent possible given my desire to remain anonymous.

I reserve my right to petition the Supervisor of Records and/or any judicial remedies that may be available.

RE: SF Sunshine Ordinance Complaint against Office of Mayor, ref 72902

encl: Exhibit A – Original Request and Communications with Mayor’s Office

encl: Exhibit B – Responsive record titled “MuckRock Calendar Request 4-27 - 5-4.pdf”

Exhibit A

Correspondence with Office of Mayor
The MuckRock system censors the email address
as 'requests@muckrock.com' in certain locations.

From: Anonymous Person

05/08/2019

Subject: California Public Records Act Request: April 28-May 4, 2019 Calendar - Immediate Disclosure ...

Email

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance, made before close of business May 8, 2019.

** Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). **

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"1. an electronic copy, in the original electronic format, with all calendar item headers, email addresses, metadata, timestamps, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of the Mayor's calendar, with all items, from April 28 to May 4, 2019 (inclusive)."

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, calendars exported in the .ics, iCalendar, or vCard formats with all non-exempt headers, metadata, attachments, etc. are best. Such formats are easily exportable from Google Calendar, Microsoft Outlook, Microsoft Exchange or other common calendaring/email systems.

However, if you choose to convert calendar items, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original calendar item record (as specified in request "1"), which contains many detailed headers beyond the ones generally printed out. If you instead provide PDFs or printed items with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

From: Anonymous Person

05/08/2019

Subject: RE: California Public Records Act Request: April 28-May 4, 2019 Calendar - Immediate Disclos...


Email

We remind you of your obligation under City of San Jose v Superior Court (2017) to search personal accounts/devices for calendar items regarding the public's business, as appropriate.

** Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). **

From: Office of the Mayor

05/08/2019

Subject: RE: California Public Records Act Request: April 28-May 4, 2019 Calendar - Immediate Disclos... 


Received. We are processing our response.

Thank you,

Hank Heckel
Compliance Officer
Office of Mayor London N. Breed
City and County of San Francisco
(415) 554-4796

From: Office of the Mayor

05/09/2019

Subject: RE: California Public Records Act Request: April 28-May 4, 2019 Calendar - Immediate Disclos... 

VIA ELECTRONIC MAIL
Requestor: Anonymous

Email: requests@muckrock.com

May 9, 2019

Re: Public Records Request received May 8, 2019

To whom it may concern:

This responds to your Immediate Disclosure Request below.

Response Dated April 24, 2019

Thank you for your inquiry. Please see attached the requested information.

This information has been provided in a PDF format for its ease of transferability and accessibility, consistent with Cal. Gov. Code 6253.9(a)(1). Moreover, pursuant to Cal. Gov. Code 6253.9 (f), an agency is not required to provide an electronic record in an electronic format that would jeopardize or compromise the security or integrity of the original record. The PDF format ensures the security and integrity of the original record.

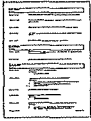
Please also note that we are responding on behalf of the Mayor's Office only, and not on behalf of other city departments.

If you have any questions about your request or would like to submit another public records request, please feel free to contact us



at mayorsunshinerequests@sfgov.org<mailto:mayorsunshinerequests@sfgov.org>.

Best Regards,

Hank Heckel
Compliance Officer
Office of Mayor London N. Breed
City and County of San Francisco




MuckRock Calendar Request 4-27 - 5-4

 View  Embed  Download

From: Anonymous Person

05/09/2019 

Subject: RE: California Public Records Act Request: April 28-May 4, 2019 Calendar - Immediate Disclos... 

We do not believe your arguments re: the acceptability of PDF format are valid and intend to contest them at the Sunshine Task Force. First, 6253.9(f) protects the integrity and security of the *original* record, not the copy of the record you provide to the public. Regardless, PDFs which are not digitally signed can be quite easily edited by anyone, no differently than editing say the .ics calendar file you could have provided to us. Second, 6253.9(a)(1) plainly requires provision of the in "any electronic format in which it holds the information" and we asked for the original format. Our understanding of computer systems indicates that format is not PDF.

In the mean time, I will point out that the original electronic format of the Mayor's calendar may contain substantial additional information (such as email addresses, conference call numbers, actual names of attendees instead of group descriptions, the acceptance/rejection of individual attendees to the invite, etc.) than that which was printed out for us. In addition to, and separately from, not being in the original format, by converting to PDF, you may have withheld such portions of the record from us, without pointing out to us that the portions were in fact withheld nor providing statutory justification for exemption (required by CPRA and the Sunshine Ordinance) nor providing the name and title of the official responsible for such withholding. Please provide all such information, if any information was withheld in the PDF you released to us, as compared to the original format.

** Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). **

Thank you.

Exhibit B
Responsive record produced by Heckel
on May 9, 2019

Page 4 of the calendar contained fonts missing on my computer - they appear to be merely
bullet points.

PDF file available at:
https://cdn.muckrock.com/foia_files/2019/05/09/MuckRock_Calendar_Request_4-27_-_5-4.pdf

April 27, 2019

Saturday

- 8:45 AM - 9:15 AM North Beach Farmers Market 2019 Season Open -- 699 Columbus Avenue, San Francisco, CA 94133
- 11:55 AM - 1:25 PM 12th Annual McKinley Elementary School Dogfest -- Duboce Park, Noe Street at Duboce Avenue, San Francisco, CA 94114
- 7:05 PM - 7:20 PM A Banner of Love Gala: A Night in Venice -- St. Mary's Cathedral, 1111 Gough St., San Francisco
- 7:35 PM - 8:00 PM San Francisco Gay Men's Chorus Crescendo Gala -- The Fairmont San Francisco, 950 Mason Street, Main Ballroom
- 8:40 PM - 9:00 PM Beyond Differences Gala -- Terra Gallery, 511 Harrison Street, San Francisco

April 28, 2019

Sunday

- 12:30 PM - 1:00 PM St. Francis Wood Women's League Annual Luncheon -- The Olympic Club Lakeside, Garden Court, 599 Skyline Blvd, San Francisco, CA 94132
- 7:00 PM - 7:30 PM North Beach Citizens' Spring Dinner -- 666 Filbert Street, San Francisco CA 94133

April 29, 2019

Monday

- 9:00 AM - 9:30 AM Meeting Re: Staff Check In -- Remote Conference Call
Attendees:
- Mayor's Office Staff
- 1:05 PM - 1:30 PM Meeting with President Yee Re: District 7 -- City Hall, Room 200, Mayor's Office
Attendees:
- President Yee, Supervisor for District 7, Board of Supervisors
- Jen Lowe, Legislative Aide, Board of Supervisors
- Mayor's Office Staff
- 1:39 PM - 1:46 PM Press availability re: MTA Director -- City Hall, Room 200
- 1:51 PM - 2:10 PM Meeting Re: Scheduling -- City Hall, Room 200, Mayor's Office
Attendees:
- Mayor's Office Staff
- 2:34 PM - 2:45 PM Swearing In Ceremony for Sophie Maxwell and Tim Paulson -- City Hall, International Room
Attendees:
- Sophie Maxwell, Public Utilities Commission Appointee
- Tim Paulson, Public Utilities Commission Appointee

April 29, 2019 Continued

Monday

- Harlan Kelly Jr., General Manager, San Francisco Public Utilities Commission
- Larry Mazzola Jr., President (Plumbers & Pipe Fitters Local 38), Recreation and Park Commissioner
- Sandra Duarte, Executive Assistant San Francisco Building and Construction Trades Council
- Kim Tavaglione, Campaign Director San Francisco Labor Council
- Willie Adams, Port Commissioner
- Mayor's Office Staff

3:01 PM - 3:29 PM

Meeting Re: Government Affairs -- City Hall, Room 200, Mayor's Office

Attendees:

- Mayor's Office Staff

3:31 PM - 4:03 PM

Meeting Re: City Operations and Government Affairs -- City Hall, Room 200, Mayor's Office

Attendees:

- Mayor's Office Staff

4:10 PM - 4:55 PM

Meeting Re: Housing Bond with Supervisor Yee and Members of Housing Bond Working Group -- City Hall, Room 201

6:00 PM - 6:30 PM

Grace Cathedral Paris Sister City Event for Notre-Dame, Sri Lanka, Louisiana Churches, and Poway Synagogue -- Grace Cathedral, 1100 California Street

6:45 PM - 8:00 PM

Recode Decode Podcast Live Recording -- Manny's 3092 16th Street

April 30, 2019

Tuesday

9:00 AM - 9:30 AM

Meeting Re: Staff Check In -- Remote Conference Call

Attendees:

- Mayor's Office Staff

10:35 AM - 10:50 AM

Public Works Week Awards and Pins Ceremony -- Moscone Center South, Third Floor, 747 Howard St.

12:00 PM - 12:30 PM

Telephone Interview with LA Times Reporter Heidi Chang -- Remote Conference Call

Attendees:

- Heidi Chang, Reporter, Los Angeles Times
- Mayor's Office Staff

12:35 PM - 1:15 PM

Meeting Re: Budget -- City Hall, Room 200, Mayor's Office

Attendees:

- Mayor's Office Staff

April 30, 2019 Continued

Tuesday

- 1:34 PM - 1:50 PM Meeting Re: Town Hall Event -- City Hall, Room 200, Mayor's Office
Attendees:
- Mayor's Office Staff
- 2:09 PM - 2:45 PM Meeting with San Francisco Latino Parity and Equity Coalition -- City Hall, Room 201
- 2:46 PM - 3:10 PM Meeting Re: Scheduling -- City Hall, Room 200, Mayor's Office
Attendees:
- Mayor's Office Staff
- 3:10 PM - 3:33 PM Meeting Re: Government Affairs -- City Hall, Room 200, Mayor's Office
Attendees:
- Mayor's Office Staff

May 1, 2019

Wednesday

- 9:00 AM - 9:30 AM Meeting Re: Staff Check In -- Remote Conference Call
Attendees:
- Mayor's Office Staff
- 10:00 AM - 10:30 AM Live Phone Interview with KIQI -- Remote Conference Call
Attendees:
- Isabel Gutierrez, KIQI radio host
- Marcos Gutierrez, KIQI radio host
- Mayor's Office Staff
- 11:00 AM - 11:30 AM Fire Station 5 Ribbon Cutting -- Fire Station No. 5, 1301 Turk St
- 12:00 PM - 12:15 PM Jewish Vocational Service Strictly Business Luncheon -- San Francisco Marriott Marquis Hotel, 780 Mission Street
- 2:04 PM - 2:43 PM Meeting Re: City Services and Operations -- City Hall, Room 200, Mayor's Office
Attendees:
- Naomi Kelly, City Administrator, City and County of San Francisco
- Heather Green, Capital Planning Director, City and County of San Francisco
- Mayor's Office Staff
- 2:43 PM - 2:46 PM Swearing In Ceremony for Frank Fung -- City Hall, Room 200, Mayor's Office
Attendees:
- Frank Fung, Planning Commissioner
- Aimee Fung, Daughter of Frank Fung
- Mayor's Office Staff

May 1, 2019 Continued

Wednesday

2:46 PM - 3:13 PM

Meeting Re: City Services and Operations -- City Hall, Room 200, Mayor's Office

Attendees:

- Naomi Kelly, City Administrator, City and County of San Francisco
- Heather Green, Capital Planning Director, City and County of San Francisco
- Mayor's Office Staff

3:20 PM - 3:46 PM

Meet and Greet with Jamestown Community Center Youth -- City Hall, International Room

4:03 PM - 4:35 PM

Meeting Re: Public Safety -- City Hall, Room 200 Mayor's Office

Attendees:

- Chief William Scott, SFPD
- Deirdre Hussey, Director of Policy and Public Affairs, SFPD
- Mayor's Office Staff

5:00 PM - 5:20 PM

Neighborhood Preference Program Tour and SFGovTV Interview -- 150 Van Ness

Attendees:

- Mario Watts, resident
- Josiah Watts, resident
- Kim Dubin, Mayor's Office of Community Housing and Development
- Max Barnes, Mayor's Office of Community Housing and Development
- Mayor's Office Staff

5:30 PM - 6:00 PM

Asian Pacific American Heritage Month Awards and Reception Celebration -- Herbst Theater, War Memorial Building, 401 Van Ness Avenue

May 2, 2019

Thursday

9:00 AM - 9:30 AM

Meeting Re: Staff Check In -- Remote Conference Call

Attendees:

- Mayor's Office Staff

12:04 PM - 12:25 PM

Lest We Forget Photo Exhibit for Holocaust Remembrance Day -- City Hall, Room 200, Mayor's Office

12:31 PM - 12:48 PM

Meeting re: Street Conditions -- City Hall, Room 200, Mayor's Office

Attendees:

- Chief William Scott, Chief of Police, San Francisco Police Department
- Dr. Grant Colfax, Director, Department of Public Health
- Mohammed Nuru, Director, Department of Public Works
- Jeff Kositky, Director, Department of Homelessness and Supportive Housing
- Mary Ellen Carrol, Director, Department of Emergency Management
- Mayor's Office Staff

May 2, 2019 Continued

Thursday

1:31 PM - 2:11 PM

Meeting Re: Budget -- City Hall, Room 200, Mayor's Office

Attendees:

- Mayor's Office Staff

2:14 PM - 2:34 PM

Meeting Re: Communications -- City Hall, Room 200, Mayor's Office

Attendees:

- Mayor's Office Staff

2:34 PM - 3:07 PM

Meeting Re: Commissions -- City Hall, Room 200, MO

Attendees:

- Mayor's Office Staff

3:10 PM - 3:41 PM

Meeting with Civil Grand Jury -- City Hall, Room 201

3:42 PM - 3:49 PM

Meeting Re: Government Affairs -- City Hall, Room 200, Mayor's Office

Attendees:

- Kylecia Broom, Community Development Assistant, Mayor's Office of Housing and Community Development
- Steven Gallardo, Displaced Tenant Housing Preference Program Coordinator, Mayor's Office of Housing and Community Development
- Mayor's Office Staff

5:30 PM - 6:00 PM

Alliance of Black School Educators Scholarship and Salute Banquet -- African American Art and Culture Complex, 762 Fulton Street, 3rd Floor

May 3, 2019

Friday

9:00 AM - 9:30 AM

Meeting Re: Staff Check In -- Remote Conference Call

Attendees:

- Mayor's Office Staff

1:00 PM - 1:30 PM

Downtown Streets Team Mission Ribbon Cutting -- 3100 17th Street, San Francisco

May 4, 2019

Saturday

3:30 PM - 4:30 PM

San Francisco Lowrider Council Cinco De Mayo John O'Connell High School Car Show and Cruise -- John O'Connell High School Parking Lot, 2300 Block of Harrison Street

May 4, 2019 Continued
Saturday

6:10 PM - 6:40 PM

The Association of Chinese Teachers 50th Anniversary Gala -- Scottish Rite Masonic Center, 2850 19th Avenue

Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com on behalf of '72056-97339218@requests.muckrock.com' <72056-97339218@requests.muckrock.com>
Sent: Monday, August 26, 2019 11:51 AM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Attachments: SupRecords-Response-01365566.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

August 26, 2019

This is a follow up to a previous request:

SOTF,

RE: 19044, Anonymous v Office of City Attorney, et al.

(resending with attachment)

The Supervisor of Records provided the attached response today, 110 days after our petition. I plan to dispute his conclusions at the full Task Force meeting considering 19044. Since his response was provided 110 days (instead of 10 days) after my petition, I will not my withdraw my allegations before the SOTF regarding a 67.21(d) violation.

Thanks,
Anonymous (19044)

Filed via MuckRock.com
E-mail (Preferred): 72056-97339218@requests.muckrock.com
Upload documents directly:
https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAUFBaWtyfyRXNxLh3MkFOGTxo%3A1i2K0z%3AfIPB07rrdPn-3FAdyo4gPH560g0

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 72056
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On Aug. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information SOTF,

RE: 19044, Anonymous v Office of City Attorney, et al.

The Supervisor of Records provided the attached response today, 110 days after our petition. I plan to dispute his conclusions at the full Task Force meeting considering 19044.

Since his response was provided 110 days (instead of 10 days) after my petition, I will not my withdraw my allegations before the SOTF regarding a 67.21(d) violation.

Thanks,
Anonymous (19044)

On Aug. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Thank you for your response, Supervisor of Records. I plan to dispute your conclusions at the full Task Force meeting considering 19044.

Since your response was provided 110 days instead of 10 days after my petition, I will not my withdraw my allegations before the SOTF regarding a 67.21(d) violation.

Thanks,
Anonymous

On Aug. 26, 2019:

Subject: response to petition re city attorney's office
To Whom it may concern:

Please see the attached response to your petition to the Supervisor of Records, submitted on May 8, 2019, concerning the City Attorney's Office's response to your April 20, 2019 request. Thank you.

On Aug. 23, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Good evening,

This is another set of Immediate Disclosure Requests under the San Francisco Sunshine Ordinance, made before start of business August 23, 2019 to the Office of City Attorney, in the 19044 portfolio.

**** Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). ****

On August 22, I made an unrelated sunshine request to Dept of Public Works (DPW) for various emails, word processing, and spreadsheet documents.

Within less than 24hr, I was pleasantly surprised that David Steinberg of the DPW produced raw .msg (Emails), .docx (Word), and .xlsx (Excel) files, and, taking his withholding reasons at face-value, there were no security-related redactions.

See: <https://sanfrancisco.nextrequest.com/requests/19-3455> for details.

Furthermore, as far as I can tell, DPW has fully published to the public Internet, all headers and metadata in those records. For example, consider the .msg email record at <https://sanfrancisco.nextrequest.com/documents/1669448/download> - this .msg file contains all of the following headers (values elided here, but are present in the .msg file): Received, Authentication-Results, Content-Type, Content-Transfer-Encoding, From, To, Subject, Thread-Topic, Thread-Index, Date, Message-ID, References, In-Reply-To, Accept-Language, Content-Language, X-MS-Has-Attach, X-MS-Exchange-Organization-SCL, X-MS-TNEF-Correlator, MIME-Version, X-MS-Exchange-Organization-MessageDirectionality, X-MS-Exchange-Organization-AuthSource, X-MS-Exchange-Organization-AuthAs, X-MS-Exchange-Organization-AuthMechanism, X-Originating-IP, X-MS-Exchange-Organization-Network-Message-Id, X-MS-PublicTrafficType, Return-Path, X-MS-Exchange-Organization-ExpirationStartTime, X-MS-Exchange-Organization-ExpirationStartTimeReason, X-MS-Exchange-Organization-ExpirationInterval, X-MS-Exchange-Organization-ExpirationIntervalReason, X-MS-Office365-Filtering-Correlation-Id, X-MS-Office365-Filtering-HT, X-Microsoft-Antispam, X-MS-TrafficTypeDiagnostic, X-MS-Exchange-PUrlCount, X-LD-Processed, X-MS-Oob-TLC-OOBClassifiers, X-Forefront-Antispam-Report, X-MS-Exchange-CrossTenant-OriginalArrivalTime, X-MS-Exchange-CrossTenant-FromEntityHeader, X-MS-Exchange-CrossTenant-Id, X-MS-Exchange-CrossTenant-Network-Message-Id, X-MS-Exchange-CrossTenant-MailboxType, X-MS-Exchange-CrossTenant-UserPrincipalName, X-MS-Exchange-Transport-CrossTenantHeadersStamped, X-MS-Exchange-Transport-EndToEndLatency, X-MS-Exchange-Processed-By-BccFoldering, X-Microsoft-Antispam-Mailbox-Delivery, X-Microsoft-Antispam-Message-Info.

I believe DPW uses the same email system as City Attorney and that there is only one IT Department for the City. Moreover, apparently multitudes of such .msg records have been released by the City for years:

[https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing\[sort\]\[upload_date\]=](https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing[sort][upload_date]=)

This is strong evidence against multiple arguments made by your office, and strong evidence for:

- * the ".msg" format (which is one we requested in 19044) for e-mails is in fact "easily generated" by City agencies (Admin Code 67.21(l))
- * at least some City agencies have no security qualms about disclosing all email headers/metadata (Govt Code 6253.9(f))
- * email messages are in fact not "information security records" within the meaning of Govt Code 6254.19 (frankly this phrase would appear to instead refer to documentation of network security/firewalls, lists of passwords, cryptographic secrets/keys, and similar)

Given all of the evidence above, I am making the following ****50 Immediate Disclosure Requests****, all of which, as before, should be completely answerable from a simple perusal of the un-redacted version of your 3-page May 17 disclosure of https://cdn.muckrock.com/foia_files/2019/05/17/4-18-19_Email_Received_Redacted.pdf (the "Unredacted May 17 Record").

Remember - under the CPRA and Sunshine Ordinance, you must indicate for *each* request that you are either: providing the record OR withholding the record (with statutory or case law justification) OR that no such responsive

records exist (for headers not present in the Unredacted May 17 Record). The requests are worded in such a way that we can finally get to the bottom of exactly what you are withholding and why, and thus present a fully-researched case to the SOTF. All names for headers are case insensitive and come directly from the DPW disclosure.

I anticipate that you may attempt to argue that my requests are not identifying a record (since they identify a portion of a record), however, (and without conceding the point) please understand they do identify "public information" (SFAC 67.20(b)) which is the *content* of a public record, and also that SFAC 67.21(c) states in relevant part "(c) A custodian of a public record shall assist a requester in identifying the existence, form, and nature of any records or information maintained by, available to, or in the custody of the custodian, whether or not the contents of those records are exempt from disclosure...." Your Office does not have the option of refusing to indicate whether or not the information exists, regardless of whether the information itself is purportedly exempt.

1. The value of all Unredacted May 17 Record headers named 'Received'
2. The value of all Unredacted May 17 Record headers named 'Authentication-Results'
3. The value of all Unredacted May 17 Record headers named 'Content-Type'
4. The value of all Unredacted May 17 Record headers named 'Content-Transfer-Encoding'
5. The value of all Unredacted May 17 Record headers named 'From'
6. The value of all Unredacted May 17 Record headers named 'To'
7. The value of all Unredacted May 17 Record headers named 'Subject'
8. The value of all Unredacted May 17 Record headers named 'Thread-Topic'
9. The value of all Unredacted May 17 Record headers named 'Thread-Index'
10. The value of all Unredacted May 17 Record headers named 'Date'
11. The value of all Unredacted May 17 Record headers named 'Message-ID'
12. The value of all Unredacted May 17 Record headers named 'References'
13. The value of all Unredacted May 17 Record headers named 'In-Reply-To'
14. The value of all Unredacted May 17 Record headers named 'Accept-Language'
15. The value of all Unredacted May 17 Record headers named 'Content-Language'
16. The value of all Unredacted May 17 Record headers named 'X-MS-Has-Attach'
17. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-SCL'
18. The value of all Unredacted May 17 Record headers named 'X-MS-TNEF-Correlator'
19. The value of all Unredacted May 17 Record headers named 'MIME-Version'
20. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-MessageDirectionality'
21. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-AuthSource'
22. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-AuthAs'
23. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-AuthMechanism'
24. The value of all Unredacted May 17 Record headers named 'X-Originating-IP'
25. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-Network-Message-Id'
26. The value of all Unredacted May 17 Record headers named 'X-MS-PublicTrafficType'
27. The value of all Unredacted May 17 Record headers named 'Return-Path'
28. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-ExpirationStartTime'
29. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-ExpirationStartTimeReason'
30. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-ExpirationInterval'
31. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-ExpirationIntervalReason'
32. The value of all Unredacted May 17 Record headers named 'X-MS-Office365-Filtering-Correlation-Id'
33. The value of all Unredacted May 17 Record headers named 'X-MS-Office365-Filtering-HT'
34. The value of all Unredacted May 17 Record headers named 'X-Microsoft-Antispam'
35. The value of all Unredacted May 17 Record headers named 'X-MS-TrafficTypeDiagnostic'
36. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-PUriCount'
37. The value of all Unredacted May 17 Record headers named 'X-LD-Processed'
38. The value of all Unredacted May 17 Record headers named 'X-MS-Oob-TLC-OOBClassifiers'
39. The value of all Unredacted May 17 Record headers named 'X-Forefront-Antispam-Report'

40. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-CrossTenant-OriginalArrivalTime'
41. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-CrossTenant-FromEntityHeader'
42. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-CrossTenant-Id'
43. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-CrossTenant-Network-Message-Id'
44. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-CrossTenant-MailboxType'
45. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-CrossTenant-UserPrincipalName'
46. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Transport-CrossTenantHeadersStamped'
47. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Transport-EndToEndLatency'
48. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Processed-By-BccFoldering'
49. The value of all Unredacted May 17 Record headers named 'X-Microsoft-Antispam-Mailbox-Delivery'
50. The value of all Unredacted May 17 Record headers named 'X-Microsoft-Antispam-Message-Info'

I look forward to your immediate disclosure.

Sincerely,
Anonymous

On Aug. 22, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Dear SOTF,

RE: 19044 - Anonymous v City Attorney

Further evidence has come to light which I would wish to add to the file #19044. In addition to the letter below, I ask that the 3 webpages at the URLs labeled [1] through [3] below be printed and included in the file.

PART 1:

On August 22, I made an unrelated immediate disclosure request to Dept of Public Works (DPW) for various emails, word processing, and spreadsheet documents.
Within less than 24hr, David Steinberg of the DPW produced raw .msg (Emails), .docx (Word), and .xlsx (Excel) files, without complaints or delay, and taking his withholding reasons at face-value, there were no security-related redactions. I commend DPW and Mr. Steinberg for their professionalism.

See: <https://sanfrancisco.nextrequest.com/requests/19-3455> [1] for details.

Furthermore, as far as I can tell, DPW has fully published to the public Internet (not just to me), all headers and metadata in those records. For example, consider the .msg email record at <https://sanfrancisco.nextrequest.com/documents/1669448/download> [2] - this .msg file contains all of the following headers (values elided here, but are present in the .msg file): Received, Authentication-Results, Content-Type, Content-Transfer-Encoding, From, To, Subject, Thread-Topic, Thread-Index, Date, Message-ID, References, In-Reply-To, Accept-Language, Content-Language, X-MS-Has-Attach, X-MS-Exchange-Organization-SCL, X-MS-TNEF-Correlator, MIME-Version, X-MS-Exchange-Organization-MessageDirectionality, X-MS-Exchange-Organization-AuthSource, X-MS-Exchange-Organization-AuthAs, X-MS-Exchange-Organization-AuthMechanism, X-Originating-IP, X-MS-Exchange-Organization-Network-Message-Id, X-MS-PublicTrafficType, Return-Path, X-MS-Exchange-Organization-ExpirationStartTime, X-MS-Exchange-Organization-ExpirationStartTimeReason, X-MS-Exchange-Organization-ExpirationInterval, X-MS-Exchange-Organization-ExpirationIntervalReason, X-MS-Office365-Filtering-Correlation-Id, X-MS-Office365-Filtering-HT, X-Microsoft-Antispam, X-MS-TrafficTypeDiagnostic, X-MS-Exchange-PUrlCount, X-LD-Processed, X-MS-Oob-TLC-OOBClassifiers, X-Forefront-Antispam-Report, X-MS-Exchange-CrossTenant-

OriginalArrivalTime, X-MS-Exchange-CrossTenant-FromEntityHeader, X-MS-Exchange-CrossTenant-Id, X-MS-Exchange-CrossTenant-Network-Message-Id, X-MS-Exchange-CrossTenant-MailboxType, X-MS-Exchange-CrossTenant-UserPrincipalName, X-MS-Exchange-Transport-CrossTenantHeadersStamped, X-MS-Exchange-Transport-EndToEndLatency, X-MS-Exchange-Processed-By-BccFoldering, X-Microsoft-Antispam-Mailbox-Delivery, X-Microsoft-Antispam-Message-Info.

I believe DPW uses the same email system as City Attorney, and there is only one IT Department for the City, namely <https://tech.sfgov.org/>.

Moreover, apparently multitudes of such .msg records have been released by the City for years:

[https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing\[sort\]\[upload_date\]=](https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing[sort][upload_date]=) [3]

This is strong evidence against multiple arguments made by City Attorney's Office in writing and by Mr. Cote at the Committee meeting:

* the ".msg" format (which is one we requested) for e-mails is in fact "easily generated" by City agencies (Admin Code 67.21(l))

* some City agencies have no security qualms about disclosing all email headers/metadata (Govt Code 6253.9(f))

* email messages with headers/metadata are not in fact "information security records" within the meaning of Gov Code 6254.19 (frankly this phrase would appear to instead refer to documentation of network security/firewalls, lists of passwords, cryptographic secrets/keys, and similar)

PART 2:

On August 21, I made an immediate disclosure request to the City Attorney for "a version of this record you provided on May 17 to me: https://cdn.muckrock.com/foia_files/2019/05/17/4-18-19_Email_Received_Redacted.pdf, but with *all* of the header *names* un-redacted".

