

File No. 19145

Item No. 10

SUNSHINE ORDINANCE TASK FORCE
AGENDA PACKET CONTENTS LIST

Sunshine Ordinance Task Force

Date: April 7, 2021

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Completed by: C. Leger Date 3/31/21

* 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: Monday, December 30, 2019 6:25 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**

San Francisco Police Commission and Attorney James Lassart

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

The San Francisco Police Commission and my attorney James Lassart

Alleged Violation

Public Records
Public Meeting

**Date of public meeting (if
checked)**

3/6/2019

**Please describe alleged
violation**

My name is Christopher Kohrs and I am a former San Francisco Police Officer. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney, James Lassart and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged. These unchallenged, false statements that were fraudulently cut from the recording and transcript influenced the Commission's decision to terminate me at the conclusion of the hearing.

I had forensic experts examine both the audio recording and transcript of the court hearing. Their preliminary findings verify that the audio recording is not an original. In a separate email sent to sotf@sfgov.org I attached the preliminary forensic report as well as the altered audio recording and transcript of the hearing. Cheryl Leger, assistant clerk of the Board of Supervisors, has acknowledged that she received this email. A more detailed forensic report will be generated if the San Francisco Police Commission continues to evade my request for the original, unaltered recording and transcript of my hearing. Both my attorney who represented me in this hearing, James Lassart, and I have been requesting the unaltered, original recording of my hearing since October 28, 2019, but have yet to receive it. You may contact my lead forensic expert Ed Primeau at (248) 853-4091 for further information. Any assistance in helping me obtain the unaltered, original recording of my hearing from the San Francisco Police Commission would be greatly appreciated.

Date 12/30/2019

Name Chris Kohrs

Telephone 4156862411

Email ckohrs@gmail.com

**Sunshine Ordinance Task Force
Complaint Summary**

File No. 19145

Chris Kohrs v. Police Commission

Date filed with SOTF: 12/31/2019

Contacts information (Complainant information listed first):

Chris Kohrs (ckohrs@gmail.com) (Complainant)

Police Commission, Jayme Campbell (jayme.a.campbell@sfgov.org) (Respondents)

File No. 19145: Complaint filed by Anonymous against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 67.21, 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

Leger, Cheryl (BOS)

From: cjkohrs <cjkohrs@gmail.com>
Sent: Friday, January 3, 2020 9:45 PM
To: SOTF, (BOS)
Subject: Fwd: Audio Recording

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

Hello Cheryl,

I'm forwarding you an email I sent to the San Francisco Police Commission on 9/13/2019.

Chris Kohrs

Sent from my iPhone

Begin forwarded message:

From: cjkohrs <cjkohrs@gmail.com>
Date: September 13, 2019 at 12:07:33 PM PDT
To: sfpd.commission@sfgov.org
Subject: Audio Recording

Greetings Police Commission,

I would like a copy of the audio recording of my termination hearing that took place at room 400 in City Hall at 8:23 PM on 3/6/2019. Please let me know how and when I can pick it up. Thank you.

Respectfully,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs . <ckohrs@gmail.com>
Sent: Sunday, December 29, 2019 10:20 AM
To: SOTF, (BOS)
Subject: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019
Attachments: mar 6 2019 2 closed session Kohrs (1) (1) (1).mp3; Primeau Forensics_Kohrs Factual Preliminary Report.pdf; transcripts Kohrs Christopher 3-6-3019 (1) (1) (1) (1).pdf

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

My name is Christopher Kohrs and I am a former San Francisco Police Officer. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged. These unchallenged, false statements that were fraudulently cut from the recording and transcript influenced the Commission's decision to terminate me at the conclusion of the hearing.

I had forensic experts examine both the audio recording and transcript of the court hearing. Their preliminary findings verify that the audio recording is not an original. Attached to this email is the preliminary forensic report as well as the altered audio recording and transcript. A more detailed forensic report will be generated if the San Francisco Police Commission continues to evade my request for the original, unaltered recording and transcript of my hearing. I have been requesting the unaltered, original recording of my hearing since October 28, 2019, but have yet to receive it. You may contact my lead forensic expert Ed Primeau at (248) 853-4091 for further information. Any assistance in helping me obtain the unaltered, original recording of my hearing from the San Francisco Police Commission would be greatly appreciated.

Respectfully,
Chris Kohrs

Cell: (415) 686-2411



PRIMEAU FORENSICS

IDENTIFY - CLARIFY - TESTIFY

3 December 2019

Christopher Kohrs

RE: Forensic Audio Authentication

INTRODUCTION

I am an audio and video forensic expert and have been practicing for 35 years. I have testified in several courts throughout the United States and worked on various international cases. My forensic practices for audio investigation include digital and analog audio authentication, enhancement and recovery. As a video forensic expert, my practices include video authentication, enhancement and identification.

As a forensic expert, I follow standard operating procedures outlined by the Scientific Working Group for Digital Evidence (SWGDE) and the National Institute of Standards and Technology (NIST). They outline the protocols and procedures for the intake, extraction and handling of digital media evidence which requires documentation of each step. This ensures that the quality and integrity of digital media evidence is maintained throughout the seizure and extraction process. If protocols are not followed, digital media evidence becomes vulnerable to tampering or mishandling.

TRAINING & QUALIFICATIONS

- 1978-1981: Probation Officer, 53rd District Court, Troy, Michigan
- 1979-1985: University of Detroit (Communications major, Criminal Justice minor)
- 1980-1988: Ambience Recording Studio, Audio Engineer/National Sales Manager
- 2008: Completed video analysis training with Pelco Global Training Institute
- 2013: Completed training in Forensic Authentication of Digital Audio at the National

Center of Media Forensics in September of 2013

- 2014: Attended and took classes at the 99th IAI International Educational Conference.

Course topics included:

Forensic Digital Image Processing Tips and Techniques

The Fundamentals of Processing of Digital Evidentiary Photography

Introduction to Forensic Gait Analysis

- 2014: Completed Resolution Video's Workshop: Digital Video Processing Techniques in September of 2014
- 2015: Completed Voice ID and Speech Analysis training with Owen Forensics in November of 2015
- 2015: Completed a Word Discrimination Test at Heritage Hearing Center in Rochester Hills, Michigan.
- 2016: Completed Resolution Video's Workshop: Digital Video Evidence Recovery in September of 2016
- 2018: Completed Resolution Video's Intro to Audio Forensics and iZotope Workshops in October of 2018

MATERIALS EXAMINED

You asked that I perform forensic audio authentication on the audio file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" in order to determine if it was edited or altered in any way. Furthermore, you asked that I generate a factual report outlining my preliminary analysis.

SOFTWARE

The following software/equipment was used during my examination and preparation of this report and was duly licensed to the undersigned at all times:

- Microsoft® Windows 10 Ultimate (SP-1)
- WinHex 18.5 (X-Ways Software Technology AG)
- MedialInfo 18.08.1 (BSD/OpenGNU opensource license)
- ExifToolGUI v5.16.0.0
- iZotope RX 7 v7.01.315
- Adobe Audition® CC 2018

FORENSIC AUDIO AUTHENTICATION

OBJECTIVE

The objective of forensic audio authentication is to determine the authenticity of the events that transpired as they were originally recorded. The investigation focuses on digital integrity verification of the file itself, as well as authentication of the recorded audio signal contained within the digital file. Below I have identified the objective of digital audio authentication from the best practices accepted in the scientific community through SWGDE (scientific working group on digital evidence).

SWGDE Best Practices for Digital Audio Authentication (2018)

1.1 Introduction

As defined in *SWGDE/SWGIT Digital & Multimedia Evidence Glossary* [1], authentication is the process of substantiating that the asserted provenance of data is true. As defined in *SWGDE Best Practices for Forensic Audio* [2], an audio authentication examination seeks to determine if a recording is consistent with the manner in which it is alleged to have been produced.

CRITICAL LISTENING

During the critical listening process, the forensic expert focuses on any interruptions or deviations from the common rule, or the characteristics of the recording. These characteristics include but are not limited to; background noise, dialogue continuity, and recording tonality.

OBSERVATIONS

Throughout the critical listening phase of my investigation, I observed anomalies or breaks in dialogue continuity in the evidence recording titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3".

TIME/FREQUENCY DOMAIN ANALYSIS

METHODOLOGY

According to the policies and procedures set forth by SWGDE (Scientific Working Group on Digital Evidence) and NCMF (National Center for Media Forensics) authentication of the digital integrity as well as the authenticating of recorded signal (waveform) must be performed. In order to verify the integrity of the recorded signal, I need to analyze the time/frequency domain of the audio content. This includes analysis of the waveform, sample values, power plot, and overall average levels. I analyze the frequency domain of the audio file. This includes examining the long-term average spectrum and momentary spectrum, as well as the spectrogram. The spectrogram testing allows me to inspect frequency information and intensity of those frequencies from color graphical representation.

OBSERVATIONS

Throughout the time/frequency domain analysis of the audio file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3", I observed inconsistencies in the waveform and spectrogram, drops in the recorded signal, as well as recompression bumps in the frequency analysis.

OPINIONS

Following the preliminary analysis, it is my opinion that the audio file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" is not a digital original. I arrived at this conclusion based on the identification of anomalies on the sound spectrum and in the digital information.

I reserve the right to amend any conclusions and opinions as additional materials are provided in conjunction with future oral testimony.

Respectfully submitted,

Edward J. Primeau, CCI, CFC, PI



BEFORE THE POLICE COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO
SAN FRANCISCO POLICE DEPARTMENT

---oOo---

In the Matter of

Officer Christopher Kohrs, No. ALW IAD 2015-0358
A Police Officer.

_____/

City HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

REPORTER'S TRANSCRIPT OF HEARING

Wednesday, March 6, 2019

Reported by:

ANNA C. GREENLEY

CSR No. 8311

ROOMIAN & ASSOCIATES

Deposition Reporters

(415) 362-5920

Roomassoc@yahoo.com

1 IN ATTENDANCE
2 SAN FRANCISCO POLICE COMMISSION
3
4 PRESIDENT ROBERT M. HIRSCH
5 VICE PRESIDENT DAMALI TAYLOR
6 COMMISSIONER PETRA DEJESUS
7 COMMISSIONER CINDY ELIAS
8 COMMISSIONER DIONJAY BROOKTER
9
10 ASHLEY WORSHAM, Attorney at Law
11 SAN FRANCISCO POLICE DEPARTMENT
12 For: San Francisco Police Department
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15 JAMES LASSART, Attorney at Law
16 For: Officer Christopher Kohrs
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PROCEEDINGS

8:23 P.M.

SGT. WARE: We're back on the record. Line 8a. For the record, Commissioner Mazzucco is recused from this matter. In the room we've added -- Assistant Chief Saenz has also left the room for the time being. City Attorney's office is represented by Paul Zarefsky. We have Officer Kohrs present.

MR. LASSART: Yes.

SGT. WARE: We have Ashley Worsham from Internal Affairs counsel present.

MS. WORSHAM: Present.

SGT. WARE: We have Mr. Jim Lassart representing Officer Kohrs. We still have a quorum.

PRESIDENT HIRSCH: Thank you. Good evening.

MS. WORSHAM: Good evening.

MR. LASSART: Good evening.

PRESIDENT HIRSCH: Which commissioner has this matter?

COMMISSIONER ELIAS: Me. I think we should start with a brief overview of the charges, Ms. Worsham, if you can let us know or let the other Commissioners know sort of what the charges are and your position.

MS. WORSHAM: Okay. Thank you. Good evening, Commissioners. In this case, Officer

1 Christopher Kohrs was involved in a hit and run accident
2 that resulted in serious bodily injury to two
3 individuals. Evidently Officer Kohrs had been a
4 designated driver and he had his brother and another
5 friend in the car with him. These two individuals were
6 crossing the street. It's also noted I think in the
7 charging documents as well that they were crossing
8 against the light. But nonetheless, they were struck by
9 Officer Kohrs' car. It's the department's position that
10 he was the driver.

11 As a result, the police responding to the
12 scene, Officer Kohrs fled the scene without providing any
13 information such as his name, address, registration or
14 driver's license. And as part of Vehicle Code Section
15 2001 subsection A, you're also required to render aide if
16 anybody is injured. He failed to do that. He was not at
17 the scene. He was subsequently arrested and charged with
18 two felony counts of violating Section 2001 subsection A.
19 He was convicted by way of a jury of his peers on
20 March 15th of the year 2018. And he was sentenced, I
21 believe, it was in August but I have the actual Superior
22 Court document. He was sentenced to three years
23 probation, served the 90-day jail sentence. I believe he
24 still remains on probation as of today until the year
25 2021.

1 And we then filed one specification alleging
2 violation of Rule 9. And included within that is the
3 fact that pursuant to California Government Code Section
4 1029 Officer Kohrs is prohibited from working as a peace
5 officer now having been rendered a convicted felon as a
6 result of this conduct from November of 2015. And so
7 also we did make reference to Government Code Section
8 1031 subsection D which requires that you be of good
9 moral character, first to be hired as a police officer,
10 but we also believe that that standard still carries
11 throughout your profession in law enforcement as a sworn
12 peace officer. As probably a lot of you know, felony
13 conviction for a -- conviction for a felony hit and run
14 is considered a crime of moral turpitude. The case
15 People versus Bautista, 1990 case, 217 Cal App Third, No.
16 1 supports that assertion that felony conviction of hit
17 and run is considered a crime of moral turpitude.

18 That's the Department's position. We
19 submitted a trial binder as the -- we were in agreement
20 with the defense the exhibits that was submitted and it's
21 this Department's position that Specification 1 should be
22 sustained.

23 COMMISSIONER ELIAS: And also just for
24 clarification, I know this issue came up at the actual
25 hearing that even if the officer wasn't convicted of

1 these charges, the Department would still be seeking
2 termination because of the facts surrounding this
3 incident. And that is, leaving the scene when someone
4 was injured, which relate to the moral character
5 component that you referenced?

6 MS. WORSHAM: That's correct. And I would
7 also note, even if this matter had been reduced to
8 misdemeanor pursuant to Penal Code Section 17b he would
9 still be prohibited under the Government Code Section
10 1029.

11 COMMISSIONER ELIAS: Thank you. Mr. Lassart.

12 MR. LASSART: Yes.

13 COMMISSIONER ELIAS: I'll give you an
14 opportunity.

15 MR. LASSART: Good evening, Commissioner. I
16 believe that I'd like to add a few facts to the matter
17 that has been given to you. This is a case in which at
18 the hearing we made it very clear that we did not contest
19 the fact that he was convicted of two counts of hit and
20 run as a felony. That would have been a waste of
21 everyone's time because we all know that happened.
22 However, some of the factors of that incident itself are
23 important for you to understand.

24 Officer Kohrs was not alone when he hit the
25 individuals who were crossing Broadway after midnight

1 against the light having a very high blood alcohol when
2 they did that. He was not alone because he was with his
3 brother and another passenger. The other passenger
4 happened to be a medical doctor who was there. Officer
5 Kohrs did leave the scene but there was a crowd that
6 gathered and the crowd gathered he was recognized as,
7 quote, the hot cop. Officer Kohrs is the police officer
8 who gained rather good reputation in the gay community
9 because of his good work there as a police officer. He
10 has an impeccable past record. There was hot cop
11 comments and he left. He did leave the scene. And he
12 did it by fear, in fear.

13 We're not foolish enough to ask you not to
14 consider the fact that the Government Code disallows
15 Officer Kohrs from carrying a firearm, which
16 automatically disqualifies him to be a police officer.
17 For us to indicate that that was otherwise would be once
18 again a waste of time. However, what I'd like to ask
19 this Commission to do is to allow whatever decision you
20 make to be held in abeyance until after the appeal on his
21 criminal matter is completed. I know that the appellate
22 brief was filed in November and the Court of Appeal,
23 depending on which division you're in, takes whatever
24 time but it's usually at the very least a year if you
25 have a good panel. But if you hold it in abeyance to

1 find out if there was the legal error that we think that
2 was made in the criminal matter, which is the not giving
3 the duress instruction at the time of the charge for the
4 jury.

5 Duress is interesting only from the
6 standpoint that it flops the burden on that one issue
7 from the defense to -- to the prosecution on that issue
8 of duress. Obviously, the prosecution always has a
9 burden but the duress issue is a -- the instruction is
10 strong instruction. And we believe there was error. I
11 was not the individual who defended him in the criminal
12 matter but I've spoken to the appellate counsel. That is
13 -- and I realize that there is -- his conduct -- I wish
14 to call to your attention his conduct at the scene I
15 don't think there is any question about his conduct at
16 the scene. He left. He didn't leave anybody unattended
17 when there is a doctor in the car. Nor was there any
18 indication that nobody called for help. The truth of the
19 matter is it's pretty hard not to be identified when the
20 car is registered to you and your brother is there and
21 they don't leave the scene. So what we're asking for is
22 to hold this in abeyance until the appellate matter is
23 decided and then consider this case. Thank you.

24 COMMISSIONER ELIAS: Fellow Commissioners,
25 does anybody have any questions?

1 PRESIDENT HIRSCH: I do. The doctor in the
2 car, doctor stay in the car and left with your client?

3 MR. LASSART: Pardon me?

4 PRESIDENT HIRSCH: The doctor was in what
5 car?

6 MR. LASSART: In the car with my client. He
7 was -- the doctor and his brother were friends of his and
8 they were in the car together.

9 PRESIDENT HIRSCH: Did the doctor get out and
10 tend to the people that were hit?

11 MR. LASSART: The doctor, I think, yes. The
12 answer is he was there and he went to the injured.
13 That's what I know of the case. I also know 911 was
14 called and the police came and paramedics came.

15 PRESIDENT HIRSCH: Did the doctor leave with
16 your client?

17 MR. LASSART: He did not leave. He stayed
18 there and was interviewed by the police department.

19 COMMISSIONER ELIAS: But the incident report
20 says all the occupants left the scene prior to the police
21 officers arriving.

22 MR. LASSART: That's not accurate. That is
23 not accurate. I don't know where you got that actually.

24 COMMISSIONER ELIAS: The incident report.

25 MR. LASSART: They are saying these people

1 were not there, the brother wasn't there and the doctor,
2 the passenger wasn't there? That's not accurate.

3 COMMISSIONER TAYLOR: When the police
4 arrived.

5 MR. LASSART: When the police arrived? They
6 both were interviewed. In fact, they talked to the
7 brother and they wanted to know where he was.

8 COMMISSIONER DEJESUS: Right. I saw that.

9 PRESIDENT HIRSCH: And if the appeal is
10 granted, if you win the appeal, the matter will be
11 remanded back to the trial court for a new trial?

12 MR. LASSART: That's the way it works, yes.

13 PRESIDENT HIRSCH: And you would seek to have
14 us stay this until that whole process runs its course?

15 MR. LASSART: If that process -- depends on
16 what the Court of Appeal says, yes.

17 PRESIDENT HIRSCH: Let's say they rule in
18 your favor.

19 MR. LASSART: Yes, I would. To be candid
20 with you, yes. And by the way, he's not on any paid
21 status. He is --

22 COMMISSIONER TAYLOR: Did your client call
23 911?

24 MR. LASSART: Pardon me?

25 COMMISSIONER TAYLOR: Did your client call

1 911?

2 MR. LASSART: No, he did not. In fact, he
3 left his phone in the car. His phone was in the car.

4 COMMISSIONER TAYLOR: So you're not
5 suggesting that the fact that 911 was called -- did he
6 know somehow that 911 was called? Was he involved in
7 calling 911?

8 MR. LASSART: No. He ran when the crowd
9 formed started yelling things. His phone was in the car.
10 I think, you know, did he know specifically, directly? I
11 doubt you can say that honestly. But I would say that
12 past practices when you leave your car there, there's
13 someone injured and you leave two people behind and a
14 crowd is forming and people are injured 911 is called.
15 And 911 was called.

16 COMMISSIONER TAYLOR: I guess what I'm
17 wondering is there are two separate obligations. There
18 is the obligation not to leave the scene, which is the
19 obligation on anyone walking around the city, walking
20 around San Francisco. But there's -- and that's the
21 felony case. That's the criminal case. There's also the
22 obligation of his duties as a police officer. And so I
23 guess I'm trying to reconcile for myself is what one has
24 to do with the other. So even if the, you know, you're
25 successful on the appeal and, you know, he's granted a

1 new trial, which may or may not result in a felony
2 conviction, there is still what he was obligated to do as
3 a police officer. And he had gotten in the car and drove
4 home. I just don't understand and I want you to help me
5 understand.

6 MR. LASSART: He didn't get in the car and
7 drive home. He left the car at the scene. He ran away.
8 He left the phone and he ran away because of the crowd.

9 COMMISSIONER TAYLOR: But -- in any case he
10 still had an obligation as an officer. And so I'm
11 wondering why he didn't make any attempt to call 911.

12 MR. LASSART: Quite frankly, he was afraid.
13 He didn't get around to calling 911 and he ran because no
14 doubt about it.

15 COMMISSIONER BROOKTER: I understand you have
16 a crowd but you're an officer. Why wouldn't you still
17 call 911? I get fleeing the space, fleeing the
18 situation, the scene. But then why not when you get home
19 do you not inform 911?

20 MR. LASSART: I can't answer that question.
21 Other than the fact that he was panicked enough never to
22 take his phone out of the car when he got out of the car.

23 COMMISSIONER ELIAS: Thank you. I guess
24 Ms. Worsham, do you have anything to add? Because I know
25 at the hearing Mr. Lassart kind of asserted his Fifth

1 Amendment right not to say anything at the hearing. So I
2 guess sort of coming up now, is there anything you want
3 to respond?

4 MS. WORSHAM: All this is new information. I
5 know that Officer Kohrs was -- I'm sorry. Officer Kohrs
6 was -- there was a request made by IAD Admin for him to
7 come in for an administrative interview. He declined to
8 participate in that through his attorney. I can say that
9 in my review of this file in preparing the charges, there
10 was no mention that the friend who was a physician
11 rendered aid to any of the two individuals that were
12 unconscious in the street. I believe that if there had
13 been a significant issue with the crowd, that that would
14 have been noted in the incident report because I think a
15 lot of people were very familiar with Officer Kohrs being
16 known as the hot cop in the Castro District. And I think
17 if there had been a crowd and when law enforcement had
18 responded, I think members of the crowd would have easily
19 been able to identify who that person was and report that
20 to those who had responded to the scene. There's no
21 information contained in our investigative file and any
22 of those steps that our IAD Admin officer took to
23 investigate this case that indicates those version
24 occurred.

25 COMMISSIONER ELIAS: And you also reviewed

1 the trial transcript of this case.

2 MS. WORSHAM: I personally did not review the
3 trial transcript. I spoke to the D.A. who was handling
4 the case and I also requested just certified documents..

5 COMMISSIONER ELIAS: Okay.

6 PRESIDENT HIRSCH: I have a question. What
7 about Lybarger warning, wasn't there an obligation to
8 give a statement?

9 MS. WORSHAM: If he had come in, that
10 Lybarger warning would have been given so -- and he would
11 have been advised that failure to -- and in fact, one of
12 the -- we could have filed that charge, the failure to
13 cooperate with the IAD investigation. We felt strongly
14 that the two felony convictions were sufficient enough to
15 warrant termination in this case.

16 COMMISSIONER ELIAS: And the moral character.

17 MS. WORSHAM: Yes.

18 MR. LASSART: Both the doctor and his brother
19 testified during the trial. My assumption is somebody
20 read that transcript. And they testified. Just so --
21 that's not -- and actually Officer Kohrs testified. So
22 all that information is in the trial transcript.

23 COMMISSIONER ELIAS: Right. And when we had
24 our hearing, there was no evidence presented by the
25 defense so. Okay. Thank you.

1 MS. WORSHAM: Thank you.

2 COMMISSIONER ELIAS: Do you want to step
3 outside so we can deliberate?

4 SGT. WARE: Can I read one thing for the
5 record? I never read 8a in its entirety in my haste to
6 begin closed session.

7 Line 8A. Personnel exception. Pursuant to
8 Government Code section 54957(b)(1) and San Francisco
9 Administrative Code Section 67.10(b), Penal Code Section
10 832.7. Hearing to sustain or not sustain disciplinary
11 charges filed in Case No. ALW IAD 2015-0358, discussion
12 and action to decide penalty, if necessary, or take other
13 action, if necessary. Officer Christopher Kohrs.
14 Discussion and possible action.

15 And I neglected to mention that Risa Tom is
16 present and Sergeant Jayme Campbell. Thank you.

17 COMMISSIONER ELIAS: Thank you.

18 (Off the record.)

19 SGT. WARE: For the record, counsel for the
20 Department Ashley Worsham is back in the room. Mr. Jim
21 Lassart is back in the room and Officer Kohrs has
22 returned.

23 PRESIDENT HIRSCH: Commissioner Elias.

24 COMMISSIONER ELIAS: Thank you. Thank you
25 for being here today. We do appreciate your time and

1 effort. At this point our unanimous decision, we are
2 going to be following the recommendation of the
3 Department and asking for the termination of Officer
4 Kohrs. We do find that there was a violation of
5 Specification No. 1, that he violated Government Code
6 Section 1029 Rule 9 of the Department General Order 2.01.
7 And as well as the Commission of Peace Officers standards
8 and training violation of Government Code Section 1031
9 subsection B. And we are denying the request to hold
10 this in abeyance.

11 MR. LASSART: Thank you.

12. PRESIDENT HIRSCH: Thank you.

13 MS. WORSHAM: Thank you.

14

15 (The proceeding was concluded at 8:50 p.m.)

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1 R E P O R T E R ' S C E R T I F I C A T E

2

3 I, ANNA C. GREENLEY, a Certified Shorthand
4 Reporter of the State of California, hereby certify that
5 the foregoing hearing was held at the time and place
6 therein stated; and that the hearing was reported by me,
7 a duly certified shorthand reporter, and was thereafter
8 transcribed under my direction into typewriting.

9 I FURTHER CERTIFY that I am not of counsel or
10 attorney for either or any of the parties in the
11 foregoing proceeding and caption named, or in any way
12 interested in the outcome of the cause named in said
13 caption.

14 IN WITNESS WHEREOF, I have hereunto set my
15 hand this 4th day of April, 2019.

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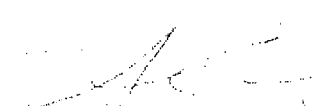
21

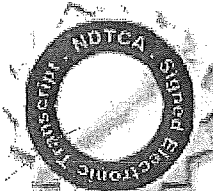
22

23

24

25


ANNA C. GREENLEY, CSR #8311
Certified Shorthand Reporter
State of California



Leger, Cheryl (BOS)

From: cjkohrs . <ckohrs@gmail.com>
Sent: Monday, December 30, 2019 6:02 PM
To: SOTF, (BOS)
Subject: Fwd: Original Recording

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

Hello Cheryl,

Here is another email I'm forwarding you documenting requests for the unaltered, original recording of my termination hearing from my attorney James Lassart.

Kind Regards,
Chris Kohrs

----- Forwarded message -----

From: cjkohrs <ckohrs@gmail.com>
Date: Thu, Dec 19, 2019 at 11:10 PM
Subject: Original Recording
To: James Lassart <jlassart@mpbf.com>

Hello James,

How did the San Francisco Police Commission respond when you re-requested the original, unaltered recording of my termination hearing that took place on March 6th? I still have not received the recording(s).

Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs . <cjkohrs@gmail.com>
Sent: Monday, December 30, 2019 6:03 PM
To: SOTF, (BOS)
Subject: Fwd: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019
Attachments: mar 6 2019 2 closed session Kohrs (1) (1) (1).mp3; transcripts Kohrs Christopher 3-6-2019 (1) (1) (1) (1).pdf; Primeau Forensics_Kohrs Factual Preliminary Report.pdf

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

Hello Cheryl,

I'm forwarding you an email that I sent directly to the San Francisco Police Commission.

Chris

----- Forwarded message -----

From: cjkohrs . <cjkohrs@gmail.com>
Date: Thu, Dec 26, 2019 at 1:37 PM
Subject: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019
To: <sfpd.commission@sfgov.org>

Dear San Francisco Police Commission,

My name is Christopher Kohrs and I am a former San Francisco Police Officer. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged.

I had forensic experts examine both the audio recording and transcript of the court hearing. Their preliminary findings verify that the audio recording is not an original. Attached to this email is the preliminary forensic report as well as the altered audio recording and transcript. I have been requesting the unaltered, original recording of my hearing since October 28, 2019, but have yet to receive it. Any assistance in helping me obtain the unaltered, original recording of my termination hearing would be greatly appreciated.

Leger, Cheryl (BOS)

From: cjkohrs . <ckohrs@gmail.com>
Sent: Monday, December 30, 2019 6:30 PM
To: SOTF, (BOS)
Subject: Re: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019

Hello Cheryl,

I completed the online complaint link provided in your previous email. I was not able to include any attachments like the altered audio recording, transcript and forensic report. Please let me know if I completed the online complaint correctly. I hope it went thru. Still have not received any confirmation that it did. Please reach out to me with any questions or concerns.

Chris Kohrs

On Mon, Dec 30, 2019 at 3:03 PM SOTF, (BOS) <sotf@sfgov.org> wrote:

Dear Mr. Kohrs:

I am in receipt of and thank you for your email and attachments below. Will you please provide me your original request for the unaltered audio of the March 6, 2019, Police Commission Hearing and what ever response you have received from them. Also, can you please complete the complaint form located in the link below? I need this information in order to process your complaint. Hope you have a nicer New Year.

<https://sfgov.org/sunshine/filing-complaint-sunshine-ordinance-task-force>

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724



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From: cjkohrs . <cjkohrs@gmail.com>

Sent: Sunday, December 29, 2019 10:20 AM

To: SOTF, (BOS) <sotf@sfgov.org>

Subject: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019

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

My name is Christopher Kohrs and I am a former San Francisco Police Officer. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged. These unchallenged, false statements that were fraudulently cut from the recording and transcript influenced the Commission's decision to terminate me at the conclusion of the hearing.

I had forensic experts examine both the audio recording and transcript of the court hearing. Their preliminary findings verify that the audio recording is not an original. Attached to this email is the preliminary forensic report as well as the altered audio recording and transcript. A more detailed forensic report will be generated if the San Francisco Police Commission continues to evade my request for the original, unaltered recording and transcript of my hearing. I have been requesting the unaltered, original recording of my hearing since October 28, 2019, but have yet to receive it. You may contact my lead forensic expert Ed Primeau at (248) 853-

4091 for further information. Any assistance in helping me obtain the unaltered, original recording of my hearing from the San Francisco Police Commission would be greatly appreciated.

Respectfully,
Chris Kohrs

Cell: (415) 686-2411

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Friday, January 3, 2020 9:42 AM
To: SOTF, (BOS)
Subject: Re: Altered Audio and transcript of 3/6/2019 termination hearing
Attachments: transcripts Kohrs Christopher 3-6-3019 (1).pdf

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

Good morning Cheryl,

I think it would be beneficial to contact the attorney who represented me at this hearing, James Lassart, and request documentation regarding his attempts to get the original, unaltered audio recording and transcripts of my termination hearing from the San Francisco Police Commission. Any emails and phone calls that James or his office staff made to the Commission requesting the original, unaltered recording and transcripts should be on record. According to this email thread, James has made numerous attempts.

Additionally, I have not been able to contact the person who transcribed the hearing, Anna C. Greenly. I have not been able to contact anyone who works at Roomian and Associates either. I would look into this as well. All their information is on the 1st page of the transcript I have attached to this email. I still have not received the original, unaltered transcript and recording from the San Francisco Police Commission or James Lassart.

Chris Kohrs

Sent from my iPhone

On Dec 30, 2019, at 5:21 PM, cjkohrs <ckohrs@gmail.com> wrote:

Hello Cheryl,

The first time I requested the unaltered, original audio recording of my termination hearing was via phone, thru my attorney who represented me in this matter. His name is James Lassart and his contact info is in the below email thread. I made this request to James via phone on October 25th, 2019. I called James and requested him to get a copy of the unaltered, original recording of my termination hearing. I told him that the audio and transcript of my hearing were both fraudulently altered. James told me that the audio of my termination hearing was not altered and that the sound blip that occurs 11 minutes and 38 seconds into the recording is just him saying "Umm".

Besides the first telephone conversation, the following emails show my efforts in trying to obtain a copy of the unaltered, original recording of my termination hearing from my attorney James Lassart. I will also forward you my latest email attempts to obtain the unaltered, original recording of my termination hearing in separate emails that are not contained in this thread. Please let me know if for whatever reason you cannot read the email thread or need more information.

Chris

Sent from my iPhone

Begin forwarded message:

From: James Lassart <JLassart@MPBF.com>
Date: December 26, 2019 at 9:18:45 AM PST
To: cjkohrs <ckohrs@gmail.com>
Subject: RE: Altered Audio and transcript of 3/6/2019 termination hearing

Chris,

I still haven't gotten anything from the city. I called again Monday. I'm getting your entire file ready so you can have it. Jim

James Lassart
Partner
88 Kearny Street, 10th Floor
San Francisco, CA 94108
Office:
Direct:
Fax:
415.788.1900 x2857
415.962.2857
415.393.8087

[website](#) | [bio](#) | [vCard](#) | [map](#) | [email](#)

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

From: cjkohrs [mailto:ckohrs@gmail.com]
Sent: Thursday, December 26, 2019 8:10 AM
To: James Lassart <JLassart@MPBF.com>
Subject: Re: Altered Audio and transcript of 3/6/2019 termination hearing

Hello James,

I still have not received any unaltered, original recording(s) of my termination hearing

P1408

that took place on March 6th, 2019. I have not received any recording(s) from you, your office, or from the San Francisco Police Commission.

Additionally, I would like to get a copy of my file as soon as possible. If it is most convenient for you, I can stop by your office to pick it up.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Dec 6, 2019, at 11:15 AM, James Lassart <JLassart@mpbf.com> wrote:

Just found out that it was not sent. I'm re requesting it from the commission. Jim

James Lassart

Partner

88 Kearny Street, 10th Floor

San Francisco, CA 94108

Office:

Direct:

Fax:

415.788.1900 x2857

415.962.2857

415.393.8087

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

From: cjkohrs [mailto:ckohrs@gmail.com]

Sent: Friday, December 6, 2019 8:49 AM

To: James Lassart <JLassart@MPBF.com>

Subject: Re: Altered Audio and transcript of 3/6/2019 termination hearing

I have not received any recording from you. When did you send it to me?

Chris

Sent from my iPhone

On Dec 6, 2019, at 8:40 AM, James Lassart
<JLassart@mpbf.com> wrote:

Cris,

I have sent you the only recording that I can get from the Police commission. There is nothing else I can do. Jim

James Lassart
Partner
88 Kearny Street, 10th Floor
San Francisco, CA 94108
Office:

Direct:

Fax:

415.788.1900 x2857

415.962.2857

415.393.8087

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

From: cjkohrs [mailto:ckohrs@gmail.com]

Sent: Friday, December 6, 2019 8:34 AM

To: James Lassart <JLassart@MPBF.com>

Subject: Re: Altered Audio and transcript of 3/6/2019 termination

hearing

Good morning James,

I am still waiting for the original, unedited recording of my termination hearing that took place on March 6th. The copy that I was provided is not an original. Please get me the original.

Respectfully,

P1411

Chris Kohrs

Sent from my iPhone

On Nov
1, 2019,
at 4:23
PM,
James
Lassart
<JLassa
rt@mp
bf.com
>
wrote:

Cris,

I have asked the commission for a copy
of the tape. They told me
that they would be able to get it to me
easily because you had
already asked them for it and it was just
getting ready. I will

send you the copy of the recording as
soon as I get it. I assume

that you will get it when I do. Jim
James Lassart Partner

88 Kearny Street, 10th Floor

San Francisco, CA 94108

Office:

Direct:

Fax:

415.788.1900 x2857

415.962.2857

415.393.8087

[website](#) | [bio](#) | [vCard](#) | [map](#) | [email](#)

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

From: cjkohrs
[mailto:cjkohrs@gmail.com]

Sent: Friday, November 1, 2019 3:43 PM

To: James Lassart
<JLassart@MPBF.com>

Subject: Re: Altered Audio and transcript of 3/6/2019 termination

hearing Hello James, Any luck getting that "raw unaltered CD" of my termination hearing that we discussed over the phone last Friday? Really looking forward to hearing it.

Chris

Sent from my iPhone

On Oct
28,
2019,
at 4:30
PM,
cjkohrs
<cjkohrs
@gmail
.com>
wrote:

Hello James,

I have contacted multiple people regarding the altered audio and transcript of my termination hearing. They have seen and heard the evidence and are in agreement that the audio of my termination hearing, that took place on March 6th, 2019, was altered.

Other people, including a few attorneys, agree that at 11 minutes and 37 seconds into the audio there is a sound blip due to a cut audio rather than a human voice/word. At that point in the recording, you say "He is --", then there is a sound blip, and it immediately jumps to questioning by a Police Commissioner. The sound blip is the excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio.

Although other attorneys have heard the recordings and have knowledge of this, I prefer not to involve them in this matter. I believe you have a better relationship with the Police Commission than they do. Plus, you were actually there at the hearing.

All I am requesting is an audio recording and transcript that accurately reflects exactly what was said in my termination hearing that took place on March 6th, 2019. We are really hoping to be able to obtain both in a timely manner. The truth is on our side, James. Luckily, we weren't the only people in the courtroom that evening. We can and will get the unaltered audio and transcript.