Respondents refused on August 22: "We respectfully decline to produce the additional information you have requested, because we believe it is exempt from disclosure under Cal Govt Code sections 6253.9(f) and 6254.19, and as explained more fully in our prior responses to you concerning email metadata."

I document this request and refusal as evidence for the full Task Force hearing in this case that even these header names are explicitly being improperly withheld by the Respondent.

[Note: certain webpages have been archived for evidence:

[1] <https://web.archive.org/web/20190823022624/https://sanfrancisco.nextrequest.com/requests/19-3455>

[2] [https://web.archive.org/web/20190823022705/https://nextrequestdev.s3.amazonaws.com/sanfrancisco/19-](https://web.archive.org/web/20190823022705/https://nextrequestdev.s3.amazonaws.com/sanfrancisco/19-3455/b82cefeb-09ea-419b-8b62-7e06678b4f1f?response-content-)

[3455/b82cefeb-09ea-419b-8b62-7e06678b4f1f?response-content-disposition=attachment%3B%20filename%3D%2208.09.19%20SOTF%20hearing%20on%20conduct%20%285%29.msg%22&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIAIZ7JEKNPM5KKDFYQ%2F20190823%2Fus-east-1%2Fs3%2Faws4_request&X-Amz-Date=20190823T022705Z&X-Amz-Expires=1000&X-Amz-SignedHeaders=host&X-Amz-Signature=ed38763ad6ccad0e3e9d6f62f5777697ed5d3b9bdc62c9453e3101a0f8d3dd5e](https://web.archive.org/web/20190823022705/https://nextrequestdev.s3.amazonaws.com/sanfrancisco/19-3455/b82cefeb-09ea-419b-8b62-7e06678b4f1f?response-content-disposition=attachment%3B%20filename%3D%2208.09.19%20SOTF%20hearing%20on%20conduct%20%285%29.msg%22&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIAIZ7JEKNPM5KKDFYQ%2F20190823%2Fus-east-1%2Fs3%2Faws4_request&X-Amz-Date=20190823T022705Z&X-Amz-Expires=1000&X-Amz-SignedHeaders=host&X-Amz-Signature=ed38763ad6ccad0e3e9d6f62f5777697ed5d3b9bdc62c9453e3101a0f8d3dd5e)

[3]

[https://web.archive.org/web/20190823023812/https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing\[sort\]\[upload_date\]=](https://web.archive.org/web/20190823023812/https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing[sort][upload_date]=)

]

Sincerely,
Anonymous

On April 20, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:

20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:

<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:

<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1i2Koz%3AflPB07rrdPn-3FAdyo4gPH560g0

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA
City Attorney

OFFICE OF THE CITY ATTORNEY

BRADLEY A. RUSSI
DEPUTY CITY ATTORNEY

Direct Dial: (415) 554-4645
Email: brad.russi@sfcityatty.org

August 26, 2019

Sent via email (72056-97339218@requests.muckrock.com)

Re: Petition to Supervisor of Records

To Whom It May Concern:

This letter responds to your petition to the Supervisor of Records concerning your April 20, 2019 request to the City Attorney's Office for the following:

A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:
20190418173050.839.30844@f720c6d2-4be2-4478-af65-
b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:
<20190418173050.839.30844@f720c6d2-4be2-4478-af65-
b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:
20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:
<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:
<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB
1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:
DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1
497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees

As an alternative to producing the records in original electronic format, your request asked that the metadata from these emails be copied into a PDF. The City Attorney's Office produced PDF

Letter to Anonymous
August 26, 2019
Page 2

copies of the emails and the metadata but redacted portions of the metadata. We conclude that the City Attorney's Office responded appropriately to this request.

Under the Sunshine Ordinance (Section 67.21(d) of the Administrative Code), the Supervisor of Records is responsible for determining whether a City department has withheld a record, or any part of a record, without a lawful basis for doing so – for determining “whether the record requested, or any part of the record requested, is public.” You contend that the City Attorney's Office improperly redacted information from the metadata in its response to your request.

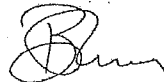
State law does not provide authoritative guidance on whether metadata is subject to disclosure under the Public Records Act. Assuming that it is subject to disclosure, there are proper grounds to redact it. Disclosure of the metadata associated with the original electronic files – whether by producing it in original electronic format or disclosing the metadata in some other format – may jeopardize or compromise the security of the City's computer system, and the City Attorney's Office may decline to produce the native files and additional metadata under Government Code Section 6253.9(f). *See* Gov't Code § 6254(f) (“Nothing in this section shall be construed to require the public agency to release an electronic record in the electronic form in which it is held by the agency if its release would jeopardize or compromise the security or integrity of the original record or of any proprietary software in which it is maintained.”)

If native files are produced, metadata disclosed with those files may include unique identifiers for individual computer terminals and computer servers and associated security certificates and similar information. This information is highly sensitive, as disclosing it could allow a hacker to penetrate the City's computer system, “spoof” emails and insert themselves into confidential and/or privileged discussions, or send unauthorized emails on behalf of city officials. Therefore, this information may also be withheld under Government Code Section 6254.19, which allows information security records to be withheld if disclosure “would reveal vulnerabilities to, or otherwise increase the potential for an attack on, an information technology system of a public agency.” Finally, given this security risk, the information may also be withheld because there is a substantial need for confidentiality that outweighs any interest the public may have in accessing this information. *See* Cal. Evid. Code § 1040; Gov't Code § 6254(k).

For the reasons stated above, your petition is denied.

Very truly yours,

DENNIS J. HERRERA
City Attorney



Bradley A. Russi
Deputy City Attorney

Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com on behalf of '72056-97339218@requests.muckrock.com' <72056-97339218@requests.muckrock.com>
Sent: Monday, August 26, 2019 11:50 AM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record - Full Information

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

August 26, 2019

This is a follow up to a previous request:

SOTF,

RE: 19044, Anonymous v Office of City Attorney, et al.

The Supervisor of Records provided the attached response today, 110 days after our petition. I plan to dispute his conclusions at the full Task Force meeting considering 19044. Since his response was provided 110 days (instead of 10 days) after my petition, I will not my withdraw my allegations before the SOTF regarding a 67.21(d) violation.

Thanks,
Anonymous (19044)

Filed via MuckRock.com
E-mail (Preferred): 72056-97339218@requests.muckrock.com
Upload documents directly:
https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWTyfyRXNxlh3MkFOGTxo%3A1i2K0z%3AfiPB07rrdPn-3FAdyo4gPH560g0

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 72056

411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On Aug. 26, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

Thank you for your response, Supervisor of Records. I plan to dispute your conclusions at the full Task Force meeting considering 19044.

Since your response was provided 110 days instead of 10 days after my petition, I will not my withdraw my allegations before the SOTF regarding a 67.21(d) violation.

Thanks,
Anonymous

On Aug. 26, 2019:

Subject: response to petition re city attorney's office

To Whom it may concern:

Please see the attached response to your petition to the Supervisor of Records, submitted on May 8, 2019, concerning the City Attorney's Office's response to your April 20, 2019 request. Thank you.

On Aug. 23, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

Good evening,

This is another set of Immediate Disclosure Requests under the San Francisco Sunshine Ordinance, made before start of business August 23, 2019 to the Office of City Attorney, in the 19044 portfolio.

** Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). **

On August 22, I made an unrelated sunshine request to Dept of Public Works (DPW) for various emails, word processing, and spreadsheet documents.

Within less than 24hr, I was pleasantly surprised that David Steinberg of the DPW produced raw .msg (Emails), .docx (Word), and .xlsx (Excel) files, and, taking his withholding reasons at face-value, there were no security-related redactions.

See: <https://sanfrancisco.nextrequest.com/requests/19-3455> for details.

Furthermore, as far as I can tell, DPW has fully published to the public Internet, all headers and metadata in those records. For example, consider the .msg email record at

<https://sanfrancisco.nextrequest.com/documents/1669448/download> - this .msg file contains all of the following headers (values elided here, but are present in the .msg file): Received, Authentication-Results, Content-Type, Content-

Transfer-Encoding, From, To, Subject, Thread-Topic, Thread-Index, Date, Message-ID, References, In-Reply-To, Accept-Language, Content-Language, X-MS-Has-Attach, X-MS-Exchange-Organization-SCL, X-MS-TNEF-Correlator, MIME-Version, X-MS-Exchange-Organization-MessageDirectionality, X-MS-Exchange-Organization-AuthSource, X-MS-Exchange-Organization-AuthAs, X-MS-Exchange-Organization-AuthMechanism, X-Originating-IP, X-MS-Exchange-Organization-Network-Message-Id, X-MS-PublicTrafficType, Return-Path, X-MS-Exchange-Organization-ExpirationStartTime, X-MS-Exchange-Organization-ExpirationStartTimeReason, X-MS-Exchange-Organization-ExpirationInterval, X-MS-Exchange-Organization-ExpirationIntervalReason, X-MS-Office365-Filtering-Correlation-Id, X-MS-Office365-Filtering-HT, X-Microsoft-Antispam, X-MS-TrafficTypeDiagnostic, X-MS-Exchange-PUrlCount, X-LD-Processed, X-MS-Oob-TLC-OOBClassifiers, X-Forefront-Antispam-Report, X-MS-Exchange-CrossTenant-OriginalArrivalTime, X-MS-Exchange-CrossTenant-FromEntityHeader, X-MS-Exchange-CrossTenant-Id, X-MS-Exchange-CrossTenant-Network-Message-Id, X-MS-Exchange-CrossTenant-MailboxType, X-MS-Exchange-CrossTenant-UserPrincipalName, X-MS-Exchange-Transport-CrossTenantHeadersStamped, X-MS-Exchange-Transport-EndToEndLatency, X-MS-Exchange-Processed-By-BccFoldering, X-Microsoft-Antispam-Mailbox-Delivery, X-Microsoft-Antispam-Message-Info.

I believe DPW uses the same email system as City Attorney and that there is only one IT Department for the City. Moreover, apparently multitudes of such .msg records have been released by the City for years:

[https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing\[sort\]\[upload_date\]=](https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing[sort][upload_date]=)

This is strong evidence against multiple arguments made by your office, and strong evidence for:

- * the ".msg" format (which is one we requested in 19044) for e-mails is in fact "easily generated" by City agencies (Admin Code 67.21(l))
- * at least some City agencies have no security qualms about disclosing all email headers/metadata (Govt Code 6253.9(f))
- * email messages are in fact not "information security records" within the meaning of Govt Code 6254.19 (frankly this phrase would appear to instead refer to documentation of network security/firewalls, lists of passwords, cryptographic secrets/keys, and similar)

Given all of the evidence above, I am making the following ****50 Immediate Disclosure Requests****, all of which, as before, should be completely answerable from a simple perusal of the un-redacted version of your 3-page May 17 disclosure of https://cdn.muckrock.com/foia_files/2019/05/17/4-18-19_Email_Received_Redacted.pdf (the "Unredacted May 17 Record").

Remember - under the CPRA and Sunshine Ordinance, you must indicate for *each* request that you are either: providing the record OR withholding the record (with statutory or case law justification) OR that no such responsive records exist (for headers not present in the Unredacted May 17 Record). The requests are worded in such a way that we can finally get to the bottom of exactly what you are withholding and why, and thus present a fully-researched case to the SOTF. All names for headers are case insensitive and come directly from the DPW disclosure.

I anticipate that you may attempt to argue that my requests are not identifying a record (since they identify a portion of a record), however, (and without conceding the point) please understand they do identify "public information" (SFAC 67.20(b)) which is the *content* of a public record, and also that SFAC 67.21(c) states in relevant part "(c) A custodian of a public record shall assist a requester in identifying the existence, form, and nature of any records or information maintained by, available to, or in the custody of the custodian, whether or not the contents of those records are exempt from disclosure...." Your Office does not have the option of refusing to indicate whether or not the information exists, regardless of whether the information itself is purportedly exempt.

1. The value of all Unredacted May 17 Record headers named 'Received'
2. The value of all Unredacted May 17 Record headers named 'Authentication-Results'
3. The value of all Unredacted May 17 Record headers named 'Content-Type'
4. The value of all Unredacted May 17 Record headers named 'Content-Transfer-Encoding'
5. The value of all Unredacted May 17 Record headers named 'From'
6. The value of all Unredacted May 17 Record headers named 'To'

7. The value of all Unredacted May 17 Record headers named 'Subject'
8. The value of all Unredacted May 17 Record headers named 'Thread-Topic'
9. The value of all Unredacted May 17 Record headers named 'Thread-Index'
10. The value of all Unredacted May 17 Record headers named 'Date'
11. The value of all Unredacted May 17 Record headers named 'Message-ID'
12. The value of all Unredacted May 17 Record headers named 'References'
13. The value of all Unredacted May 17 Record headers named 'In-Reply-To'
14. The value of all Unredacted May 17 Record headers named 'Accept-Language'
15. The value of all Unredacted May 17 Record headers named 'Content-Language'
16. The value of all Unredacted May 17 Record headers named 'X-MS-Has-Attach'
17. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-SCL'
18. The value of all Unredacted May 17 Record headers named 'X-MS-TNEF-Correlator'
19. The value of all Unredacted May 17 Record headers named 'MIME-Version'
20. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-MessageDirectionality'
21. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-AuthSource'
22. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-AuthAs'
23. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-AuthMechanism'
24. The value of all Unredacted May 17 Record headers named 'X-Originating-IP'
25. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-Network-Message-Id'
26. The value of all Unredacted May 17 Record headers named 'X-MS-PublicTrafficType'
27. The value of all Unredacted May 17 Record headers named 'Return-Path'
28. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-ExpirationStartTime'
29. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-ExpirationStartTimeReason'
30. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-ExpirationInterval'
31. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Organization-ExpirationIntervalReason'
32. The value of all Unredacted May 17 Record headers named 'X-MS-Office365-Filtering-Correlation-Id'
33. The value of all Unredacted May 17 Record headers named 'X-MS-Office365-Filtering-HT'
34. The value of all Unredacted May 17 Record headers named 'X-Microsoft-Antispam'
35. The value of all Unredacted May 17 Record headers named 'X-MS-TrafficTypeDiagnostic'
36. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-PUrLCount'
37. The value of all Unredacted May 17 Record headers named 'X-LD-Processed'
38. The value of all Unredacted May 17 Record headers named 'X-MS-Oob-TLC-OOBClassifiers'
39. The value of all Unredacted May 17 Record headers named 'X-Forefront-Antispam-Report'
40. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-CrossTenant-OriginalArrivalTime'
41. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-CrossTenant-FromEntityHeader'
42. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-CrossTenant-Id'
43. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-CrossTenant-Network-Message-Id'
44. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-CrossTenant-MailboxType'
45. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-CrossTenant-UserPrincipalName'
46. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Transport-CrossTenantHeadersStamped'
47. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Transport-EndToEndLatency'
48. The value of all Unredacted May 17 Record headers named 'X-MS-Exchange-Processed-By-BccFoldering'
49. The value of all Unredacted May 17 Record headers named 'X-Microsoft-Antispam-Mailbox-Delivery'
50. The value of all Unredacted May 17 Record headers named 'X-Microsoft-Antispam-Message-Info'

I look forward to your immediate disclosure.

Sincerely,
Anonymous

On Aug. 22, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Dear SOTF,

RE: 19044 - Anonymous v City Attorney

Further evidence has come to light which I would wish to add to the file #19044. In addition to the letter below, I ask that the 3 webpages at the URLs labeled [1] through [3] below be printed and included in the file.

PART 1:

On August 22, I made an unrelated immediate disclosure request to Dept of Public Works (DPW) for various emails, word processing, and spreadsheet documents.

Within less than 24hr, David Steinberg of the DPW produced raw .msg (Emails), .docx (Word), and .xlsx (Excel) files, without complaints or delay, and taking his withholding reasons at face-value, there were no security-related redactions. I commend DPW and Mr. Steinberg for their professionalism.

See: <https://sanfrancisco.nextrequest.com/requests/19-3455> [1] for details.

Furthermore, as far as I can tell, DPW has fully published to the public Internet (not just to me), all headers and metadata in those records. For example, consider the .msg email record at <https://sanfrancisco.nextrequest.com/documents/1669448/download> [2] - this .msg file contains all of the following headers (values elided here, but are present in the .msg file): Received, Authentication-Results, Content-Type, Content-Transfer-Encoding, From, To, Subject, Thread-Topic, Thread-Index, Date, Message-ID, References, In-Reply-To, Accept-Language, Content-Language, X-MS-Has-Attach, X-MS-Exchange-Organization-SCL, X-MS-TNEF-Correlator, MIME-Version, X-MS-Exchange-Organization-MessageDirectionality, X-MS-Exchange-Organization-AuthSource, X-MS-Exchange-Organization-AuthAs, X-MS-Exchange-Organization-AuthMechanism, X-Originating-IP, X-MS-Exchange-Organization-Network-Message-Id, X-MS-PublicTrafficType, Return-Path, X-MS-Exchange-Organization-ExpirationStartTime, X-MS-Exchange-Organization-ExpirationStartTimeReason, X-MS-Exchange-Organization-ExpirationInterval, X-MS-Exchange-Organization-ExpirationIntervalReason, X-MS-Office365-Filtering-Correlation-Id, X-MS-Office365-Filtering-HT, X-Microsoft-Antispam, X-MS-TrafficTypeDiagnostic, X-MS-Exchange-PUrlCount, X-LD-Processed, X-MS-Oob-TLC-OOBClassifiers, X-Forefront-Antispam-Report, X-MS-Exchange-CrossTenant-OriginalArrivalTime, X-MS-Exchange-CrossTenant-FromEntityHeader, X-MS-Exchange-CrossTenant-Id, X-MS-Exchange-CrossTenant-Network-Message-Id, X-MS-Exchange-CrossTenant-MailboxType, X-MS-Exchange-CrossTenant-UserPrincipalName, X-MS-Exchange-Transport-CrossTenantHeadersStamped, X-MS-Exchange-Transport-EndToEndLatency, X-MS-Exchange-Processed-By-BccFoldering, X-Microsoft-Antispam-Mailbox-Delivery, X-Microsoft-Antispam-Message-Info.

I believe DPW uses the same email system as City Attorney, and there is only one IT Department for the City, namely <https://tech.sfgov.org/>.

Moreover, apparently multitudes of such .msg records have been released by the City for years:

[https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing\[sort\]\[upload_date\]=](https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing[sort][upload_date]=) [3]

This is strong evidence against multiple arguments made by City Attorney's Office in writing and by Mr. Cote at the Committee meeting:

* the ".msg" format (which is one we requested) for e-mails is in fact "easily generated" by City agencies (Admin Code 67.21(l))

* some City agencies have no security qualms about disclosing all email headers/metadata (Govt Code 6253.9(f))

* email messages with headers/metadata are not in fact "information security records" within the meaning of Gov. Code.

6254.19 (frankly this phrase would appear to instead refer to documentation of network security/firewalls, lists of passwords, cryptographic secrets/keys, and similar)

PART 2:

On August 21, I made an immediate disclosure request to the City Attorney for "a version of this record you provided on May 17 to me: https://cdn.muckrock.com/foia_files/2019/05/17/4-18-19_Email_Received_Redacted.pdf, but with *all* of the header *names* un-redacted."

Respondents refused on August 22: "We respectfully decline to produce the additional information you have requested, because we believe it is exempt from disclosure under Cal Govt Code sections 6253.9(f) and 6254.19, and as explained more fully in our prior responses to you concerning email metadata."

I document this request and refusal as evidence for the full Task Force hearing in this case that even these header names are explicitly being improperly withheld by the Respondent.

[Note: certain webpages have been archived for evidence:

[1] <https://web.archive.org/web/20190823022624/https://sanfrancisco.nextrequest.com/requests/19-3455>

[2] [https://web.archive.org/web/20190823022705/https://nextrequestdev.s3.amazonaws.com/sanfrancisco/19-3455/b82cefeb-09ea-419b-8b62-7e06678b4f1f?response-content-](https://web.archive.org/web/20190823022705/https://nextrequestdev.s3.amazonaws.com/sanfrancisco/19-3455/b82cefeb-09ea-419b-8b62-7e06678b4f1f?response-content-disposition=attachment%3B%20filename%3D%2208.09.19%20SOTF%20hearing%20on%20conduct%20%285%29.msg%22&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIAIZ7JEKNPM5KKDFYQ%2F20190823%2Fus-east-1%2Fs3%2Faws4_request&X-Amz-Date=20190823T022705Z&X-Amz-Expires=1000&X-Amz-SignedHeaders=host&X-Amz-Signature=ed38763ad6ccad0e3e9d6f62f5777697ed5d3b9bdc62c9453e3101a0f8d3dd5e)

[disposition=attachment%3B%20filename%3D%2208.09.19%20SOTF%20hearing%20on%20conduct%20%285%29.msg%22&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIAIZ7JEKNPM5KKDFYQ%2F20190823%2Fus-east-1%2Fs3%2Faws4_request&X-Amz-Date=20190823T022705Z&X-Amz-Expires=1000&X-Amz-SignedHeaders=host&X-Amz-Signature=ed38763ad6ccad0e3e9d6f62f5777697ed5d3b9bdc62c9453e3101a0f8d3dd5e](https://web.archive.org/web/20190823022705/https://nextrequestdev.s3.amazonaws.com/sanfrancisco/19-3455/b82cefeb-09ea-419b-8b62-7e06678b4f1f?response-content-disposition=attachment%3B%20filename%3D%2208.09.19%20SOTF%20hearing%20on%20conduct%20%285%29.msg%22&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIAIZ7JEKNPM5KKDFYQ%2F20190823%2Fus-east-1%2Fs3%2Faws4_request&X-Amz-Date=20190823T022705Z&X-Amz-Expires=1000&X-Amz-SignedHeaders=host&X-Amz-Signature=ed38763ad6ccad0e3e9d6f62f5777697ed5d3b9bdc62c9453e3101a0f8d3dd5e)

[3]

[https://web.archive.org/web/20190823023812/https://sanfrancisco.nextrequest.com/documents?filter=.msg&docu-](https://web.archive.org/web/20190823023812/https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing[sort][upload_date]=)

[ments_smart_listing\[sort\]\[upload_date\]=](https://web.archive.org/web/20190823023812/https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing[sort][upload_date]=)

]

Sincerely,
Anonymous

On Aug. 22, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

Thank you for your request. We respectfully decline to produce the additional information you have requested, because we believe it is exempt from disclosure under Cal Govt Code sections 6253.9(f) and 6254.19, and as explained more fully in our prior responses to you concerning email metadata.

Please send replies to cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image002.jpg@01D55906.692CD7C0]Elizabeth A. Coolbrith

Paralegal

Office of City Attorney Dennis Herrera

(415) 554-4685 Direct

www.sfcityattorney.org

Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>> Twitter<<https://twitter.com/SFCityAttorney>>

Instagram<<https://www.instagram.com/sfcityattorney/>>

On April 20, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A: an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:

20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:

<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:

<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1i2K0z%3AfiPB07rrdPn-3FAdyo4gPH560g0

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com on behalf of '72056-97339218@requests.muckrock.com' <72056-97339218@requests.muckrock.com>
Sent: Thursday, August 22, 2019 7:52 PM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

August 22, 2019

This is a follow up to a previous request:

Dear SOTF,

RE: 19044 - Anonymous v City Attorney

Further evidence has come to light which I would wish to add to the file #19044. In addition to the letter below, I ask that the 3 webpages at the URLs labeled [1] through [3] below be printed and included in the file.

PART 1:

On August 22, I made an unrelated immediate disclosure request to Dept of Public Works (DPW) for various emails, word processing, and spreadsheet documents. Within less than 24hr, David Steinberg of the DPW produced raw .msg (Emails), .docx (Word), and .xlsx (Excel) files, without complaints or delay, and taking his withholding reasons at face-value, there were no security-related redactions. I commend DPW and Mr. Steinberg for their professionalism.

See: <https://sanfrancisco.nextrequest.com/requests/19-3455> [1] for details.

Furthermore, as far as I can tell, DPW has fully published to the public Internet (not just to me), all headers and metadata in those records. For example, consider the .msg email record at <https://sanfrancisco.nextrequest.com/documents/1669448/download> [2] - this .msg file contains all of the following headers (values elided here, but are present in the .msg file): Received, Authentication-Results, Content-Type, Content-Transfer-Encoding, From, To, Subject, Thread-Topic, Thread-Index, Date, Message-ID, References, In-Reply-To, Accept-Language, Content-Language, X-MS-Has-Attach, X-MS-Exchange-Organization-SCL, X-MS-TNEF-Correlator, MIME-Version, X-MS-Exchange-Organization-MessageDirectionality, X-MS-Exchange-Organization-AuthSource, X-MS-Exchange-Organization-AuthAs, X-MS-Exchange-Organization-AuthMechanism, X-Originating-IP, X-MS-Exchange-Organization-Network-Message-Id, X-MS-PublicTrafficType, Return-Path, X-MS-Exchange-Organization-

ExpirationStartTime, X-MS-Exchange-Organization-ExpirationStartTimeReason, X-MS-Exchange-Organization-ExpirationInterval, X-MS-Exchange-Organization-ExpirationIntervalReason, X-MS-Office365-Filtering-Correlation-Id, X-MS-Office365-Filtering-HT, X-Microsoft-Antispam, X-MS-TrafficTypeDiagnostic, X-MS-Exchange-PUrlCount, X-LD-Processed, X-MS-Oob-TLC-OOBClassifiers, X-Forefront-Antispam-Report, X-MS-Exchange-CrossTenant-OriginalArrivalTime, X-MS-Exchange-CrossTenant-FromEntityHeader, X-MS-Exchange-CrossTenant-Id, X-MS-Exchange-CrossTenant-Network-Message-Id, X-MS-Exchange-CrossTenant-MailboxType, X-MS-Exchange-CrossTenant-UserPrincipalName, X-MS-Exchange-Transport-CrossTenantHeadersStamped, X-MS-Exchange-Transport-EndToEndLatency, X-MS-Exchange-Processed-By-BccFoldering, X-Microsoft-Antispam-Mailbox-Delivery, X-Microsoft-Antispam-Message-Info.

I believe DPW uses the same email system as City Attorney, and there is only one IT Department for the City, namely <https://tech.sfgov.org/>.

Moreover, apparently multitudes of such .msg records have been released by the City for years:

[https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing\[sort\]\[upload_date\]=\[3\]](https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing[sort][upload_date]=[3])

This is strong evidence against multiple arguments made by City Attorney's Office in writing and by Mr. Cote at the Committee meeting:

- * the ".msg" format (which is one we requested) for e-mails is in fact "easily generated" by City agencies (Admin Code 67.21(l))

- * some City agencies have no security qualms about disclosing all email headers/metadata (Govt Code 6253.9(f))

- * email messages with headers/metadata are not in fact "information security records" within the meaning of Gov Code 6254.19 (frankly this phrase would appear to instead refer to documentation of network security/firewalls, lists of passwords, cryptographic secrets/keys, and similar)

PART 2:

On August 21, I made an immediate disclosure request to the City Attorney for "a version of this record you provided on May 17 to me: https://cdn.muckrock.com/foia_files/2019/05/17/4-18-19_Email_Received_Redacted.pdf, but with *all* of the header *names* un-redacted".

Respondents refused on August 22: "We respectfully decline to produce the additional information you have requested, because we believe it is exempt from disclosure under Cal Govt Code sections 6253.9(f) and 6254.19, and as explained more fully in our prior responses to you concerning email metadata."

I document this request and refusal as evidence for the full Task Force hearing in this case that even these header names are explicitly being improperly withheld by the Respondent.