Respectfully,
Chris Kohrs
Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Friday, January 3, 2020 9:45 PM
To: SOTF, (BOS)
Subject: Fwd: Audio Recording

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

Hello Cheryl,

I'm forwarding you an email I sent to the San Francisco Police Commission on 9/13/2019.

Chris Kohrs

Sent from my iPhone

Begin forwarded message:

From: cjkohrs <ckohrs@gmail.com>
Date: September 13, 2019 at 12:07:33 PM PDT
To: sfpd.commission@sfgov.org
Subject: Audio Recording

Greetings Police Commission,

I would like a copy of the audio recording of my termination hearing that took place at room 400 in City Hall at 8:23 PM on 3/6/2019. Please let me know how and when I can pick it up. Thank you.

Respectfully,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Monday, January 6, 2020 6:43 AM
To: SOTF, (BOS)
Subject: Fwd: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019
Attachments: transcripts Kohrs Christopher 3-6-3019 (1).pdf

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

Hi Cheryl,

Please keep this email correspondence in my records as well.

Sent from my iPhone

Begin forwarded message:

From: cjkohrs <ckohrs@gmail.com>
Date: January 5, 2020 at 8:45:45 PM PST
To: "Benavidez, Louie (POL)" <Louie.Benavidez@sfgov.org>
Subject: Re: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019

Hello Sergeant Benavidez,

Thank you for reaching out to me. Please keep me updated on the points that you've addressed in your email. Is there any reason why we couldn't obtain the video of my entire hearing? Why would the Commission not release the original, unaltered audio and video from my entire hearing? Have we contacted the person who transcribed the hearing? She is listed on the first page of the attached transcript. Anna C. Greenley, CSR No. 8311. I would like her to be contacted regarding her entire involvement in this matter.

If the Commission does not cooperate, can we force the Commission to provide the unaltered audio and video of the entire hearing?

My attorney who represented me in this matter, James Lassart, has emailed me stating that he has contacted the Police Commission numerous times attempting to obtain the original, unaltered audio. The Commission has yet to provide it to him. I can forward you James Lassart's contact info and our written correspondence regarding his numerous attempts to obtain this evidence in a separate email. I want 100% transparency regarding this investigation. Please let me know how I can assist you. I'm available to come in for an interview on the weekdays any time after 3:45 PM. I'm usually free on the weekends as well.

Chris

Sent from my iPhone

On Jan 5, 2020, at 11:26 AM, Benavidez, Louie (POL) <Louie.Benavidez@sfgov.org> wrote:

Hello Chris,

I'm Sergeant Benavidez and I work for the Internal Affairs Division under Lt. Wilhelm. I've been assigned to address some of the issues that you have brought up with the audio from your termination hearing.

As of right now, I'm waiting to hear back if they are going to release the audio from that hearing. I'll also inquire about possible video and any device used to record that hearing to obtain an original copy.

I also want to see if you're available to come in to the office for an interview. I'll be at training for the next two weeks but I am available Tuesday- Friday starting the 21st. I'll also do my best to continue to make progress and give you any update I receive from the City Attorney and Police commission regarding the video. Even though I'll be at training still continue to address any questions or concerns to me. You're more than welcome to call my cell phone listed below or email me.

Thank you,

Sergeant Louie A. Benavidez #646
Risk Management/Internal Affairs Division
1245 3rd St. 4th Floor
Desk: 415-837-7154
Cell: 415-816-8072

From: Wilhelm, Angela (POL) <Angela.Wilhelm@sfgov.org>
Sent: Saturday, January 4, 2020 10:36 PM
To: Benavidez, Louie (POL) <Louie.Benavidez@sfgov.org>
Subject: Fwd: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019

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From: cjkohrs . <ckohrs@gmail.com>
Sent: Saturday, January 4, 2020 6:47:49 PM
To: Wilhelm, Angela (POL) <Angela.Wilhelm@sfgov.org>
Subject: Re: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019

Hello Angela,

Can you find out what device my termination hearing was recorded on? Pictures of the actual device, serial numbers, make and model would be very helpful. Sergeant Walter Ware and Sergeant Jayme Campell were both present at the hearing. They might know. Can you ask them?

Also, since these Commission hearings are video recorded, is there a video recording of the entire hearing? An unaltered video recording of the entire hearing would be the best piece of evidence. I have attached the transcript of my hearing to this email which shows everyone present at the hearing. Someone should be able to provide some answers to these questions.

I still have not heard from any SFPD investigators or from the SF Police Commission.

Chris

On Tue, Dec 31, 2019 at 9:22 AM cjkohrs <ckohrs@gmail.com> wrote:
Thanks Angela!

Sent from my iPhone

On Dec 31, 2019, at 7:36 AM, Wilhelm, Angela (POL)
<Angela.Wilhelm@sfgov.org> wrote:

Good Morning Chris.

The allegations that you have brought to my attention will be assigned to an investigator in the unit. I will have the investigator reach out to you within the next day or so.

Thank you.
Angela.

Lieutenant A. Wilhelm #716
Internal Affairs Administration Division
1245 3rd Street
San Francisco CA 94158
415.837.7170

From: cjkohrs . <ckohrs@gmail.com>
Sent: Monday, December 30, 2019 4:02 PM
To: Wilhelm, Angela (POL) <Angela.Wilhelm@sfgov.org>
Subject: Re: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019

Hi Angela,

I just spoke with Susan Gray, senior investigator with the DPA. She told me that these hearings are recorded via video. An unaltered video should clear everything up. Can we get the video of my termination hearing from the San Francisco Police Commission?

Chris Kohrs

On Sat, Dec 28, 2019 at 11:21 PM cjkohrs . <ckohrs@gmail.com> wrote:

Hi Angela,

I think IA Criminal should also be aware of this. Do you have a contact email for someone that works in that department? I still have not been provided the original, unaltered transcript and audio recording of my termination hearing from the San Francisco Police Commission. Also, were you able to get in contact with the person who wrote the transcript of my termination hearing? Anna C. Greenley. Please freeze all the files related to this matter as soon as possible to prevent any more fraud.

Kind Regards,
Chris Kohrs

On Thu, Dec 26, 2019 at 3:27 PM cjkohrs <ckohrs@gmail.com> wrote:
Great. Thank you!

Sent from my iPhone

On Dec 26, 2019, at 2:48 PM, Wilhelm, Angela (POL) <Angela.Wilhelm@sfgov.org> wrote:

Greetings Chris.

I am in receipt of your email and will contact you once I have a chance to listen to and read through the documents that you have provided.

Thank you.
Angela.

Lieutenant A. Wilhelm #716
Internal Affairs Administration Division
1245 3rd Street
San Francisco CA 94158
415.837.7170

From: cjkohrs . <cjkohrs@gmail.com>
Sent: Thursday, December 26, 2019 2:00 PM
To: Wilhelm, Angéla (POL)
<Angela.Wilhelm@sfgov.org>
Subject: Request for Unaltered, Original Audio
Recording of Termination Hearing on 3/6/2019

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Hi Angela,

Just a little recap of our phone conversation. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged.

I had forensic experts examine both the audio recording and transcript of the court hearing. Their preliminary findings verify that the audio recording is not an original. Attached to this email is the preliminary forensic report as well as the altered audio recording and transcript. A more detailed forensic report will be generated if the San Francisco Police Commission continues to evade my request for the original, unaltered recording and transcript of

my hearing. I have been requesting the unaltered, original recording of my hearing since October 28, 2019, but have yet to receive it. You may contact my lead forensic expert Ed Primeau at (248) 853-4091 for further information. Any assistance in helping me obtain the unaltered, original recording of my termination hearing would be greatly appreciated!

Kind Regards and Happy Holidays,
Chris Kohrs

Cell: (415) 686-2411

Leger, Cheryl (BOS)

From: cjkohrs . <cjkohrs@gmail.com>
Sent: Monday, January 6, 2020 8:21 PM
To: SOTF, (BOS)
Subject: Fwd: Requesting Unaltered Video and Audio of Hearing on 3/6/2019
Attachments: mar 6 2019 2 closed session Kohrs.mp3; Primeau Forensics_Kohrs Factual Preliminary Report.pdf; transcripts Kohrs Christopher 3-6-2019 (1) (1) (1) (1).pdf

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

Hello Cheryl, I am forwarding another email request I am made to the SF Police Commission.

----- Forwarded message -----

From: cjkohrs . <cjkohrs@gmail.com>
Date: Mon, Jan 6, 2020 at 8:17 PM
Subject: Requesting Unaltered Video and Audio of Hearing on 3/6/2019
To: <sfpd.commission@sfgov.org>

Dear San Francisco Police Commission,

My name is Christopher Kohrs and I am a former San Francisco Police Officer. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged.

I had forensic experts examine both the audio recording and transcript of the court hearing. Their preliminary findings verify that the audio recording is not an original. Attached to this email is the preliminary forensic report as well as the altered audio recording and transcript. I have been requesting the unaltered, original recording of my hearing since October 28, 2019, but have yet to receive it. I am now requesting the unaltered, original audio and video recording of my termination hearing that took place on 3/6/2019. Please provide me information on the device used to record the hearing including serial numbers, make and model. Please provide this information to me as soon as possible. Please confirm that you have received this email.

Respectfully,
Chris Kohrs

Cell: (415) 686-2411

Leger, Cheryl (BOS)

From: cjkohrs <cjkohrs@gmail.com>
Sent: Monday, January 6, 2020 8:40 PM
To: SOTF, (BOS)
Subject: File No. 19145 Fwd: San Francisco Police Public Records Request :: P009021-091319

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

Sent from my iPhone

Begin forwarded message:

From: San Francisco Police Records Portal <sanfranciscopd@mycusthelp.net>
Date: September 13, 2019 at 12:12:43 PM PDT
To: "cjkohrs@gmail.com" <cjkohrs@gmail.com>
Subject: San Francisco Police Public Records Request :: P009021-091319



Dear Chris Kohrs:

Thank you for your interest in public records of the San Francisco Police Department ("SFPD").

The San Francisco Police Department ("SFPD") received your request, dated September 13, 2019 and given the reference number **P009021-091319** for tracking purposes.

Record(s) Requested: *Greetings Police Commission, I would like a copy of the audio recording of my termination hearing that took place at room 400 in City Hall at 8:23 PM on 3/6/2019. Please let me know how and when I can pick it up. Thank you. Respectfully, Chris Kohrs*

Your request is being forwarded to the appropriate department(s) for processing and you will be notified once the request is complete.

You can monitor request progress at the link below. Thank you for using the San Francisco Public Records Center.

San Francisco Police Department

To monitor the progress or update this request please log into the [SFPD Public Records Center](#).

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Monday, January 6, 2020 8:40 PM
To: SOTF, (BOS)
Subject: File No. 19145 Fwd: San Francisco Police Public Records Request :: P009021-091319

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

Sent from my iPhone

Begin forwarded message:

From: San Francisco Police Records Portal <sanfranciscopd@mycusthelp.net>
Date: September 13, 2019 at 12:12:43 PM PDT
To: "ckohrs@gmail.com" <ckohrs@gmail.com>
Subject: San Francisco Police Public Records Request :: P009021-091319



Dear Chris Kohrs:

Thank you for your interest in public records of the San Francisco Police Department ("SFPD").

The San Francisco Police Department ("SFPD") received your request, dated September 13, 2019 and given the reference number **P009021-091319** for tracking purposes.

Record(s) Requested: *Greetings Police Commission, I would like a copy of the audio recording of my termination hearing that took place at room 400 in City Hall at 8:23 PM on 3/6/2019. Please let me know how and when I can pick it up. Thank you. Respectfully, Chris Kohrs*

Your request is being forwarded to the appropriate department(s) for processing and you will be notified once the request is complete.

You can monitor request progress at the link below. Thank you for using the San Francisco Public Records Center.

San Francisco Police Department

To monitor the progress or update this request please log into the [SFPD Public Records Center](#).

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Monday, January 6, 2020 8:41 PM
To: SOTF, (BOS)
Subject: File No. 19145 Fwd: Public Records Request :: P009021-091319

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

Sent from my iPhone

Begin forwarded message:

From: San Francisco Police Records Portal <sanfranciscopd@mycusthelp.net>
Date: September 13, 2019 at 12:17:43 PM PDT
To: "ckohrs@gmail.com" <ckohrs@gmail.com>
Subject: Public Records Request :: P009021-091319

--- Please respond above this line ---



September 13, 2019

Via email ckohrs@gmail.com

Chris Kohrs
San Francisco, CA

RE: Public Records Request, dated September 13, 2019, Reference # P009021-091319

Dear Chris Kohrs:

The San Francisco Police Commission (Commission) received your Public Records Act request, dated September 13, 2019, on September 13, 2019.

You requested, "*Greetings Police Commission,*

I would like a copy of the audio recording of my termination hearing that took place at room 400 in City Hall at 8:23 PM on 3/6/2019. Please let me know how and when I can pick it up. Thank you.

*Respectfully,
Chris Kohrs"*

Responsive records are available via the San Francisco Public Records Center. Click on the link below to view your request.

Public Records Request - P009021-091319

If you have any questions, please contact the Police Commission at 415-837-7070.

Sincerely,

Sergeant Jayme Campbell
Officer in Charge
Police Commission

To monitor the progress or update this request please log into the SFPD Public Records Center.

This is an auto-generated email and has originated from an unmonitored email account. Please DO NOT REPLY.



Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, January 8, 2020 4:38 PM
To: SOTF, (BOS)
Subject: File No. 19145 Fwd: Requesting Unaltered Video and Audio of Hearing on 3/6/2019

Sent from my iPhone

Begin forwarded message:

From: "Youngblood, Stacy (POL)" <Stacy.A.Youngblood@sfgov.org>
Date: January 8, 2020 at 1:51:44 PM PST
To: "ckohrs@gmail.com" <ckohrs@gmail.com>
Cc: "Kilshaw, Rachael (POL)" <rachael.kilshaw@sfgov.org>, "SFPD, Commission (POL)" <SFPD.Commission@sfgov.org>, "Youngblood, Stacy (POL)" <Stacy.A.Youngblood@sfgov.org>
Subject: RE: Requesting Unaltered Video and Audio of Hearing on 3/6/2019

Mr. Kohrs,

We are in receipt of your public records request dated January 7th 2020.

Your request has been assigned request #P01437-010820 for your reference.
You should have received a confirmation email from our GovQA public records tracking software.

We will contact you no later than January 16th 2020 to provide you with either an update or responsive records.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Sent: Tuesday, January 7, 2020 9:37 AM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Cc: Kilshaw, Rachael (POL) <rachael.kilshaw@sfgov.org>
Subject: Fwd: Requesting Unaltered Video and Audio of Hearing on 3/6/2019

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From: cjkohrs . <cjkohrs@gmail.com>
Sent: Monday, January 6, 2020 8:17:41 PM
To: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Subject: Requesting Unaltered Video and Audio of Hearing on 3/6/2019

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

Dear San Francisco Police Commission,

My name is Christopher Kohrs and I am a former San Francisco Police Officer. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged.

I had forensic experts examine both the audio recording and transcript of the court hearing. Their preliminary findings verify that the audio recording is not an original. Attached to this email is the preliminary forensic report as well as the altered audio recording and transcript. I have been requesting the unaltered, original recording of my hearing since October 28, 2019, but have yet to receive it. I am now requesting the unaltered, original audio and video recording of my termination hearing that took place on 3/6/2019. Please provide me information on the device used to record the hearing including serial numbers, make and model. Please provide this information to me as soon as possible. Please confirm that you have received this email.

Respectfully,
Chris Kohrs

P1429

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Saturday, January 11, 2020 4:16 AM
To: SOTF, (BOS)
Subject: File No. 19145 Fwd: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019
Attachments: mar 6 2019 2 closed session Kohrs.mp3; transcripts Kohrs Christopher 3-6-3019 (1).pdf; Primeau Forensics_Kohrs Factual Preliminary Report.pdf

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

Please add to my file. Thanks.

Chris Kohrs

Sent from my iPhone

Begin forwarded message:

From: cjkohrs <ckohrs@gmail.com>
Date: January 10, 2020 at 10:34:04 AM PST
To: "Paul C. Chignell" <Paul@sfpoa.org>
Cc: Tony Montoya <tony@sfpoa.org>
Subject: Re: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019

Thanks for the update Paul. The last telephone conversation I had with James Lassart, he was trying to convince me the audio was unaltered. He told me that the glitch in the audio at 11 minutes and 38 seconds in the recording was just him saying "umm". Why was James trying to cover this up?

Also, the first page of the attached transcript documents show that Anna C Greenley transcribed this hearing. Is there any way we can reach out to her and verify information? To the best of my knowledge, no one has been able to contact her yet. Finally, is there a way to find out what device this hearing was recorded on? Serial number, make and model would be preferred. Lt. Angela Wilhelm, Sergeant Jayme Campbell as well as Sergeant Benavidez are looking into this, but they have not gotten this information yet. They said they are still waiting for the SF Police Commission to respond. Why is the Police Commission withholding information? The people currently looking into this matter would find this information useful. Sergeant Walter Ware and Sergeant Jayme Campbell were both present at the hearing. Maybe they could provide some answers? Can someone reach out to them? We would really like to have this info. Any answers to these questions would be appreciated.

Chris Kohrs

Sent from my iPhone

On Jan 9, 2020, at 2:51 PM, Paul C. Chignell <Paul@sfpoa.org> wrote:

Chris:

I am sorry you are experiencing this issue with the unaltered recording.

I spoke with your attorney Jim Lassart this morning regarding this matter and he has been pursuing the unaltered tape with a Deputy City Attorney. He advised me that he will file a public records request for the tape if the City Attorney does not relent and hand over the tape. I will stay in touch with Jim about this.

Also, best of luck in the Court of Appeal in overturning your conviction.

From: cjkohrs . [mailto:cjkohrs@gmail.com]

Sent: Saturday, December 28, 2019 10:20 PM

To: Paul C. Chignell

Subject: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019

Dear Paul Chignell,

My name is Christopher Kohrs and I am a former San Francisco Police Officer. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged. These unchallenged, false statements that were fraudulently cut from the recording and transcript influenced the Commission's decision to terminate me at the conclusion of the hearing.

I had forensic experts examine both the audio recording and transcript of the court hearing. Their preliminary findings verify that the audio recording is not an original. Attached to this email is the preliminary forensic report as well as the altered audio recording and transcript. A more detailed forensic

report will be generated if the San Francisco Police Commission continues to evade my request for the original, unaltered recording and transcript of my hearing. I have been requesting the unaltered, original recording of my hearing since October 28, 2019, but have yet to receive it. You may contact my lead forensic expert Ed Primeau at (248) 853-4091 for further information. Any assistance in helping me obtain the unaltered, original recording of my hearing from the San Francisco Police Commission would be greatly appreciated.