[Note: certain webpages have been archived for evidence:

[1] <https://web.archive.org/web/20190823022624/https://sanfrancisco.nextrequest.com/requests/19-3455>

[2] https://web.archive.org/web/20190823022705/https://nextrequestdev.s3.amazonaws.com/sanfrancisco/19-3455/b82cefeb-09ea-419b-8b62-7e06678b4f1f?response-content-disposition=attachment%3B%20filename%3D%202008.09.19%20SOTF%20hearing%20on%20conduct%20%285%29.msg%22&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIAIZ7JEKNPM5KKDFYQ%2F20190823%2Fus-east-1%2Fs3%2Faws4_request&X-Amz-Date=20190823T022705Z&X-Amz-Expires=1000&X-Amz-SignedHeaders=host&X-Amz-Signature=ed38763ad6ccad0e3e9d6f62f5777697ed5d3b9bdc62c9453e3101a0f8d3dd5e

[3]

[https://web.archive.org/web/20190823023812/https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing\[sort\]\[upload_date\]=](https://web.archive.org/web/20190823023812/https://sanfrancisco.nextrequest.com/documents?filter=.msg&documents_smart_listing[sort][upload_date]=)

]

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAuFBaWtyfyRXNxlh3MkFOGTxo%3A1i0zgb%3AuuB6j03x80avmhz7kyZHIZBfbwQ&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On Aug. 22, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

Thank you for your request. We respectfully decline to produce the additional information you have requested, because we believe it is exempt from disclosure under Cal Govt Code sections 6253.9(f) and 6254.19, and as explained more fully in our prior responses to you concerning email metadata.

Please send replies to cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image002.jpg@01D55906.692CD7C0]Elizabeth A. Coolbrith

Paralegal

Office of City Attorney Dennis Herrera

(415) 554-4685 Direct

www.sfcityattorney.org

Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>> Twitter<<https://twitter.com/SFCityAttorney>>

Instagram<<https://www.instagram.com/sfcityattorney/>>

On Aug. 22, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Supervisor of Records,

** Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). **

As you may know, the SOTF Complaint Committee unanimously found on Aug 20 that the SOTF has jurisdiction, that the requested records are public, and to refer the matter to the SOTF for hearing, in 19044 Anonymous v. City Attorney, regarding the refusal of the City Attorney to provide to me non-PDF electronic formats and metadata/headers for email

information, among other things. As part of the hearing, I also alleged a violation by your office of 67.21(d) which states in relevant part:

"The supervisor of records shall inform the petitioner, as soon as possible and within 10 days, of its determination whether the record requested, or any part of the record requested, is public."

As of this email, it has been 104 days. I am aware of no authority that exists to permit you to continue delaying beyond even 10 days.

I renew my request for you to immediately provide your determination and legal opinion.

I also remind you that your determination must address whether **any part** of the requested record is public. I believe it will be extremely difficult for the City to argue in court that even the **names** of the headers for example in your office's May 17 supplemental disclosure of a redacted version of one of the emails are somehow exempt from the Sunshine Ordinance.

Sincerely,
Anonymous (19044)

On Aug. 22, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Supervisor of Records,

As you may know, the SOTF Complaint Committee unanimously found on Aug 20 that the SOTF has jurisdiction, that the requested records are public, and to refer the matter to the SOTF for hearing, in 19044 Anonymous v. City Attorney, regarding the refusal of the City Attorney to provide to me non-PDF electronic formats and metadata/headers for email information, among other things. As part of the hearing, I also alleged a violation by your office of 67.21(d) which states in relevant part:

"The supervisor of records shall inform the petitioner, as soon as possible and within 10 days, of its determination whether the record requested, or any part of the record requested, is public."

As of this email, it has been 104 days. I am aware of no authority that exists to permit you to continue delaying beyond even 10 days.

I renew my request for you to immediately provide your determination and legal opinion.

I also remind you that your determination must address whether **any part** of the requested record is public. I believe it will be extremely difficult for the City to argue in court that even the **names** of the headers for example in your office's May 17 supplemental disclosure of a redacted version of one of the emails are somehow exempt from the Sunshine Ordinance.

Sincerely,
Anonymous (19044)

On Aug. 21, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Thank you for considering my case 19044 last night and moving it to the full SOTF.

When this case is agendized for the SOTF, please note:

Your current caption for the case states an allegation re: 67.21, but my complaint actually alleged that Respondent violated all of Admin Code 67.21, 67.26, 67.27, and Govt Code 6253, 6253.9, and 6255 (incorporated via Admin Code

67.21(k)).

On Aug. 21, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information Office of City Attorney,

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance, made before start of business August 21, 2019.

** Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). **

I request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

" 1. a version of this record you provided on May 17 to me: https://cdn.muckrock.com/foia_files/2019/05/17/4-18-19_Email_Received_Redacted.pdf, but with *all* of the header *names* un-redacted "

You already have the record, obviously, and it is less than 3 pages. There is no reason you cannot disclose the few words naming the headers immediately.

As I discussed at the Complaint Committee, there is nothing exempt in the names of the redacted headers, they are just labels.

As you know, the SOTF Complaint Committee unanimously found on Aug 20 that the SOTF has jurisdiction, that the requested records are public, and to refer the matter to the SOTF for hearing, in both 19044 Anonymous v. City Attorney and 19047 Anonymous v. Mayor, regarding the refusal of the City Attorney and Mayor, respectively, to provide to me non-PDF electronic formats and metadata/headers for email and calendar information, among other things. This new request in no way replaces our original April 20 request or the related 19044 complaint, which we will continue to pursue.

However, from the discussion at the Committee, it appears your office and I will be arguing at the full Task Force over the purported exemption from disclosure of the various specific header values you have redacted. Providing the names of those headers will allow us to effectively have that debate. Refusal to provide the header names will also be noted to our existing SOTF complaint.

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

On April 20, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

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A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

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I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via [MuckRock.com](https://muckrock.com)

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1iOzgb%3AuuB6j03x80avmhz7kyZHZIBfbwQ&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

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MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

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Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com
Sent: Wednesday, August 21, 2019 3:26 AM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

August 21, 2019

This is a follow up to a previous request:

Thank you for considering my case 19044 last night and moving it to the full SOTF.

When this case is agendized for the SOTF, please note:

Your current caption for the case states an allegation re: 67.21, but my complaint actually alleged that Respondent violated all of Admin Code 67.21, 67.26, 67.27, and Govt Code 6253, 6253.9, and 6255 (incorporated via Admin Code 67.21(k)).

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWtyfyRXNxLh3MkFOGTxo%3A1i0NoR%3AT0fR3mWJ-FFS6c2Vr2_8FLObqeA

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411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On Aug. 21, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information Office of City Attorney,

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance, made before start of business August 21, 2019.

** Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). **

I request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

" 1. a version of this record you provided on May 17 to me: https://cdn.muckrock.com/foia_files/2019/05/17/4-18-19_Email_Received_Redacted.pdf , but with *all* of the header *names* un-redacted "

You already have the record, obviously, and it is less than 3 pages. There is no reason you cannot disclose the few words naming the headers immediately.

As I discussed at the Complaint Committee, there is nothing exempt in the names of the redacted headers, they are just labels.

As you know, the SOTF Complaint Committee unanimously found on Aug 20 that the SOTF has jurisdiction, that the requested records are public, and to refer the matter to the SOTF for hearing, in both 19044 Anonymous v. City Attorney and 19047 Anonymous v. Mayor, regarding the refusal of the City Attorney and Mayor, respectively, to provide to me non-PDF electronic formats and metadata/headers for email and calendar information, among other things. This new request in no way replaces our original April 20 request or the related 19044 complaint, which we will continue to pursue.

However, from the discussion at the Committee, it appears your office and I will be arguing at the full Task Force over the purported exemption from disclosure of the various specific header values you have redacted. Providing the names of those headers will allow us to effectively have that debate. Refusal to provide the header names will also be noted to our existing SOTF complaint.

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

On Aug. 20, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information URGENT: RE: SOTF-Complaint Committee Aug. 20 - anonymous complainant in 19044 and 19047

Alright, your phone system seems to be working again. I can hear the proceedings at least, though it is very very faint. I hope I am unmuted when my cases come up.

Thank you!

On Aug. 20, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
URGENT: RE: SOTF Complaint Committee Aug. 20 - anonymous complainant in 19044 and 19047

I have called (415) 554-9632 repeatedly since 5:15 as I was told to do. The phone picks up but no one is there. I had just spoken to Ms. Leger, on that phone number, as specified by her, about an hour ago. Is something wrong?

I really want to present my cases in 19044 and 19047 today. Could anyone alert Ms. Leger to the issue?

Thank you for your consideration.

On Aug. 20, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
URGENT: RE: SOTF Complaint Committee - anonymous complainant in 10944 and 10947

I have called (415) 554-9632 repeatedly since 5:15. The phone picks up but no one is there. I had just spoken to you about an hour ago. Is something wrong?

On Aug. 20, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
I have called (415) 554-9632 repeatedly. Your phone picks up but no one is there. I had just spoken to you about twenty minutes. Is something wrong?

On April 20, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:
20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:
<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:
20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:
<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:

<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1i0NoR%3ATOfR3mWJ-FFS6c2Vr2_8FLObqeA

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the

requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com
Sent: Monday, August 19, 2019 10:22 PM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

August 20, 2019

This is a follow up to a previous request:

Good evening Task Force,

RE: File 19044 / Complaint Committee Aug 20 agenda item 7

It appears there may have been some clerical error in the Aug 20 complaint committee agenda packet.

On both August 13 before 5pm, and previously on July 1st, I replied to the Assistant Clerk's call for documents by asking 3 documents be included on my (complainant's) side for 19044. My emailed request to include my three documents is in fact in page 297 of the record. The agenda packet only includes two of them (my original May 8 complaint at p. 355 and my May 17 follow up with respondents at p. 341), and it seems the third item was left out.

The missing item is here: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/5-SF-Attorney-Email-Appeal-SOTF-19044-followup.pdf - it is my June 4 rebuttal to the respondents' response to my complaint (This document was furthermore originally emailed to both the SOTF and the respondent on June 4).

I am aware that one of the complaint committee's jobs is to ensure a complete record is available for the full task force, and hope this third document is in fact correctly included in the record.

Page numbers are provided with respect to: https://sfgov.org/sunshine/sites/default/files/complaint082019_item7.pdf

Thanks,
Anonymous (19044)

Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAUFBaWtyfyRXNxLh3MkFOGTxo%3A1hzwah%3AYOdVcc8pB6KhGLy7cGndnLD-WGY

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For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

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On Aug. 16, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

Thank you so much!

On Aug. 15, 2019:

Subject: SOTF - Complaint Committee Hearing of August 20, 2019; 5:30 PM

Dear Anonymous:

By now you should have received the Agenda packet sent to you this morning regarding the upcoming hearing on your complaints. Since your matters will be heard at the end of the hearing, I am asking that you be named Callers No. 1 (72056, File No. 19044) and No. 2 (72902, File No. 19047); items 7 and 8, respectively. You need to call in to 415-554-9632 before the hearing begins to make certain that both of you are on line and can hear the proceeding. You will be able to hear the audio from the room on the phone line. Please note that this is a conference line so both parties will be on the line at the same time. If you have further questions regarding calling in, please let me know. Thank you.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center<<http://www.sfbos.org/index.aspx?page=9681>> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will

not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information-including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees-may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

On Aug. 15, 2019:

Subject: SOTF - Agenda for Complaint Committee hearing of August 20, 2019

Dear SOTF Parties:

The agenda packet for the August 20, 2019, Complaint Committee of the Sunshine Ordinance Task Force, 5:30 pm hearing is available online at the following link:

https://sfgov.org/sunshine/sites/default/files/complaint082019_agenda.pdf

The packet material is linked to each item listed on the agenda mark with an "attachment". Click anywhere on the title of the item to open the link to the pdf of the packet material in question.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

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On Aug. 13, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

RE: File No. 19044 - Aug 20 complaint committee.

Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

As previously indicated, my files to consider and include in the record are:

1. My complaint: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/San-Francisco-Sunshine-Ordinance-Appeal-Request-72056.pdf
2. My May 17 follow up to Respondents and the Task Force after Respondents made additional disclosure: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/SF-Email-Appeal-72056-SOTF-19044-corrected-a.pdf
3. My June 4 rebuttal to Respondents' response: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/5-SF-Attorney-Email-Appeal-SOTF-19044-followup.pdf
4. The Supervisor of Records (who is also the City Attorney) has not completed a response to my May 8 petition now months after the fact, which I allege is a further violation of Admin Code 67.21(d). Details are below.

If I am unable to appear completely anonymously via teleconference, etc. I am happy to have my complaint judged on the written record.

Thanks,
Anonymous

=====

Sunshine Ordinance Task Force,

In re: SOTF 19044, I have some information to add to the record:

- I petitioned the Supervisor of Records re: this issue on May 8.
- Bradley Russi, Deputy City Attorney, on behalf of the Supervisor of Records, acknowledged this request on May 14.
- On May 21, Russi said they "hope to have a response to you no later than the end of next week."
- Russi replied again on June 7, with no estimated date.
- On June 27, Russi indicated they would "respond tomorrow or early next week."
- On July 1, Russi indicated they "won't be able to respond to your petitions until next week"
- On July 24, Russi again refused to provide an estimated date.
- As you well know, the City Attorney (respondent) serves as the Supervisor of Records as well.
- I therefore further allege in SOTF 19044 that the Supervisor of Records (i.e. the City Attorney) has violated SF Admin Code 67.21(d) which states in relevant part "...The supervisor of records shall inform the petitioner, as soon as possible and within 10 days, of its determination whether the record requested, or any part of the record requested, is public. ..."
- All deadlines have long passed.
- The Office of the City Attorney, as respondent, has gotten a continuance in 19044 for each of June 25, July 3, and July 23.
- The respondent appears to be delaying a full response for an unreasonable amount of time.
- I ask that the Task Force take this in to account when judging this case.

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

Thank you,
Anonymous

On Aug. 7, 2019:

Subject: Re: SOTF - Complaint Committee; August 20, 2019 5:30 p.m: submitting info for the record?

Re: Files: 19061 and 19062

Hi Cheryl: May I submit written materials ahead of time for SOTF to read? If so, when would you like to receive materials?

May I assume information previously submitted by myself or others is already part of the SOTF record and may be referenced without resubmitting?

Thank you.

John Hooper

On April 20, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:

20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:

<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:

<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments

without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

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I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1hzwah%3AYOdVcc8pB6KhGLy7cGndnLD-WGY

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

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Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com on behalf of '72056-97339218@requests.muckrock.com' <72056-97339218@requests.muckrock.com>
Sent: Wednesday, July 24, 2019 5:15 PM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

July 24, 2019

This is a follow up to a previous request:

Sunshine Ordinance Task Force,

In re: SOTF 19044, I have some information to add to the record:

- I petitioned the Supervisor of Records re: this issue on May 8.
- Bradley Russi, Deputy City Attorney, on behalf of the Supervisor of Records, acknowledged this request on May 14.
- On May 21, Russi said they "hope to have a response to you no later than the end of next week."
- Russi replied again on June 7, with no estimated date.
- On June 27, Russi indicated they would "respond tomorrow or early next week."
- On July 1, Russi indicated they "won't be able to respond to your petitions until next week"
- On July 24, Russi again refused to provide an estimated date.
- As you well know, the City Attorney (respondent) serves as the Supervisor of Records as well.
- I therefore further allege in SOTF 19044 that the Supervisor of Records (i.e. the City Attorney) has violated SF Admin Code 67.21(d) which states in relevant part "...The supervisor of records shall inform the petitioner, as soon as possible and within 10 days, of its determination whether the record requested, or any part of the record requested, is public. ..."
- All deadlines have long passed.
- The Office of the City Attorney, as respondent, has gotten a continuance in 19044 for each of June 25, July 3, and July 23.
- The respondent appears to be delaying a full response for an unreasonable amount of time.
- I ask that the Task Force take this in to account when judging this case.

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

Thank you,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1hqRPP%3ABW-NZIQ5CWLHpTX8de-XkwNKn_A

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

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Somerville, MA 02144-2516

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On July 24, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

I thought we would be able to get back to you sooner, but unfortunately we are still investigating these issues and have not reached a resolution. We are continuing to look into the questions you have raised and hope to be able to provide a response soon. Thank you for your patience.

[cid:image002.jpg@01D54227.0C6F0DA0]Bradley Russi

Deputy City Attorney

Office of City Attorney Dennis Herrera

City Hall, Room 234

1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102

www.sfcityattorney.org

On July 22, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Supervisor of Records,

Re: My May 8 supervisor of records petition

On July 1, Deputy City Attorney Russi said your office would finish responding to my petition "next week."

SF Admin Code 67.21(d) states "...The supervisor of records shall inform the petitioner, as soon as possible and within 10 days, of its determination whether the record requested, or any part of the record requested, is public. ..."

All deadlines have long expired. Please provide a reply to my petition immediately.

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

Thanks,
Anonymous

On July 1, 2019:
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Ms. Leger,

Thank you for the notice. This is acceptable, but please let's resolve this as soon as possible thereafter as my original CPRA/Sunshine request has been outstanding since April 20.

I will note that the respondent has requested 3 continuances in 19044 - from June 25, July 3, and July 23.

I would very much appreciate a response to my requests to appear telephonically. I have received no response.

Thanks,
Anonymous in 19044

On July 1, 2019:
Subject: SOTF - Complaint Committee Appearance of July 23, 2019; File No. 19044
Dear Anonymous:

I just received word from the Respondent regarding the complaint below, that they will be on vacation during the time of the Complaint Committee hearing of July 23, 2019, and therefore unavailable. Please let me know as soon as possible if you agree to this change in scheduling. I would like to schedule this matter for the August Complaint Committee hearing. Thank you.

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and/or complete manner.

Thank you for your consideration.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center<<http://www.sfbos.org/index.aspx?page=9681>> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information-including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees-may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

On July 1, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Re: My May 8 supervisor of records petition

Thank you. I understand that my petition raises potentially novel technological issues and that is causing some delay.

I would however remind you of SF Admin Code 67.21(d) "...The supervisor of records shall inform the petitioner, as soon as possible and within 10 days, of its determination whether the record requested, or any part of the record requested, is public. ..."

Please provide a reply as soon as you are able to.

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

Thanks,
Anonymous

On April 20, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:
20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:
<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:
20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:
<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:
<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsoft%252540sfgov.org&url_auth_token=AAAuFBaWtyfyRXNxLh3MkFOGTxo%3A1hqRPP%3ABW-NZIQ5CWLHpTX8de-XkwNKn_A

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com
Sent: Monday, July 1, 2019 7:20 PM
To: SOTF, (BOS)
Cc: COTE, JOHN (CAT)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

July 1, 2019

This is a follow up to a previous request:

Ms. Leger,

Thank you for the notice. This is acceptable, but please let's resolve this as soon as possible thereafter as my original CPRA/Sunshine request has been outstanding since April 20.

I will note that the respondent has requested 3 continuances in 19044 - from June 25, July 3, and July 23.

I would very much appreciate a response to my requests to appear telephonically. I have received no response.

Thanks,
Anonymous in 19044

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAUFBaWTyfyRXNxLh3MkFOGTxo%3A1hi8Oi%3A-FUtViVBfjqAlbICtAQdDkkgQMI

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On July 1, 2019:

Subject: SOTF - Complaint Committee Appearance of July 23, 2019; File No. 19044

Dear Anonymous:

I just received word from the Respondent regarding the complaint below, that they will be on vacation during the time of the Complaint Committee hearing of July 23, 2019, and therefore unavailable. Please let me know as soon as possible if you agree to this change in scheduling. I would like to schedule this matter for the August Complaint Committee hearing. Thank you.

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and/or complete manner.

Thank you for your consideration.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

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On July 1, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

Re: My May 8 supervisor of records petition

Thank you. I understand that my petition raises potentially novel technological issues and that is causing some delay.

I would however remind you of SF Admin Code 67.21(d) "...The supervisor of records shall inform the petitioner, as soon as possible and within 10 days, of its determination whether the record requested, or any part of the record requested, is public. ..."

Please provide a reply as soon as you are able to.

Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Thanks,
Anonymous

On July 1, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

Unfortunately, we are still working with our IT staff on the issues you have raised and won't be able to respond to your petitions until next week. Thanks for your patience.

[cid:image002.jpg@01D53017.091E2810]Bradley Russi

Deputy City Attorney

Office of City Attorney Dennis Herrera

City Hall, Room 234

1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102

www.sfcityattorney.org

On July 1, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

I (anonymous requestor in 19044) am happy to appear telephonically on July 23. I cannot be physically present however. If you decide to go ahead with a July 23rd hearing, please let me know conference call, Google Hangouts, Skype, or similar credentials by which I may answer any questions the Task Force may have. I do believe, however, I have laid out all of my arguments in the documents re-sent to the task force on June 14 for inclusion in the agenda, and copied again below for the Task Force's and Respondents' convenience.

Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Files to consider:

1. My complaint: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/San-Francisco-Sunshine-Ordinance-Appeal-Request-72056.pdf

2. My May 17 follow up to Respondents and the Task Force after Respondents made additional disclosure:
https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/SF-Email-Appeal-72056-SOTF-19044-corrected-a.pdf

3. My June 4 rebuttal to Respondents' response:

https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/5-SF-Attorney-Email-Appeal-SOTF-19044-followup.pdf

On July 1, 2019:

Subject: SOTF - Notice of Appearance - Complaint Committee; July 23, 2019 5:30 p.m.

Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in one of the following complaints scheduled before the Complaint Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: July 23, 2019

Location: City Hall, Room 408

Time: 5:30 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19047: Complaint filed by Anonymous against Mayor London Breed, Hank Heckel and the Office of the Mayor for allegedly violating Administrative Code, (Sunshine Ordinance) Sections 67.25 and 67.29-5, by failing to respond to a request for public records in a timely and/or complete manner.

File No. 19052: Complaint filed by Alex Koskinen against the Department of Public Health for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19060: Complaint filed by Ashley Rhodes against the Arts Commission for allegedly violating Administrative Code, Section 67.21, by failing to respond to a request for public records in a timely and/or complete manner.

File No. 19025: Complaint filed by Jamie Whitaker against the Homelessness and Supportive Housing for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure). For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, July 16, 2019.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

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On April 20, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:

20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:

<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:

<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

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Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAUFBaWTyfyRXNxLh3MkFOGTxo%3A1hi8Oi%3A-FUtViVBfjqAlblCtAQdDkkgQMI

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

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Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com
Sent: Monday, July 1, 2019 2:09 PM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

July 1, 2019

This is a follow up to a previous request:

I (anonymous requestor in 19044) am happy to appear telephonically on July 23. I cannot be physically present however. If you decide to go ahead with a July 23rd hearing, please let me know conference call, Google Hangouts, Skype, or similar credentials by which I may answer any questions the Task Force may have. I do believe, however, I have laid out all of my arguments in the documents re-sent to the task force on June 14 for inclusion in the agenda, and copied again below for the Task Force's and Respondents' convenience.

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1. My complaint: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/San-Francisco-Sunshine-Ordinance-Appeal-Request-72056.pdf
2. My May 17 follow up to Respondents and the Task Force after Respondents made additional disclosure: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/SF-Email-Appeal-72056-SOTF-19044-corrected-a.pdf
3. My June 4 rebuttal to Respondents' response: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/5-SF-Attorney-Email-Appeal-SOTF-19044-followup.pdf

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAUFBaWtyfyRXNxLh3MkFOGTxo%3A1hi3YB

%3A_gwHixCNueypw1P-GEL5-IlyLWE

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MuckRock News
DEPT MR 72056
411A Highland Ave
Somerville, MA 02144-2516

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On July 1, 2019:

Subject: SOTF - Notice of Appearance - Complaint Committee; July 23, 2019 5:30 p.m.

Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in one of the following complaints scheduled before the Complaint Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: July 23, 2019

Location: City Hall, Room 408

Time: 5:30 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19047: Complaint filed by Anonymous against Mayor London Breed, Hank Heckel and the Office of the Mayor for allegedly violating Administrative Code, (Sunshine Ordinance) Sections 67.25 and 67.29-5, by failing to respond to a request for public records in a timely and/or complete manner.

File No. 19052: Complaint filed by Alex Koskinen against the Department of Public Health for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19060: Complaint filed by Ashley Rhodes against the Arts Commission for allegedly violating Administrative Code, Section 67.21, by failing to respond to a request for public records in a timely and/or complete manner.

File No. 19025: Complaint filed by Jamie Whitaker against the Homelessness and Supportive Housing for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure). For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, July 16, 2019.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

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On June 27, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

Sorry for the delay. We will respond tomorrow or early next week.

[cid:image002.jpg@01D52D0D.298897A0]Bradley Russi

Deputy City Attorney

Office of City Attorney Dennis Herrera

City Hall, Room 234

1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102

www.sfcityattorney.org

On June 27, 2019:

Subject: SOTF - Request for a continuance by City Attorney's office

Dear Anonymous:

Yesterday, I received a request for continuance from the City Attorney's Office and am not available on July 3. The request was granted. I will keep you posted on when it will be heard. In the meantime, have a nice 4th of July. Thank you.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center<<http://www.sfbos.org/index.aspx?page=9681>> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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On June 26, 2019:
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Assistant Clerk,

I (and Respondent) were asked on June 19 if I was available on July 3 for a SOTF File 19044 hearing. I responded that I could appear, but only telephonically.

I have not heard back from the Task Force or Respondent on whether or not July 3 is going forward for 19044. Could you please let me know if the July 3 hearing is happening for 19044, and a response to my request to my appear telephonically?

Thank you,

Anonymous (complainant in 19044)

On June 26, 2019:
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Supervisor of Records,

Do you have a response to my petition of May 8 (associated with SOTF file 19044)?

Thanks,
Anonymous

Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

On April 20, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:

20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:

<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:

<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWTyfyRXNxlh3MkFOGTxo%3A1hi3YB%3A_gwHlxCNueypw1P-GEL5-llyLWE

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com
Sent: Tuesday, June 18, 2019 11:24 AM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

June 18, 2019

This is a follow up to a previous request:

Task Force and Committee members,

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

Thank you. I have also received an email from Mr. Coté on behalf of the City Attorney regarding the continuance of 10944 so they can consult with their IT Staff. I hope that the SOTF does take this matter up without undue delay, and without continuing it beyond one further meeting date. I maintain my prior request to attend telephonically.

As I have noted in the past, the instant 19044 case raises similar (but not identical) issues to my case 19047, Anonymous v. Mayor London Breed, Hank Heckel, Office of Mayor. I will be following up with the respondents in both cases to suggest they work with each other and the city's IT experts to come up with a reasonable set of specific metadata that must be withheld for security (and any other lawful exemption reasons), so the City has a consistent policy on such disclosure.

However, I intend to continue to pursue both cases to ensure that, even if the respondents in these cases eventually provide some metadata, that the Task Force make a determination that the prior responses of the agencies withholding metadata in general were violations of the Sunshine Ordinance, in order to vindicate the general right of the public to receive copies of non-exempt metadata when they ask for it.

Sincerely,

Anonymous

Filed via MuckRock.com
E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAuFBaWtyfyRXNxLh3MkFOGTxo%3A1hdlla%3Act6HyZmLCOWDRuXQAASM7O3u8rE&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org

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DEPT MR 72056
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Somerville, MA 02144-2516

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On June 18, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

Dear Anonymous:

We are in receipt of and thank you for your response. This matter has been postponed until further notice.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center<<http://www.sfbos.org/index.aspx?page=9681>> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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On June 17, 2019:

Subject: Request for Continuance -> RE: SOTF - Notice of Hearing - Complaint Committee; June 25

Dear Ms. Leger,

I would like to request a continuance for File No. 19044, currently scheduled for the June 25 hearing of the Complaint Committee. I'd like to reschedule this item to the committee's next hearing date. The records request in this matter raises unusual security questions, and we are continuing to review the matter with our IT staff to see if there is a way to safely provide the requester more of the information that they have requested. We expect to know one way or another by the next hearing date.

Thank you for your consideration,

[cid:image003.jpg@01D5251E.F9A7FBC0]John Coté

Communications Director

Office of City Attorney Dennis Herrera

(415) 554-4662 Direct

www.sfcityattorney.org

Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>> Twitter<<https://twitter.com/SFCityAttorney>>

Instagram<<https://www.instagram.com/sfcityattorney/>>

On June 14, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

To the Sunshine Ordinance Task Force and Complaint Committee,

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

In Case No. 19044, I believe the following documents, previously sent to the task force, should be considered from my side (some may not have come through the fax well, so the PDFs are linked below) and included in the packet/agenda:

1. My complaint: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/San-Francisco-Sunshine-Ordinance-Appeal-Request-72056.pdf
2. My May 17 follow up to Respondents and the Task Force after Respondents made additional disclosure: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/SF-Email-Appeal-72056-SOTF-19044-corrected-a.pdf
3. My June 4 rebuttal to Respondents' response: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/5-SF-Attorney-Email-Appeal-SOTF-19044-followup.pdf

As I previously requested, I would appreciate the opportunity to be heard telephonically or via audio conference because (1) it would be quite difficult to be physically present at your meeting and (2) I would like to protect my anonymity. If this is possible, please let me know conference call credentials or similar.

Thank you,
Anonymous

On June 14, 2019:

Subject: SOTF - Notice of Hearing - Complaint Committee; June 15, 2019 5:30 p.m.

Good Morning:

You are receiving this notice because you are named as a Complainant or Respondent in one of the following complaints scheduled before the Complaint Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: June 25, 2019

Location: City Hall, Room 408

Time: 5:30 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 19042: Complaint filed by Ray Hartz against Norman Yee, President of the Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.16, by failing to place his 150-word summaries in the meeting minutes (Board of Supervisors April 30, 2019 meeting).

File No. 19043: Complaint filed by Ray Hartz against Angela Calvillo, Clerk of the Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.15(d), by failing to place his 150-word summaries as submitted to the Board of Supervisors "in the minutes."

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19049: Complaint filed by Liz Arbus against the Arts Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure). For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, June 18, 2019.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center<<http://www.sfbos.org/index.aspx?page=9681>> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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On June 7, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Sorry - that follow up is for our other petition.

Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

On April 20, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

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A5. the e-mail message with Message-Id:

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A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

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Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1hdlla%3Act6HyZmLCOWDRuXQAASM7O3u8rE&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsof%252540sfgov.org

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com
Sent: Friday, June 14, 2019 3:47 PM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

June 14, 2019

This is a follow up to a previous request:

To the Sunshine Ordinance Task Force and Complaint Committee,

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

In Case No. 19044, I believe the following documents, previously sent to the task force, should be considered from my side (some may not have come through the fax well, so the PDFs are linked below) and included in the packet/agenda:

1. My complaint: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/San-Francisco-Sunshine-Ordinance-Appeal-Request-72056.pdf
2. My May 17 follow up to Respondents and the Task Force after Respondents made additional disclosure: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/SF-Email-Appeal-72056-SOTF-19044-corrected-a.pdf
3. My June 4 rebuttal to Respondents' response: https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/5-SF-Attorney-Email-Appeal-SOTF-19044-followup.pdf

As I previously requested, I would appreciate the opportunity to be heard telephonically or via audio conference because (1) it would be quite difficult to be physically present at your meeting and (2) I would like to protect my anonymity. If this is possible, please let me know conference call credentials or similar.

Thank you,
Anonymous

Filed via MuckRock.com
E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWtyfyRXNxlh3MkFOGTxo%3A1hbuya%3AQ_RBugzCCOoVfPGYONx5gB5EebU

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On June 14, 2019:

Subject: SOTF - Notice of Hearing - Complaint Committee; June 15, 2019 5:30 p.m.

Good Morning:

You are receiving this notice because you are named as a Complainant or Respondent in one of the following complaints scheduled before the Complaint Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: June 25, 2019

Location: City Hall, Room 408

Time: 5:30 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 19042: Complaint filed by Ray Hartz against Norman Yee, President of the Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.16, by failing to place his 150-word summaries in the meeting minutes (Board of Supervisors April 30, 2019 meeting).

File No. 19043: Complaint filed by Ray Hartz against Angela Calvillo, Clerk of the Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.15(d), by failing to place his 150-word summaries as submitted to the Board of Supervisors "in the minutes."

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19049: Complaint filed by Liz Arbus against the Arts Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure). For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, June 18, 2019.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

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On June 7, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Sorry - that follow up is for our other petition.

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On June 7, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Thank you! I provided you my rebuttal because it addresses the purported Prop G limitation on the portions of calendars being public was not something cited by the mayor's office in their original records request response.

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

On June 7, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

Thank you for this. We are still working through the issues raised by your petition and appreciate your patience.

[cid:image002.jpg@01D51D20.F7D41CD0]Bradley Russi

Deputy City Attorney

Office of City Attorney Dennis Herrera

City Hall, Room 234

1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102

www.sfcityattorney.org

On June 4, 2019:

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

For your information, I sent a rebuttal to the Task Force to the City Attorney's response to SOTF 19044. In summary for your files:

My May 8 Supervisor of Records petition (including my May 8 Task Force complaint vs. City Attorney):

https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/SF-Sunshine-Ordinance-Supervisor-of-Records-Petition-72056-a.pdf

My May 17 follow up to City Attorney and the Task Force:

https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/SF-Email-Appeal-72056-SOTF-19044-corrected-a.pdf

My June 4 rebuttal to City Attorney and the Task Force:

https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/5-SF-Attorney-Email-Appeal-SOTF-19044-followup.pdf

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

I look forward to your response to my petition.

Thank you for your consideration,

Anonymous

On April 20, 2019:

Subject: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

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A2. the e-mail message with Message-Id:
<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:
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<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:
DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-

72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWTyfyRXNXLh3MkFOGTxo%3A1hbuya%3AQ_RBugzCCOoVfPGYONx5gB5EebU

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



Leger, Cheryl (BOS)

From: 74774-88881134@requests.muckrock.com
Sent: Monday, June 10, 2019 8:37 AM
To: Bruce Wolfe
Cc: SOTF, (BOS)
Subject: RE: California Public Records Act Request: SOTF Pending Complaint Files and Legal Advice

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco Sunshine Ordinance Task Force
PRA Office
Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

June 10, 2019.

This is a follow up to a previous request:

I see - thank you very much!

Filed via MuckRock.com

E-mail (Preferred): 74774-88881134@requests.muckrock.com

Upload documents directly: https://accounts.muckrock.com/accounts/login/?url_auth_token=AABdvefR19wJBEu-s6NsCQAxO3s%3A1haMLW%3AbVQIPoq5_CGuE9I02l1GEOHiU&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-sunshine-ordinance-task-force-17720%252Fsotf-pending-complaint-files-and-legal-advice-74774%252F%253Femail%253Dsotf%252540brucewolfe.net
Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 74774
411A Highland Ave
Somerville, MA 02144-2516

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On June 10, 2019:

Dear Anonymous,
To date and to our knowledge, the SOTF hasn't invoked attorney-client

privilege. What Ms. Leger and I are saying to you is all legal counsel advice is contained in the files (cases) we hear meaning we released them to the public and are contained in the agendas which have the complete case file of which the compendium is available online. In other words, there is no other legal counsel advice to present that already isn't made publicly available.

Unless there is something specific you are seeking through this request I'm not sure there is anything more to report or be responsive to.

Yours,
Bruce Wolfe, Chair

--

On June 10, 2019:

Thank you Chair Wolfe and Asst. Clerk Leger. Given both of your responses, it is unclear to me whether all the advice by the City Attorney's office to your Task Force is in fact already disclosed on the linked website or not. If it is not, while I understand the St. Croix case prevents the voters from abrogating via Ordinance the A/C privilege impliedly present in the Charter, I also understand that the A/C privilege can always be waived, voluntarily, by the client, and that the exemptions from disclosure in the CPRA are, in the case of privileges held by the responding public agency, discretionary. Therefore I would ask whether your Task Force would like to voluntarily waive the privilege you hold in some or all of the documents withheld re: part 2 and release further advice provided to your Task Force by the City Attorney's office.

Thank you,
Anonymous

On June 7, 2019:

Dear Anonymous,
For the second part of your request, in addition to our official response, please note that under **St. Croix v Allen Grossman, Real Party of Interest** (Court of Appeal, First District, Division 1, California. 2014) **this section of the Sunshine Ordinance is currently suspended.** As noted in our official response, you may find all other communications and advice between SOTF legal counsel and the body contained in our existing public records for that time period.

The Court of Appeal agreed with the City's argument and ruled accordingly in the City's favor.

*"*B. The Charter Incorporates the State Law Attorney-Client Privilege and Supersedes the Contrary Ordinance Provision**

City argues provisions of its charter establishing the office and duties of the city attorney (1) incorporate the protections of the state law attorney-client privilege for written communications between the city attorney and his or her clients, and therefore (2) supersede the provision of the Sunshine Ordinance purporting to compel disclosure of documents falling within the scope of the privilege. **We agree.*"*

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center<<http://www.sfbos.org/index.aspx?page=9681>> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information-including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees-may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

On June 4, 2019:
Dear Anonymous:

We are in receipt of your request dated June 4, 2019.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

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On June 4, 2019:
To Whom It May Concern:

** Note that this is a public mailbox, and all responses you send, upload, or mail (including all disclosed records) may be automatically and instantly available to the general public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). **

Pursuant to the California Public Records Act and Sunshine Ordinance, I hereby request the following records from the Sunshine Ordinance Task Force:

1. The complete file including all complaints, responses, any other follow-ups incl. all appendices, attachments and exhibits of each SOTF complaint currently pending before the Task Force or its committees (i.e. those files not dismissed and having no order of determination issued).
2. All communication between the SOTF and the Office of the City Attorney for advice re: the Sunshine Ordinance from Jan 1 2018 to June 4 2019. Note that SF Admin Code 67.21(i) specifically makes all communication with the City Attorney re: the Sunshine Ordinance public, notwithstanding supposed attorney-client privilege (see, 1999 Prop G ballot digest, which states [pg. 119, https://sfpl.org/pdf/main/gic/elections/November2_1999short.pdf] : "The City Attorney could not give confidential advice to City officers or employees on matters concerning government ethics, public records and open meeting laws.").

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available.

The format is not important as long as it is electronic. PDFs are fine. Please provide records in rolling manner.

Thank you in advance for your anticipated cooperation in this matter.

I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

Anonymous Person

Filed via MuckRock.com

E-mail (Preferred): 74774-88881134@requests.muckrock.com

Upload documents directly: https://accounts.muckrock.com/accounts/login/?url_auth_token=AABdvefR19wJBEu-s6NsCQAxO3s%3A1haMLW%3AbVQIPoq5_CGuE9l02l1GEsEOHiU&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-sunshine-ordinance-task-force-17720%252Fsotf-pending-complaint-files-and-legal-advice-74774%252F%253Femail%253Dsotf%252540brucewolfe.net
Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 74774
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



Leger, Cheryl (BOS)

From: 74774-88881134@requests.muckrock.com
Sent: Sunday, June 9, 2019 11:14 PM
To: Bruce Wolfe
Cc: SOTF, (BOS)
Subject: RE: California Public Records Act Request: SOTF Pending Complaint Files and Legal Advice

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco Sunshine Ordinance Task Force
PRA Office
Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

June 10, 2019

This is a follow up to a previous request:

Thank you Chair Wolfe and Asst. Clerk Leger. Given both of your responses, it is unclear to me whether all the advice by the City Attorney's office to your Task Force is in fact already disclosed on the linked website or not. If it is not, while I understand the St. Croix case prevents the voters from abrogating via Ordinance the A/C privilege impliedly present in the Charter, I also understand that the A/C privilege can always be waived, voluntarily, by the client, and that the exemptions from disclosure in the CPRA are, in the case of privileges held by the responding public agency, discretionary. Therefore I would ask whether your Task Force would like to voluntarily waive the privilege you hold in some or all of the documents withheld re: part 2 and release further advice provided to your Task Force by the City Attorney's office.

Thank you,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 74774-88881134@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-sunshine-ordinance-task-force-17720%252Fsotf-pending-complaint-files-and-legal-advice-74774%252F%253Femail%253Dsotf%252540brucewolfe.net&url_auth_token=AABdvefR19wJBEu-s6NsCQAx03s%3A1haDZC%3AwdxcJ1Savhvto7KxWZlytVZQRnl

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MuckRock News

DEPT-MR 74774

411A Highland Ave
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On June 7, 2019:

Dear Anonymous,

For the second part of your request, in addition to our official response, please note that under **St. Croix v Allen Grossman, Real Party of Interest** (Court of Appeal, First District, Division 1, California, 2014) **this section of the Sunshine Ordinance is currently suspended.** As noted in our official response, you may find all other communications and advice between SOTF legal counsel and the body contained in our existing public records for that time period.

The Court of Appeal agreed with the City's argument and ruled accordingly in the City's favor.

*"*B. The Charter Incorporates the State Law Attorney-Client Privilege and Supersedes the Contrary Ordinance Provision**

City argues provisions of its charter establishing the office and duties of the city attorney (1) incorporate the protections of the state law attorney-client privilege for written communications between the city attorney and his or her clients, and therefore (2) supersede the provision of the Sunshine Ordinance purporting to compel disclosure of documents falling within the scope of the privilege. **We agree.*"*

*"The above charter provisions, by establishing the office and responsibilities of the city attorney, establish an attorney-client relationship between the city attorney on the one hand, and City and its officers and agencies (including the Ethics Commission) on the other. As noted above, state law establishes that the privilege's protection of the confidentiality of written attorney-client communications is fundamental to the attorney-client relationship, in the public sector as well as in the private sector, and is vital to the effective administration of justice. (See Evid.Code, § 950 et seq.; Roberts, supra, 5 Cal.4th at pp. 380-381.) *We therefore conclude the charter incorporates the state law attorney-client privilege for written communications between the city attorney and his or her clients.*"*

<https://caselaw.findlaw.com/ca-court-of-appeal/1673907.html>

We consider your request and this matter responded, fulfilled and completed.

Bruce Wolfe, Chair

SF Sunshine Ordinance Task Force

We are in receipt of your request dated June 4, 2019.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

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On June 4, 2019:
To Whom It May Concern:

** Note that this is a public mailbox, and all responses you send, upload, or mail (including all disclosed records) may be automatically and instantly available to the general public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative). **

Pursuant to the California Public Records Act and Sunshine Ordinance, I hereby request the following records from the Sunshine Ordinance Task Force:

1. The complete file including all complaints, responses, any other follow-ups incl. all appendices, attachments and exhibits of each SOTF complaint currently pending before the Task Force or its committees (i.e. those files not dismissed and having no order of determination issued).
2. All communication between the SOTF and the Office of the City Attorney for advice re: the Sunshine Ordinance from Jan 1 2018 to June 4 2019. Note that SF Admin Code 67.21(i) specifically makes all communication with the City Attorney re: the Sunshine Ordinance public, notwithstanding supposed attorney-client privilege (see, 1999 Prop G ballot digest, which states [pg. 119, https://sfpl.org/pdf/main/gic/elections/November2_1999short.pdf] : "The City Attorney could not give confidential advice to City officers or employees on matters concerning government ethics, public records and open meeting laws.").

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available.
The format is not important as long as it is electronic. PDFs are fine. Please provide records in rolling manner.

Thank you in advance for your anticipated cooperation in this matter.

I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

Anonymous Person

On June 4, 2019:

To Whom It May Concern:

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Pursuant to the California Public Records Act and Sunshine Ordinance, I hereby request the following records from the Sunshine Ordinance Task Force:

1. The complete file including all complaints, responses, any other follow-ups incl. all appendices, attachments and exhibits of each SOTF complaint currently pending before the Task Force or its committees (i.e. those files not dismissed and having no order of determination issued).
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Thank you in advance for your anticipated cooperation in this matter.

I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

Anonymous Person

Filed via MuckRock.com

E-mail (Preferred): 74774-88881134@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-sunshine-ordinance-task-force-17720%252Fsotf-pending-complaint-files-and-legal-advice-74774%252F%253Femail%253Dsotf%252540brucewolfe.net&url_auth_token=AABdvefR19wJBEu-s6NsCQAxO3s%3A1haDZC%3AwdxcJ1Savhvto7KxWZlytVZQRnl

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For mailed responses, please address (see note):

MuckRock News

DEPT MR 74774

411A Highland Ave

Somerville, MA 02144-2516

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Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com
Sent: Tuesday, June 4, 2019 3:53 PM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Attachments: 5-SF-Attorney-Email-Appeal-SOTF-19044-followup.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

June 4, 2019

This is a follow up to a previous request:

Re: SOTF File No. 19044

Task Force,

I have included a rebuttal to Respondents' response. Please consider this in conjunction with my May 17 follow up and original May 8 complaint.

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

Thank you for your consideration,
Anonymous

Filed via MuckRock.com
E-mail (Preferred): 72056-97339218@requests.muckrock.com
Upload documents directly:
https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsof%252540sfgov.org&url_auth_token=AAAuFBaWtyfyRXNxLh3MkFOGTxo%3A1hYIIE%3AV17AqzQIJZDAHJ5z77q2dVhs024

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For mailed responses, please address (see note):
MuckRock News

DEPT MR 72056
411A Highland Ave
Somerville, MA 02144-2516

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On June 4, 2019:
RE: File No. 19044

Thank you, since the Respondents have indeed provided a response I hope to have a rebuttal for your consideration by tomorrow.

On June 4, 2019:
Dear Muckrock Requestor.

I apologize for not forwarding this response.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center<<http://www.sfbos.org/index.aspx?page=9681>> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

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On June 3, 2019:
Re: SOTF File No. 19044

Task Force,
Please read the attached follow up letter.

Thank you for your consideration.

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

On May 22, 2019:
To the Supervisor of Records:

I understand. Ms. Coolbrith sent us additional disclosures in the interim, and we have replied here:
https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/SF-Email-Appeal-72056-SOTF-19044-corrected-a.pdf

Thank you for your consideration.

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

On May 21, 2019:
To Whom It May Concern: I write to inform you that we are still working on responding to your petition. I hope to have a response to you no later than the end of next week. Thank you for your patience.

[cid:image003.jpg@01D51004.01E2EBE0]Bradley Russi
Deputy City Attorney
Office of City Attorney Dennis Herrera
City Hall, Room 234
1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102
www.sfcityattorney.org

On April 20, 2019:
This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:
20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:
<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:
20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:
<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:
<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:
DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com
E-mail (Preferred): 72056-97339218@requests.muckrock.com
Upload documents directly:
https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Dsof%252540sfgov.org&url_auth_token=AAAUFBaWTyfyRXNxLh3MkFOGTxo%3A1hYIIE%3AV17AqzQIJZDAHJ5z77q2dVhs024

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):
MuckRock News
DEPT MR 72056
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com
Sent: Tuesday, June 4, 2019 2:33 PM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

June 4, 2019

This is a follow up to a previous request:

RE: File No. 19044

Thank you, since the Respondents have indeed provided a response I hope to have a rebuttal for your consideration by tomorrow.

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWTyfyRXNxlh3MkFOGTxo%3A1hYH2z%3AWGQMvurTi3qDNI35wjDtrIDTrS8

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MuckRock News
DEPT MR 72056
411A Highland Ave
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On June 4, 2019:
Dear Muckrock Requestor.

I apologize for not forwarding this response.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center<<http://www.sfbos.org/index.aspx?page=9681>> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information-including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees-may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

On June 3, 2019:
Re: SOTF File No. 19044

Task Force,
Please read the attached follow up letter.

Thank you for your consideration.

Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

On May 22, 2019:
To the Supervisor of Records:

I understand. Ms. Coolbrith sent us additional disclosures in the interim, and we have replied here:
https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/SF-Email-Appeal-72056-SOTF-19044-corrected-a.pdf

Thank you for your consideration.

**Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock

representative).**

On May 21, 2019:

To Whom It May Concern: I write to inform you that we are still working on responding to your petition. I hope to have a response to you no later than the end of next week. Thank you for your patience.

[cid:image003.jpg@01D51004.01E2EBE0]Bradley Russi
Deputy City Attorney
Office of City Attorney Dennis Herrera
City Hall, Room 234
1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102
www.sfcityattorney.org

On May 17, 2019:

Re: SOTF File No. 19044

Task Force: The respondent agency recently disclosed additional portions of records after the complaint filing. I have attached my response for your files here, as I am not withdrawing my complaint. The PDF has been emailed to the respondent agency (City Attorney office) as well.

Thank you for your consideration.

Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

On April 20, 2019:

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:

20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:

<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:

<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsoft%252540sfgov.org&url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1hYH2z%3AWGQMvurTi3qDNI35wjDtrIDTrS8

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 72056
411A Highland Ave
Somerville, MA 02144-2516

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Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com on behalf of '72056-97339218@requests.muckrock.com' <72056-97339218@requests.muckrock.com>
Sent: Friday, May 17, 2019 7:30 PM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Attachments: SF-Email-Appeal-72056-SOTF-19044-corrected-a.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

May 17, 2019

This is a follow up to a previous request:

Re: SOTF File No. 19044

Task Force: The respondent agency recently disclosed additional portions of records after the complaint filing. I have attached my response for your files here, as I am not withdrawing my complaint. The PDF has been emailed to the respondent agency (City Attorney office) as well.

Thank you for your consideration.

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1hRp6l%3AoTYDaemFTyuQL7jLpjfwzDyNVKU&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On May 17, 2019:

Apologies, the second sentence to pg. 2, para 4, should read " Since I believe the record responsive to ****A5/A6**** is in fact an email sent by Coolbrith herself..." not A3/A4.

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

On May 17, 2019:

Re: SOTF File No. 19044

Task Force: The respondent agency recently disclosed additional portions of records after the complaint filing. I have attached my response for your files here, as I am not withdrawing my complaint. The PDF has been emailed to the respondent agency (City Attorney office) as well.

Thank you for your consideration.

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

On May 17, 2019:

My response is attached. It will also be sent to the Sunshine Task Force.

Thank you!

****Note this is a public mailbox, and that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

On May 17, 2019:

Dear Sir/Madam,

We have investigated your request further and have conducted a reasonable and diligent search and are able to supplement our production with the attached PDF. The PDF shows the headers and metadata associated with the email responsive to your request #s A3/A4. We have redacted some of the metadata based on the need to protect the security of our computer system. See Cal. Evid. Code section 1040. Also, please note that while we have agreed to produce some metadata excerpts in this instance, we reserve our right to revisit this approach in the future. Generally we do not disclose metadata at all, for the reasons stated to you in our prior responses.

Unfortunately, we were not able to locate headers/metadata for the emails responsive to your request #s A1/A2 and A5/A6. We have conducted a reasonable and diligent search for the information you asked for, but could not locate anything further.

As we have now complied with your request, we would respectfully ask that you withdraw your complaint to the Sunshine Ordinance Task Force as well as your petition to the Supervisor of Records.

Please send replies to cityattorney@sfcityatty.org

Sincerely,

[cid:image003.jpg@01D50CC4.0D86F790]Elizabeth A. Coolbrith

Paralegal

Office of City Attorney Dennis Herrera

(415) 554-4685 Direct

www.sfcityattorney.org

Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>> Twitter<<https://twitter.com/SFCityAttorney>>

Instagram<<https://www.instagram.com/sfcityattorney/>>

On May 14, 2019:

To Whom It May Concern:

I write to acknowledge receipt of your petition to the Supervisor of Records below. Thank you.

[cid:image002.jpg@01D50A4E.10559A30]Bradley Russi

Deputy City Attorney

Office of City Attorney Dennis Herrera

City Hall, Room 234

1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102

www.sfcityattorney.org

On April 20, 2019:

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:

20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:
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A5. the e-mail message with Message-Id:
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A6. the e-mail message with Message-Id:
DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?url_auth_token=AAAuFBaWTyfyRXNxlh3MkFOGTxo%3A1hRp6l%3AoTYDaemFTyuQL7jLpjfwzDyNVKU&next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

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72056-97339218@requests.muckrock.com (Anonymous requestor)

US mail to: MuckRock News, DEPT MR 72056, 411A Highland Ave, Somerville, MA 02144-2516

Please use email only. I am an anonymous user of MuckRock.com, not a MuckRock representative.

City Attorney
Room 234
1 Dr. Carlton B. Goodlett Place
San Francisco CA 94102
cc: Sunshine Ordinance Task Force
sent via email to Task Force, email to City Attorney

Our ref.
SOTF 19044

Date
2019-05-17

RE: SF Sunshine Ordinance Complaint 19044, Anonymous v. Dennis Herrera, Elizabeth Coolbrith

To the City Attorney and Sunshine Ordinance Task Force:

NOTE: Every response you send or provide (including all responsive records) may be automatically and immediately visible to the general public on the MuckRock.com web service used to issue this request. (I am not a representative of MuckRock)

On May 17, 2019 I received an additional email (Exhibit A) from Ms. Coolbrith on behalf of the City Attorney: (i) disclosing additional portions of one of the records (Exhibit B) responsive to my request (Exhibit C), (ii) justifying withholding the redacted portions per Cal. Evid. Code section 1040, (iii) stating in part that:

Also, please note that while we have agreed to produce some metadata excerpts in this instance, we reserve our right to revisit this approach in the future. Generally we do not disclose metadata at all, for the reasons stated to you in our prior responses.

and (iv) requesting I withdraw my Task Force complaint¹ and my parallel petition to the Supervisor of Records.² I am replying both to the City Attorney's office and also forwarding this response to the Task Force for their files and consideration.

¹https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/San-Francisco-Sunshine-Ordinance-Appeal-Request-72056.pdf

²https://cdn.muckrock.com/outbound_request_attachments/Anonymous_2859385/72056/SF-Sunshine-Ordinance-Supervisor-of-Records-Petition-72056-a.pdf

While I appreciate the additional, partial, disclosure to my request, I unfortunately cannot withdraw my complaint and petition for at least the following reasons:

1. In prior cases,³ the Task Force has, notwithstanding additional disclosures by the respondent agency, formally decided that prior actions/disclosures of the agency did in fact violate the Sunshine Ordinance/CPRA. While I believe the current disclosure is still deficient relative to the standards of the Sunshine Ordinance and the CPRA (see below), even if the Task Force determines that the May 17 disclosure does in fact meet all legal requirements, I ask that the Task Force still rule that the May 8 and April 24 responses of the City Attorney violated one or more of SF Admin Code 67.27, 67.26, 67.21, and/or Govt Code 6253.9, 6253, 6255 as discussed in my initial Task Force complaint. This is especially important because the City Attorney has stated explicitly that they reserve their right to revisit the production of even the partial metadata excerpts they provided in their May 17 response, and appear to have a general policy of not disclosing email headers/metadata.
2. The May 17 response continues to not be disclosed in the original electronic format as requested. This should be easy to do via export of the message (in for example .msg format) using the Microsoft Exchange/Outlook systems the City Attorney's office appears to use (or from other similar mechanisms of other widely used e-mail systems, like the "Show Original" feature of a Google Apps e-mail system). Anecdotally, I have requested email public records from many other California public agencies under the CPRA and have in-fact received disclosure of .msg format e-mails, regardless of the even stricter requirements of the SF Sunshine Ordinance in particular.
3. Even if the disclosure in PDF format is acceptable under the law, the May 17 response fails to disclose one or more headers that I believe are part of the full A3/A4 record responsive to my requests. You will notice in Exhibit B that for headers that are redacted both the name and value are redacted. Since the City Attorney must minimize its withholding to only those parts of the record explicitly excluded from disclosure, I believe the Task Force should direct the City Attorney to: (a) disclose all header *names* regardless of whether the *values* of those headers are exempt under Evid. Code section 1040 (or otherwise), and (b) disclose the values of one or more of the following headers since I do not believe they are all in fact exempt: Cc, Bcc, X-Envelope-From, Thread-Topic, Thread-Index, Sender, References, In-Reply-To, X-Originatororg, Delivered-To, X-Forwarded-To, X-Forwarded-For
4. The May 17 response fails to disclose any additional headers or metadata of the email record responsive to request A5/A6 (it only includes additional info for A3/A4⁴). Since I believe the record responsive to A5/A6 is in fact an email sent by Coolbrith herself, it should be easy to export this email. At the very least, as paragraph 2 of section C2 of the original complaint states, the actual email addresses of the 'From' and 'Sender', not just names, should be disclosed. Moreover, Outlook/Exchange should have one or more of the: Date, Sender, Message-Id, To, From, Subject, Mime-Version, Content-Type, Return-Path, Cc, Bcc, X-Envelope-From, Thread-Topic, Thread-Index, Sender, References, In-Reply-To, X-

Corrected

³Examples: Ann Treboux v. Kate Patterson and the Arts Commission (17001), Ann Treboux v. Margaret Baumgartner and the Office of the City Attorney (17023)

⁴I accept the City Attorney's determination that it does not have records responsive to A1/A2, and do not request any further action from the City Attorney or Task Force on A1/A2. Request B was satisfactorily handled previously.

Originatororg, Delivered-To, X-Forwarded-To, X-Forwarded-For headers that can and should be exported.

Vindicating the right of the public under the Sunshine Ordinance/CPRA to receive emails in their full, original electronic format, with minimal withholding (including disclosure of all headers and metadata not explicitly exempted from disclosure by the Sunshine Ordinance), and with all withholding justified, is a goal of this complaint. It is important that the Task Force re-enforces that this is required of San Francisco agencies.