Respectfully,
Chris Kohrs

Cell: (415) 686-2411

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, January 14, 2020 6:54 AM
To: SOTF, (BOS); Cassidy Toles
Subject: Re: File 19145 Altered Audio

Good morning Cheryl,

Just wanted to inform you that Cassidy Toles is now representing me as my attorney regarding this public records request, File No. 19145 with the Sunshine Ordinance Task Force (SOTF). Please include him on all future correspondence as it relates to this matter. He is copied on this email as well. Thank you.

Chris Kohrs

Sent from my iPhone

On Jan 8, 2020, at 8:14 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Got it and can hear the proceeding.

Cheryl Leger
415-554-77224

From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, January 7, 2020 8:02 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: File 19145 Altered Audio

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

Hello Cheryl,

Attached is the altered audio of my hearing. Please include it in my file. Please acknowledge that you received it and can open the audio file.

Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, January 15, 2020 5:00 AM
To: SOTF, (BOS)
Subject: Re: File 19145 Altered Audio

Good morning Cheryl

Did the SF Police Commission respond within 5 business days to our request for the unaltered audio of the hearing? Please let me know the next steps.

Chris Kohrs

Sent from my iPhone

On Jan 14, 2020, at 9:12 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Chris, May I have Mr. Toles' email? Thanks.

Cheryl Leger

From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, January 14, 2020 6:54 AM
To: SOTF, (BOS) <sotf@sfgov.org>; Cassady Toles <ctoles@kernlaw.com>
Subject: Re: File 19145 Altered Audio

Good morning Cheryl,

Just wanted to inform you that Cassady Toles is now representing me as my attorney regarding this public records request, File No. 19145 with the Sunshine Ordinance Task Force (SOTF). Please include him on all future correspondence as it relates to this matter. He is copied on this email as well. Thank you.

Chris Kohrs

Sent from my iPhone

On Jan 8, 2020, at 8:14 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Got it and can hear the proceeding.

Cheryl Leger
415-554-77224

From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, January 7, 2020 8:02 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: File 19145 Altered Audio

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

Hello Cheryl,

Attached is the altered audio of my hearing. Please include it in my file. Please acknowledge that you received it and can open the audio file.

Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, January 15, 2020 7:27 PM
To: SOTF, (BOS)
Subject: File No. 19145 Fwd: Requesting Original, Unaltered Audio of Hearing on 3/6/2019
Attachments: Primeau Forensics_Kohrs Factual Preliminary Report.pdf; cid94F94D57-335A-4967-A23F-57EDFD9CDEE5.pdf

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

Please add to my file

Chris Kohrs

Sent from my iPhone

Begin forwarded message:

From: cjkohrs <ckohrs@gmail.com>
Date: January 15, 2020 at 4:50:23 PM PST
To: "Youngblood, Stacy (POL)" <Stacy.A.Youngblood@sfgov.org>
Cc: "Kilshaw, Rachael (POL)" <rachael.kilshaw@sfgov.org>, "SFPD, Commission (POL)" <SFPD.Commission@sfgov.org>, Louie Benavidez <Louie.Benavidez@sfgov.org>, Jayme.a.campbell@sfgov.org
Subject: Requesting Original, Unaltered Audio of Hearing on 3/6/2019

Hello all,

I still have not received the original, unaltered audio recording of my termination hearing that took place on 3/6/2019. James Lassart, the attorney who represented me at the hearing and I have been requesting the original, unaltered audio recording for months. The attached letter titled "City Attorney Letter" is what my forensics team and I are requesting moving forward. Attached is also the preliminary forensic report. I have also copied Sergeant Benavidez #646 and Jayme Campbell who was present at the hearing to this email. Please respond in writing that you have received this email.

Chris Kohrs

Sent from my iPhone

On Jan 8, 2020, at 1:51 PM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

Mr. Kohrs,

We are in receipt of your public records request dated January 7th 2020.

Your request has been assigned request #P01437-010820 for your reference.
You should have received a confirmation email from our GovQA public records tracking software.

We will contact you no later than January 16th 2020 to provide you with either an update or responsive records.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

CONFIDENTIALITY NOTICE: This communication and its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws, including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

From: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Sent: Tuesday, January 7, 2020 9:37 AM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Cc: Kilshaw, Rachael (POL) <rachael.kilshaw@sfgov.org>
Subject: Fwd: Requesting Unaltered Video and Audio of Hearing on 3/6/2019

Get Outlook for iOS

From: cjkohrs . <cjkohrs@gmail.com>
Sent: Monday, January 6, 2020 8:17:41 PM
To: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Subject: Requesting Unaltered Video and Audio of Hearing on 3/6/2019

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

Dear San Francisco Police Commission,

My name is Christopher Kohrs and I am a former San Francisco Police Officer. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged.

I had forensic experts examine both the audio recording and transcript of the court hearing. Their preliminary findings verify that the audio recording is not an original. Attached to this email is the preliminary forensic report as well as the altered audio recording and transcript. I have been requesting the unaltered, original recording of my hearing since October 28, 2019, but have yet to receive it. I am now requesting the unaltered, original audio and video recording of my termination hearing that took place on 3/6/2019. Please provide me information on the device used to record the hearing including serial numbers, make and model. Please provide this information to me as soon as possible. Please confirm that you have received this email.

Respectfully,
Chris Kohrs

Cell: (415) 686-2411

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, January 15, 2020 7:58 PM
To: SOTF, (BOS)
Subject: File No. 19145 Fwd: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019

Please add to my file.

Chris Kohrs

Sent from my iPhone

Begin forwarded message:

From: cjkohrs <ckohrs@gmail.com>
Date: January 15, 2020 at 4:50:06 AM PST
To: "Benavidez, Louie (POL)" <Louie.Benavidez@sfgov.org>
Subject: Re: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019

Good morning Sergeant Benavidez

I now have an attorney representing me in this matter regarding the altered audio and transcript of my termination hearing. If you would still like to meet in person for an interview we can with my attorney present. Please let me know.

Chris Kohrs

Sent from my iPhone

On Jan 11, 2020, at 6:25 PM, cjkohrs <ckohrs@gmail.com> wrote:

Hello Sergeant Benavidez,

In the last 10 seconds of the attached audio of the hearing, the commissioners state that the court reporter stepped out. Who is this court reporter that was present for the hearing? Can we identify this person and contact them so they can provide us some information regarding the altered audio and transcript?

Also, in the last 10 seconds of the audio, the commissioners state that the deliberations should be on the record, however at that point the audio abruptly ends. Is this proper procedure? Should the deliberations be included in the audio as stated at the end of the recording?

Chris
<mar 6 2019 2 closed session Kohrs.mp3>

Sent from my iPhone

On Jan 5, 2020, at 11:26 AM, Benavidez, Louie (POL)
<Louie.Benavidez@sfgov.org> wrote:

Hello Chris,

I'm Sergeant Benavidez and I work for the Internal Affairs Division under Lt. Wilhelm. I've been assigned to address some of the issues that you have brought up with the audio from your termination hearing.

As of right now, I'm waiting to hear back if they are going to release the audio from that hearing. I'll also inquire about possible video and any device used to record that hearing to obtain an original copy.

I also want to see if you're available to come in to the office for an interview. I'll be at training for the next two weeks but I am available Tuesday- Friday starting the 21st. I'll also do my best to continue to make progress and give you any update I receive from the City Attorney and Police commission regarding the video. Even though I'll be at training still continue to address any questions or concerns to me. You're more than welcome to call my cell phone listed below or email me.

Thank you,

Sergeant Louie A. Benavidez #646
Risk Management/Internal Affairs Division
1245 3rd St. 4th Floor
Desk: 415-837-7154
Cell: 415-816-8072

From: Wilhelm, Angela (POL) <Angela.Wilhelm@sfgov.org>
Sent: Saturday, January 4, 2020 10:36 PM
To: Benavidez, Louie (POL) <Louie.Benavidez@sfgov.org>
Subject: Fwd: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019

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From: cjkohrs . <cjkohrs@gmail.com>
Sent: Saturday, January 4, 2020 6:47:49 PM
To: Wilhelm, Angela (POL) <Angela.Wilhelm@sfgov.org>
Subject: Re: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019

Hello Angela,

Can you find out what device my termination hearing was recorded on? Pictures of the actual device, serial numbers, make and model would be very helpful. Sergeant Walter Ware and Sergeant Jayme Campell were both present at the hearing. They might know. Can you ask them?

Also, since these Commission hearings are video recorded, is there a video recording of the entire hearing? An unaltered video recording of the entire hearing would be the best piece of evidence. I have attached the transcript of my hearing to this email which shows everyone present at the hearing. Someone should be able to provide some answers to these questions.

I still have not heard from any SFPD investigators or from the SF Police Commission.

Chris

On Tue, Dec 31, 2019 at 9:22 AM cjkohrs <cjkohrs@gmail.com> wrote:
Thanks Angela!

Sent from my iPhone

On Dec 31, 2019, at 7:36 AM, Wilhelm, Angela (POL)
<Angela.Wilhelm@sfgov.org> wrote:

Good Morning Chris.

The allegations that you have brought to my attention will be assigned to an investigator in the unit. I will have the investigator reach out to you within the next day or so.

Thank you.
Angela.

Lieutenant A. Wilhelm #716
Internal Affairs Administration Division
1245 3rd Street
San Francisco, CA 94158
415.837.7170

From: cjkohrs . <ckohrs@gmail.com>
Sent: Monday, December 30, 2019 4:02 PM
To: Wilhelm, Angela (POL)
<Angela.Wilhelm@sfgov.org>
Subject: Re: Request for Unaltered, Original Audio
Recording of Termination Hearing on 3/6/2019

Hi Angela,

I just spoke with Susan Gray, senior investigator with the DPA. She told me that these hearings are recorded via video. An unaltered video should clear everything up. Can we get the video of my termination hearing from the San Francisco Police Commission?

Chris Kohrs

On Sat, Dec 28, 2019 at 11:21 PM cjkohrs .
<ckohrs@gmail.com> wrote:
Hi Angela,

I think IA Criminal should also be aware of this. Do you have a contact email for someone that works in that department? I still have not been provided the original, unaltered transcript and audio recording of my termination hearing from the San Francisco Police Commission. Also, were you able to get in contact with the person who wrote the transcript of my termination hearing? Anna C. Greenley. Please freeze all the files related to this matter as soon as possible to prevent any more fraud.

Kind Regards,
Chris Kohrs

On Thu, Dec 26, 2019 at 3:27 PM cjkohrs
<ckohrs@gmail.com> wrote:
Great. Thank you!

Sent from my iPhone

On Dec 26, 2019, at 2:48 PM,
Wilhelm, Angela (POL)
<Angela.Wilhelm@sfgov.org> wrote:

Greetings Chris.

I am in receipt of your email and will contact you once I have a chance to listen to and read through the documents that you have provided.

Thank you.
Angela.

Lieutenant A. Wilhelm #716
Internal Affairs Administration
Division
1245 3rd Street
San Francisco CA 94158
415.837.7170

From: cjkohrs . <ckohrs@gmail.com>

Sent: Thursday, December 26, 2019
2:00 PM

To: Wilhelm, Angela (POL)
<Angela.Wilhelm@sfgov.org>

Subject: Request for Unaltered,
Original Audio Recording of
Termination Hearing on 3/6/2019

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

Hi Angela,

Just a little recap of our phone conversation. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have

been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged.

I had forensic experts examine both the audio recording and transcript of the court hearing. Their preliminary findings verify that the audio recording is not an original. Attached to this email is the preliminary forensic report as well as the altered audio recording and transcript. A more detailed forensic report will be generated if the San Francisco Police Commission continues to evade my request for the original, unaltered recording and transcript of my hearing. I have been requesting the unaltered, original recording of my hearing since October 28, 2019, but have yet to receive it. You may contact my lead forensic expert Ed Primeau at (248) 853-4091 for further information. Any assistance in helping me obtain the unaltered, original recording of my termination hearing would be greatly appreciated!

Kind Regards and Happy
Holidays,
Chris Kohrs

Cell: (415) 686-2411

P1444

PRIMEAU FORENSICS

IDENTIFY CLARIFY TESTIFY

1703 Star Batt DR
Rochester Hills, MI 48309
www.primeauforensics.com
(800)-647-4281

15 January 2020

Dear Mr. Kohrs,

Based on our Preliminary Analysis Results (Factual Report Attached), we would like to proceed with a Full Investigation of the digital original recording of your hearing. In addition, it would be best to also examine the original equipment that was used to create the digital original, the chain of custody log as well as the environment where the hearing took place. If the recording was transferred using a computer, we would like to examine that equipment as well. We would be willing to initiate a protocol once we know the make and model of all equipment that was used. The examination will take no longer than 4 hours to complete.

Respectfully submitted,

Edward J. Primeau, CCI, CFC, PI



Leger, Cheryl (BOS)

From: cjkohrs <cjkohrs@gmail.com>
Sent: Thursday, January 16, 2020 11:08 AM
To: SOTF, (BOS)
Subject: Fwd: Public Records Request :: P010437-010820

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

Please add to my file

Sent from my iPhone

Begin forwarded message:

From: San Francisco Police Records Portal <sanfranciscopd@mycusthelp.net>
Date: January 16, 2020 at 10:19:23 AM PST
To: "cjkohrs@gmail.com" <cjkohrs@gmail.com>
Subject: Public Records Request :: P010437-010820

--- Please respond above this line ---



January 16, 2020

Via email cjkohrs@gmail.com

Chris Kohrs

San Francisco, CA

RE: Public Records Request, dated January 06, 2020, Reference # P010437-010820

Dear Chris Kohrs:

The San Francisco Police Commission (Commission) received your Public Records Act request, dated January 06, 2020.

You requested, "*Dear San Francisco Police Commission,*

My name is Christopher Kohrs and I am a former San Francisco Police Officer. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged.

I had forensic experts examine both the audio recording and transcript of the court hearing. Their preliminary findings verify that the audio recording is not an original. Attached to this email is the preliminary forensic report as well as the altered audio recording and transcript. I have been requesting the unaltered, original recording of my hearing since October 28, 2019, but have yet to receive it. I am now requesting the unaltered, original audio and video recording of my termination hearing that took place on 3/6/2019. Please provide me information on the device used to record the hearing including serial numbers, make and model. Please provide this information to me as soon as possible. Please confirm that you have received this email.

Respectfully,
Chris Kohrs
Cell: (415) 686-2411"

Although the Commission has 10 calendar days to respond to your request, we are invoking an additional 14 day extension of time to respond to your request pursuant to Government Code section 6253(c) because of the need to search, collect, review, and consult with another department. Once it has been determined whether or not the information you request is responsive and subject to disclosure we will advise you as soon practicable but no later than January 30th 2020.

If you have any questions, please contact me at 415-837-7070.

Thank you for your attention.

Sincerely,

Sergeant Stacy Youngblood
Officer in Charge
Police Commission

To monitor the progress or update this request please log into the [SFPD Public Records Center](#).

This is an auto-generated email and has originated from an unmonitored email account. Please DO NOT REPLY.



Leger, Cheryl (BOS)

From: cjkohrs <cjkohrs@gmail.com>
Sent: Tuesday, January 21, 2020 9:41 AM
To: SOTF, (BOS)
Subject: Re: SOTF - Notice of Appearance to Determine Jurisdiction - Compliance and Amendments Committee; January 28, 2020

Thanks for the clarification.

Sent from my iPhone

On Jan 21, 2020, at 9:18 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Dear Chris:

The hearing on 1/28/20 will be for jurisdiction only. You are welcome to be present. Just a reminder that this is not a hearing for your matter. I still need to schedule it and as I told you on the phone, there are other cases ahead of yours which is why it may not be heard until March or April.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

<image001.png>

Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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From: cjkohrs <cjkohrs@gmail.com>
Sent: Sunday, January 19, 2020 7:04 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: SOTF - Notice of Appearance to Determine Jurisdiction - Compliance and Amendments Committee; January 28, 2020

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

Good morning Cheryl,

We will be present for this hearing on January 28th regarding file No. 19145. When I spoke to you over the phone on Friday afternoon, you said there was another hearing regarding File No. 19145 on Feb. 18th getting pushed back to March or April due to your upcoming surgery in February and due to scheduling. What hearing were you referring to that will be getting pushed back to March or April regarding File No. 19145? We just need some clarification. Thanks.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Jan 13, 2020, at 3:22 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Good Afternoon:

Notice is hereby given that the Compliance and Amendments Committee of the Sunshine Ordinance Task Force shall hold hearings on complaints listed below to determine if the Task Force has jurisdiction pursuant to Administrative Code (Sunshine Ordinance), Section 67.21(e). A hearing to review the merits of the complaint will be scheduled on a future date.

The Complainant and Respondent are **NOT REQUIRED** to attend the January 28, 2020, Committee meeting but may attend to provide testimony related to the above listed determinations only.

Date: January 28, 2020

Location: City Hall, Room 408

Time: 4:30 p.m.

Complaints:

File No. 19091: Complaint filed by Anonymous against Mayor London Breed, the Office of the Mayor, Hank Heckel, 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.

File No. 19094: Complaint filed by Anonymous against Linda Gerull and the Department of Technology for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.25, 67.26 and 67.27 by

failing to respond to a public records request in a timely and/or complete manner.

File No. 19097: Complaint filed by Anonymous against Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.26 and 67.27, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19109: Complaint filed by Stephen Malloy against Dept. of Public Health for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24, 67.25, 67.26 and 67.27 by failing to respond to a public records request in a timely and/or complete manner.

File No. 19110: Complaint filed by Stephen Malloy against the Fire Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24, 67.25, 67.26 and 67.27 by failing to respond to a public records request in a timely and/or complete manner.

File No. 19117: Complaint filed by Conrad Wu against the Public Utilities Commission for allegedly violating Administrative Code, (Sunshine Ordinance) Sections 67.25 by failing to respond to a public records request in a timely and/or complete manner.

File No. 19118: Complaint filed by Paul Ondik against the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b), by failing to respond to a records request in a timely and/or complete manner.

File No. 19119: Complaint filed by Anonymous against the Department of Technology for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b), 67.26 and 67.27 by failing to respond to a public records request in a timely and/or complete manner.

File No. 19120: Complaint filed by Anonymous against the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b)(c), 67.26, 67.27, by failing to respond to a request for public records in a timely and/or complete manner; failing to justify withholding of records and failing to provide assistance.

File No. 19121: Complaint filed by Anonymous against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b)(k), 67.26 and 67.27, by failing to respond to a public records request in a timely and/or complete manner; withholding more than the minimum and failing to justify withholding.

File No. 19122: Complaint filed by Anonymous against City Librarian Michael Lambert and the Public Library 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. 19123: Complaint filed by Paul Kniha against the San Francisco Municipal Executive Association 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. 19125: Complaint filed by Anonymous against the Controller's Office for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b)(c)(k), 67.26, 67.27, by failing to respond to a request for records in a timely and/or complete manner, failing to assist, withheld more than the minimally exempt portion of a public record, failing to justify withholdings with clear reference to exemption statute or case law and failing to provide an exact copy of records.

File No. 19126: Complaint filed by Ann Treboux against the San Francisco 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.

File No. 19128: Complaint filed by Anonymous against Chief William Scott, Sgt. Brian Rodriguez, Michael Andraychak and the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.25, 67.26, 67.27 and 67.29-7(a), by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19130: Complaint filed by Stephen Malloy against Chesa Boudin and the District Attorney's Office 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. 19131: Complaint filed by Anonymous against Jose Cisneros, Theresa Buckley and the Treasurer's Office for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.24, 67.26, 67.27, by failing to respond to a request for records in a timely and/or complete manner, failing to assist, withheld more than the minimally exempt portion of a public record.

File No. 19132: Complaint filed by Anonymous against Mary Ellen Carroll and the Department of Emergency Management for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19133: Complaint filed by Anonymous against Tom Maguire and the San Francisco Municipal Transportation Agency for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19134: Complaint filed by Anonymous against Rob Reiter and City Hall Building Management for allegedly violating Administrative

Code (Sunshine Ordinance), Sections 67.21 and 67.25 by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19135: Complaint filed by Anonymous against Vicki Hennessy and the Sheriff's Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25 by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19136: Complaint filed by Anonymous against Naomi Kelly and the Office of the City Administrator for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25 by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19137: Complaint filed by Anonymous against Thomas P. Campbell and the Fine Arts Museum for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.25 and 67.34 by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19138: Complaint filed by Stephen Malloy against the University of California, Regents of the University of California, 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. 19139: Complaint filed by Anonymous against Jeanne Buick, Henry Voong and the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24, 67.26 and 67.27(a), by withholding public records.

File No. 19140: Complaint filed by Stephen Malloy against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a request for public records in a timely and/or complete manner.

File No. 19141: Complaint filed by Anonymous against Chief William Scott and the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19143: Complaint filed by Anonymous against Sheriff Vicki Hennessy, James Wilson and the Sheriff's Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24, 67.25 and 67.27, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19144: Complaint filed by Anonymous against the Department of Police Accountability for allegedly violating Administrative Code (Sunshine Ordinance), Sections, 67.21, 67.24, 67.26 and 67.27, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19145: Complaint filed by Anonymous against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19146: Complaint filed by Anonymous against City Librarian Michael Lambert and the Public Library for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to request for public records in a timely and/or complete manner.

The agenda and packet material for the meeting is available online at the following link:

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

<image001.png>

Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, January 21, 2020 12:26 PM
To: SOTF, (BOS)
Subject: Re: SOTF - Notice of Appearance to Determine Jurisdiction - Compliance and Amendments Committee; January 28, 2020

Thanks for the update. Their email is info@primeaucompanies.com

Sent from my iPhone

On Jan 21, 2020, at 11:31 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Also, there is no need to fly out your expert to participate in the hearing. That person can appear telephonically. When comes time for the hearing, please provide their email address before then so I can forward the telephonic hearing procedures to that person. Thank you.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

<image001.png>

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From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, January 21, 2020 9:41 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: SOTF - Notice of Appearance to Determine Jurisdiction - Compliance and Amendments Committee; January 28, 2020

Thanks for the clarification.

Sent from my iPhone

P1454

On Jan 21, 2020, at 9:18 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Dear Chris:

The hearing on 1/28/20 will be for jurisdiction only. You are welcome to be present. Just a reminder that this is not a hearing for your matter. I still need to schedule it and as I told you on the phone, there are other cases ahead of yours which is why it may not be heard until March or April.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

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From: cjkohrs <cjkohrs@gmail.com>
Sent: Sunday, January 19, 2020 7:04 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: SOTF - Notice of Appearance to Determine Jurisdiction - Compliance and Amendments Committee; January 28, 2020

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Good morning Cheryl,

We will be present for this hearing on January 28th regarding file No. 19145. When I spoke to you over the phone on Friday afternoon, you said there was another hearing regarding File No. 19145 on Feb. 18th getting pushed back to March or April due to your upcoming surgery in February and due to scheduling. What hearing were you referring to that will be getting pushed back to March or April regarding File No. 19145? We just need some clarification. Thanks.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Jan 13, 2020, at 3:22 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Good Afternoon:

Notice is hereby given that the Compliance and Amendments Committee of the Sunshine Ordinance Task Force shall hold hearings on complaints listed below to determine if the Task Force has jurisdiction pursuant to Administrative Code (Sunshine Ordinance), Section 67.21(e). A hearing to review the merits of the complaint will be scheduled on a future date.

The Complainant and Respondent are **NOT REQUIRED** to attend the January 28, 2020, Committee meeting but may attend to provide testimony related to the above listed determinations only.

Date: January 28, 2020

Location: City Hall, Room 408

Time: 4:30 p.m.

Complaints:

File No. 19091: Complaint filed by Anonymous against Mayor London Breed, the Office of the Mayor, Hank Heckel, 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.

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File No. 19136: Complaint filed by Anonymous against Naomi Kelly and the Office of the City Administrator for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25 by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19137: Complaint filed by Anonymous against Thomas P. Campbell and the Fine Arts Museum for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.25 and 67.34 by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19138: Complaint filed by Stephen Malloy against the University of California, Regents of the University of California, 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. 19139: Complaint filed by Anonymous against Jeanne Buick, Henry Voong and the Department of Human Resources for allegedly violating Administrative Code

(Sunshine Ordinance), Sections 67.24, 67.26 and 67.27(a), by withholding public records.

File No. 19140: Complaint filed by Stephen Malloy against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a request for public records in a timely and/or complete manner.

File No. 19141: Complaint filed by Anonymous against Chief William Scott and the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19143: Complaint filed by Anonymous against Sheriff Vicki Hennessy, James Wilson and the Sheriff's Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24, 67.25 and 67.27, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19144: Complaint filed by Anonymous against the Department of Police Accountability for allegedly violating Administrative Code (Sunshine Ordinance), Sections, 67.21, 67.24, 67.26 and 67.27, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19145: Complaint filed by Anonymous against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19146: Complaint filed by Anonymous against City Librarian Michael Lambert and the Public Library for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to request for public records in a timely and/or complete manner.

The agenda and packet material for the meeting is available online at the following link:

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

<image001.png>

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.

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Leger, Cheryl (BOS)

From: cjkohrs.<ckohrs@gmail.com>
Sent: Tuesday, February 4, 2020 4:40 AM
To: Youngblood, Stacy (POL); ZAREFSKY, PAUL (CAT); Benavidez, Louie (POL); SOTF, (BOS); McClain, Thomas (ETH)
Subject: Re:SOTF Complaint - #19145

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

Dear Stacy Youngblood and Paul Zarefsky,

Please provide the make, model and serial number of all the equipment that was used to make the recording(s) of my termination hearing that took place on March 6, 2019. This would include the audio equipment in City Hall, room 400. Please provide the make, model and serial number of the jump drive and desktop you referenced in your email below as well. Please provide the chain of custody logs for the recording(s) including the jump drive. Please provide the name of the court reporter present at this hearing and the company they work for. Please forward me the email containing the recording that you sent to the outside vendor where you had the transcript made. This transparency would be appreciated.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Jan 30, 2020, at 2:31 PM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

To whom it may concern,

We are submitting this email to supplement our email of January 22nd, responding to the five questions we were asked in connection with this complaint.

The Police Commission has received complaint #19145 from the Sunshine Ordinance Task Force.

The complainant was involved in a personnel hearing before the Police Commission in March of 2019 at City Hall in room 400. The hearing was held in closed session in the presence of a court reporter. The audio equipment in room 400 was also used to record the hearing onto a jump drive which was retained by the Police Commission staff.

The recording was then transferred onto a desktop computer at the Police Commission office while the jump drive was retained in the complainants' file. The recording from the desktop computer was then emailed to have a transcript made of the hearing to an outside vendor.

In April of 2019, the complainant telephoned the Police Commission office and requested a copy of the audio from the hearing. Since the complainant was employed as a San Francisco Police Officer and the audio of their hearing is part of their personnel record, they are allowed to be given a copy. The Police Commission office transferred an unaltered copy of the audio recording to a DVD and mailed it to the complainant's home address.

On September 13th 2019, the complainant again called the Police Commission office asking for a copy of the audio from their hearing. The Police Commission staff entered the request into our records tracking software (GovQA) and digitally emailed the complainant another copy of the unaltered audio recording on September 13th 2019 through the records tracking software.

On January 6th 2020, the Police Commission Office received another email from the complainant stating they had received the audio but believed it had been altered and wanted the Police Commission to send them an "unaltered" audio recording.

It is important to understand that no member of the public has a right to request closed session items which have been voted on by the entire Commission as being non-disclosable. . Therefore, neither the Complainant, as a member of the public, nor any other member of the public, has a right to inspect or receive a copy of the recording. Rather, the Complainant's access to the recording is based on his employment status – his being a (former) employee of the Police Department – given that the closed session proceeding involved a personnel matter directly related to his employment. However, if the Sunshine Task Force finds that it has jurisdiction over this particular issue, the Commission has provided the record the requester sought. There are no further records to provide to the complainant.

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

CONFIDENTIALITY NOTICE: This communication and its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws, including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, February 4, 2020 10:34 AM
To: SOTF, (BOS)
Subject: File No. 19145 Fwd: Transcription Records

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

Sent from my iPhone

Begin forwarded message:

From: Roomian & Associates <roomassoc@yahoo.com>
Date: February 4, 2020 at 9:49:28 AM PST
To: cjkohrs <ckohrs@gmail.com>
Subject: Re: Transcription Records

Mr. Kohrs,

Your questions have already been answered previously by Dawn so I really have nothing more to add but I will answer your questions that you have posed.

I personally appeared for the proceedings on March 6, 2019. I was the only person involved in preparing the transcript. I had nothing to do with any of the audio recordings by the Police Commission nor did I have any control over them and never received them.

I hope this answers all the questions that you have. I am an impartial party just there to provide an accurate transcript of the proceedings that occurred and have no interest in any of the outcome.

Sincerely,
Anna Greenley

Sent from my iPhone

On Feb 4, 2020, at 8:40 AM, cjkohrs <ckohrs@gmail.com> wrote:

Hello Anna Greenley,

My name Chris Kohrs. I had a termination hearing on 3/6/2019 in front of the San Francisco Police Commission located at City Hall room 400. Were you the court reporter at this hearing and if so, did you transcribe the entire hearing? Were you the only

person involved in the transcription? Did you receive any audio recordings of the hearing? Any answers to these questions would be greatly appreciated!

Kind regards,
Chris

Sent from my iPhone

On Feb 4, 2020, at 8:26 AM, Roomian & Associates
<roomassoc@yahoo.com> wrote:

She says you can email her here. I'll leave it as new for her to respond.

Dawn
Roomian & Associates
Deposition Reporters
2601C Blanding Ave., Suite 524
Alameda, CA 94501
P: 415-362-5920
email: roomassoc@yahoo.com

On Tuesday, February 4, 2020, 07:49:59 AM PST, cjkohrs
<ckohrs@gmail.com> wrote:

Great. Thank you Dawn.

Sent from my iPhone

On Feb 4, 2020, at 7:41 AM, Roomian & Associates
<roomassoc@yahoo.com> wrote:

We share this email address, as we are both proprietors
of Roomian & Associates.
She works more than I do, and so I usually take care of
answering emails.
I will ask if she's okay with my giving her personal email
out.

Dawn
Roomian & Associates
Deposition Reporters
2601C Blanding Ave., Suite 524
Alameda, CA 94501
P: 415-362-5920
email: roomassoc@yahoo.com

On Tuesday, February 4, 2020, 07:37:39 AM PST,
cjkohrs <ckohrs@gmail.com> wrote:

Good to know, thank you. Do you how I could get in
contact with Anna Greenly? Email?

Chris

Sent from my iPhone

On Feb 4, 2020, at 7:24 AM, Roomian &
Associates <roomassoc@yahoo.com>
wrote:

Hi, Chris

We no longer have the contract to report
the SF Police Commission hearings
(beginning new fiscal year July 1,
2019).

When the contract was up, we decided
not to re-bid, as we had been reporting
them since 2001.

Best Regards,

Dawn Sandner
Roomian & Associates
Deposition Reporters
2601C Blanding Ave., Suite 524
Alameda, CA 94501
P: 415-362-5920
email: roomassoc@yahoo.com

On Tuesday, February 4, 2020,
04:14:18 AM PST, cjkohrs
<ckohrs@gmail.com> wrote:

Hello Dawn,

Can you provide me Anna C. Greenley's
email address? Will she be the court
reporter at the SF Police Commission
hearing tomorrow at City Hall room 400?

Kind regards,
Chris Kohrs

Sent from my iPhone

On Jan 31, 2020, at
7:55 AM, Roomian &

P1466

Associates
<roomassoc@yahoo.co
m> wrote:

Good morning, Chris

We definitely have nothing to do with any audio recordings for any hearing or deposition that we report. We don't receive anything from the Police Commission in any form, except the calendar for the matters being heard.

We don't type from audio. That would take forever. We don't do audio transcription.

We are stenographers. That's live, real-time reporting, like you see on tv. It is we stenographers who do tv captioning (to give you an idea of the live aspect of what we do). As the words are spoken, we are writing them and they are being transmitted to the page or screen. The only difference is when we are done we have to go home and edit, put in a comma here, correct name spellings there, to make a readable transcript; whereas the tv captioner is done when that show is over.

I welcome your questions.
Never hesitate.

Have a good weekend!
Go Niners!

Best Regards,

Dawn Sandner
Roomian & Associates
2601C Blanding Avenue, Suite 524
Alameda, CA
415-362-5920

On Jan 31, 2020, at
5:36 AM, cjkohrs
<ckohrs@gmail.com>
wrote:

Good morning Dawn,

Please forgive me if you already answered this question. But did you, Anna C. Greenley, or any representative from Roomian and Associates receive any audio recordings from the San Francisco Police Commission, San

Francisco Police Department, or the City and County of San Francisco regarding my hearing on March 6, 2019? Below is the attached transcript, Please let me know. Thank you!

<transcripts Kohrs Christopher 3-6-3019 (1).pdf>

Kind Regards,
Chris Kohrs

Sent from my iPhone

On Jan 21, 2020, at
3:45 PM, Roomian &
Associates
<roomassoc@yahoo.co
m> wrote:

Mr. Kohrs,

Here is the
electronically-stored
PDF of the hearing on
March 6, 2019.
Please let us know if we
can be of further
assistance.

Dawn
**Roomian &
Associates
Deposition Reporters**
2601C Blanding Ave.,
Suite 524
Alameda, CA 94501
P: 415-362-5920
email:
roomassoc@yahoo.com

On Tuesday, January
21, 2020, 06:54:17 AM
PST, cjkohrs
<ckohrs@gmail.com>
wrote:

Good morning Dawn,

Could you email us a
copy of Anna C
Greenley's shorthand
notes and what she
transcribed from those
notes? I've attached the

transcript of the hearing
that was provided to me
below.

Chris Kohrs

Sent from my iPhone

On Jan
20,
2020,
at
12:54
PM,
Roomia
n &
Associa
tes
<rooma
ssoc@y
ahoo.co
m>
wrote:

Good afternoon,

She took it shorthand as
it was being said and
transcribed it from her
notes.

Hope this helps.
We don't do audio
transcription.

Dawn Sandner
Roomian & Associates
2601C Blanding
Avenue, Suite 524
Alameda, CA
415-362-5920

On Jan
20,
2020,
at
12:34
PM,
cjkohrs
<ckohrs
@gmail
.com>
wrote:

Hello Dawn,

P1469

Can you tell me if Anna C. Greenley was at the hearing putting spoken word on paper as it was actually being said, or if she was provided an audio recording of the hearing from the SF Police Commission that she transcribed after the hearing was over? Please let me know. I've attached the transcript of the hearing to this email.

Chris Kohrs

<transcripts Kohrs Christopher 3-6-3019 (1).pdf>

Sent from my iPhone

Begin forwarded message:

From:
Roomia
n &
Associa
tes
<rooma
ssoc@y
ahoo.co
m>

Date:
January
20,
2020 at
7:44:51
AM
PST

To:
cjkohrs
<ckohrs
@gmail
.com>

**Subjec
t:**

**Re: Tr
anscrip
tion
Record
s**

**Reply-
To:**
Roomia
n &
Associa
P1470

tes
<rooma
ssoc@y
ahoo.co
m>

Good
mornin
g, Mr.
Kohrs

Unfortu
nately,
as
reporter
s, we
are not
given
any
corresp
onding
docume
nts/reco
rds as
they
relate
to the
hearing
s that
we
report
for the
Police
Commi
ssion.
Our job
is to put
the
spoken
word on
paper,
and
that is
where
our
duties
end for
these
hearing
s.
I wish I
could
be of
better
help to
you.

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Thursday, February 6, 2020 11:25 AM
To: SOTF, (BOS)
Subject: Re: SOTF - Question

Thanks for the update. Any info on when the next committee hearing will be regarding this case? At the last hearing Lila and Bruce said it would be at the very next hearing.

Chris

Sent from my iPhone

On Feb 6, 2020, at 10:13 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Dear Chris: It will not impact the outcome of your case. I don't want to list your name if you wish to appear anonymously.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

<image001.png>

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From: cjkohrs <ckohrs@gmail.com>
Sent: Thursday, February 6, 2020 7:26 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: SOTF - Question

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

Hello Cheryl,

It really makes no difference to me. How will it impact future hearings/proceedings if I use my name instead of anonymous?

Chris

Sent from my iPhone

On Feb 5, 2020, at 10:07 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Dear Mr. Kohrs:

Is it your wish to list your complaint as "anonymous," or not? Thank you.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

<image001.png>

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Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Thursday, February 6, 2020 1:57 PM
To: SOTF, (BOS)
Subject: Re: SOTF - Question

Great. Thank you Cheryl. Is this a hearing where the forensics experts should testify?

Chris

Sent from my iPhone

On Feb 6, 2020, at 11:40 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Chris: I have tentatively scheduled your complaint to be heard before the Compliance and Amendments Committee on February 25, 2020 at 4:30 PM., pending approval of the Agenda by the Chair. A link to the Agenda packet will be sent out in the near future.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

<image001.png>

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From: cjkohrs <ckohrs@gmail.com>
Sent: Thursday, February 6, 2020 11:25 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: SOTF - Question

Thanks for the update. Any info on when the next committee hearing will be regarding this case? At the last hearing Lila and Bruce said it would be at the very next hearing.