Furthermore, I hope the City Attorney will, after a decision from the Task Force, prepare an official opinion that carefully considers all the various e-mail headers and metadata (in good-faith consultation with information technology security experts) and promulgate a minimal set of headers that must be exempted from disclosure under the law which can be applied uniformly by San Francisco agencies, and thus fulfill the office's responsibility to advocate on behalf of the public's right to know all non-exempt portions of emails regarding the public's business.

However, I am also willing to compromise with the City Attorney in the following way:

1. the City Attorney publishes an opinion that in its independent legal judgment, and in good-faith consultation with information technology security experts, that all e-mail header names are non-exempt and at least the following e-mail header values (in addition to body, attachments and inline images) [Date, Sender, Message-Id, To, From, Subject, Mime-Version, Content-Type, Return-Path, Cc, Bcc, X-Envelope-From, Thread-Topic, Thread-Index, Sender, References, In-Reply-To, X-Originatororg, Delivered-To, X-Forwarded-To, X-Forwarded-For] are in fact not automatically exempt from disclosure (unless the specific content is exempt); and
2. I withdraw my complaint to the Task Force and petition to the Supervisor of Records.

However, I do not know whether such a compromise coupled with a withdrawal from the Task Force is permitted by relevant policies and laws or would be something the City Attorney and Task Force would like to consider.

If instead the City Attorney only finishes further disclosure of A3/A4/A5/A6, I currently intend to maintain my complaint to the Task Force so they can determine that May 17 and prior disclosures were in fact insufficient.

Thank you.

encl: Exhibit A – May 17, 2019 Email from Coolbrith

encl: Exhibit B – May 17, 2019 Disclosed Record entitled "4-18-19 Email Received_Redacted.pdf"

encl: Exhibit C – My original April 20, 2019 request

Exhibit A – May 17, 2019 Email from Coolbrith

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

Dear Sir/Madam,

We have investigated your request further and have conducted a reasonable and diligent search and are able to supplement our production with the attached PDF. The PDF shows the headers and metadata associated with the email responsive to your request #s A3/A4. We have redacted some of the metadata based on the need to protect the security of our computer system. See Cal. Evid. Code section 1040. Also, please note that while we have agreed to produce some metadata excerpts in this instance, we reserve our right to revisit this approach in the future. Generally we do not disclose metadata at all, for the reasons stated to you in our prior responses.

Unfortunately, we were not able to locate headers/metadata for the emails responsive to your request #s A1/A2 and A5/A6. We have conducted a reasonable and diligent search for the information you asked for, but could not locate anything further.

As we have now complied with your request, we would respectfully ask that you withdraw your complaint to the Sunshine Ordinance Task Force as well as your petition to the Supervisor of Records.

Please send replies to cityattorney@sfcityatty.org <<mailto:cityattorney@sfcityatty.org>>

Sincerely,

Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera
(415) 554-4685 Direct
www.sfcityattorney.org
Find us on: Facebook <<https://www.facebook.com/sfcityattorney/>>
Twitter <<https://twitter.com/SFCityAttorney>>
Instagram <<https://www.instagram.com/sfcityattorney/>>

Exhibit B – May 17, 2019 Disclosed Record entitled “4-18-19 Email Received_Redacted.pdf”

Next page. Also available at:

https://cdn.muckrock.com/foia_files/2019/05/17/4-18-19_Email_Received_Redacted.pdf

[REDACTED]

[REDACTED]

Date: Thu, 18 Apr 2019 17:30:50 +0000
Sender: 71969-51399120@requests.muckrock.com
Message-Id: <20190418173050.1.2B43534B4544D903@requests.muckrock.com>

To: cityattorney@sfcityatty.org
From: 71969-51399120@requests.muckrock.com
Subject: California Public Records Act Request: Immediate Disclosure Request
- PRA Opinions
Mime-Version: 1.0
Content-Type: multipart/mixed; boundary="b2e1fbcebbd64db587dfc7e9a4eeaf40"
Return-Path:
bounce+5bea6f.556-cityattorney=sfcityatty.org@requests.muckrock.com

[REDACTED]

[Redacted]

X-MS-Exchange-Organization-MessageDirectionality: Incoming

[Redacted]

[Redacted]

X-MS-PublicTrafficType: Email

[Redacted]

[Redacted]

[Redacted]

[Redacted]



Exhibit C – Original April 20, 2019 Email Request

Subject: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

April 20, 2019

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id: 20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id: <20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id: 20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id: <20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:
<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:
DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata,

attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com
Sent: Wednesday, May 8, 2019 1:42 PM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

May 8, 2019

This is a follow up to a previous request:

I have gone ahead and submitted a form entry. Please note however your own website says that instead of filling out the form I could send a letter, which I previously did.

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1hOTNj%3ACvu_j_jWvCNNKOGFdP3SmqF0VMI

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 72056
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On May 8, 2019:

To Whom It May Concern:

I need for you to fill out the Complaint Form in order to process your request. It is at the link below:

<https://sfgov.org/sunshine/complaint-form>

Thank you.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

[CustomerSatisfactionIcon]<<http://www.sfbos.org/index.aspx?page=104>> Click here<<http://www.sfbos.org/index.aspx?page=104>> to complete a Board of Supervisors Customer Service Satisfaction form.

The Legislative Research Center<<http://www.sfbos.org/index.aspx?page=9681>> provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

On May 8, 2019:

Hello,

I was previously told I need to file a complaint form. I do not believe using your specific form is necessary even under your own polices, which merely require me to include "Short and concise description of the facts, The name of the Department where the request was submitted – as well as any individual working at the agency who the request involves, A description of how the action or inaction violates the Sunshine Ordinance, Supporting documentation, if applicable, such as a copy of the request to department and or any response from the department, Provide at least one reliable method of contacting the requester (i.e. email address, mailing address or telephone number)." Your website says I may send my own formal letter.

All of those minimum requirements, incl. the request and responses, are met in my original emailed PDF letter, which I have again attached here and also faxed to the SOTF. Please confirm receipt.

Thank you!

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

On May 8, 2019:

We sent the attached Sunshine Ordinance complaint to the Sunshine Ordinance Task Force.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

On May 8, 2019:

See attached Sunshine Ordinance complaint.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

On May 8, 2019:

See attached Sunshine Ordinance complaint.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

On April 20, 2019:

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:

20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:

<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:

<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWtyfyRXNxlh3MkFOGTxo%3A1hOTNj%3ACvu_j_jWvCnNKOGFdP3SmqFOVMI

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.



72056-97339218@requests.muckrock.com (Anonymous requestor)

US mail to: MuckRock News, DEPT MR 72056, 411A Highland Ave, Somerville, MA 02144-2516
Please use email only. I am an anonymous user of MuckRock.com, not a MuckRock representative.

SUNSHINE ORDINANCE TASK FORCE

Room 244 - Tel. (415) 554-7724; Fax (415) 554-7854

1 Dr. Carlton B. Goodlett Place

San Francisco CA 94102

cc: City Attorney (cityattorney@SFCITYATTY.ORG)

sent via email and fax to Task Force, email to City Attorney

Our ref.
#72056

Date
2019-05-08

RE: SF Sunshine Ordinance Complaint against City Attorney, ref 72056

To Whom It May Concern:

NOTE: Every response you send or provide (including all responsive records) may be automatically and immediately visible to the general public on the MuckRock.com web service used to issue this request. (I am not a representative of MuckRock)

A. METADATA:

Complainant Name: (Anonymous - use email 72056-97339218@requests.muckrock.com)

Date of Request: April 20, 2019

Complaint Against Employees: Dennis Herrera (Herrera) in his official capacity as city attorney, Elizabeth A. Coolbrith (Coolbrith) in her official capacity as paralegal for city attorney

Complaint Against Agency: Office of City Attorney

Yes - Alleged violation of public records access

Yes - Alleged failure to provide information in a timely manner in accordance with the provisions of the Sunshine Ordinance

No - Alleged violation of a public meeting

B. NARRATIVE:

On April 20, 2019 we sent a San Francisco Sunshine Ordinance (Ordinance) and California Public Records Act (CPRA) request to the City Attorney – enclosed herein as Exhibit A, which also includes the communication back and forth with the City Attorney’s office and Coolbrith. On April 22, 2019 Coolbrith replied on behalf of Herrera with records responsive to part "B" and asking for clarification on part "A", to which I replied on the same day. On April 23, 2019 Coolbrith notified us our request would not be treated as an Immediate Disclosure request.

On April 24, 2019 Coolbrith provided us “two emails [that] are responsive to portions A3/A4, and A5/A6 of your request.” (with the responsive records provided as Exhibit B and Exhibit C).

I replied on the same day as follows:

Thank you. As we noted in our initial request, we requested the entire email message, which contains numerous other headers in addition to those you have provided so far.

We do not see any statutory justification cited for withholding that portion of the public record. Please do provide the entire message with all headers (except those statutorily excluded from disclosure).

The MuckRock.com system automatically sent a reminder to City Attorney on May 8, 2019, to which Coolbrith replied on the same day in part:

We already completed our response to your request on April 24, 2019. We do not intend to produce anything further in response to your request.

I replied on the same day, in part:

Your PDFs include From, To, Subject, Sent, Attachments, and Body of the emails. You have withheld certain portions of the email records, including but not limited to:

- Header: X-Envelope-From
- Header: Received
- Header: Thread-Topic
- Header: X-Originating-IP
- Header: Thread-Index
- Header: Sender
- Header: X-Originatororg

Please provide a statutory justification for such withholding, and the name and title of the official responsible for that withholding, per CPRA.

Since I had previously requested the entire email message with full headers and statutory justification, I proceeded to file this complaint.

C. COMPLAINTS:

I make the following allegations. I am not an attorney, so my understanding is associated with proper sections of the law to the best of my (lay) ability.

1. Violations of SF Admin Code Sec. 67.27. Justification Of Withholding

On April 24, 2019 and May 8, 2019, Coolbrith's responses did not justify withholding portions of the responsive email records (namely the headers, which we had specifically requested in our original request and April 24, 2019 reply). No statutory nor case law authority was provided.

2. Violations of SF Admin Code Sec. 67.26. Withholding Kept To A Minimum

On April 24, 2019, responsive records as provided in attachments to Coolbrith's response (Exhibits B and C) did not withhold the minimum necessary portions of the emails requested. While it may be argued that some of the headers of an email could be withheld for privacy reasons (though we do not concede such point), that does not mean the City Attorney can withhold all portions of the email other than From, To, Subject, Sent, the attachments, and the email body.

Furthermore, information that is clearly public record was withheld by converting the email record to PDF format in the specific manner that the City Attorney did. For example, the From header in one of the PDFs states "Coolbrith, Elizabeth (CAT) on behalf of CityAttorney." The original e-mail record would include the email address of "Coolbrith, Elizabeth (CAT)" and "CityAttorney" instead of just their names - these are official, public employee email addresses that there is no reason to withhold.

3. Violations of SF Admin Code Sec. 67.21. Process For Gaining Access To Public Records; Administrative Appeals.

67.21(b) ("...If the custodian believes the record or information requested is not a public record or is exempt, the custodian shall justify withholding any record by demonstrating, in writing as soon as possible and within ten days following receipt of a request, that the record in question is exempt under express provisions of this ordinance...") was violated by Coolbrith's April 24, 2019 response wherein she did not indicate that the City Attorney believed the remaining portion (other headers) of the emails we requested were exempt, and on May 8 as well when Coolbrith indicated they would not disclose any more records without any justification.

67.21(i) ("The San Francisco City Attorney's office shall act to protect and secure the rights of the people of San Francisco to access public information and public meetings and shall not act as legal counsel for any city employee or any person having custody of any public record for purposes of denying access to the public. ") was violated since it is the City Attorney itself denying us access to a portion of the email record.

67.21(l) ("Inspection and copying of documentary public information stored in electronic form shall be made available to the person requesting the information in any form requested which is available to or easily generated by the department...") was violated on April 24, 2019 since Coolbrith provided the emails requested in PDF format and not the raw/original format stored by the email

servers. This original format (which we specifically requested) contains those additional headers we requested.

4. Violations of CA Govt Code 6253.9

6253.9(a)(1) (“...The agency shall make the information available in any electronic format in which it holds the information...”) was violated for reasons stated under the third paragraph of complaint #3. We specifically asked for emails in the format the agency held them in. Emails are not held in PDF format by email servers.

5. Violations of CA Govt Code 6253

6253(a) (“Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.”) was violated for reasons stated under complaint #2. Portions of the responsive email records that are not exempt under the law were deleted.

6. Violations of CA Govt Code 6255

6255(a) was violated for reasons stated under complaint #1.

D. RELIEF REQUESTED

SF Admin Code Sec 67.30 provides in part that “The City Attorney shall serve as legal advisor to the task force. The Sunshine Ordinance Task Force shall, at its request, have assigned to in an attorney from within the City Attorney's Office or other appropriate City Office, who is experienced in public-access law matters. This attorney shall serve solely as a legal advisor and advocate to the Task Force and an ethical wall will be maintained between the work of this attorney on behalf of the Task Force and any person or Office that the Task Force determines may have a conflict of interest with regard to the matters being handled by the attorney.” I ask the Task Force to keep in mind the possible conflicts of interest apparent in an attorney from the Office of City Attorney investigating complaints against the City Attorney itself.

I ask for the Task Force to direct the City Attorney to produce the full emails we originally requested, with redaction of only those headers (if any) that can be justified legally and explicitly. I ask the Task Force to direct that emails be produced by San Francisco agencies subject to the Sunshine Ordinance in their original format, preserving headers, except those that can be withheld with explicit justification. I ask for a hearing, to the extent possible given my desire to remain anonymous.

I do not believe adequate relief is available under SF Admin Code Sec 67.21(d) since the City Attorney is also the Supervisor of Records. However, we reserve our right to petition the Supervisor of Records in that capacity, separate from his capacity as the local agency responsible for responding to our request under the CPRA.

encl: Exhibit A – Original Request and Communications with City Attorney

encl: Exhibit B – Responsive record titled Email_4.18.19.pdf

encl: Exhibit C – Responsive record titled Email_4.19.19.pdf

Exhibit A

From: Anonymous Person

04/20/2019

Subject: California Public Records Act Request: Immediate Disclosure Request - Em...

Email

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:
<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A2. the e-mail message with Message-Id:
<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:
<requests@muckrock.com>

A4. the e-mail message with Message-Id:
<requests@muckrock.com>

A5. the e-mail message with Message-Id:
<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:
<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

From: San Francisco City Attorney

04/22/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ...

Email

Hello,

I am writing in response to your below immediate disclosure request, received today.

Regarding your first request, "A" - could you please provide more context? I am not sure I understand what the emails are or how to locate them based on the information provided.

Regarding your second request, "B", please see below links to the Good Government Guide and to information on the San Francisco Sunshine Ordinance. Our office's internal advice is exempt from disclosure under attorney-client privilege.

<https://www.sfcityattorney.org/good-government/good-government-guide/>

<https://www.sfcityattorney.org/good-government/>

Please send replies
to cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image003.jpg@01D4F8F6.4D963580]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera
(415) 554-4685 Direct
www.sfcityattorney.org
Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>>
Twitter<<https://twitter.com/SFCityAttorney>>
Instagram<<https://www.instagram.com/sfcityattorney/>>



image003

 Download



image001

 Download

From: Anonymous Person

04/22/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ... 

Message-Ids uniquely identify e-mail messages in your email servers. From the headers of your most recent email, it appears your office uses Microsoft Outlook and/or Microsoft Exchange - therefore, your IT department/contractor should be able to retrieve e-mail records directly from your server using the Message-Ids we have provided.

From: San Francisco City Attorney

04/23/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ... 

Hello,

I am writing in response to part A of your below request.

Your request was sent as an "Immediate Disclosure Request" under San Francisco Administrative Code Section 67.25(a). But to qualify under that section, the request must be "simple, routine and readily answerable." The Sunshine Ordinance requires shorter response times in those situations where a department is able to quickly locate and produce the requested records. In order to respond to your request, this office will need to conduct a review of our electronic files to find responsive records. For this reason, we are not treating your request as one appropriately filed as an "immediate disclosure" request, but as one which is subject to the normally applicable 10-day response time, which will be May 2, 2019. However, we will endeavor to fulfill your request as soon as possible.

Sincerely,

[cid:image003.jpg@01D4F8F6.4D963580]Elizabeth A. Coolbrith
Paralegal

Office of City Attorney Dennis Herrera
(415) 554-4685 Direct

www.sfcityattorney.org

Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>>

Twitter<<https://twitter.com/SFCityAttorney>>

Instagram<<https://www.instagram.com/sfcityattorney/>>



image003

Download



image001

Download

From: Anonymous Person

04/22/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ...

Message-Ids uniquely identify e-mail messages in your email servers. From the headers of your most recent email, it appears your office uses Microsoft Outlook and/or Microsoft Exchange - therefore, your IT department/contractor should be able to retrieve e-mail records directly from your server using the Message-Ids we have provided.

From: San Francisco City Attorney

04/23/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ...

Hello,

I am writing in response to part A of your below request.

Your request was sent as an "Immediate Disclosure Request" under San Francisco Administrative Code Section 67.25(a). But to qualify under that section, the request must be "simple, routine and readily answerable." The Sunshine Ordinance requires shorter response times in those situations where a department is able to quickly locate and produce the requested records. In order to respond to your request, this office will need to conduct a review of our electronic files to find responsive records. For this reason, we are not treating your request as one appropriately filed as an "immediate disclosure" request, but as one which is subject to the normally applicable 10-day response time, which will be May 2, 2019. However, we will endeavor to fulfill your request as soon as possible.

Please send replies
to cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image002.jpg@01D4F9EE.FD8B8960]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera
(415) 554-4685 Direct
www.sfcityattorney.org
Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>>
Twitter<<https://twitter.com/SFCityAttorney>>
Instagram<<https://www.instagram.com/sfcityattorney/>>



image001

Download



image002

Download

From: San Francisco City Attorney

04/24/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ...

Dear Sir/Madam,

The attached two emails are responsive to portions A3/A4, and A5/A6 of your request below. We have conducted a reasonable and diligent search and did not locate any further responsive documents.

In addition, please note that we already responded to portion B of your request, on 4/22/2019.

If you have further questions or need anything additional, please feel free to reach out to us at the below contact information.

Please send replies
to cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image002.jpg@01D4FA8E.F0958DA0]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera
(415) 554-4685 Direct
www.sfcityattorney.org

Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>>
Twitter<<https://twitter.com/SFCityAttorney>>
Instagram<<https://www.instagram.com/sfcityattorney/>>



Email 4.19.19

View Embed Download



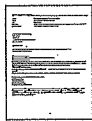
image001

Download



image002

Download



Email 4.18.19

View Embed Download

From: Anonymous Person

04/24/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ...

Thank you. As we noted in our initial request, we requested the entire email message, which contains numerous other headers in addition to those you have provided so far.

We do not see any statutory justification cited for withholding that portion of the public record. Please do provide the entire message with all headers (except those statutorily excluded from disclosure).

From: Muckrock Staff

05/08/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ...

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on April 20, 2019. You had previously indicated that it would be completed on May 2, 2019. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: San Francisco City Attorney

05/08/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ... Email

Hello,

We already completed our response to your request on April 24, 2019. We do not intend to produce anything further in response to your request.

Please send replies
to cityattorney@sfcityatty.org<mailto:cityattorney@sfcityatty.org>

Sincerely,

[cid:image002.jpg@01D50583.20D9FFB0]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera
(415) 554-4685 Direct
www.sfcityattorney.org
Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>>
Twitter<<https://twitter.com/SFCityAttorney>>
Instagram<<https://www.instagram.com/sfcityattorney/>>



image002

Download



image001

Download

From: Anonymous Person

05/08/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ... Email

Your PDFs include From, To, Subject, Sent, Attachments, and Body of the emails. You have withheld certain portions of the email records, including but not limited to:

- Header: X-Envelope-From
- Header: Received
- Header: Thread-Topic
- Header: X-Originating-Ip
- Header: Thread-Index
- Header: Sender
- Header: X-Originatororg

Please provide a statutory justification for such withholding, and the name and title of the official responsible for that withholding, per CPRA.

**Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service

used to issue this request (though I am not a MuckRock representative).**

Exhibit B - a responsive email record. note it includes an attachment of a separate CPRA request.

Coolbrith, Elizabeth (CAT)

From: 71969-51399120@requests.muckrock.com
Sent: Thursday, April 18, 2019 10:31 AM
To: CityAttorney
Subject: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions
Attachments: ZX03-190418-0620-20SF20Attorney.pdf

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

April 18, 2019

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.
Please see the attached letter.

Filed via MuckRock.com

E-mail (Preferred): 71969-51399120@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Femail%3Dcityattorney%2540sfcityatty.org%26next%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-pra-opinions-71969%252F%2523agency-reply&url_auth_token=AAAuFPyowSKvISVcsOY___QbVFM%3A1hHAs4%3AOwQe4c_mSkc6wjcWujmU_cmkaGU

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 71969
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

California Public Records Act Request

Immediate Disclosure Request

Your immediate response is requested.

Date	Our Ref. Num.
2019-04-18	ZX03-190418-06

Please provide the following public records pursuant to the California Public Records Act (the "Act")¹, the San Francisco Sunshine Ordinance, and Article I of the California Constitution. If the recipient cannot address this request, please forward it to the appropriate official or staff member. "You" and "your," refer to each of the one or more requestee public agencies, and not merely the individual recipient or member, agent, officer, or employee of the public agency. "Including" means "including but not limited to." We reserve all of our rights under the Act and other applicable law.

All of your responses, including any disclosed records, secret URLs or file share passwords, may be automatically, instantly, and publicly viewable via the muckrock.com service.

Please be certain all responses are properly redacted. I am not a representative of MuckRock.

We request electronic copies of only those records that will be provided to us without any fees and/or that you waive fees. As we do not want any physical copies, we are not expecting any fees. However, if you determine that you would assess fees to provide us with copies of some or all records (which we may challenge), instead provide us with the fee-free determination of which responsive records exist, so that we may inspect the records instead (for free), if we so choose. As numerous records may be responsive, after providing your statutory response within appropriate deadlines, we are happy to receive record production in a rolling or incremental manner.

Requestee Public Agency

City and County of San Francisco - City Attorney

Requestor

An anonymous member of the public², who may be contacted only via email

¹References to the Act are made with respect to the Cal. Gov't. Code as listed on https://leginfo.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=GOV&division=7.&title=1.&part=&chapter=3.5.&article=

²Since Act requests are not even required to be in writing ("The California Public Records Act plainly does not require a written request." *Los Angeles Times v. Alameda Corridor Transp. Auth.* (2001) 88 Cal.App.4th 1381, 1392.) and may not be distinguished by the purpose of the request (Gov't Code sec. 6257.5), I choose not to use any forms you may have made available for Act requests nor will I identify myself nor provide contact information other than e-mail address. I will not use any private entity's contracted public records website if doing so would require agreement to terms or privacy policies which impose any conditions beyond the requirements of the Act.

Requests

Electronic copies, via email, of all records prepared, owned, used, or retained by each agency (including all appendices, attachments, inline images, exhibits, or shared files referenced in or by the below requested records, and including all public records that pursuant to *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608 may exist on personal accounts or devices) of any of the following:

- R1. all requests for legal opinion from the City Attorney pursuant to San Francisco Administrative Code 67.21 from January 1, 2010 through April 18, 2019
- R2. all responses to R1, including published and unpublished opinions and refusals to provide an opinion

Note that per Gov't Code 6253.9(a)(1): "The agency shall make the information available in any electronic format in which it holds the information." If you have these records in .msg or .eml formats, please provide a lossless copy of that record in that original format, or in another format that fully preserves all e-mail headers and other metadata. If you instead, for example, print the email to PDF format, we will lose valuable data associated with the record, and you will not have provided us a complete copy of the public record.

In your notice of determination, state whether you have records responsive to each of the requests made. Please cite legal authority for any records or portions thereof withheld³ and the names and titles⁴ of each person responsible for such withholding. Please perform a diligent search for responsive records and examine them before determining they are exempt, as you may find that responsive records have segregatable disclosable portions that you must disclose,⁵ which cannot be determined unless you actually search for records.

Please provide all records solely in electronic format⁶ and via e-mail. If a record is available on your public website, a URL is preferable to duplication. If it is not, please consider publishing it so as to benefit the entire public and not just me. If records are too large to provide over e-mail, please use a file sharing service if your agency has one. If you use your file sharing service, and file access would expire, please set the expiration to no less than 30 days after notifying us of record availability. We choose not to provide a mailing address for physical CD-ROMs or USB drives both to preserve anonymity and reduce financial and environmental costs.

All public records "prepared, owned, used, or retained"⁷ by every agency⁸ named must be considered. Under *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608 personal email accounts or mobile devices may contain disclosable public records – please search them as appropriate. If multiple agencies are addressed, a response from each is expected.

Please make note of the reference number (ZX03-190418-06) as I may have sent you multiple,

³ Gov't Code sec. 6255

⁴ Gov't Code sec. 6253(d)

⁵ Gov't Code sec. 6253(a)

⁶ Gov't Code sec. 6253.9(a)

⁷ Gov't Code sec. 6252(e)

⁸ See Gov't Code sec. 6527(e)(5) if you are a joint powers agency or joint powers authority.

distinct requests with different reference numbers.

Please promptly disclose⁹ of all disclosable records responsive to this request, and provide assistance, as needed, in identifying and locating responsive records and overcoming objections to their disclosure,¹⁰ in accordance with the Act, any "requirements for [yourself] that allow for faster, more efficient, or greater access to records,"¹¹ and other applicable laws and regulations.

Thank you for your prompt attention to this matter.

⁹Gov't Code sec. 6253(b)

¹⁰Gov't Code sec. 6253.1(a)

¹¹Gov't Code sec. 6253(e)

Exhibit C

Coolbrith, Elizabeth (CAT)

From: Coolbrith, Elizabeth (CAT) on behalf of CityAttorney
Sent: Thursday, April 18, 2019 12:59 PM
To: '71969-51399120@requests.muckrock.com'
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions

Hello,

I am writing in response to your immediate disclosure request received April 18, 2019. Please note that we are invoking an extension of time under Government Code section 6253(c) due to the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records. We will endeavor to process your request as quickly as possible and anticipate responding no later than the close of business May 3, 2019.



Please send replies to cityattorney@sfcityatty.org

Sincerely,

Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera
(415) 554-4685 Direct
www.sfcityattorney.org
Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

From: 71969-51399120@requests.muckrock.com <71969-51399120@requests.muckrock.com>
Sent: Thursday, April 18, 2019 10:31 AM
To: CityAttorney <cityattorney@SFCITYATTY.ORG>
Subject: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

April 18, 2019

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.
Please see the attached letter.

Filed via MuckRock.com
E-mail (Preferred): 71969-51399120@requests.muckrock.com
Upload documents directly:
<https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2>

[Flogin%2F%3Femail%3Dcityattorney%2540sfcityatty.org%26next%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-pra-opinions-71969%252F%2523agency-reply&url_auth_token=AAAuFPyowSKvISVcsOY_QbVFM%3A1hHAs4%3AOwQe4c_mSkc6wjcWujmUcmkaGU](https://login%2F%3Femail%3Dcityattorney%2540sfcityatty.org%26next%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-pra-opinions-71969%252F%2523agency-reply&url_auth_token=AAAuFPyowSKvISVcsOY_QbVFM%3A1hHAs4%3AOwQe4c_mSkc6wjcWujmUcmkaGU)

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 71969
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

BOARD OF SUPERVISORS
SAN FRANCISCO

May 8, 2019

2019 MAY -8 PM 1:20

This is a follow up to a previous request:

BY AK

See attached Sunshine Ordinance complaint.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Filed via MuckRock.com
E-mail (Preferred): 72056-97339218@requests.muckrock.com

For mailed responses, please address (see note):
MuckRock News
DEPT MR 72056
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On May 8, 2019:
Your PDFs include From, To, Subject, Sent, Attachments, and Body of the emails. You have withheld certain portions of the email records, including but not limited to:

- Header: X-Envelope-From
- Header: Received
- Header: Thread-Topic
- Header: X-Originating-IP
- Header: Thread-Index
- Header: Sender
- Header: X-Originatororg

Please provide a statutory justification for such withholding, and the name and title of the official responsible for that withholding, per CPRA.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

On May 8, 2019:
Hello,

We already completed our response to your request on April 24, 2019. We do not intend to produce anything further in response to your request.