Chris

Sent from my iPhone

On Feb 6, 2020, at 10:13 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Dear Chris: It will not impact the outcome of your case. I don't want to list your name if you wish to appear anonymously.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

<image001.png>

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From: cjkohrs <ckohrs@gmail.com>
Sent: Thursday, February 6, 2020 7:26 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: SOTF - Question

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

Hello Cheryl,

It really makes no difference to me. How will it impact future hearings/proceedings if I use my name instead of anonymous?

Chris

Sent from my iPhone

On Feb 5, 2020, at 10:07 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Dear Mr. Kohrs:

Is it your wish to list your complaint as “anonymous,” or not? Thank you.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

<image001.png>

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Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Friday, February 7, 2020 5:16 AM
To: SOTF, (BOS)
Subject: File Number 19145

Please add to my file Cheryl. Thank you. Either I or my attorney will be getting back to you soon regarding Sergeant Youngblood's request to push back the hearing date on 2/25/2020.

Chris

Sent from my iPhone

Begin forwarded message:

From: "Loftus, Thomas (TIS)" <thomas.loftus@sfgov.org>
Date: February 6, 2020 at 2:08:33 PM PST
To: cjkohrs <ckohrs@gmail.com>
Subject: RE: Requesting Information

Hi Chris-

I'm happy to provide some generic information regarding the audio recording in the City Hall hearing rooms, but you will have to check with the Commission Clerk or Secretary for the specific procedures for a specific Commission. It is my understanding that each Commission Secretary/Clerk has their own way of doing things.

The City Hall Hearing Rooms have a device (Denon DN-300R MKII) that allows recording of the room audio to a USB drive or an SD card. The audio is recorded as an mp3 audio file. Each Commission is responsible for providing their own USB drives or SD cards, and are responsible for recording the meeting. The room system also provides audio via a 1/8" plug which allows the Commission to record the audio on their own device. The Commission is responsible for maintaining their audio recording. Both Open Session and Closed Session portions of the meeting can be recorded in the room. SFGovTV does not control or maintain any of the audio recording equipment in the room.

SFGovTV does not record every meeting in City Hall. For the meetings SFGovTV records, SFGovTV receives audio and video from the room during Open Session only. SFGovTV records an audio/video file for cable channel playback and online viewing. Once an mp4 audio/video file is uploaded for online viewing, the mp4 audio/video file is converted to an mp3 audio only file. Both the mp4 audio/video file and the mp3 audio file are available for public download. To reiterate, SFGovTV only receives the audio and video from the room during Open Session. Once the Secretary/Clerk puts the room in Closed Session, the audio and video to SFGovTV are disabled.

I hope this helps, please let me know if I can provide any further clarification.

Thanks,

Tom Loftus

Media Systems & Operations Supervisor | SFGovTV, cable channel 26 & 78
Department of Technology | City and County of San Francisco

P1477

415.554.6523 | thomas.loftus@sfgov.org | @sfgovtv | YouTube | Facebook | SFGovTV.org

Tell us how we're doing

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

From: cjkohrs <ckohrs@gmail.com>

Sent: Wednesday, February 05, 2020 5:46 PM

To: Loftus, Thomas (TIS) <thomas.loftus@sfgov.org>

Subject: Requesting Information

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

Hello Thomas,

My name is Chris and I spoke to you today on my drive home regarding the audio equipment used to record a closed session hearing with the San Francisco Police Commission that took place on March 6, 2019. Some of the details I remember from our brief conversation was that the equipment, computers, MP3 drives, jump/flash drives, etc. etc etc. used to record this closed session hearing belongs to and is maintained solely by the SF Police Commission. Is that correct? I believe you said the clerk at this closed session matter recorded this hearing? Is that correct? This closed session audio was recorded digitally on some type of MP3 drive, is that right? Does SFGTV have anything to do with that closed session audio recording? Does SFGTV provide or maintain any of the equipment used to record that closed session hearing?

If you can, could you please provide me with the make, model and serial number of any of the equipment, computers, MP3 drives, flash/jump drives etc. that was used to record this closed session audio recording? Any information would be greatly appreciated!

Kind Regards,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Sunday, February 16, 2020 8:20 PM
To: Youngblood, Stacy (POL)
Cc: SOTF, (BOS); Zumwalt, Jeffrey (ETH); Scott, William (POL)
Subject: Re: SOTF Complaint - #19145

Dear Sergeant Youngblood and Chief Scott,

I followed up with SFGTV as Sergeant Youngblood suggested. I had an informative conversation with Tom Loftus, Media Systems & Operations Supervisor of SFGTV. Tom also sent me an email. I have copied a few of Tom's statements in quotations below.

"The Commission is responsible for maintaining their audio recording."

"SFGovTV does not control or maintain any of the audio recording equipment in the room."

"Each Commission is responsible for providing their own USB drives or SD cards, and are responsible for recording the meeting."

"For the meetings SFGovTV records, SFGovTV receives audio and video from the room during Open Session only."

"To reiterate, SFGovTV only receives the audio and video from the room during Open Session. Once the Secretary/Clerk puts the room in Closed Session, the audio and video to SFGovTV are disabled."

Can either of you explain why the quoted statements Tom Loftus provided us conflicts with information Sergeant Youngblood provided us?

Can you provide the name of the secretary/clerk at my hearing on 3/6/2019 that was responsible for recording my hearing?

Can you elaborate on the specific procedures for recording my hearing?

Since the chain of custody logs do not exist for the recording(s) including the jump drive, who had/has access to the recording(s) including the jump drive?

Are there policies and procedures in place to ensure the integrity of the jump drive without a chain of custody log?

Prior to the court reporter, Anna C Greenley, leaving the hearing on 3/6/2019, did Anna provide the Commission an unedited draft of the hearing?

Regarding my hearing that took place on 3/6/2019 at City Hall room 400, what is the make and model of the device that allows recording of the room audio to a USB or SD card?

Was the audio recorded as an mp3 audio file? If not, what type of file was it recorded on?

Having answers to these questions would improve transparency and be appreciated.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Feb 5, 2020, at 12:39 PM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

Mr. Kohrs,

Please see the responses below to your requests. Let me reiterate that these requests for information are in response to your having access to personnel records as a former employee of the San Francisco Police Department not as a member of the public who is requesting public records.

1 – “Please provide the make, model and serial number of all the equipment that was used to make the recording(s) of my termination hearing that took place on March 6, 2019.”

- The equipment used to record your termination hearing belongs to and is maintained by SFGOVTV which is located at City Hall. Please contact SFGOVTV at 415-554-4188 to make this request.

2- “Please provide the make, model and serial number of the jump drive and desktop you referenced in your email below as well.”

- The jump drive used was a Transcend 4 gigabyte. Serial numbers are not printed on the drive nor are they displayed under properties. We are unable to locate a serial number to provide this information to you.
- The serial number of the desktop computer will not be provided to avoid the risk to the security and integrity of the city’s data systems and to avoid the release of exempt confidential or privileged information. Per Government Code 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.

3 – “Please provide the chain of custody logs for the recording(s) including the jump drive.”

- Chain of custody logs do not exist. The jump drive has never left the custody of the Police Commission Office.

4 – “Please provide the name of the court reporter present at this hearing and the company they work for.”

- This information is on the first page of the transcript that was provided to you previously.
 - Court Reporter – Anna Greenley
 - Company – Roomian & Associates

5 – “Please forward me the email containing the recording that you sent to the outside vendor where you had the transcript made.”

Let me clarify my previous email. When the Commission has audio recordings that need to be transcribed, they are digitally sent to a vendor. Since your termination hearing had a court reporter present, the Commission did not need to send out the audio. The court reporter listens to the proceeding as well as records it so they can create the transcript. That transcript is then sent to the Police Commission once complete.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: cjkohrs <ckohrs@gmail.com>

Sent: Tuesday, February 4, 2020 4:40 AM

To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; ZAREFSKY, PAUL (CAT) <Paul.Zarefsky@sfcityatty.org>; Benavidez, Louie (POL) <Louie.Benavidez@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; McClain, Thomas (ETH) <thomas.mcclain@sfgov.org>

Subject: Re:SOTF Complaint - #19145

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

Dear Stacy Youngblood and Paul Zarefsky,

Please provide the make, model and serial number of all the equipment that was used to make the recording(s) of my termination hearing that took place on March 6, 2019. This would include the audio equipment in City Hall, room 400. Please provide the make, model and serial number of the jump drive and desktop you referenced in your email below as well. Please provide the chain of custody logs for the recording(s) including the jump drive. Please provide the name of the court reporter present at this hearing and the company they work for. Please forward me the email containing the recording that you sent to the outside vendor where you had the transcript made. This transparency would be appreciated.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Jan 30, 2020, at 2:31 PM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

To whom it may concern,

We are submitting this email to supplement our email of January 22nd, responding to the five questions we were asked in connection with this complaint.

The Police Commission has received complaint #19145 from the Sunshine Ordinance Task Force.

The complainant was involved in a personnel hearing before the Police Commission in March of 2019 at City Hall in room 400. The hearing was held in closed session in the presence of a court reporter. The audio equipment in room 400 was also used to record the hearing onto a jump drive which was retained by the Police Commission staff.

The recording was then transferred onto a desktop computer at the Police Commission office while the jump drive was retained in the complainants' file. The recording from the desktop computer was then emailed to have a transcript made of the hearing to an outside vendor.

In April of 2019, the complainant telephoned the Police Commission office and requested a copy of the audio from the hearing. Since the complainant was employed as a San Francisco Police Officer and the audio of their hearing is part of their personnel record, they are allowed to be given a copy. The Police Commission office transferred an unaltered copy of the audio recording to a DVD and mailed it to the complainant's home address.

On September 13th 2019, the complainant again called the Police Commission office asking for a copy of the audio from their hearing. The Police Commission staff entered the request into our records tracking software (GovQA) and digitally emailed the complainant another copy of the unaltered audio recording on September 13th 2019 through the records tracking software.

On January 6th 2020, the Police Commission Office received another email from the complainant stating they had received the audio but believed it had been altered and wanted the Police Commission to send them an "unaltered" audio recording.

It is important to understand that no member of the public has a right to request closed session items which have been voted on by the entire Commission as being non-disclosable. . Therefore, neither the Complainant, as a member of the public, nor any other member of the public, has a right to inspect or receive a copy of the recording. Rather, the Complainant's' access to the recording is based on his employment status – his being a (former) employee of the Police

Department – given that the closed session proceeding involved a personnel matter directly related to his employment. However, if the Sunshine Task Force finds that it has jurisdiction over this particular issue, the Commission has provided the record the requester sought. There are no further records to provide to the complainant.

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, February 19, 2020 5:24 PM
To: SFPD, Commission (POL); Youngblood, Stacy (POL); SOTF, (BOS); Calvillo, Angela (BOS); Leger, Cheryl (BOS)
Subject: Request
Attachments: transcripts Kohrs Christopher 3-6-3019 (1).pdf

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

To Whom It May Concern,

Regarding my hearing which took place on Wednesday, March 6, 2019, I was provided an audio recording as well as the attached transcript which was completed by Anna C. Greenley with Roomian and Associates. I did not receive any drafts, notes, or subsequent recordings. Please accept this communication as an official request for all notes, and other documents, provided to or created by Ms. Anna C. Greenley during my hearing, or during the revision process.

A representative from the California Board of Court Reporters advised me that because my hearing was an administrative hearing and not a deposition, the Police Commission determines all rules regarding the transcription which includes the filing of all drafts, notes, or subsequent recordings.

I am requesting an outline of the rules in place regarding this matter, including but not limited to the time frame from the closing of my hearing that drafts/notes were required to be sent to the San Francisco Police Commission or other involved organizations and the deadline for certifying the final transcript.

Respectfully,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Friday, February 21, 2020 9:54 AM
To: SOTF, (BOS)
Subject: File No. 19145 Fwd: Questions

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

Please add to File No. 19145. Thank you.

Sent from my iPhone

Begin forwarded message:

From: "DCA, CRBEnforcement@DCA" <CRBEnforcement@dca.ca.gov>
Date: February 19, 2020 at 3:21:02 PM PST
To: cjkohrs <ckohrs@gmail.com>
Subject: RE: Questions

Good afternoon.

Thank you for your e-mail. Please see our responses below in blue.

Thank you for contacting the Court Reporters Board of California.

Court Reporters Board of California

Enforcement Unit
2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833
(877) 327-5272 *Toll Free*
(916) 263-3664 *Fax*
CRBEnforcement@dca.ca.gov

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From: cjkohrs <ckohrs@gmail.com>
Sent: Monday, February 17, 2020 7:01 PM
To: DCA, CRBEnforcement@DCA <CRBEnforcement@dca.ca.gov>
Subject: Questions

[EXTERNAL]: ckohrs@gmail.com

CAUTION: THIS EMAIL ORIGINATED OUTSIDE THE DEPARTMENT OF CONSUMER AFFAIRS!

DO NOT: click links or open attachments unless you know the content is safe.

NEVER: provide credentials on websites via a clicked link in an Email.

.....
Dear California Board of Court Reporters,

I would like to know the license status of the court reporter who transcribed my closed session hearing at San Francisco City Hall room 400 on 3/6/2019. Her name is Anna C. Greenley, CSR No. 8311. Ms. Greenley's license is current through October 31, 2020.

I've attached the transcript in question below. Is there a website where I can look up active licenses for court reporters? <https://search.dca.ca.gov/>

I would also like to know how I can obtain a copy of her notes before she made any edits to this transcript. This type of request would be made directly to the court reporter.

Anna has told me that she is not required to retain any of her notes and therefore cannot provide me any. Did Anna have to send her raw, unedited notes to the hearing clerk/secretary or some type of agency prior to leaving this hearing? Or some time shortly after the hearing? In court, the court reporter is statutorily required to upload notes. There is nothing for administrative hearings or depositions. If there is a contract in place, it could be a condition within the contract.

Basically, I am looking for a copy of what she wrote immediately after the hearing was completed before she made any edits. Any assistance in helping me find this would be greatly appreciated.

Respectfully,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Thursday, February 27, 2020 1:03 PM
To: cjkohrs
Cc: SOTF, (BOS); Zumwalt, Jeffrey (ETH); Scott, William (POL); SFPD, Commission (POL); Youngblood, Stacy (POL)
Subject: RE: SOTF Complaint - #19145

Mr. Kohrs,

As a reminder, this is not a public records request you have made. The information you were provided was as a former employee asking for their personnel records.

The information provided to you by Tom Loftus looks correct and does not conflict with the information the Police Commission provided you other than after speaking with Tom Loftus he advised us that the equipment is maintained by City Hall Building Management.

The Police Commission has provided you with the audio you have asked for. We have no further responsive documents.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: cjkohrs <ckohrs@gmail.com>
Sent: Sunday, February 16, 2020 8:20 PM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Cc: SOTF, (BOS) <sotf@sfgov.org>; Zumwalt, Jeffrey (ETH) <jeffrey.zumwalt@sfgov.org>; Scott, William (POL) <william.scott@sfgov.org>
Subject: Re: SOTF Complaint - #19145

Dear Sergeant Youngblood and Chief Scott,

I followed up with SFGTV as Sergeant Youngblood suggested. I had an informative conversation with Tom Loftus, Media Systems & Operations Supervisor of SFGTV. Tom also sent me an email. I have copied a few of Tom's statements in quotations below:

"The Commission is responsible for maintaining their audio recording."

"SFGovTV does not control or maintain any of the audio recording equipment in the room."

"Each Commission is responsible for providing their own USB drives or SD cards, and are responsible for recording the meeting."

"For the meetings SFGovTV records, SFGovTV receives audio and video from the room during Open Session only."

"To reiterate, SFGovTV only receives the audio and video from the room during Open Session. Once the Secretary/Clerk puts the room in Closed Session, the audio and video to SFGovTV are disabled."

Can either of you explain why the quoted statements Tom Loftus provided us conflicts with information Sergeant Youngblood provided us?

Can you provide the name of the secretary/clerk at my hearing on 3/6/2019 that was responsible for recording my hearing?

Can you elaborate on the specific procedures for recording my hearing?

Since the chain of custody logs do not exist for the recording(s) including the jump drive, who had/has access to the recording(s) including the jump drive?

Are there policies and procedures in place to ensure the integrity of the jump drive without a chain of custody log?

Prior to the court reporter, Anna C Greenley, leaving the hearing on 3/6/2019, did Anna provide the Commission an unedited draft of the hearing?

Regarding my hearing that took place on 3/6/2019 at City Hall room 400, what is the make and model of the device that allows recording of the room audio to a USB or SD card?

Was the audio recorded as an mp3 audio file? If not, what type of file was it recorded on?

Having answers to these questions would improve transparency and be appreciated.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Feb 5, 2020, at 12:39 PM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

Mr. Kohrs,

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 - Court Reporter – Anna Greenley
 - Company – Roomian & Associates

5 – “Please forward me the email containing the recording that you sent to the outside vendor where you had the transcript made.”

Let me clarify my previous email. When the Commission has audio recordings that need to be transcribed, they are digitally sent to a vendor. Since your termination hearing had a court reporter present, the Commission did not need to send out the audio. The court reporter listens to the proceeding as well as records it so they can create the transcript. That transcript is then sent to the Police Commission once complete.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: cjkohrs <cjkohrs@gmail.com>

Sent: Tuesday, February 4, 2020 4:40 AM

To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; ZAREFSKY, PAUL (CAT) <Paul.Zarefsky@sfcityatty.org>; Benavidez, Louie (POL) <Louie.Benavidez@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; McClain, Thomas (ETH) <thomas.mcclain@sfgov.org>

Subject: Re:SOTF Complaint - #19145

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Dear Stacy Youngblood and Paul Zarefsky,

Please provide the make, model and serial number of all the equipment that was used to make the recording(s) of my termination hearing that took place on March 6, 2019. This would include the audio equipment in City Hall, room 400. Please provide the make, model and serial number of the jump drive and desktop you referenced in your email below as well. Please provide the chain of custody logs for the recording(s) including the jump drive. Please provide the name of the court reporter present at this hearing and the company they work for. Please forward me the email containing the recording that you sent to the outside vendor where you had the transcript made. This transparency would be appreciated.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Jan 30, 2020, at 2:31 PM, Youngblood, Stacy (POL)
<Stacy.A.Youngblood@sfgov.org> wrote:

To whom it may concern,

We are submitting this email to supplement our email of January 22nd, responding to the five questions we were asked in connection with this complaint.

The Police Commission has received complaint #19145 from the Sunshine Ordinance Task Force.

The complainant was involved in a personnel hearing before the Police Commission in March of 2019 at City Hall in room 400. The hearing was held in closed session in the presence of a court reporter. The audio equipment in room 400 was also used to record the hearing onto a jump drive which was retained by the Police Commission staff.

The recording was then transferred onto a desktop computer at the Police Commission office while the jump drive was retained in the complainants' file. The recording from the desktop computer was then emailed to have a transcript made of the hearing to an outside vendor.