Please send replies to
cityattorney@sfcityatty.org<mailto:cityattorney@sfcityatty.org>

Sincerely,

[cid:image002.jpg@01D50583.20D9FFB0]Elizabeth A. Coolbrith
Paralegal

Office of City Attorney Dennis Herrera
(415) 554-4685 Direct
www.sfcityattorney.org
Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>>
Twitter<<https://twitter.com/SFCityAttorney>>
Instagram<<https://www.instagram.com/sfcityattorney/>>

On April 24, 2019:

Thank you. As we noted in our initial request, we requested the entire email message, which contains numerous other headers in addition to those you have provided so far.

We do not see any statutory justification cited for withholding that portion of the public record. Please do provide the entire message with all headers (except those statutorily excluded from disclosure).

On April 24, 2019:

Dear Sir/Madam,

The attached two emails are responsive to portions A3/A4, and A5/A6 of your request below. We have conducted a reasonable and diligent search and did not locate any further responsive documents.

In addition, please note that we already responded to portion B of your request, on 4/22/2019.

If you have further questions or need anything additional, please feel free to reach out to us at the below contact information.

Please send replies to
cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image002.jpg@01D4FA8E.F0958DA0]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera
(415) 554-4685 Direct
www.sfcityattorney.org
Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>>
Twitter<<https://twitter.com/SFCityAttorney>>
Instagram<<https://www.instagram.com/sfcityattorney/>>

On April 23, 2019:

Hello,

I am writing in response to part A of your below request.

Your request was sent as an "Immediate Disclosure Request" under San Francisco Administrative Code Section 67.25(a). But to qualify under that section, the request must be "simple, routine and readily answerable." The Sunshine Ordinance requires shorter response times in those situations where a department is able to quickly locate and produce the requested records. In order to respond to your request, this office will need to conduct a review of our electronic files to find responsive records. For this reason, we are not treating your request as one appropriately filed as an "immediate disclosure" request, but as one which is subject to the normally applicable 10-day response time, which will be May 2, 2019. However, we will endeavor to fulfill your request as soon as possible.

Please send replies to
cityattorney@sfcityatty.org<mailto:cityattorney@sfcityatty.org>

Sincerely,

[cid:image002.jpg@01D4F9EE.FD8B8960]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera
(415) 554-4685 Direct
www.sfcityattorney.org
Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>>
Twitter<<https://twitter.com/SFCityAttorney>>
Instagram<<https://www.instagram.com/sfcityattorney/>>

On April 20, 2019:

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:

20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:

<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:

<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking

attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com
E-mail (Preferred): 72056-97339218@requests.muckrock.com

For mailed responses, please address (see note):
MuckRock News
DEPT MR 72056
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

72056-97339218@requests.muckrock.com (Anonymous requestor)

US mail to: MuckRock News, DEPT MR 72056, 411A Highland Ave, Somerville, MA 02144-2516

Please use email only. I am an anonymous user of MuckRock.com, not a MuckRock representative.

BOARD OF SUPERVISORS
SANTA CLARA COUNTY
2019 MAY -8 PM 1:20
AK

SUNSHINE ORDINANCE TASK FORCE

Room 244 - Tel. (415) 554-7724; Fax (415) 554-7854

1 Dr. Carlton B. Goodlett Place

San Francisco CA 94102

cc: City Attorney (cityattorney@SFCITYATTY.ORG)

sent via email and fax to Task Force, email to City Attorney

Our ref.
#72056

Date
2019-05-08

RE: SF Sunshine Ordinance Complaint against City Attorney, ref 72056

To Whom It May Concern:

NOTE: Every response you send or provide (including all responsive records) may be automatically and immediately visible to the general public on the MuckRock.com web service used to issue this request. (I am not a representative of MuckRock)

A. METADATA:

Complainant Name: (Anonymous - use email 72056-97339218@requests.muckrock.com)

Date of Request: April 20, 2019

Complaint Against Employees: Dennis Herrera (Herrera) in his official capacity as city attorney, Elizabeth A. Coolbrith (Coolbrith) in her official capacity as paralegal for city attorney

Complaint Against Agency: Office of City Attorney

Yes - Alleged violation of public records access

Yes - Alleged failure to provide information in a timely manner in accordance with the provisions of the Sunshine Ordinance

No - Alleged violation of a public meeting

RE: SF Sunshine Ordinance Complaint against City Attorney, ref 72056

B. NARRATIVE:

On April 20, 2019 we sent a San Francisco Sunshine Ordinance (Ordinance) and California Public Records Act (CPRA) request to the City Attorney – enclosed herein as Exhibit A, which also includes the communication back and forth with the City Attorney's office and Coolbrith. On April 22, 2019 Coolbrith replied on behalf of Herrera with records responsive to part "B" and asking for clarification on part "A", to which I replied on the same day. On April 23, 2019 Coolbrith notified us our request would not be treated as an Immediate Disclosure request.

On April 24, 2019 Coolbrith provided us "two emails [that] are responsive to portions A3/A4, and A5/A6 of your request." (with the responsive records provided as Exhibit B and Exhibit C).

I replied on the same day as follows:

Thank you. As we noted in our initial request, we requested the entire email message, which contains numerous other headers in addition to those you have provided so far.

We do not see any statutory justification cited for withholding that portion of the public record. Please do provide the entire message with all headers (except those statutorily excluded from disclosure).

The MuckRock.com system automatically sent a reminder to City Attorney on May 8, 2019, to which Coolbrith replied on the same day in part:

We already completed our response to your request on April 24, 2019. We do not intend to produce anything further in response to your request.

I replied on the same day, in part:

Your PDFs include From, To, Subject, Sent, Attachments, and Body of the emails. You have withheld certain portions of the email records, including but not limited to:

- Header: X-Envelope-From
- Header: Received
- Header: Thread-Topic
- Header: X-Originating-Ip
- Header: Thread-Index
- Header: Sender
- Header: X-Originatororg

Please provide a statutory justification for such withholding, and the name and title of the official responsible for that withholding, per CPRA.

Since I had previously requested the entire email message with full headers and statutory justification, I proceeded to file this complaint.

RE: SF Sunshine Ordinance Complaint against City Attorney, ref 72056

C. COMPLAINTS:

I make the following allegations. I am not an attorney, so my understanding is associated with proper sections of the law to the best of my (lay) ability.

1. Violations of SF Admin Code Sec. 67.27. Justification Of Withholding

On April 24, 2019 and May 8, 2019, Coolbrith's responses did not justify withholding portions of the responsive email records (namely the headers, which we had specifically requested in our original request and April 24, 2019 reply). No statutory nor case law authority was provided.

2. Violations of SF Admin Code Sec. 67.26. Withholding Kept To A Minimum

On April 24, 2019, responsive records as provided in attachments to Coolbrith's response (Exhibits B and C) did not withhold the minimum necessary portions of the emails requested. While it may be argued that some of the headers of an email could be withheld for privacy reasons (though we do not concede such point), that does not mean the City Attorney can withhold all portions of the email other than From, To, Subject, Sent, the attachments, and the email body.

Furthermore, information that is clearly public record was withheld by converting the email record to PDF format in the specific manner that the City Attorney did. For example, the From header in one of the PDFs states "Coolbrith, Elizabeth (CAT) on behalf of CityAttorney." The original e-mail record would include the email address of "Coolbrith, Elizabeth (CAT)" and "CityAttorney" instead of just their names - these are official, public employee email addresses that there is no reason to withhold.

3. Violations of SF Admin Code Sec. 67.21. Process For Gaining Access To Public Records; Administrative Appeals.

67.21(b) ("...If the custodian believes the record or information requested is not a public record or is exempt, the custodian shall justify withholding any record by demonstrating, in writing as soon as possible and within ten days following receipt of a request, that the record in question is exempt under express provisions of this ordinance...") was violated by Coolbrith's April 24, 2019 response wherein she did not indicate that the City Attorney believed the remaining portion (other headers) of the emails we requested were exempt, and on May 8 as well when Coolbrith indicated they would not disclose any more records without any justification.

67.21(i) ("The San Francisco City Attorney's office shall act to protect and secure the rights of the people of San Francisco to access public information and public meetings and shall not act as legal counsel for any city employee or any person having custody of any public record for purposes of denying access to the public. ") was violated since it is the City Attorney itself denying us access to a portion of the email record.

67.21(l) ("Inspection and copying of documentary public information stored in electronic form shall be made available to the person requesting the information in any form requested which is available to or easily generated by the department...") was violated on April 24, 2019 since Coolbrith provided the emails requested in PDF format and not the raw/original format stored by the email

RE: SF Sunshine Ordinance Complaint against City Attorney, ref 72056

servers. This original format (which we specifically requested) contains those additional headers we requested.

4. Violations of CA Govt Code 6253.9

6253.9(a)(1) ("...The agency shall make the information available in any electronic format in which it holds the information...") was violated for reasons stated under the third paragraph of complaint #3. We specifically asked for emails in the format the agency held them in. Emails are not held in PDF format by email servers.

5. Violations of CA Govt Code 6253

6253(a) ("Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.") was violated for reasons stated under complaint #2. Portions of the responsive email records that are not exempt under the law were deleted.

6. Violations of CA Govt Code 6255

6255(a) was violated for reasons stated under complaint #1.

D. RELIEF REQUESTED

SF Admin Code Sec 67.30 provides in part that "The City Attorney shall serve as legal advisor to the task force. The Sunshine Ordinance Task Force shall, at its request, have assigned to in an attorney from within the City Attorney's Office or other appropriate City Office, who is experienced in public-access law matters. This attorney shall serve solely as a legal advisor and advocate to the Task Force and an ethical wall will be maintained between the work of this attorney on behalf of the Task Force and any person or Office that the Task Force determines may have a conflict of interest with regard to the matters being handled by the attorney." I ask the Task Force to keep in mind the possible conflicts of interest apparent in an attorney from the Office of City Attorney investigating complaints against the City Attorney itself.

I ask for the Task Force to direct the City Attorney to produce the full emails we originally requested, with redaction of only those headers (if any) that can be justified legally and explicitly. I ask the Task Force to direct that emails be produced by San Francisco agencies subject to the Sunshine Ordinance in their original format, preserving headers, except those that can be withheld with explicit justification. I ask for a hearing, to the extent possible given my desire to remain anonymous.

I do not believe adequate relief is available under SF Admin Code Sec 67.21(d) since the City Attorney is also the Supervisor of Records. However, we reserve our right to petition the Supervisor of Records in that capacity, separate from his capacity as the local agency responsible for responding to our request under the CPRA.

RE: SF Sunshine Ordinance Complaint against City Attorney, ref 72056

encl: Exhibit A – Original Request and Communications with City Attorney

encl: Exhibit B – Responsive record titled Email_4.18.19.pdf

encl: Exhibit C – Responsive record titled Email_4.19.19.pdf

Exhibit A

From: Anonymous Person

04/20/2019

Subject: California Public Records Act Request: Immediate Disclosure Request - Em... 

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:

requests@muckrock.com

A4. the e-mail message with Message-Id:

<requests@muckrock.com>

A5. the e-mail message with Message-Id:

<DM5PRO9MB1497363CAABBE6806E88810F80260@DM5PRO9MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:

DM5PRO9MB1497363CAABBE6806E88810F80260@DM5PRO9MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

From: San Francisco City Attorney

04/22/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Small

Hello,

I am writing in response to your below immediate disclosure request, received today.

Regarding your first request, "A" - could you please provide more context? I am not sure I understand what the emails are or how to locate them based on the information provided.

Regarding your second request, "B", please see below links to the Good Government Guide and to information on the San Francisco Sunshine Ordinance. Our office's internal advice is exempt from disclosure under attorney-client privilege.

<https://www.sfcityattorney.org/good-government/good-government-guide/>

<https://www.sfcityattorney.org/good-government/>

Please send replies
to cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image003.jpg@01D4F8F6.4D963580]Elizabeth A. Coolbrith
 Paralegal
 Office of City Attorney Dennis Herrera
 (415) 554-4685 Direct
www.sfcityattorney.org
 Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>>
 Twitter<<https://twitter.com/SFCityAttorney>>
 Instagram<<https://www.instagram.com/sfcityattorney/>>



image003

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image001

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From: Anonymous Person

04/22/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ... [Email](#)

Message-Ids uniquely identify e-mail messages in your email servers. From the headers of your most recent email, it appears your office uses Microsoft Outlook and/or Microsoft Exchange - therefore, your IT department/contractor should be able to retrieve e-mail records directly from your server using the Message-Ids we have provided.

From: San Francisco City Attorney

04/23/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ... [Email](#)

Hello,

I am writing in response to part A of your below request.

Your request was sent as an "Immediate Disclosure Request" under San Francisco Administrative Code Section 67.25(a). But to qualify under that section, the request must be "simple, routine and readily answerable." The Sunshine Ordinance requires shorter response times in those situations where a department is able to quickly locate and produce the requested records. In order to respond to your request, this office will need to conduct a review of our electronic files to find responsive records. For this reason, we are not treating your request as one appropriately filed as an "immediate disclosure" request, but as one which is subject to the normally applicable 10-day response time, which will be May 2, 2019. However, we will endeavor to fulfill your request as soon as possible.

Sincerely,

[cid:image003.jpg@01D4F8F6.4D963580]Elizabeth A. Coolbrith
 Paralegal
 Office of City Attorney Dennis Herrera
 (415) 554-4685 Direct
www.sfcityattorney.org
 Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>>
 Twitter<<https://twitter.com/SFCityAttorney>>
 Instagram<<https://www.instagram.com/sfcityattorney/>>



image003

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image001

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From: Anonymous Person

04/22/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ... Email

Message-Ids uniquely identify e-mail messages in your email servers. From the headers of your most recent email, it appears your office uses Microsoft Outlook and/or Microsoft Exchange - therefore, your IT department/contractor should be able to retrieve e-mail records directly from your server using the Message-Ids we have provided.

From: San Francisco City Attorney

04/23/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ... Email

Hello,

I am writing in response to part A of your below request.

Your request was sent as an "Immediate Disclosure Request" under San Francisco Administrative Code Section 67.25(a). But to qualify under that section, the request must be "simple, routine and readily answerable." The Sunshine Ordinance requires shorter response times in those situations where a department is able to quickly locate and produce the requested records. In order to respond to your request, this office will need to conduct a review of our electronic files to find responsive records. For this reason, we are not treating your request as one appropriately filed as an "immediate disclosure" request, but as one which is subject to the normally applicable 10-day response time, which will be May 2, 2019. However, we will endeavor to fulfill your request as soon as possible.

Please send replies
to cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image002.jpg@01D4F9EE.FD8B8960]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera
(415) 554-4685 Direct
www.sfcityattorney.org
Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>>
Twitter<<https://twitter.com/SFCityAttorney>>
Instagram<<https://www.instagram.com/sfcityattorney/>>



image001

Download



image002

Download

From: San Francisco City Attorney

04/24/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ...

Dear Sir/Madam,

The attached two emails are responsive to portions A3/A4, and A5/A6 of your request below. We have conducted a reasonable and diligent search and did not locate any further responsive documents.

In addition, please note that we already responded to portion B of your request, on 4/22/2019.

If you have further questions or need anything additional, please feel free to reach out to us at the below contact information.

Please send replies
to cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image002.jpg@01D4FA8E.F0958DA0]Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera
(415) 554-4685 Direct
www.sfcityattorney.org

Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>>
 Twitter<<https://twitter.com/SFCityAttorney>>
 Instagram<<https://www.instagram.com/sfcityattorney/>>



Email 4.19.19

View Embed Download



image001

Download



image002

Download



Email 4.18.19

View Embed Download

From: Anonymous Person

04/24/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ... [Email](#)

Thank you. As we noted in our initial request, we requested the entire email message, which contains numerous other headers in addition to those you have provided so far.

We do not see any statutory justification cited for withholding that portion of the public record. Please do provide the entire message with all headers (except those statutorily excluded from disclosure).

From: Muckrock Staff

05/08/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ... [Email](#)

To Whom It May Concern:

I'm following up on the following California Public Records Act request, copied below, and originally submitted on April 20, 2019. You had previously indicated that it would be completed on May 2, 2019. I wanted to check on the status of my request, and to see if there was a new estimated completion date.

Thanks for your help, and let me know if further clarification is needed.

From: San Francisco City Attorney

05/08/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ... 

Hello,

We already completed our response to your request on April 24, 2019. We do not intend to produce anything further in response to your request.

Please send replies
to cityattorney@sfcityatty.org<mailto:cityattorney@sfcityatty.org>

Sincerely,

[cid:image002.jpg@01D50583.20D9FFB0]Elizabeth A. Coolbrith
Paralegal

Office of City Attorney Dennis Herrera

(415) 554-4685 Direct

www.sfcityattorney.org

Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>>

Twitter<<https://twitter.com/SFCityAttorney>>

Instagram<<https://www.instagram.com/sfcityattorney/>>



image002



 Download



image001

 Download

From: Anonymous Person

05/09/2019

Subject: RE: California Public Records Act Request: Immediate Disclosure Request - ... 

Your PDFs include From, To, Subject, Sent, Attachments, and Body of the emails. You have withheld certain portions of the email records, including but not limited to:

- Header: X-Envelope-From
- Header: Received
- Header: Thread-Topic
- Header: X-Originating-Ip
- Header: Thread-Index
- Header: Sender
- Header: X-Originatororg

Please provide a statutory justification for such withholding, and the name and title of the official responsible for that withholding, per CPRA.

**Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service

used to issue this request (though I am not a MuckRock representative).**

Exhibit B - a responsive email record. note it includes an attachment of a separate CPRA request.

Coolbrith, Elizabeth (CAT)

From: 71969-51399120@requests.muckrock.com
Sent: Thursday, April 18, 2019 10:31 AM
To: CityAttorney
Subject: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions
Attachments: ZX03-190418-0620-20SF20Attorney.pdf

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

April 18, 2019

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.
Please see the attached letter.

Filed via MuckRock.com

E-mail (Preferred): 71969-51399120@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Femail%3Dcityattorney%2540sfcityatty.org%26next%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-pra-opinions-71969%252F%2523agency-reply&url_auth_token=AAAuFPyowSKvISVcsOY___QbVFM%3A1hHAs4%3AOwQe4c_mSkc6wjcWujmU_cmkaGU

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 71969
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

RE: California Public Records Act Request - Ref# ZX03-190418-06

California Public Records Act Request

Immediate Disclosure Request

Your immediate response is requested.

Date
2019-04-18

Case Ref. Num.
ZX03-190418-06

Please provide the following public records pursuant to the California Public Records Act (the "Act")¹, the San Francisco Sunshine Ordinance, and Article I of the California Constitution. If the recipient cannot address this request, please forward it to the appropriate official or staff member. "You" and "your," refer to each of the one or more requestee public agencies, and not merely the individual recipient or member, agent, officer, or employee of the public agency. "Including" means "including but not limited to." We reserve all of our rights under the Act and other applicable law.

All of your responses, including any disclosed records, secret URLs or file share passwords, may be automatically, instantly, and publicly viewable via the muckrock.com service.

Please be certain all responses are properly redacted. I am not a representative of MuckRock.

We request electronic copies of only those records that will be provided to us without any fees and/or that you waive fees. As we do not want any physical copies, we are not expecting any fees. However, if you determine that you would assess fees to provide us with copies of some or all records (which we may challenge), instead provide us with the fee-free determination of which responsive records exist, so that we may inspect the records instead (for free), if we so choose. As numerous records may be responsive, after providing your statutory response within appropriate deadlines, we are happy to receive record production in a rolling or incremental manner.

Requestee Public Agency

City and County of San Francisco - City Attorney

Requestor

An anonymous member of the public², who may be contacted only via email

¹References to the Act are made with respect to the Cal. Gov't. Code as listed on https://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=GOV&division=7.&title=1.&part=&chapter=3.5.&article=

²Since Act requests are not even required to be in writing ("The California Public Records Act plainly does not require a written request." *Los Angeles Times v. Alameda Corridor Transp. Auth.* (2001) 88 Cal.App.4th 1381, 1392.) and may not be distinguished by the purpose of the request (Gov't Code sec. 6257.5), I choose not to use any forms you may have made available for Act requests nor will I identify myself nor provide contact information other than e-mail address. I will not use any private entity's contracted public records website if doing so would require agreement to terms or privacy policies which impose any conditions beyond the requirements of the Act.

RE: California Public Records Act Request - Ref# ZX03-190418-06

Requests

Electronic copies, via email, of all records prepared, owned, used, or retained by each agency (including all appendices, attachments, inline images, exhibits, or shared files referenced in or by the below requested records, and including all public records that pursuant to *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608 may exist on personal accounts or devices) of any of the following:

- R1. all requests for legal opinion from the City Attorney pursuant to San Francisco Administrative Code 67.21 from January 1, 2010 through April 18, 2019
- R2. all responses to R1, including published and unpublished opinions and refusals to provide an opinion

Note that per Gov't Code 6253.9(a)(1): "The agency shall make the information available in any electronic format in which it holds the information." If you have these records in .msg or .eml formats, please provide a lossless copy of that record in that original format, or in another format that fully preserves all e-mail headers and other metadata. If you instead, for example, print the email to PDF format, we will lose valuable data associated with the record, and you will not have provided us a complete copy of the public record.

In your notice of determination, state whether you have records responsive to each of the requests made. Please cite legal authority for any records or portions thereof withheld³ and the names and titles⁴ of each person responsible for such withholding. Please perform a diligent search for responsive records and examine them before determining they are exempt, as you may find that responsive records have segregatable disclosable portions that you must disclose,⁵ which cannot be determined unless you actually search for records.

Please provide all records solely in electronic format⁶ and via e-mail. If a record is available on your public website, a URL is preferable to duplication. If it is not, please consider publishing it so as to benefit the entire public and not just me. If records are too large to provide over e-mail, please use a file sharing service if your agency has one. If you use your file sharing service, and file access would expire, please set the expiration to no less than 30 days after notifying us of record availability. We choose not to provide a mailing address for physical CD-ROMs or USB drives both to preserve anonymity and reduce financial and environmental costs.

All public records "prepared, owned, used, or retained"⁷ by every agency⁸ named must be considered. Under *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608 personal email accounts or mobile devices may contain disclosable public records - please search them as appropriate. If multiple agencies are addressed, a response from each is expected.

Please make note of the reference number (ZX03-190418-06) as I may have sent you multiple,

³ Gov't Code sec. 6255

⁴ Gov't Code sec. 6253(d)

⁵ Gov't Code sec. 6253(a)

⁶ Gov't Code sec. 6253.9(a)

⁷ Gov't Code sec. 6252(e)

⁸ See Gov't Code sec. 6527(e)(5) if you are a joint powers agency or joint powers authority.

RE: California Public Records Act Request - Ref# ZX03-190418-06

distinct requests with different reference numbers.

Please promptly disclose⁹ of all disclosable records responsive to this request, and provide assistance, as needed, in identifying and locating responsive records and overcoming objections to their disclosure,¹⁰ in accordance with the Act, any "requirements for [yourself] that allow for faster, more efficient, or greater access to records,"¹¹ and other applicable laws and regulations.

Thank you for your prompt attention to this matter.

⁹Gov't Code sec. 6253(b)

¹⁰Gov't Code sec. 6253.1(a)

¹¹Gov't Code sec. 6253(e)

Exhibit C

Coolbrith, Elizabeth (CAT)

From: Coolbrith, Elizabeth (CAT) on behalf of CityAttorney
Sent: Thursday, April 18, 2019 12:59 PM
To: '71969-51399120@requests.muckrock.com'
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - PRA Opinions

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San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

April 18, 2019

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.
Please see the attached letter.

Filed via MuckRock.com

E-mail (Preferred): 71969-51399120@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2F

[Flogin%2F%3Femail%3Dcityattorney%2540sfcityattly.org%26next%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-pra-opinions-71969%252F%2523agency-reply&url_auth_token=AAAuFPyow5KvISVcsOY_ObVFM%3A1hHAs4%3AOwQe4c_mSkc6wjeWujmUcmkaGU](mailto:login%2F%3Femail%3Dcityattorney%2540sfcityattly.org%26next%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-pra-opinions-71969%252F%2523agency-reply&url_auth_token=AAAuFPyow5KvISVcsOY_ObVFM%3A1hHAs4%3AOwQe4c_mSkc6wjeWujmUcmkaGU)

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 71969

411A Highland Ave

Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com
Sent: Wednesday, May 8, 2019 1:14 PM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Attachments: San-Francisco-Sunshine-Ordinance-Appeal-Request-72056.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

San Francisco City Attorney
PRA Office
Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

May 8, 2019

This is a follow up to a previous request:

Hello,

I was previously told I need to file a complaint form. I do not believe using your specific form is necessary even under your own polices, which merely require me to include "Short and concise description of the facts, The name of the Department where the request was submitted – as well as any individual working at the agency who the request involves, A description of how the action or inaction violates the Sunshine Ordinance, Supporting documentation, if applicable, such as a copy of the request to department and or any response from the department, Provide at least one reliable method of contacting the requester (i.e. email address, mailing address or telephone number)." Your website says I may send my own formal letter.

All of those minimum requirements, incl. the request and responses, are met in my original emailed PDF letter, which I have again attached here and also faxed to the SOTF. Please confirm receipt.

Thank you!

****Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAUFBaWtyfyRXNxlh3MkFOGTxo%3A1hOSw

q%3AUSdr2dvHFzLRenwXwcwarp_TKjw

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 72056
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On May 8, 2019:

We sent the attached Sunshine Ordinance complaint to the Sunshine Ordinance Task Force.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

On May 8, 2019:

See attached Sunshine Ordinance complaint.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

On May 8, 2019:

See attached Sunshine Ordinance complaint.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

On May 8, 2019:

Your PDFs include From, To, Subject, Sent, Attachments, and Body of the emails. You have withheld certain portions of the email records, including but not limited to:

- Header: X-Envelope-From
- Header: Received
- Header: Thread-Topic
- Header: X-Originating-Ip
- Header: Thread-Index
- Header: Sender
- Header: X-Originatororg

Please provide a statutory justification for such withholding, and the name and title of the official responsible for that withholding, per CPRA.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

On May 8, 2019:

Hello,

We already completed our response to your request on April 24, 2019. We do not intend to produce anything further in response to your request.

Please send replies to cityattorney@sfcityatty.org

Sincerely,

[cid:image002.jpg@01D50583.20D9FFB0]Elizabeth A. Coolbrith

Paralegal

Office of City Attorney Dennis Herrera

(415) 554-4685 Direct

www.sfcityattorney.org

Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>> Twitter<<https://twitter.com/SFCityAttorney>>

Instagram<<https://www.instagram.com/sfcityattorney/>>

On April 20, 2019:

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:

20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:

<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:

<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:

DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26, 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWtyfyRXNXLh3MkFOGTxo%3A1hOSwq%3AUSdr2dvHFzLRenwXwcwarp_TKjw

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

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Leger, Cheryl (BOS)

From: 72056-97339218@requests.muckrock.com on behalf of '72056-97339218@requests.muckrock.com' <72056-97339218@requests.muckrock.com>
Sent: Wednesday, May 8, 2019 12:22 PM
To: SOTF, (BOS)
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Attachments: San-Francisco-Sunshine-Ordinance-Appeal-Request-72056_Hf2o10v.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

May 8, 2019

This is a follow up to a previous request:

See attached Sunshine Ordinance complaint.

****Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

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https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1hOS8T%3AP5IYm2REzYM7cKphKGMel7xASmU

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

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MuckRock News

DEPT MR 72056

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On May 8, 2019:

See attached Sunshine Ordinance complaint.

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On May 8, 2019:

Your PDFs include From, To, Subject, Sent, Attachments, and Body of the emails. You have withheld certain portions of the email records, including but not limited to:

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Please provide a statutory justification for such withholding, and the name and title of the official responsible for that withholding, per CPRA.

****Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

On May 8, 2019:

Hello,

We already completed our response to your request on April 24, 2019. We do not intend to produce anything further in response to your request.

Please send replies to cityattorney@sfcityatty.org

Sincerely,

[cid:image002.jpg@01D50583.20D9FFB0]Elizabeth A. Coolbrith

Paralegal

Office of City Attorney Dennis Herrera

(415) 554-4685 Direct

www.sfcityattorney.org

Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>> Twitter<<https://twitter.com/SFCityAttorney>>

Instagram<<https://www.instagram.com/sfcityattorney/>>

On April 24, 2019:

Thank you. As we noted in our initial request, we requested the entire email message, which contains numerous other headers in addition to those you have provided so far.

We do not see any statutory justification cited for withholding that portion of the public record. Please do provide the entire message with all headers (except those statutorily excluded from disclosure).

On April 24, 2019:

Dear Sir/Madam,

The attached two emails are responsive to portions A3/A4, and A5/A6 of your request below. We have conducted a reasonable and diligent search and did not locate any further responsive documents.

In addition, please note that we already responded to portion B of your request, on 4/22/2019.

If you have further questions or need anything additional, please feel free to reach out to us at the below contact information.

Please send replies to cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image002.jpg@01D4FA8E.F0958DA0]Elizabeth A. Coolbrith

Paralegal

Office of City Attorney Dennis Herrera

(415) 554-4685 Direct

www.sfcityattorney.org

Find us on: Facebook<<https://www.facebook.com/sfcityattorney/>> Twitter<<https://twitter.com/SFCityAttorney>>

Instagram<<https://www.instagram.com/sfcityattorney/>>

On April 20, 2019:

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DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

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Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dsotf%252540sfgov.org&url_auth_token=AAAuFBaWtyfyRXNxLh3MkFOGTxo%3A1hOS8T%3AP5IYm2REzYM7cKphKGmeI7xASmU

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave

Somerville, MA 02144-2516

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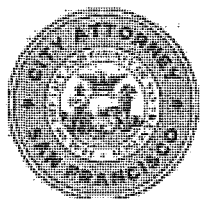


Respondents Document Submission

Leger, Cheryl (BOS)

From: Young, Victor (BOS)
Sent: Monday, May 20, 2019 3:04 PM
To: SOTF, (BOS)
Cc: Calvillo, Angela (BOS)
Subject: FW: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19044
Attachments: response.pdf

FYI



John Coté
Communications Director
Office of City Attorney Dennis Herrera
(415) 554-4662 Direct
www.sfcityattorney.org
Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

From: Cote, John (CAT)
Sent: Friday, May 17, 2019 4:56 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Cc: Guzman, Andrea (CAT) <Andrea.Guzman@sfcityatty.org>
Subject: RE: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19044

Dear Sunshine Ordinance Task Force:

Our response to File No. 19044 is attached.

Best,



John Coté
Communications Director
Office of City Attorney Dennis Herrera
(415) 554-4662 Direct
www.sfcityattorney.org
Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

From: SOTF, (BOS) <sotf@sfgov.org>
Sent: Friday, May 10, 2019 3:54 PM
To: Cote, John (CAT) <John.Cote@sfcityatty.org>; Guzman, Andrea (CAT) <Andrea.Guzman@sfcityatty.org>
Cc: 72056-97339218@requests.muckrock.com
Subject: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19044

Good Afternoon:

Dennis Herrera, Elizabeth Coolbrith and the Office of the City Attorney have been named as Respondents in the attached complaint filed with the Sunshine Ordinance Task Force. Please respond to the following complaint/request within five business days.

The Respondent is required to submit a written response to the allegations including any and all supporting documents, recordings, electronic media, etc., to the Task Force within five (5) business days of receipt of this notice. This is your opportunity to provide a full explanation to allow the Task Force to be fully informed in considering your response prior its meeting.

Please include the following information in your response if applicable:

1. List all relevant records with descriptions that have been provided pursuant to the Complainant request.
2. Date the relevant records were provided to the Complainant.
3. Description of the method used, along with any relevant search terms used, to search for the relevant records.
4. Statement/declaration that all relevant documents have been provided, does not exist, or has been excluded.
5. Copy of the original request for records (if applicable).

Please refer to the File Number when submitting any new information and/or supporting documents pertaining to this complaint.

The Complainant alleges:
Complaint Attached.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.

CITY AND COUNTY OF SAN FRANCISCO



DENNIS J. HERRERA
City Attorney

OFFICE OF THE CITY ATTORNEY

JOHN COTÉ
Press Secretary,
Communications Director

Direct Dial: (415) 554-4662
Email: john.cote@sfcityattty.org

May 17, 2019

VIA ELECTRONIC MAIL

Honorable Members of the Sunshine Ordinance Task Force
c/o: Clerk of the Board of Supervisors
Attn: Victor Young, Administrator
Room 244, City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco CA 94102
victor.young@sfgov.org

Re: Sunshine Ordinance Task Force Complaint No. 19044
Anonymous (MuckRock News) v. Office of the City Attorney

Dear Honorable Task Force Members:

We write in response to the complaint filed by an anonymous person affiliated with MuckRock News, alleging that our office failed to respond to a request in a timely and/or complete manner. We received the request on April 22, 2019. It provided three email "message-Ids," and asked for either a native copy of the associated emails, or in the alternative a copy in PDF format, with the metadata from the native copy pasted into an attachment.

A message-Id is a unique tracking number for an email that is not visible in the body or header of the email, but is nonetheless available in the email's metadata. The term "metadata" refers to electronic data embedded in a document about the document itself. The amount of email metadata available for a particular email can vary greatly depending on the particulars of the email itself and the system(s) used to send and receive the email. Searching through metadata is a highly technical and specialized effort, and we do not believe we have ever received a request like this before.

If a requester already knows a particular email's message-Id, that may suggest that the requester already has access to the email in native form or to the metadata in which the message-Id is encoded. After investigating the matter with help from our information technology department, we were able to locate two responsive records: emails that MuckRock had exchanged with our office just one week prior, on April 18 and April 19. Although MuckRock presumably still had these emails, we produced the emails back to them, on April 24, in PDF format but without any further metadata. Upon receipt of the PDFs, MuckRock responded that it also wanted the metadata.

Our office generally does not produce metadata. State law does not provide authoritative guidance on whether metadata are subject to disclosure under the Public Records Act. Producing documents with metadata can subject the City to security risks and can lead to the inadvertent disclosure of privileged information. And the Public Records Act expressly does not require an agency to produce records in their electronic formats if it would jeopardize or compromise the

Letter to Sunshine Ordinance Task Force, Page 2
May 17, 2019

security or integrity of the original records, or of any proprietary software in which they are maintained. Cal. Govt. Code § 6253.9(f).

In this instance, we have elected to supplement our production, and have now given the requester the metadata we were able to find following a reasonable and diligent good faith search. *See* Exhibit A. To safeguard the security of our computer system, it is necessary for us to withhold certain portions of the metadata that describe unique identifiers for our individual computer terminals and computer servers and our security certificates and similar information. This information is highly sensitive, as disclosing it could allow a hacker to penetrate our system or enable a hacker to “spoof” our emails and insert themselves into attorney-client discussions or send unauthorized emails on our behalf. There is a real need for confidentiality that outweighs any interest the requester may have in accessing this information. *See* Cal. Evid. Code § 1040.

Our decision to disclose any metadata at all is limited to this specific case – the request covered only two emails, the emails were to and from MuckRock and therefore were not privileged, and we determined that disclosing these certain metadata excerpts would be unlikely to compromise the security or integrity of our system. We reserve our right to withhold metadata in response to future requests. Metadata may include a wide variety of information that the City Attorney’s Office has a right, and in some cases a legal duty, to withhold from public view. For example, metadata may be used to reveal the history of how our office has edited a document or to whom within the City we have sent a draft, which is exempt from disclosure under the attorney-client privilege and work product privilege. Cal. Gov’t Code § 6276.04; Cal. Evid. Code § 954; Cal. Code Civ. Proc. § 2018.030. Disclosing metadata could also reveal the identity of a confidential whistleblower, which is privileged. Cal. Evid. Code § 1041; Charter §§ C3.699-13(a), F1.107(c); C&GC Code §§ 4.120, 4.123. Finally, as with the metadata fields that we have redacted here, disclosure may also reveal sensitive information about the operation of the City’s computer and communications system that a third party could use to hack into our system, or to otherwise undermine the integrity and security of our system.

A court is likely to conclude that the principles of reasonableness and cost containment that govern the disclosure of records under the Public Records Act and the Sunshine Ordinance allow the City to decline to produce metadata from electronic records. These principles would also allow the City to extend the normal deadlines for responding to a record request, to give the City time to investigate whether the metadata should be disclosed at all, and if so to perform any necessary redactions, particularly if the information requested was voluminous.

This position is consistent with our office’s general position concerning the obligations of a City department with respect to metadata and the production of electronic records in PDF format, as stated in the Good Government Guide which is available on our website. *See* Exhibit B (excerpts). Because we have now complied with the request to search for and produce metadata, we respectfully ask that the complaint be dismissed.

Very truly yours,

DENNIS J. HERRERA
City Attorney


John Cote
Press Secretary, Communications Director

Coolbrith, Elizabeth (CAT)

From: Coolbrith, Elizabeth (CAT) on behalf of CityAttorney
Sent: Friday, May 17, 2019 3:20 PM
To: '72056-97339218@requests.muckrock.com'
Cc: CityAttorney
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information
Attachments: 4-18-19 Email Received_Redacted.pdf

Dear Sir/Madam,

We have investigated your request further and have conducted a reasonable and diligent search and are able to supplement our production with the attached PDF. The PDF shows the headers and metadata associated with the email responsive to your request #s A3/A4. We have redacted some of the metadata based on the need to protect the security of our computer system. See Cal. Evid. Code section 1040. Also, please note that while we have agreed to produce some metadata excerpts in this instance, we reserve our right to revisit this approach in the future. Generally we do not disclose metadata at all, for the reasons stated to you in our prior responses.

Unfortunately, we were not able to locate headers/metadata for the emails responsive to your request #s A1/A2 and A5/A6. We have conducted a reasonable and diligent search for the information you asked for, but could not locate anything further.

As we have now complied with your request, we would respectfully ask that you withdraw your complaint to the Sunshine Ordinance Task Force as well as your petition to the Supervisor of Records.



Please send replies to cityattorney@sfcityatty.org

Sincerely,

Elizabeth A. Coolbrith
Paralegal
Office of City Attorney Dennis Herrera
(415) 554-4685 Direct
www.sfcityattorney.org
Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

From: 72056-97339218@requests.muckrock.com <72056-97339218@requests.muckrock.com>
Sent: Wednesday, May 08, 2019 9:55 AM
To: CityAttorney <cityattorney@SFCITYATTY.ORG>
Cc: CityAttorney <cityattorney@SFCITYATTY.ORG>
Subject: RE: California Public Records Act Request: Immediate Disclosure Request - Email Record Full Information

San Francisco City Attorney
PRA Office

Room 234
1 Doctor Carlton B Goodlett Place
SF, CA 94102

May 8, 2019

This is a follow up to a previous request:

Your PDFs include From, To, Subject, Sent, Attachments, and Body of the emails. You have withheld certain portions of the email records, including but not limited to:

- Header: X-Envelope-From
- Header: Received
- Header: Thread-Topic
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Please provide a statutory justification for such withholding, and the name and title of the official responsible for that withholding, per CPRA.

****Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).****

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dcityattorney%252540sfcityatty.org&url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1hOPqN%3A7oronmiVFTUFdl0TsdhK9kZpwVk

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News
DEPT MR 72056
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On May 8, 2019:

Hello,

We already completed our response to your request on April 24, 2019. We do not intend to produce anything further in response to your request.

Please send replies to cityattorney@sfcityatty.org

Sincerely,

[cid:image002.jpg@01D50583.20D9FFB0]Elizabeth A. Coolbrith
Paralegal

Office of City Attorney Dennis Herrera

(415) 554-4685 Direct

www.sfcityattorney.org

Find us on: Facebook <<https://www.facebook.com/sfcityattorney/>>

Twitter <<https://twitter.com/SFCityAttorney>> Instagram <<https://www.instagram.com/sfcityattorney/>>

On April 24, 2019:

Thank you. As we noted in our initial request, we requested the entire email message, which contains numerous other headers in addition to those you have provided so far.

We do not see any statutory justification cited for withholding that portion of the public record. Please do provide the entire message with all headers (except those statutorily excluded from disclosure).

On April 24, 2019:

Dear Sir/Madam,

The attached two emails are responsive to portions A3/A4, and A5/A6 of your request below. We have conducted a reasonable and diligent search and did not locate any further responsive documents.

In addition, please note that we already responded to portion B of your request, on 4/22/2019.

If you have further questions or need anything additional, please feel free to reach out to us at the below contact information.

Please send replies to cityattorney@sfcityatty.org

Sincerely,

[cid:image002.jpg@01D4FA8E.F0958DA0]Elizabeth A. Coolbrith
Paralegal

Office of City Attorney Dennis Herrera

(415) 554-4685 Direct

www.sfcityattorney.org

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Twitter <<https://twitter.com/SFCityAttorney>> Instagram <<https://www.instagram.com/sfcityattorney/>>

On April 23, 2019:

Hello,

I am writing in response to part A of your below request.

Your request was sent as an "Immediate Disclosure Request" under San Francisco Administrative Code Section 67.25(a). But to qualify under that section, the request must be "simple, routine and readily answerable." The Sunshine Ordinance requires shorter response times in those situations where a department is able to quickly locate and produce the requested records. In order to respond to your request, this office will need to conduct a review of our electronic files to find responsive records. For this reason, we are not treating your request as one appropriately filed as an "immediate disclosure" request, but as one which is subject to the normally applicable 10-day response time, which will be May 2, 2019. However, we will endeavor to fulfill your request as soon as possible.

Please send replies to cityattorney@sfcityatty.org<<mailto:cityattorney@sfcityatty.org>>

Sincerely,

[cid:image002.jpg@01D4F9EE.FD8B8960]Elizabeth A. Coolbrith
Paralegal

Office of City Attorney Dennis Herrera

(415) 554-4685 Direct

www.sfcityattorney.org

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Twitter<<https://twitter.com/SFCityAttorney>> Instagram<<https://www.instagram.com/sfcityattorney/>>

On April 22, 2019:

Message-Ids uniquely identify e-mail messages in your email servers.

From the headers of your most recent email, it appears your office uses Microsoft Outlook and/or Microsoft Exchange - therefore, your IT department/contractor should be able to retrieve e-mail records directly from your server using the Message-Ids we have provided.

On April 20, 2019:

This is an Immediate Disclosure Request under the San Francisco Sunshine Ordinance.

We request under the San Francisco Sunshine Ordinance (Ordinance) and the California Public Records Act (CPRA):

"A. an electronic copy, in the original electronic format, with all e-mail headers, metadata, attachments, appendices, exhibits, and inline images, except those explicitly exempted by the Ordinance, of:

A1. the e-mail message with Message-Id:

20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com

A2. the e-mail message with Message-Id:

<20190418173050.839.30844@f720c6d2-4be2-4478-af65-b9b764b16768.prvt.dyno.rt.heroku.com>

A3. the e-mail message with Message-Id:

20190418173050.1.2B43534B4544D903@requests.muckrock.com

A4. the e-mail message with Message-Id:
<20190418173050.1.2B43534B4544D903@requests.muckrock.com>

A5. the e-mail message with Message-Id:
<DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com>

A6. the e-mail message with Message-Id:
DM5PR09MB1497363CAABBE6806E68810F80260@DM5PR09MB1497.namprd09.prod.outlook.com

B. an electronic copy of your internal public records policies/manuals/instructions/guidelines for the public and/or your own employees"

Message-Id's should uniquely identify a particular email on your email servers/services. These may be emails the City sent or received.

We remind you of your obligations to provide electronic records in the original format you hold them in. Therefore, e-mails exported in the .eml or .msg format with all non-exempt headers, metadata, attachments, etc. are best.

However, if you choose to convert emails, for example, to PDF or printed format, to easily redact them, you must ensure that you have preserved the full content of the original email record (as specified in request "A"), which contains many detailed headers beyond the generally used From/To/Subject/Sent/etc. If you instead provide PDFs or printed emails with only a few of the headers or lacking attachments/images, and therefore withhold the other headers/attachments without justification, you may be in violation of SF Admin Code 67.26; 67.27, Govt Code 6253(a), 6253.9, and/or 6255, and we may challenge your decision.

Note that all of your responses (including disclosed records) may be automatically and instantly available to the public on the MuckRock.com service used to issue this request (though I am not a MuckRock representative).

Please provide only those copies of records available without any fees. If you determine certain records would require fees, please instead provide the required notice of which of those records are available and non-exempt for inspection in-person if we so choose.

I look forward to your immediate disclosure.

Sincerely,
Anonymous

Filed via MuckRock.com

E-mail (Preferred): 72056-97339218@requests.muckrock.com

Upload documents directly:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsan-francisco-city-attorney-797%252Fimmediate-disclosure-request-email-record-full-information-72056%252F%253Femail%253Dcityattorney%252540sfcityatty.org&url_auth_token=AAAuFBaWTyfyRXNxLh3MkFOGTxo%3A1hOPqN%3A7oronmiVFTUFdl0TsdhK9kZpwVk

Is this email coming to the wrong contact? Something else wrong? Use the above link to let us know.

For mailed responses, please address (see note):

MuckRock News

DEPT MR 72056

411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

[REDACTED]

[REDACTED]

Date: Thu, 18 Apr 2019 17:30:50 +0000
Sender: 71969-51399120@requests.muckrock.com
Message-Id: <20190418173050.1.2B43534B4544D903@requests.muckrock.com>

To: cityattorney@sfcityatty.org
From: 71969-51399120@requests.muckrock.com
Subject: California Public Records Act Request: Immediate Disclosure Request
- PRA Opinions
Mime-Version: 1.0
Content-Type: multipart/mixed; boundary="b2e1fbcebbd64db587dfc7e9a4eeaf40"
Return-Path:
bounce+5bea6f.556-cityattorney=sfcityatty.org@requests.muckrock.com

[REDACTED]

[Redacted]

X-MS-Exchange-Organization-MessageDirectionality: Incoming

[Redacted]

[Redacted]

X-MS-PublicTrafficType: Email

[Redacted]

[Redacted]

[Redacted]

[Redacted]



Good Government Guide

An Overview of the Laws Governing
the Conduct of Public Officials



PAGES 1-122 LAST UPDATED FEBRUARY 2019

PAGES 122-193 LAST UPDATED SEPTEMBER 2014

Dennis J. Herrera
City Attorney of San Francisco

The Public Records Act imposes additional requirements about information that is in an electronic format. Cal. Govt. Code § 6253.9. As a general rule, the Act requires a department to make the information available in any electronic format in which it holds the information, and to make a copy of an electronic record available in the format requested if the department has used that format to create copies for its own use or for other agencies. Cal. Govt. Code §§ 6253.9(a)(1), (2). But these provisions do not require a department to reconstruct a record in an electronic format if the record is no longer available electronically or create it in a format it has not used. Cal. Govt. Code § 6253.9(c). However, the text of the Sunshine Ordinance on these issues is not clear, so the safer legal course is to make electronic records available in the format requested if that can be easily accomplished without requiring the department to reprogram a computer. This general approach is subject to limitations, discussed below, regarding metadata and easily manipulated formats.

The Sunshine Ordinance does not require a department to program or reprogram a computer to respond to a public records request. Admin. Code § 67.21(l). But, as explained below, the Public Records Act does. In this respect, the rule that a department has no duty to create a record has evolved in the electronic age: where information exists in electronic form, a department must engage in data compilation, extraction, or programming to produce the electronic record, provided the requester is willing to pay for the cost of production which includes the programming or reprogramming of the computer. Cal. Govt. Code § 6253.9(b)(2). In similar fashion, a department must produce an electronic copy of a record that it ordinarily produces at regularly scheduled intervals. Cal. Govt. Code § 6253.9(b)(1).

ii. **Portable Document Format, or PDF**

To facilitate accessibility and ease of use, many City departments provide their electronic records to the public as PDF files. PDF, which stands for “Portable Document Format,” is a file format created by Adobe Systems in the early 1990s to facilitate the exchange of electronic documents across multiple operating systems, and without requiring the purchase of specific software or hardware. PDF is now an open standard, meaning it is available without charge, is non-proprietary, and can be accommodated by different software. The advantages of providing records in this format are that:

- PDF is a free, open format.
- PDF records are viewable and printable on any computer platform.
- PDF records typically look like the original records and thus preserve the integrity of the original information.
- PDF records can enable full-text searches to locate words and terms features in PDF documents that are saved in electronic format.
- PDF records work with assistive technologies to make the information available to persons with disabilities.

iii. **Metadata**

Sometimes a requester seeks a record in its original electronic format, which likely involves proprietary software, such as Microsoft Word or Excel. In such instances, the electronic

document will usually contain embedded, hidden information known as “metadata.” Metadata may include information such as when the document was originally created; the document’s authors and editors; comments shared among co-authors and editors; and tracked changes in versions of the document before its completion. These metadata may not be readily apparent in the final document, but may nonetheless be fully available to the recipient were the document provided in its native file format. Depending on the nature of the record requested, some or all of the metadata it contains may be properly exempt from disclosure. In still other instances – including comments that may contain legal advice, medical, personnel or otherwise private information – the disclosure of metadata might be restricted or actually prohibited by law.

While case law does not provide authoritative guidance on legal questions relating to public disclosure of metadata, and while technologies continue to evolve, there is no evidence that either the Public Records Act or the Sunshine Ordinance was intended to require public entities to search, and then review and possibly redact, metadata in electronic records. Neither is there an apparent legislative intent to require government agencies to produce records in their electronic formats if their release would jeopardize or compromise the security or integrity of the original records, or of any proprietary software in which they are maintained. Cal. Govt. Code § 6253.9(f).

At the same time, department personnel should consider the usability of public information provided to requesters in responding to public records requests. In asking for a public record in a native file format like Microsoft Excel, for example, a requester may simply be seeking a format that will enable searching, querying, manipulating and summarizing public information in a manner that is far easier than if the record were provided in a scanned PDF or on a printed page. In some instances, the very same technology innovations that can present difficult public records questions may help resolve these issues through conversion to file formats that both meet the requester’s needs and avoid problems with unauthorized disclosure of metadata. Departments seeking further advice on these issues or other issues pertaining to metadata, including where a public records request specifically seeks metadata, should consult with their information technology staff and with the City Attorney’s Office.

A Board of Supervisors’ policy directs its clerk to provide responsive records in the original format when the requester so requests. Other departments may wish to consider their own policy options in light of the possible risks of unintended or impermissible disclosure of metadata in documents specific to their own department’s functions.

iv. Information on personal communications devices

Communications relating to the City’s business that a public employee or official sends or receives on personal electronic devices such as cell phones and personal computers are subject to disclosure as public records. The key criteria for determining whether such a communication is a public record are the content and context of the record, including the purpose of the communication and the sender(s) and intended recipient(s); whether it concerns City business; and whether a City official or employee has received or created it in the performance of work duties, even if not required or solicited. For more information on

U.S. | A Cyberattack Hobbles Atlanta, and Security Experts Shudder

The New York Times

A Cyberattack Hobbles Atlanta, and Security Experts Shudder

By Alan Blinder and Nicole Perlroth

March 27, 2018

ATLANTA — The City of Atlanta’s 8,000 employees got the word on Tuesday that they had been waiting for: It was O.K. to turn their computers on.

But as the city government’s desktops, hard drives and printers flickered back to life for the first time in five days, residents still could not pay their traffic tickets or water bills online, or report potholes or graffiti on a city website. Travelers at the world’s busiest airport still could not use the free Wi-Fi.

Atlanta’s municipal government has been brought to its knees since Thursday morning by a ransomware attack — one of the most sustained and consequential cyberattacks ever mounted against a major American city.

The digital extortion aimed at Atlanta, which security experts have linked to a shadowy hacking crew known for its careful selection of targets, laid bare once again the vulnerabilities of governments as they rely on computer networks for day-to-day operations. In a ransomware attack, malicious software cripples a victim’s computer or network and blocks access to important data until a ransom is paid to unlock it.

“We are dealing with a hostage situation,” Mayor Keisha Lance Bottoms said this week.

The assault on Atlanta, the core of a metropolitan area of about six million people, represented a serious escalation from other recent cyberattacks on American cities, like one last year in Dallas where hackers gained the ability to set off tornado sirens in the middle of the night.

Part of what makes the attack on Atlanta so pernicious are the criminals behind it: A group that locks up its victims' files with encryption, temporarily changes their file names to "I'm sorry" and gives the victims a week to pay up before the files are made permanently inaccessible.

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Threat researchers at Dell SecureWorks, the Atlanta-based security firm helping the city respond to the ransomware attack, identified the assailants as the SamSam hacking crew, one of the more prevalent and meticulous of the dozens of active ransomware attack groups. The SamSam group is known for choosing targets that are the most likely to accede to its high ransom demands — typically the Bitcoin equivalent of about \$50,000 — and for finding and locking up the victims' most valuable data.

In Atlanta, where officials said the ransom demand amounted to about \$51,000, the group left parts of the city's network tied in knots. Some major systems were not affected, including those for 911 calls and control of wastewater treatment. But other arms of city government have been scrambled for days.

The Atlanta Municipal Court has been unable to validate warrants. Police officers have been writing reports by hand. The city has stopped taking employment applications.

Atlanta officials have disclosed few details about the episode or how it happened. They have urged vigilance and tried to reassure employees and residents that their personal information was not believed to have been compromised.

Dell SecureWorks and Cisco Security, which are still working to restore the city's systems, declined to comment on the attacks, citing client confidentiality.

Ms. Bottoms, the mayor, has not said whether the city would pay the ransom.

The SamSam group has been one of the more successful ransomware rings, experts said. It is believed to have extorted more than \$1 million from some 30 target organizations in 2018 alone.

It is not ideal to pay up, but in most cases, SamSam's victims have said that they can more easily afford the \$50,000 or so in ransom than the time and cost of restoring their locked data and compromised systems. In the past year, the group has taken to attacking hospitals, police departments and universities — targets with money but without the luxury of going off-line for days or weeks for restoration work.

Investigators are not certain who the SamSam hackers are. Judging from the poor English in the group's ransom notes, security researchers believe they are probably not native English speakers. But they cannot say for sure whether SamSam is a single group of cybercriminals or a loose hacking collective.

Ransomware emerged in Eastern Europe in 2009, when cybercriminals started using malicious code to lock up unsuspecting users' machines and then demanding 100 euros or similar sums to unlock them again. Over the past decade, dozens of online cybercriminal outfits — and even some nation states, including North Korea and Russia — have taken up similar tactics on a larger scale, inflicting digital paralysis on victims and demanding increasing amounts of money.

Cybersecurity experts estimate that criminals made more than \$1 billion from ransomware in 2016, according to the F.B.I. Then, last May, came the largest ransomware assault recorded so far: North Korean hackers went after tens of thousands of victims in more than 70 countries around the world, forcing Britain's public health system to reject patients, paralyzing computers at Russia's Interior Ministry, at FedEx in the United States, and at shipping lines and telecommunications companies across Europe.

A month later, Russian state hackers deployed similar ransomware to paralyze computers in Ukraine on the eve of the country's independence day. That attack shut down automated teller machines in Kiev, froze government agencies and even forced workers at the Chernobyl nuclear power plant to monitor radiation levels manually. Collateral damage from that attack affected computers at Maersk, the Danish shipping conglomerate; at Merck, the American-based pharmaceutical giant; and even at businesses in Russia.

Attempted ransomware attacks against local governments in the United States have become unnervingly common. A 2016 survey of chief information officers for jurisdictions across the country found that obtaining ransom was the most common purpose of cyberattacks on a city or county government, accounting for nearly one-third of all attacks.

The survey, conducted by the International City/County Management Association and the University of Maryland, Baltimore County, also found that about one-quarter of local governments reported that they were experiencing attacks of one kind or another, successful or not, at least as often as once an hour.

Yet less than half of the local governments surveyed said they had developed a formal cybersecurity policy, and only 34 percent said they had a written strategy to recover from breaches.

Experts said government officials needed to be more aggressive about preventive measures, like training employees to spot and sidestep “phishing” attempts meant to trick them into opening the digital door for ransomware.

“It’s going to be even more important that local governments look for the no-cost/low-cost, but start considering cybersecurity on the same level as public safety,” said David Jordan, the chief information security officer for Arlington County, Va. “A smart local government will have fire, police and cybersecurity at the same level.”

Ms. Bottoms, who took office as mayor of Atlanta in January, acknowledged that shoring up the city’s digital defenses had not been a high priority before, but that now “it certainly has gone to the front of the line.”

“As elected officials, it’s often quite easy for us to focus on the things that people see, because at the end of the day, our residents are our customers,” Ms. Bottoms said. “But we have to really make sure that we continue to focus on the things that people can’t see, and digital infrastructure is very important.”

During the ransomware attack, local leaders have sometimes been able to do little but chuckle at a predicament that was forcing the city to turn the clock back decades.