In April of 2019, the complainant telephoned the Police Commission office and requested a copy of the audio from the hearing. Since the complainant was employed as a San Francisco Police Officer and the audio of their hearing is part of their personnel record, they are allowed to be given a copy. The Police Commission office transferred an unaltered copy of the audio recording to a DVD and mailed it to the complainant's home address.

On September 13th 2019, the complainant again called the Police Commission office asking for a copy of the audio from their hearing. The Police Commission staff entered the request into our records tracking software (GovQA) and digitally emailed the complainant another copy of the unaltered audio recording on September 13th 2019 through the records tracking software.

On January 6th 2020, the Police Commission Office received another email from the complainant stating they had received the audio but believed it had been altered and wanted the Police Commission to send them an "unaltered" audio recording.

It is important to understand that no member of the public has a right to request closed session items which have been voted on by the entire Commission as being non-disclosable. . Therefore, neither the Complainant, as a member of the public, nor any other member of the public, has a right to inspect or receive a copy of the recording. Rather, the Complainant's access to the recording is based on his employment status – his being a (former) employee of the Police Department – given that the closed session proceeding involved a personnel matter directly related to his employment. However, if the Sunshine Task Force finds that it has jurisdiction over this particular issue, the Commission has provided the record the requester sought. There are no further records to provide to the complainant.

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street

San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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Leger, Cheryl (BOS)

From: cjkohrs . <ckohrs@gmail.com>
Sent: Monday, March 2, 2020 7:11 PM
To: SOTF, (BOS); Scott, William (POL); Youngblood, Stacy (POL); Cassady Toles; Calvillo, Angela (BOS); Benavidez, Louie (POL); Audrey Hufnagel; Ed Primeau; Zumwalt, Jeffrey (ETH); Pierce, Jeffrey (ETH)
Subject: Request: SOTF File No. 19145

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

Dear Sergeant Youngblood and Chief Scott,

We are still requesting a copy of the digital original audio recording of the attached transcript, which we have not received. If you are claiming you have sent us a copy of the digital original, please let us know when it was sent, who it was sent to, and the mode of delivery (certified mail, FedEx, UPS, etc.) please include tracking numbers if applicable. Additionally, either I or my attorney would be happy to stop by your office and pick up a copy of the digital original at your convenience. Contrary to your statement, the updated information SFGTV has provided is still inconsistent and conflicts with your original statement below in quotes...

"The equipment used to record your termination hearing belongs to and is maintained by SFGOVTV which is located at City Hall."

The information we requested in my previous email was only requested to provide some transparency. We would still appreciate answers to the following questions.

Can you elaborate on the specific procedures for recording my hearing?

Since the chain of custody logs do not exist for the recording(s) including the jump drive, who had/has access to the recording(s) including the jump drive?

Are there policies and procedures in place to ensure the integrity of the jump drive without a chain of custody log?

Prior to the court reporter, Anna C Greenley, leaving the hearing on 3/6/2019, did Anna provide the Commission an unedited draft of the hearing?

Regarding my hearing that took place on 3/6/2019 at City Hall room 400, what is the make and model of the device that allows recording of the room audio to a USB or SD card?

Was the audio recorded as an mp3 audio file? If not, what type of file was it recorded on?

Having answers to these questions would improve transparency and be appreciated.

Respectfully,
Chris Kohrs

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, March 3, 2020 1:18 AM
To: SOTF, (BOS); Calvillo, Angela (BOS)
Cc: Audrey Hufnagel; Benavidez, Louie (POL)
Subject: Fwd: Request File No. 19145

Dear SOTF,

Please add this response from the SF Police Commission to my file 19145. We find it absurd that the SF Police Commission will not provide us their basic rules regarding the transcription of my termination hearing. We are hoping the SOTF can assist us in requiring the Commission to answer our questions and be more transparent.

Respectfully,
Chris Kohrs

Sent from my iPhone

Begin forwarded message:

From: "Youngblood, Stacy (POL)" <Stacy.A.Youngblood@sfgov.org>
Date: February 27, 2020 at 3:22:06 PM PST
To: cjkohrs <ckohrs@gmail.com>
Cc: "SFPD, Commission (POL)" <SFPD.Commission@sfgov.org>
Subject: RE: Request

Mr. Kohrs,

We have provided you with all responsive documents.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: cjkohrs <ckohrs@gmail.com>

Sent: Wednesday, February 19, 2020 5:24 PM

To: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>; Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>

Subject: Request

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

To Whom It May Concern,

Regarding my hearing which took place on Wednesday, March 6, 2019, I was provided an audio recording as well as the attached transcript which was completed by Anna C. Greenley with Roomian and Associates. I did not receive any drafts, notes, or subsequent recordings. Please accept this communication as an official request for all notes, and other documents, provided to or created by Ms. Anna C. Greenley during my hearing, or during the revision process.

A representative from the California Board of Court Reporters advised me that because my hearing was an administrative hearing and not a deposition, the Police Commission determines all rules regarding the transcription which includes the filing of all drafts, notes, or subsequent recordings.

I am requesting an outline of the rules in place regarding this matter, including but not limited to the time frame from the closing of my hearing that drafts/notes were required to be sent to the San Francisco Police Commission or other involved organizations and the deadline for certifying the final transcript.

Respectfully,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, March 3, 2020 12:08 PM
To: Scott, William (POL); Zumwalt, Jeffrey (ETH); SOTF, (BOS); Pierce, Jeffrey (ETH); Cassady Toles; Audrey Hufnagel
Subject: Transparency Request
Attachments: transcripts Kohrs Christopher 3-6-3019 (1).pdf

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

Dear Chief Scott,

We asked the San Francisco Police Commission to provide us the basic information requested in the email below. We requested this information to provide some transparency regarding the court reporting procedures that were adhered to as it relates to the administrative hearing in the attached transcript. The Commission's response was evasive as they refused to answer any of our basic questions. We are requesting that you compel the Commission to provide us the requested information. If the commission did not have any rules or regulations in place at the time then that is understandable; but we would appreciate if they can communicate that to us. Your assistance in obtaining this information would be greatly appreciated.

Respectfully,
Chris Kohrs

Sent from my iPhone

Begin forwarded message:

From: "Youngblood, Stacy (POL)" <Stacy.A.Youngblood@sfgov.org>
Date: February 27, 2020 at 3:22:06 PM PST
To: cjkohrs <ckohrs@gmail.com>
Cc: "SFPD, Commission (POL)" <SFPD.Commission@sfgov.org>
Subject: RE: Request

Mr. Kohrs,

We have provided you with all responsive documents.

Thank you,

Sergeant Stacy Youngblood #1211
San Francisco Police Department
Police Commission Office
1245 3rd Street

San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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Sent: Wednesday, February 19, 2020 5:24 PM
To: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>; Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>
Subject: Request

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

To Whom It May Concern,

Regarding my hearing which took place on Wednesday, March 6, 2019, I was provided an audio recording as well as the attached transcript which was completed by Anna C. Greenley with Roomian and Associates. I did not receive any drafts, notes, or subsequent recordings. Please accept this communication as an official request for all notes, and other documents, provided to or created by Ms. Anna C. Greenley during my hearing, or during the revision process.

A representative from the California Board of Court Reporters advised me that because my hearing was an administrative hearing and not a deposition, the Police Commission determines all rules regarding the transcription which includes the filing of all drafts, notes, or subsequent recordings.

I am requesting an outline of the rules in place regarding this matter, including but not limited to the time frame from the closing of my hearing that drafts/notes were required to be sent to the San Francisco Police Commission or other involved organizations and the deadline for certifying the final transcript.

Respectfully,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, March 4, 2020 6:28 AM
To: SOTF, (BOS)
Subject: File No. 19145 Fwd: Request
Attachments: cid5907DEDD-0E2C-408F-A103-2F55FA23B784.pdf; Primeau Forensics_Kohrs Factual Preliminary Report.pdf; cid33F07E41-80F6-49ED-AC81-95FAB20481B3.pdf; Primeau Forensics_Kohrs Factual Preliminary Report.pdf; transcripts Kohrs Christopher 3-6-3019.pdf; mar 6 2019 2 closed session Kohrs.mp3; Primeau Forensics_Kohrs Factual Preliminary Report.pdf; City Attorney Request Letter.pdf; Kohrs_PRA_Request.pdf

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

Please add this to my file no. 19145. Thank you.

Chris Kohrs

Sent from my iPhone

Begin forwarded message:

From: cjkohrs <ckohrs@gmail.com>
Date: March 4, 2020 at 5:39:04 AM PST
To: "DCA, CRBEnforcement@DCA" <CRBEnforcement@dca.ca.gov>
Cc: sotf@sfgv.org, Cassidy Toles <ctoles@kernlaw.com>, Audrey Hufnagel <audrey@primeaucompanies.com>, Louie Benavidez <Louie.Benavidez@sfgov.org>, jeffrey.zumwalt@sfgov.org
Subject: Re: Request

Dear Board,

Below I have copied and pasted some pertinent email chains I have had with the SF Police Commission in regards to this matter. To the best of my knowledge, these email chains are the Commission's "responsive documents". As documented in the correspondence, the SF Police Commission has at times provided us inaccurate information or have decided not to provide us any information at all. They have also managed to delay a Sunshine Ordinance Task Force hearing as documented below. Most importantly, the Commission never answered any of our questions in the email I sent them on 2/19/2020, which is at the very bottom of this email chain.

Respectfully,
Chris Kohrs

Sent from my iPhone

Dear Stacy Youngblood and Paul Zarefsky,

Please provide the make, model and serial number of all the equipment that was used to make the recording(s) of my termination hearing that took place on March 6, 2019. This would include the audio equipment in City Hall, room 400. Please provide the make, model and serial number of the jump drive and desktop you referenced in your email below as well. Please provide the chain of custody logs for the recording(s) including the jump drive. Please provide the name of the court reporter present at this hearing and the company they work for. Please forward me the email containing the recording that you sent to the outside vendor where you had the transcript made. This transparency would be appreciated.

Respectfully,
Chris Kohrs

Sent from my iPhone

Dear Paul, James, Sergeant Youngblood and Sergeant Benavidez,

I am scheduled to be picking up my file from James Lassart on Wednesday 1/22/2020. What I am requesting to be included in my file is outlined in the attached letter. Please include all these items in my file. James, lets try and coordinate a time so I can pick up these documents/items from you.

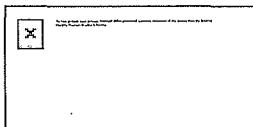
Chris Kohrs

Sent from my iPhone

On Jan 17, 2020, at 4:40 PM, James Lassart <JLassart@mpbf.com> wrote:

Mr. Zarefsky,

Mr. Kohrs is insistent on a copy of the tape. I believe he is entitled to it as a part of his file. Jim



James Lassart

Partner

88 Kearny Street, 10th Floor
San Francisco, CA 94108

Office: 415.788.1900 x2857

Direct: 415.962.2857

Fax: 415.393.8087

[website](#) | [bio](#) | [vCard](#) | [map](#) | [email](#)



<image002.jpg>

From: Zarefsky, Paul (CAT) [mailto:Paul.Zarefsky@sfcityattty.org]
Sent: Monday, January 13, 2020 9:11 PM
To: James Lassart <JLassart@MPBF.com>
Cc: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Subject: Officer Kohrs - Access to Recording

Jim, I was hoping we, along with the Secretary to the Police Commission, could talk by phone soon at a mutually agreeable time, regarding the Kohrs matter. The Commission staff had provided a copy of the recording of the hearing to Officer Kohrs, and is willing for him to come to the Commission office to listen to the original of the recording. I am hopeful this will resolve all issues pertaining to his access to the recording.

<image001.jpg>

Paul Zarefsky
Deputy City Attorney
Director, Legislative Analysis Unit
City Hall, Room 234 - 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102 - 4682
Phone: (415) 554-4652 Fax: (415) 554-4699
Email: Paul.Zarefsky@sfcityattty.org

Mr. Kohrs,

Please see the responses below to your requests. Let me reiterate that these requests for information are in response to your having access to personnel records as a former employee of the San Francisco Police Department not as a member of the public who is requesting public records.

1 – “Please provide the make, model and serial number of all the equipment that was used to make the recording(s) of my termination hearing that took place on March 6, 2019.”

- The equipment used to record your termination hearing belongs to and is maintained by SFGOVTV which is located at City Hall. Please contact SFGOVTV at 415-554-4188 to make this request.

2- “Please provide the make, model and serial number of the jump drive and desktop you referenced in your email below as well.”

- The jump drive used was a Transcend 4 gigabyte. Serial numbers are not printed on the drive nor are they displayed under properties. We are unable to locate a serial number to provide this information to you.
- The serial number of the desktop computer will not be provided to avoid the risk to the security and integrity of the city’s data systems and to avoid the release of exempt confidential or privileged information. Per Government Code 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.

3 – “Please provide the chain of custody logs for the recording(s) including the jump drive.”

- Chain of custody logs do not exist. The jump drive has never left the custody of the Police Commission Office.

4 – “Please provide the name of the court reporter present at this hearing and the company they work for.”

- This information is on the first page of the transcript that was provided to you previously.
 - Court Reporter – Anna Greenley
 - Company – Roomian & Associates

5 – “Please forward me the email containing the recording that you sent to the outside vendor where you had the transcript made.”

Let me clarify my previous email. When the Commission has audio recordings that need to be transcribed, they are digitally sent to a vendor. Since your termination hearing had a court reporter present, the Commission did not need to send out the audio. The court reporter listens to the proceeding as well as records it so they can create the transcript. That transcript is then sent to the Police Commission once complete.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: cjkohrs <cjkohrs@gmail.com>

Sent: Tuesday, February 4, 2020 4:40 AM

To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; ZAREFSKY, PAUL (CAT) <Paul.Zarefsky@sfcityatty.org>; Benavidez, Louie (POL) <Louie.Benavidez@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; McClain, Thomas (ETH) <thomas.mcclain@sfgov.org>

Subject: Re:SOTF Complaint - #19145

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

Dear Stacy Youngblood and Paul Zarefsky,

Please provide the make, model and serial number of all the equipment that was used to make the recording(s) of my termination hearing that took place on March 6, 2019. This would include the audio equipment in City Hall, room 400. Please provide the make, model and serial number of the jump drive and desktop you referenced in your email below as well. Please provide the chain of custody logs for the recording(s) including the jump drive. Please provide the name of the court reporter present at this hearing and the company they work for. Please forward me the email containing the recording that you sent to the outside vendor where you had the transcript made. This transparency would be appreciated.

Respectfully,
Chris Kohrs

Sent from my iPhone

Hi Chris-

I'm happy to provide some generic information regarding the audio recording in the City Hall hearing rooms, but you will have to check with the Commission Clerk or Secretary for the specific procedures for a specific Commission. It is my understanding that each Commission Secretary/Clerk has their own way of doing things.

The City Hall Hearing Rooms have a device (Denon DN-300R MKII) that allows recording of the room audio to a USB drive or an SD card. The audio is recorded as an mp3 audio file. Each Commission is responsible for providing their own USB drives or SD cards, and are responsible for recording the meeting. The room system also provides audio via a 1/8" plug which allows the Commission to record the audio on their own device. The Commission is responsible for maintaining their audio recording. Both Open Session and Closed Session portions of the meeting can be recorded in the room. SFGovTV does not control or maintain any of the audio recording equipment in the room.

SFGovTV does not record every meeting in City Hall. For the meetings SFGovTV records, SFGovTV receives audio and video from the room during Open Session only. SFGovTV records an audio/video file for cable channel playback and online viewing. Once an mp4 audio/video file is uploaded for online viewing, the mp4 audio/video file is converted to an mp3 audio only file. Both the mp4 audio/video file and the mp3 audio file are available for public download. To reiterate, SFGovTV only receives the audio and video from the room during Open Session. Once the Secretary/Clerk puts the room in Closed Session, the audio and video to SFGovTV are disabled.

I hope this helps, please let me know if I can provide any further clarification.

Thanks,

Tom Loftus

Media Systems & Operations Supervisor | SFGovTV, cable channel 26 & 78

Department of Technology | City and County of San Francisco

[415.554.6523](tel:415.554.6523) | thomas.loftus@sfgov.org | [@sfgovtv](#) | [YouTube](#) | [Facebook](#)

| SFGovTV.org

Tell us how we're doing

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

From: cjkohrs <ckohrs@gmail.com>

Sent: Wednesday, February 05, 2020 5:46 PM

To: Loftus, Thomas (TIS) <thomas.loftus@sfgov.org>

Subject: Requesting Information

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

Hello Thomas,

My name is Chris and I spoke to you today on my drive home regarding the audio equipment used to record a closed session hearing with the San Francisco Police Commission that took place on March 6, 2019. Some of the details I remember from our brief conversation was that the equipment, computers, MP3 drives, jump/flash drives, etc. etc etc. used to record this closed session hearing belongs to and is maintained solely by the SF Police Commission. Is that correct? I believe you said the clerk at this closed session matter recorded this hearing? Is that correct? This closed session audio was recorded digitally on some type of MP3 drive, is that right? Does SFGTV have anything to do with that closed session audio recording? Does SFGTV provide or maintain any of the equipment used to record that closed session hearing?

If you can, could you please provide me with the make, model and serial number of any of the equipment, computers, MP3 drives, flash/jump drives etc. that was used to record this closed session audio recording? Any information would be greatly appreciated!

Kind Regards,
Chris Kohrs

Sent from my iPhone

On Jan 30, 2020, at 2:31 PM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

To whom it may concern,

We are submitting this email to supplement our email of January 22nd, responding to the five questions we were asked in connection with this complaint.

The Police Commission has received complaint #19145 from the Sunshine Ordinance Task Force.

The complainant was involved in a personnel hearing before the Police Commission in March of 2019 at City Hall in room 400. The hearing was held in closed session in the presence of a court reporter. The audio equipment in room 400 was also used to record the hearing onto a jump drive which was retained by the Police Commission staff.

The recording was then transferred onto a desktop computer at the Police Commission office while the jump drive was retained in the complainants' file. The recording from the desktop computer was then emailed to have a transcript made of the hearing to an outside vendor.

In April of 2019, the complainant telephoned the Police Commission office and requested a copy of the audio from the hearing. Since the complainant was employed as a San Francisco Police Officer and the audio of their hearing is part of their personnel record, they are allowed to be given a copy. The Police Commission office transferred an unaltered copy of the audio recording to a DVD and mailed it to the complainant's home address.

On September 13th 2019, the complainant again called the Police Commission office asking for a copy of the audio from their hearing. The Police Commission staff entered the request into our records tracking software (GovQA) and digitally emailed the complainant another copy of the unaltered audio recording on September 13th 2019 through the records tracking software.

On January 6th 2020, the Police Commission Office received another email from the complainant stating they had received the audio but believed it had been altered and wanted the Police Commission to send them an "unaltered" audio recording.