Asked on Monday how long the city might be able to get by doing its business strictly with ink and paper, Ms. Bottoms replied: “It was a sustainable model until we got computer systems. It worked for many years. And for some of our younger employees, it will be a nice exercise in good penmanship.”

Security researchers trying to combat ransomware have noticed a pattern in SamSam’s attacks this year: Some of the biggest have occurred around the 20th of the month.

Allan Liska, a senior intelligence analyst at Recorded Future who has been tracking the group, said in an interview that he believed that SamSam gains access to its victims' systems and then waits for weeks before encrypting the victims' data. That delay, Mr. Liska said, makes it harder for responders to figure out how the group was able to break in — and easier for SamSam's hackers to strike twice.

The Colorado Department of Transportation was able to restore its systems on its own after a SamSam attack, without paying SamSam a dime. But a week later, the hackers struck the department again, with new, more potent ransomware.

“They are constantly learning from their mistakes, modifying their code and then launching the next round of attacks,” Mr. Liska said.

Alan Blinder reported from Atlanta, and Nicole Perloth from Boulder, Colo.

A version of this article appears in print on March 27, 2018, on Page A14 of the New York edition with the headline: Atlanta Hobbled by Major Cyberattack That Mayor Calls 'a Hostage Situation'

READ 244 COMMENTS

The Washington Post

National

8 days after cyberattack, Baltimore's network still hobbled

By David McFadden | AP

May 15 at 7:38 PM

BALTIMORE — More than a week after a cyberattack hobbled Baltimore's computer network, city officials said Wednesday they can't predict when its overall system will be up and running and continued to give only the broadest outlines of the problem.

Baltimore's government rushed to take down most computer servers on May 7 after its network was hit by ransomware. Functions like 911 and EMS dispatch systems weren't affected, officials say, but after eight days, online payments, billing systems and email are still down. Finance department employees can only accept checks or money orders.

No property transactions have been conducted since the attack, exasperating home sellers and real estate professionals in the city of over 600,000. Most major title insurance companies have even prohibited their agents from issuing policies for properties in Baltimore, according to the Greater Baltimore Board of Realtors.

Citing an ongoing criminal investigation, Baltimore's information technology boss Frank Johnson and other city leaders said Wednesday they could provide no specifics about the attack from the ransomware variant RobbinHood or realistically forecast when the various hobbled layers of the city's network would be back up.

"Anybody that's in this business will tell you that as you learn more those plans change by the minute. They are incredibly fluid," said Johnson, stressing that city employees, expert consultants and others were working "round the clock" to mend the breached network.

The FBI's cyber squad agents have been helping employees in Maryland's biggest city try to determine the source and extent of the latest attack.

Johnson's tenure has now included two major breaches to the city's computer systems. This month's problems come just over a year since another ransomware attack slammed Baltimore's 911 dispatch system, prompting a worrisome 17-hour shutdown of automated emergency dispatching. The March 2018 attack required operating the critical 911 service in manual mode.

Johnson is one of the city's highest paid employees, earning \$250,000 a year. That's more than the mayor, the city's top prosecutor and the health commissioner are paid. This latest attack came about a week after the firing of a city employee who, the inspector general said, had downloaded thousands of sexually explicit images onto his work computer during working hours.

While all municipalities are menaced by malware, cybersecurity experts say organizations that fall victim to such attacks often haven't done a thorough job of patching systems regularly.

Asher DeMetz, lead security consultant for technology company Sungard Availability Services, suggested that eight days was a long time for a network to remain down.

"The City of Baltimore should have been prepared with a recovery strategy and been able to recover within much less time. That time would be dictated by a risk assessment guiding how long they can afford to be down," DeMetz said in an email. "They should have been ready, especially after the previous attack, to recover from ransomware."

City Solicitor Andre Davis said Baltimore was working "hand in glove" with the FBI, Microsoft officials, and expert contractors that he and other officials declined to identify. Before TV news crews, Davis likened the cyberattack to a brutal assault, a comparison that many residents can clearly understand in a city struggling to bring down one of urban America's highest rates of violent crime.

"My preferred way of thinking about it is: The city network was viciously assaulted by a culprit and seriously injured," Davis said. Baltimore's top lawyer portrayed the city network as an injured patient who has emerged from the ICU and faces a "long course of physical therapy."

Baltimore authorities, who hope to prosecute the culprit behind the latest attack, said they were in close contact with counterparts in Atlanta. Last year, a ransomware attack significantly disrupted city operations there and caused millions of dollars in losses. In December, two Iranian men already indicted in New Jersey in connection with a broad cybercrime and extortion scheme were indicted on federal charges in Georgia related to that ransomware attack demanding payment for a decryption key.

It's not clear what culprits are demanding from Baltimore's City Hall.

"We're not going to address or discuss in any way the ransom demand," Davis said.

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The Washington Post

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Leger, Cheryl (BOS)

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Thursday, October 24, 2019 3:14 PM
To: SOTF, (BOS)
Subject: RE: SOTF Admin - Case Management

Mr. Young and I previously conferred regarding the state of my cases and where there are metadata issues.

I believe my cases are now in the following state. If you believe otherwise, please do let me know.

- 19047 - On Oct 24, Order issued; completed for now, until Mayor's office gives redacted non-Prop G and ICS records
- 19044 - On Oct. 2, Referred by SOTF to IT committee for email metadata discussion, which created new file 19105
- -----
- 19089 - On Sept. 24, Referred by committee to full SOTF (no metadata)
- 19091 - On Oct. 15, Referred by committee to full SOTF (no metadata)
- 19091-B (you haven't given me a new case number) - On Oct. 15, a new file was divided from 19091 to send the email metadata portion to IT committee while 19091 continues to full SOTF
- 19094 - On Oct. 15, Referred by committee to full SOTF (no metadata)
- 19095 - On Oct. 22, Referred by committee to full SOTF (no metadata)
- -----
- 19097 - Waiting for committee (a few non-metadata issues, but mostly metadata issues, probably easiest to send the whole file to IT committee)
- 19098 - Waiting for committee (lots of non-metadata issues; a few metadata issues, which should be split off into its own file and sent to IT committee)
- 19103 - Waiting for committee (no metadata), respondent has not responded to SOTF by due date
- 19108 - Waiting for committee (no metadata), respondent has not responded to SOTF by due date

Thanks,

Anonymous

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

On Thursday, October 3, 2019 6:08 PM, Anonymous <arecordsrequestor@protonmail.com> wrote:

Thank you. Until I hear otherwise, I still intend to present 19091 and 19094 as agendized to Oct. 15 and will have documents to you by the deadline. (19095 is not about email headers as stated previously.)

Re: the other complaints: If the Technology Committee will hear 19044 (as referred), 19097, and 19098 and make whatever splitting decisions it needs to, that makes sense. There is no justification however to delay the numerous non-email-header issues in 19097 and 19098.

Please let me know your conclusion when you have one.

Thanks,

Anonymous

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

On Thursday, October 3, 2019 4:58 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Anonymous:

I will work with Chair Wolfe to determine the best way to handle 19097, 19098 and the other complaints. Please note that the Technology Committee can also hear complaints and divide the issues at their discretion.

Victor Young
Assistant Clerk

Board of Supervisors
phone 415-554-7723 | fax 415-554-5163

victor.young@sfgov.org | www.sfbos.org

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Thursday, October 3, 2019 3:45 PM
To: SOTF, (BOS) <sotf@sfgov.org>; Young, Victor (BOS) <victor.young@sfgov.org>
Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Subject: RE: SOTF Admin - Case Management 19089, 19091, 19094, 19095, 19097, and 19098

** For inclusion in all file numbers in the subject line, and for (acting) Administrator response **

Thanks! 2 corrections I believe:

1) 19095 has no email header allegations so I believe it should go only to the normal committee on Oct. 22 and not to TBD Technology.

2) 19097 and 19098 should also be in the normal queue to be heard for jurisdiction at the (non-Technology) committee whenever the agenda permits -- just like 19091, they have numerous non-email-header allegations and the (non-Technology) Committee I assume can split the files and refer the email header issues to Technology Committee while sending the remainder to SOTF (if they find jurisdiction).

Thanks,

Anonymous

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

On Thursday, October 3, 2019 3:25 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Anonymous:

Regarding the October 15, 2019, Complaint Committee Meeting:

19091 - We will present to possibility of divide the file during the meeting.

19094 – Will proceed as scheduled.

October 22, 2019, File No. 19095, Compliance and Amendments Committee Meeting

19095 – tentatively scheduled for hearing

TBD Technology Committee

19097

19098

19095

19044 (heard by the SOTF and referred to the Technology Committee)

TBD SOTF

19089- previously heard and committee and pending scheduling before the SOTF.

Please contact me if my understanding is incorrect.

Victor Young

Assistant Clerk

Board of Supervisors

phone 415-554-7723 | fax 415-554-5163

victor.young@sfgov.org | www.sfbos.org

From: Anonymous <arecordsrequestor@protonmail.com>

Sent: Thursday, October 3, 2019 1:41 PM

To: Young, Victor (BOS) <victor.young@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>

Subject: SOTF Admin - Case Management 19089, 19091, 19094, 19095, 19097, and 19098

P1041

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

**** For inclusion in all file numbers in the subject line, and for (acting) Administrator response ****

Please see and respond as needed on separate threads for 19047 and 19044, sent earlier today, to keep everything well-organized.

Mr. Young,

Thank you for your work last evening, and for the task force's extensive investigation as well. I understand it is 'after hours' for you, and the commissioners are volunteers and these meetings can go on for a long time.

You pointed out during the hearing we should discuss the disposition of my other pending cases re: IT Committee referral. (As a disclaimer, I have a right to remain anonymous and have no legal obligation to acknowledge that various anonymous requests are from the same person; while I am voluntarily indicating that I am the same anonymous complainant below, I am under no obligation to do so in the future, nor do I voluntarily undertake any such obligation in the future or in any case not specifically numbered below. Please do not simply assume all anonymous complaints are from me, or impute responsibility for them to me.)

The following are some of my pending cases with a summary of the allegations (the summaries are not exhaustive and not limiting):

- **19089** vs City Atty - jurisdiction found, awaiting Full Task Force - subject matter: whether the Supervisor of Records must provide timely/complete determinations to petitions under 67.21(d) in 10 days
- **19091** vs Mayor - on committee Oct. 15 - subject matter: use of secret chat apps; violations of City of San Jose v Superior Court (Smith, 2017); images and attachments withheld; text messages withheld; email addresses withheld; and email headers withheld

- **19094** vs Dept of Tech. - on committee Oct. 15 - subject matter: failure to immediately respond; violations of 67.21(k) incorporating by reference CPRA Gov Code 6270.5; withholding parts of the enterprise system catalog/SB 272
- **19095** vs City Atty - awaiting Committee - subject matter: violations of 67.21(k) incorporating by reference CPRA Gov Code 6270.5, withholding parts of the enterprise system catalog/SB 272
- **19097** vs Dept of Public Works - awaiting committee - subject matter: violations of City of San Jose v Superior Court (Smith, 2017); images and hyperlinks withheld; email addresses withheld; and email headers withheld
- **19098** vs Police Dept - awaiting committee - subject matter: timeliness; failure to justify redactions; violations of City of San Jose v Superior Court (Smith, 2017); images and hyperlinks withheld; text messages withheld; email addresses withheld; and email headers withheld

Therefore, 19089, 19094, and 19095 should proceed completely unaffected.

I would suggest that the Oct. 15 committee use its power at the hearing to split 19091 into two files, a new file (say 19091-B) for the email headers allegation sent to the IT committee for its recommendation for overall city guidelines, and keep all the other important allegations in 19091 which should proceed undelayed.

I would suggest that 19097 and 19098 are similarly split at initial committee.

Some upcoming un-filed complaints may involve (without limitation): police misconduct records, secrecy of City contracts, secrecy of City financials, use of non-profits as a shield, privatized govt functions; improper use of Attorney-Client privilege, and more. I intend to continue to file requests, and if needed complaints, comprehensively auditing all parts of the City's public records regime, and subject to SFAC 67.21(e) requiring Task Force determination within 45 days, and I expect my complaints continue to be fairly heard in my "queue" order, subject to your 2-item-per-meeting procedure, and not delayed based on my identity.

In some of the future cases, a portion will again be related to email headers (simply because the evidence of what the govt is doing is usually *in* the emails), but the remainder will not be. I assume your committees will split them if and as needed. However I intend to file them before the IT committee recommendation is complete because the Respondent is always required to respond within 5 business days and is on notice that they should not destroy responsive records, and to

preserve any statutes of limitation if imposed by future Court proceedings.

I will call later today if I don't hear from you by email, as I need to start working on the correct set of case presentations.

Thanks a lot!

Anonymous

(BOS) victor.young@sfgov.org; SOTF, (BOS) sotf@sfgov.org > > Subject: Apparent error in 19047 Minutes / Oct. 2
> > This message is from outside the City email system. Do not open links or attachments from untrusted sources.
> > I would like to report what appears to be an erroneous elision in the 19047 minutes of Oct. 2.
> > It is missing that the Mayor did not provide her non-Prop G or 2nd calendar account until months later, and those non-Prop G calendars are public records. This was repeatedly discussed in my presentation and rebuttal (see P348, #1; P354, #2 and #3, and P355, #1), and it is at least as important as the ICS format issues which are mentioned; I don't want it to be missed in the order of determination.
> > If need be, I can go through the audio recording and point it out as well.
> > What is the process of ensuring that is in there? Do I need to speak at public comment re: approving the prior minutes in your next full meeting to ask SOTF to amend that?
> > --Anonymous

</arecordsrequestor@protonmail.com>

Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Monday, August 5, 2019 12:14 PM
To: '72056-97339218@requests.muckrock.com'; '72902-46637773@requests.muckrock.com'
Subject: SOTF - Complaint Committee hearing of August 20, 2019

Dear Anonymous:

I write to you today to confirm your audio appearance at the August 20, 2019, Complaint Committee hearing. This is because you will need to provide your telephone number for a telephone appearance in hearing room 408 at City Hall in San Francisco. I will forward instructions for your appearance before that date.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724



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Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Monday, July 1, 2019 4:48 PM
To: 72056-97339218@requests.muckrock.com
Cc: COTE, JOHN (CAT)
Subject: SOTF - Complaint Committee Appearance of July 23, 2019; File No. 19044

Dear Anonymous:

I just received word from the Respondent regarding the complaint below, that they will be on vacation during the time of the Complaint Committee hearing of July 23, 2019, and therefore unavailable. Please let me know as soon as possible if you agree to this change in scheduling. I would like to schedule this matter for the August Complaint Committee hearing. Thank you.

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and/or complete manner.

Thank you for your consideration.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724



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Leger, Cheryl (BOS)

From: Cote, John (CAT) <John.Cote@sfcityatty.org>
Sent: Monday, June 17, 2019 3:12 PM
To: SOTF, (BOS)
Cc: '72056-97339218@requests.muckrock.com'; GUZMAN, ANDREA (CAT)
Subject: Request for Continuance > RE: SOTF - Notice of Hearing - Complaint Committee; June 25

Dear Ms. Leger,

I would like to request a continuance for File No. 19044, currently scheduled for the June 25 hearing of the Complaint Committee. I'd like to reschedule this item to the committee's next hearing date. The records request in this matter raises unusual security questions, and we are continuing to review the matter with our IT staff to see if there is a way to safely provide the requester more of the information that they have requested. We expect to know one way or another by the next hearing date.



Thank you for your consideration,

John Coté

Communications Director
Office of City Attorney Dennis Herrera
(415) 554-4662 Direct
www.sfcityattorney.org
Find us on: [Facebook](#) [Twitter](#) [Instagram](#)

From: SOTF, (BOS) <sotf@sfgov.org>
Sent: Friday, June 14, 2019 10:40 AM
To: Ray Hartz Jr <rwhartzjr@comcast.net>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; 72056-97339218@requests.muckrock.com; Liz Arbus <liz.arbus@aol.com>; Patterson, Kate (ART) <kate.patterson@sfgov.org>
Cc: Ng, Wilson (BOS) <wilson.l.ng@sfgov.org>; Lee, Ivy (BOS) <ivy.lee@sfgov.org>; Low, Jen (BOS) <jen.low@sfgov.org>; Maybaum, Erica (BOS) <erica.maybaum@sfgov.org>; Mchugh, Eileen (BOS) <eileen.e.mchugh@sfgov.org>; Cote, John (CAT) <John.Cote@sfcityatty.org>; Guzman, Andrea (CAT) <Andrea.Guzman@sfcityatty.org>
Subject: SOTF - Notice of Hearing - Complaint Committee; June 15, 2019 5:30 p.m.

Good Morning:

You are receiving this notice because you are named as a Complainant or Respondent in one of the following complaints scheduled before the Complaint Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: June 25, 2019

Location: City Hall, Room 408

Time: 5:30 p.m.

P1049

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 19042: Complaint filed by Ray Hartz against Norman Yee, President of the Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.16, by failing to place his 150-word summaries in the meeting minutes (Board of Supervisors April 30, 2019 meeting).

File No. 19043: Complaint filed by Ray Hartz against Angela Calvillo, Clerk of the Board of Supervisors, for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.15(d), by failing to place his 150-word summaries as submitted to the Board of Supervisors "in the minutes."

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19049: Complaint filed by Liz Arbus against the Arts Commission for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure). *For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, June 18, 2019.*

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

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Board of Supervisors website or in other public documents that members of the public may inspect or copy.

Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Tuesday, January 7, 2020 4:29 PM
To: 'libraryusers2004@yahoo.com'; Buckley, Theresa (TTX); Cisneros, Jose (TTX); Gard, Susan (HRD); Callahan, Micki (HRD); 'terence kerrisk'; 'JOHN HOOPER'; Corgas, Christopher (ECN); Thompson, Marianne (ECN); Nuru, Mohammed (DPW); Goldberg, Jonathan (DPW); Steinberg, David (DPW); '72056-97339218@requests.muckrock.com'; COTE, JOHN (CAT); 'Justin Barker'; 'vitusl@sfzoo.org'; tanyap@sfzoo.org; 'MICHAEL PETRELIS'; Breed, Mayor London (MYR); Heckel, Hank (MYR); '76434-70600365@requests.muckrock.com'
Subject: SOTF - Notice of Appearance, January 21, 2020 - Sunshine Ordinance Task Force; 4:00 PM

Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in one of the following complaints scheduled before the Sunshine Ordinance Task Force to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: January 21, 2020

Location: City Hall, Room 408

Time: 4:00 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 19011: Complaint filed by the Library Users Association against Theresa Buckley, Jose Cisneros, Christa Brown, Anne Stuhldreher and the Office of the Treasurer and Tax Collector for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(a)(b)(c), by failing to respond to a request for public records in a timely and/or complete manner and by failing to provide the requestor with assistance by directing the requestor to the proper office or staff person.

File No. 19015: Complaint filed by Terrence J. Kerrisk against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19061: Complaint filed by John Hooper against the Office of Economic and Workforce Development for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19062: Complaint filed by John Hooper against Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 61.26, 61.27, Government Code Sections 6253, 6253.9 and 6255, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19092: Complaint filed by Justin Barker against the San Francisco Zoo for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19093: Complaint filed by Michael Petrelis against Sean Elsbernd and the Office of the Mayor for allegedly violating Administrative Code, (Sunshine Ordinance) Sections 67.21 by failing to respond to a request for public records in a timely and/or complete manner.

File No. 19091: Complaint filed by Anonymous against Mayor London Breed, the Office of the Mayor, Hank Heckel, Tryone Jue, Sean Elsbernd, Andres Power, Andrea Bruss, Marjon Philhour, Jeff Cretan, Sophia Kittler for allegedly violating Administrative Code, (Sunshine Ordinance) Sections 67.21, 67.26, 67.27 and 67.29-7, by failing to respond to a request for public records in a timely and/or complete manner.

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure).

For inclusion in the agenda packet, supplemental/supporting documents must be received by **5:00 pm, January 13, 2020.**

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724



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Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724



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Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Thursday, September 19, 2019 2:21 PM
To: Marc Bruno; Ionin, Jonas (CPC); Madjus, Lily (DBI); Strawn, William (DBI); 'Celaya, Caroline'; 'Boomer, Roberta'; Sallaberry, Mike (MTA); 'page364@earthlink.net'; '72056-97339218@requests.muckrock.com'; 'Cote, John (CAT)'; '72902-46637773@requests.muckrock.com'; Heckel, Hank (MYR); Breed, Mayor London (MYR); Breed, London (MYR); 'Liz Arbus'; 'Liz Arbus'; Patterson, Kate (ART); carlos petri; BAUMGARTNER, MARGARET (CAT); 'Mark Zukerberg'; 'lucindapagedesignss@gmail.com'
Subject: SOTF - Notice of Appearance - Sunshine Ordinance Task Force: October 2 , 2019, 4:00 p.m., Room 408
Attachments: SOTF - Complaint Procedure 2019-06-05 FINAL.pdf

Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in one of the following complaints scheduled before the Sunshine Ordinance Task Force to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: October 2, 2019

Location: City Hall, Room 408

Time: 4:00 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 17097: Complaint filed by Marc Bruno against the Planning Department, Board of appeals and the Department of Building Inspection for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a public records request in a timely and/or complete manner.

File No. 17114: Complaint filed by Marc Bruno against the Department of Building Inspection for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a public records request in a timely and/or complete manner.

File No. 17115: Complaint filed by Marc Bruno against the Board of Appeals for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a public records request in a timely and/or complete manner.

File No. 17079: Complaint filed by Mary Miles against Mike Sallaberry, San Francisco Municipal Transportation Agency, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 17080: Complaint filed by Mary Miles against Will Tabajonda, San Francisco Municipal Transportation Agency, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 17081: Complaint filed by Mary Miles against Luis Montoya, San Francisco Municipal Transportation Agency, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19047: Complaint filed by Anonymous against Mayor London Breed, Hank Heckel and the Office of the Mayor for allegedly violating Administrative Code, (Sunshine Ordinance) Sections 67.25 and 67.29-5, by failing to respond to a request for public records in a timely and/or complete manner.


File No. 19010: Hearing to consider action to close Sunshine Ordinance Task Force complaints due inactivity and other violations of the SOTF Complaint Procedures for the following files:

- 17102 Liz Arbus vs Arts Commission
- 18071 Liz Arbus vs Arts Commission
- 18085 Liz Arbus vs Arts Commission
- 18090 Carlos Petri vs Office of the City Attorney
- 18091 Mark Zuckerberg vs Arts Commission
- 19009 Lucinda Page vs Arts Commission.

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure). *For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, September 25, 2019.*

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

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Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Thursday, August 15, 2019 1:30 PM
To: '72902-46637773@requests.muckrock.com'; '72056-97339218@requests.muckrock.com'
Subject: SOTF - Complaint Committee Hearing of August 20, 2019; 5:30 PM

Dear Anonymous:

By now you should have received the Agenda packet sent to you this morning regarding the upcoming hearing on your complaints. Since your matters will be heard at the end of the hearing, I am asking that you be named Callers No. 1 (72056, File No. 19044) and No. 2 (72902, File No. 19047); items 7 and 8, respectively. You need to call in to 415-554-9632 before the hearing begins to make certain that both of you are on line and can hear the proceeding. You will be able to hear the audio from the room on the phone line. Please note that this is a conference line so both parties will be on the line at the same time. If you have further questions regarding calling in, please let me know. Thank you.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724



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Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Monday, July 29, 2019 2:06 PM
To: Juan De Anda; Rudakov, Vladimir (HSA); Pang, Ken (HSA); JOHN HOOPER; Corgas, Christopher (ECN); Thompson, Marianne (ECN); Nuru, Mohammed (DPW); Steinberg, David (DPW); Goldberg, Jonathan (DPW); 72056-97339218@requests.muckrock.com; Cote, John (CAT); 72902-46637773@requests.muckrock.com; Heckel, Hank (MYR)
Subject: SOTF - Notice of Appearance - Complaint Committee; August 20, 2019 5:30 p.m.

Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in one of the following complaints scheduled before the Complaint Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: August 20, 2019

Location: City Hall, Room 408

Time: 5:30 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 19068: Complaint filed by Sophia De Anda against the Human Services Agency for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19061: Complaint filed by John Hooper against the Office of Economic and Workforce Development for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19062: Complaint filed by John Hooper against Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19047: Complaint filed by Anonymous against Mayor London Breed, Hank Heckel and the Office of the Mayor for allegedly violating Administrative Code, (Sunshine Ordinance) Sections 67.25 and 67.29-5, by failing to respond to a request for public records in a timely and/or complete manner.

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure). *For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, August 13, 2019.*

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

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Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Friday, May 10, 2019 3:54 PM
To: COTE, JOHN (CAT); GUZMAN, ANDREA (CAT)
Cc: 72056-97339218@requests.muckrock.com
Subject: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19044
Attachments: SOTF - Complaint Procedure 2018-12-05 FINAL.pdf; 19044.pdf

Good Afternoon:

Dennis Herrera, Elizabeth Coolbrith and the Office of the City Attorney have been named as Respondents in the attached complaint filed with the Sunshine Ordinance Task Force. Please respond to the following complaint/request within five business days.

The Respondent is required to submit a written response to the allegations including any and all supporting documents, recordings, electronic media, etc., to the Task Force within five (5) business days of receipt of this notice. This is your opportunity to provide a full explanation to allow the Task Force to be fully informed in considering your response prior its meeting.

Please include the following information in your response if applicable:

1. List all relevant records with descriptions that have been provided pursuant to the Complainant request.
2. Date the relevant records were provided to the Complainant.
3. Description of the method used, along with any relevant search terms used, to search for the relevant records.
4. Statement/declaration that all relevant documents have been provided, does not exist, or has been excluded.
5. Copy of the original request for records (if applicable).

Please refer to the File Number when submitting any new information and/or supporting documents pertaining to this complaint.

The Complainant alleges:
Complaint Attached.

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Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Tuesday, January 7, 2020 4:29 PM
To: 'libraryusers2004@yahoo.com'; Buckley, Theresa (TTX); Cisneros, Jose (TTX); Gard, Susan (HRD); Callahan, Micki (HRD); 'terence kerrisk'; 'JOHN HOOPER'; Corgas, Christopher (ECN); Thompson, Marianne (ECN); Nuru, Mohammed (DPW); Goldberg, Jonathan (DPW); Steinberg, David (DPW); '72056-97339218@requests.muckrock.com'; COTE, JOHN (CAT); 'Justin Barker'; 'vitusl@sfzoo.org'; tanyap@sfzoo.org; 'MICHAEL PETRELIS'; Breed, Mayor London (MYR); Heckel, Hank (MYR); '76434-70600365@requests.muckrock.com'
Subject: SOTF - Notice of Appearance, January 21, 2020 - Sunshine Ordinance Task Force; 4:00 PM

Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in one of the following complaints scheduled before the Sunshine Ordinance Task Force to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: January 21, 2020

Location: City Hall, Room 408

Time: 4:00 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 19011: Complaint filed by the Library Users Association against Theresa Buckley, Jose Cisneros, Christa Brown, Anne Stuhldreher and the Office of the Treasurer and Tax Collector for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(a)(b)(c), by failing to respond to a request for public records in a timely and/or complete manner and by failing to provide the requestor with assistance by directing the requestor to the proper office or staff person.

File No. 19015: Complaint filed by Terrence J. Kerrisk against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19061: Complaint filed by John Hooper against the Office of Economic and Workforce Development for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19062: Complaint filed by John Hooper against Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19044: Complaint filed by Anonymous against Dennis Herrera and the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 61.26, 61.27, Government Code Sections 6253, 6253.9 and 6255, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19092: Complaint filed by Justin Barker against the San Francisco Zoo for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19093: Complaint filed by Michael Petrelis against Sean Elsbernd and the Office of the Mayor for allegedly violating Administrative Code, (Sunshine Ordinance) Sections 67.21 by failing to respond to a request for public records in a timely and/or complete manner.

File No. 19091: Complaint filed by Anonymous against Mayor London Breed, the Office of the Mayor, Hank Heckel, Tryone Jue, Sean Elsbernd, Andres Power, Andrea Bruss, Marjon Philhour, Jeff Cretan, Sophia Kittler for allegedly violating Administrative Code, (Sunshine Ordinance) Sections 67.21, 67.26, 67.27 and 67.29-7, by failing to respond to a request for public records in a timely and/or complete manner.

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure).

For inclusion in the agenda packet, supplemental/supporting documents must be received by **5:00 pm, January 13, 2020.**

Cheryl Leger
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