It is important to understand that no member of the public has a right to request closed session items which have been voted on by the entire Commission as being non-disclosable. . Therefore, neither the Complainant, as a member of the public, nor any other member of the public, has a right to inspect or receive a copy of the recording. Rather, the Complainant's access to the recording is based on his employment status – his being a (former) employee of the Police Department – given that the closed session proceeding involved a personnel matter directly related to his employment. However, if the Sunshine Task Force finds that it has jurisdiction over this particular issue, the Commission has provided the record the requester sought. There are no further records to provide to the complainant.

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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Dear James and Paul,

The attached letter titled "City Attorney Letter" is what my forensics team and I are requesting moving forward. Attached is also the preliminary forensic report. I have also copied Sergeant Benavidez to this email.

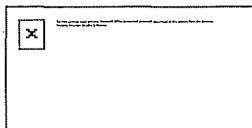
Chris

Sent from my iPhone

On Jan 14, 2020, at 10:17 AM, James Lassart <JLassart@mpbf.com> wrote:

Paul,

ID just put out for contact with Mr. Kohrs. Just so you know the Commission did not provide a copy of the recording. They provided a copy of the transcript of the recording. I will get back to you just as soon as I hear from Mr. Kohrs. Jim



James Lassart

Partner

88 Kearny Street, 10th Floor
San Francisco, CA 94108

Office: 415.788.1900 x2857

Direct: 415.962.2857

Fax: 415.393.8087

[website](#) | [bio](#) | [vCard](#) | [map](#) | [email](#)



<image002.jpg>

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From: Zarefsky, Paul (CAT) [<mailto:Paul.Zarefsky@sfcityatty.org>]
Sent: Monday, January 13, 2020 9:11 PM
To: James Lassart <JLassart@MPBF.com>
Cc: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Subject: Officer Kohrs - Access to Recording

Jim, I was hoping we, along with the Secretary to the Police Commission, could talk by phone soon at a mutually agreeable time, regarding the Kohrs matter. The Commission staff had provided a copy of the recording of the hearing to Officer Kohrs, and is willing for him to come to the Commission office to listen to the original of the recording. I am hopeful this will resolve all issues pertaining to his access to the recording.

<image005.jpg>

Paul Zarefsky
Deputy City Attorney
Director, Legislative Analysis Unit
City Hall, Room 234 - 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102 - 4682
Phone: (415) 554-4652 Fax: (415) 554-4699
Email: Paul.Zarefsky@sfcityatty.org

Mr. Kohrs,

We are in receipt of your request. Your public records request which you submitted on 1/8/20 sent you a confirmation email stating your request was received and assigned the tracking number P010437-010820.

We are in discussion with the City Attorney as well as Mr. Lassart in regard to your request and will be in contact with you when a decision has been made.

Lt. Campbell is no longer assigned to the Police Commission. I will be handling your request and will be in touch with you soon.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: cjkohrs <cjkohrs@gmail.com>

Sent: Wednesday, January 15, 2020 4:50 PM

To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>

Cc: Kilshaw, Rachael (POL) <rachael.kilshaw@sfgov.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>; Benavidez, Louie (POL) <Louie.Benavidez@sfgov.org>; Campbell, Jayme (POL) <Jayme.A.Campbell@sfgov.org>

Subject: Requesting Original, Unaltered Audio of Hearing on 3/6/2019

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

Hello all,

I still have not received the original, unaltered audio recording of my termination hearing that took place on 3/6/2019. James Lassart, the attorney who represented me at the hearing and I have been requesting the original, unaltered audio recording for months. The attached letter titled "City Attorney Letter" is what my forensics team and I are requesting moving forward. Attached is also the preliminary forensic report. I have also copied Sergeant Benavidez #646 and Jayme Campbell who was present at the hearing to this email. Please respond in writing that you have received this email.

Chris Kohrs

Sent from my iPhone

On Jan 8, 2020, at 1:51 PM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

Mr. Kohrs,

We are in receipt of your public records request dated January 7th 2020.

Your request has been assigned request #P01437-010820 for your reference. You should have received a confirmation email from our GovQA public records tracking software.

P1508

We will contact you no later than January 16th 2020 to provide you with either an update or responsive records.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Sent: Tuesday, January 7, 2020 9:37 AM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Cc: Kilshaw, Rachael (POL) <rachael.kilshaw@sfgov.org>
Subject: Fwd: Requesting Unaltered Video and Audio of Hearing on 3/6/2019

Get Outlook for iOS

From: cjkohrs . <ckohrs@gmail.com>
Sent: Monday, January 6, 2020 8:17:41 PM
To: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Subject: Requesting Unaltered Video and Audio of Hearing on 3/6/2019

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

Dear San Francisco Police Commission,

My name is Christopher Kohrs and I am a former San Francisco Police Officer. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged.

I had forensic experts examine both the audio recording and transcript of the court hearing. Their preliminary findings verify that the audio recording is not an original. Attached to this email is the preliminary forensic report as well as the altered audio recording and transcript. I have been requesting the unaltered, original recording of my hearing since October 28, 2019, but have yet to receive it. I am now requesting the unaltered, original audio and video recording of my termination hearing that took place on 3/6/2019. Please provide me information on the device used to record the hearing including serial numbers, make and model. Please provide this information to me as soon as possible. Please confirm that you have received this email.

Respectfully,
Chris Kohrs

Cell: (415) 686-2411

Mr. Kohrs,

We are in receipt of your request. Your public records request which you submitted on 1/8/20 sent you a confirmation email stating your request was received and assigned the tracking number P010437-010820.

We are in discussion with the City Attorney as well as Mr. Lassart in regard to your request and will be in contact with you when a decision has been made.

Lt. Campbell is no longer assigned to the Police Commission. I will be handling your request and will be in touch with you soon.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street

P1510

San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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Chris Kohrs

Sent from my iPhone

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<Stacy.A.Youngblood@sfgov.org> wrote:

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Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
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Cc: Kilshaw, Rachael (POL) <rachael.kilshaw@sfgov.org>
Subject: Fwd: Requesting Unaltered Video and Audio of Hearing on 3/6/2019

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Respectfully,
Chris Kohrs

Cell: (415) 686-2411

Good Morning,

In response to the questions from the Sunshine Task Force:

1. List all relevant records with descriptions that have been provided pursuant to the Complainant request.
 - A copy of the closed session audio recording for the Police Commission hearing involving Complainant.
2. Date the relevant records were provided to the Complainant.
 - 1st request for audio recording was requested in April of 2019 and provided in April of 2019.
 - 2nd request for audio recording was requested on 9/13/19 and sent on 9/13/19.
3. Description of the method used, along with any relevant search terms used, to search for the relevant records.
 - Records are stored electronically under officers' names.
4. Statement/declaration that all relevant documents have been provided, does not exist, or has been excluded.
 - All records requested (i.e., the audio recording) were provided and have not been altered. In addition, the Complainant may listen to the original of the recording at Commission headquarters if he so chooses.
5. Copy of the original request for records (if applicable).
 - Email that was sent to the Police Commission by Complainant is attached.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SOTF, (BOS) <sotf@sfgov.org>
Sent: Monday, January 6, 2020 4:43 PM
To: Campbell, Jayme (POL) <Jayme.A.Campbell@sfgov.org>
Cc: cjkohrs <ckohrs@gmail.com>
Subject: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19145

Good Afternoon:

The Police Commission has been named as a Respondent 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](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.

Chris, we need to reschedule your matter to another hearing date in the near future. See the email string below.

Cheryl Leger

From: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Sent: Thursday, February 6, 2020 4:33 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: SOTF - Notice of Appearance - Compliance and Amendments Committee; February 25, 2020; 4:30 p.m.

I'm pretty much the only person in the office now. There isn't anyone else that can take my place I'm afraid.

On Feb 6, 2020, at 4:32 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Can someone else from your department make the appearance?

Cheryl Leger

From: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Sent: Thursday, February 6, 2020 4:29 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: SOTF - Notice of Appearance - Compliance and Amendments Committee; February 25, 2020; 4:30 p.m.

Hello Cheryl,

I have a pre-planned vacation that week.
Can this be moved back please?

Thank you
Stacy

On Feb 6, 2020, at 3:47 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Dear Sgt. Youngblood, Please see the Notice of Appearance for the Compliance and Amendments Committee of February 25, 2020. This is regarding file no. 19145. Call me today if you have questions because I will be on medical leave beginning Friday, February 7.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

<image001.png>

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From: SOTF, (BOS)

Sent: Thursday, February 6, 2020 3:04 PM

To: Boudin, Chesa (DAT) <chesa@sfgov.org>; Bastian, Alex (DAT)

<alex.bastian@sfgov.org>; S

<grovestand2012@gmail.com>; chancellor@ucsf.edu; Blackman, Sue

(LIB) <Sue.Blackman@sfpl.org>; Lambert, Michael (LIB)

<michael.lambert@sfpl.org>; cjkohrs

<ckohrs@gmail.com>; ctoles@kernlaw.com; Campbell, Jayme (POL)

<jayme.a.campbell@sfgov.org>; Cox, Andrew (POL)

<r.andrew.cox@sfgov.org>; sanderries@andgolaw.com; nmitchell@andgolaw.com; Vu, Tyler (PDR) <tyler.vu@sfgov.org>

Subject: SOTF - Notice of Appearance - Compliance and Amendments Committee; February 25, 2020; 4:30 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 Compliance and Amendments Committee to:

1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: February 25, 2020

Location: City Hall, Room 408

Time: 4:30 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. 19130: Complaint filed by Stephen Malloy against Chesa Boudin and the District Attorney's Office 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. 19138: Complaint filed by Stephen Malloy against the University of California, Regents of the University of California, 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. 19146: Complaint filed by Anonymous against City Librarian Michael Lambert and the Public Library for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to request for public records in a timely and/or complete manner.

File No. 19145: Complaint filed by Chris Kohrs against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19114: Complaint filed by Shane Anderies against Tyler Vu and the Public Defender's Office for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.24, 67.25, 67.26, 67.27 and 67.29 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, February 18, 2020.*

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

<image001.png>

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On Mar 3, 2020, at 3:19 PM, DCA, CRBEnforcement@DCA
<CRBEnforcement@dca.ca.gov> wrote:

Dear Mr. Kohrs:

The Court Reporters Board of California (Board) is in receipt of your e-mail dated February 28, 2020. In the response from Sergeant Stacy Youngblood dated February 27, 2020, she indicated that you were provided with all responsive documents. What did the commission provide you? Please forward any previous responses you have received regarding your request to the Board for review.

Thank you for contacting the Court Reporters Board of California.

Court Reporters Board of California
Enforcement Unit
2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833
(877) 327-5272 Toll Free
(916) 263-3664 Fax

CRBEnforcement@dca.ca.gov

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From: cjkohrs <ckohrs@gmail.com>
Sent: Friday, February 28, 2020 7:01 AM
To: DCA, CRBEnforcement@DCA <CRBEnforcement@dca.ca.gov>
Cc: Audrey Hufnagel <audrey@primeaucompanies.com>; Cassidy Toles <ctoles@kernlaw.com>; Ed Primeau <Ed@primeaucompanies.com>
Subject: Fwd: Request

[EXTERNAL]: ckohrs@gmail.com

CAUTION: THIS EMAIL ORIGINATED OUTSIDE THE DEPARTMENT OF CONSUMER AFFAIRS!

DO NOT: click links or open attachments unless you know the content is safe.

NEVER: provide credentials on websites via a clicked link in an Email.

Dear California Board of Court Reporters,

We asked the San Francisco Police Commission to provide us the basic information requested in the email below. We requested this information to provide some transparency regarding the court reporting procedures that were adhered to as it relates to the administrative hearing in the attached transcript. The Commission's response was evasive as they refused to answer any of our basic questions. Can the Board assist us in requiring the Commission to provide us the requested information? If the Commission didn't have any rules or regulations in place at the time, that's fine; but if they could please just let us know that. The Board's assistance in obtaining this information would be greatly appreciated.

Respectfully,
Chris Kohrs

Sent from my iPhone

Begin forwarded message:

From: "Youngblood, Stacy (POL)" <Stacy.A.Youngblood@sfgov.org>
Date: February 27, 2020 at 3:22:06 PM PST
To: cjkohrs <ckohrs@gmail.com>
Cc: "SFPD, Commission (POL)" <SFPD.Commission@sfgov.org>
Subject: RE: Request

Mr. Kohrs,

We have provided you with all responsive documents.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, February 19, 2020 5:24 PM
To: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>;
Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>;
SOTF, (BOS) <sotf@sfgov.org>; Calvillo, Angela (BOS)
<angela.calvillo@sfgov.org>; Leger, Cheryl (BOS)
<cheryl.leger@sfgov.org>
Subject: Request

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

To Whom It May Concern,

Regarding my hearing which took place on Wednesday, March 6, 2019, I was provided an audio recording as well as the attached transcript which was completed by Anna C. Greenley with Roomian and Associates. I did not receive any drafts, notes, or subsequent recordings. Please accept this communication as an official request for all notes, and other documents, provided to or

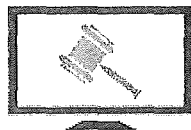
created by Ms. Anna C. Greenley during my hearing, or during the revision process.

A representative from the California Board of Court Reporters advised me that because my hearing was an administrative hearing and not a deposition, the Police Commission determines all rules regarding the transcription which includes the filing of all drafts, notes, or subsequent recordings.

I am requesting an outline of the rules in place regarding this matter, including but not limited to the time frame from the closing of my hearing that drafts/notes were required to be sent to the San Francisco Police Commission or other involved organizations and the deadline for certifying the final transcript.

Respectfully,
Chris Kohrs

Sent from my iPhone



PRIMEAU FORENSICS

IDENTIFY - CLARIFY - TESTIFY

3 December 2019

Christopher Kohrs

RE: Forensic Audio Authentication

INTRODUCTION

I am an audio and video forensic expert and have been practicing for 35 years. I have testified in several courts throughout the United States and worked on various international cases. My forensic practices for audio investigation include digital and analog audio authentication, enhancement and recovery. As a video forensic expert, my practices include video authentication, enhancement and identification.

As a forensic expert, I follow standard operating procedures outlined by the Scientific Working Group for Digital Evidence (SWGDE) and the National Institute of Standards and Technology (NIST). They outline the protocols and procedures for the intake, extraction and handling of digital media evidence which requires documentation of each step. This ensures that the quality and integrity of digital media evidence is maintained throughout the seizure and extraction process. If protocols are not followed, digital media evidence becomes vulnerable to tampering or mishandling.

TRAINING & QUALIFICATIONS

- 1978-1981: Probation Officer, 53rd District Court, Troy, Michigan
- 1979-1985: University of Detroit (Communications major, Criminal Justice minor)
- 1980-1988: Ambience Recording Studio, Audio Engineer/National Sales Manager
- 2008: Completed video analysis training with Pelco Global Training Institute
- 2013: Completed training in Forensic Authentication of Digital Audio at the National

Center of Media Forensics in September of 2013

- 2014: Attended and took classes at the 99th IAI International Educational Conference.

Course topics included:

Forensic Digital Image Processing Tips and Techniques

The Fundamentals of Processing of Digital Evidentiary Photography

Introduction to Forensic Gait Analysis

- 2014: Completed Resolution Video's Workshop: Digital Video Processing Techniques in September of 2014
- 2015: Completed Voice ID and Speech Analysis training with Owen Forensics in November of 2015
- 2015: Completed a Word Discrimination Test at Heritage Hearing Center in Rochester Hills, Michigan.
- 2016: Completed Resolution Video's Workshop: Digital Video Evidence Recovery in September of 2016
- 2018: Completed Resolution Video's Intro to Audio Forensics and iZotope Workshops in October of 2018

MATERIALS EXAMINED

You asked that I perform forensic audio authentication on the audio file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" in order to determine if it was edited or altered in any way. Furthermore, you asked that I generate a factual report outlining my preliminary analysis.

SOFTWARE

The following software/equipment was used during my examination and preparation of this report and was duly licensed to the undersigned at all times:

- Microsoft® Windows 10 Ultimate (SP-1)
- WinHex 18.5 (X-Ways Software Technology AG)
- MediaInfo 18.08.1 (BSD/OpenGNU opensource license)
- ExifToolGUI v5.16.0.0
- iZotope RX 7 v7.01.315
- Adobe Audition® CC 2018

FORENSIC AUDIO AUTHENTICATION

OBJECTIVE

The objective of forensic audio authentication is to determine the authenticity of the events that transpired as they were originally recorded. The investigation focuses on digital integrity verification of the file itself, as well as authentication of the recorded audio signal contained within the digital file. Below I have identified the objective of digital audio authentication from the best practices accepted in the scientific community through SWGDE (scientific working group on digital evidence).

SWGDE Best Practices for Digital Audio Authentication (2018)

1.1 Introduction

As defined in *SWGDE/SWGIT Digital & Multimedia Evidence Glossary* [1], authentication is the process of substantiating that the asserted provenance of data is true. As defined in *SWGDE Best Practices for Forensic Audio* [2], an audio authentication examination seeks to determine if a recording is consistent with the manner in which it is alleged to have been produced.

CRITICAL LISTENING

During the critical listening process, the forensic expert focuses on any interruptions or deviations from the common rule, or the characteristics of the recording. These characteristics include but are not limited to; background noise, dialogue continuity, and recording tonality.

OBSERVATIONS

Throughout the critical listening phase of my investigation, I observed anomalies or breaks in dialogue continuity in the evidence recording titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3".

TIME/FREQUENCY DOMAIN ANALYSIS

METHODOLOGY

According to the policies and procedures set forth by SWGDE (Scientific Working Group on Digital Evidence) and NCMF (National Center for Media Forensics) authentication of the digital integrity as well as the authenticating of recorded signal (waveform) must be performed. In order to verify the integrity of the recorded signal, I need to analyze the time/frequency domain of the audio content. This includes analysis of the waveform, sample values, power plot, and overall average levels. I analyze the frequency domain of the audio file. This includes examining the long-term average spectrum and momentary spectrum, as well as the spectrogram. The spectrogram testing allows me to inspect frequency information and intensity of those frequencies from color graphical representation.

OBSERVATIONS

Throughout the time/frequency domain analysis of the audio file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3", I observed inconsistencies in the waveform and spectrogram, drops in the recorded signal, as well as recompression bumps in the frequency analysis.

OPINIONS

Following the preliminary analysis, it is my opinion that the audio file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" is not a digital original. I arrived at this conclusion based on the identification of anomalies on the sound spectrum and in the digital information.

I reserve the right to amend any conclusions and opinions as additional materials are provided in conjunction with future oral testimony.

Respectfully submitted,

Edward J. Primeau, CCI, CFC, PI



PRIMEAU FORENSICS

IDENTIFY CLARIFY TESTIFY

1703 Star Batt DR
Rochester Hills, MI 48309
www.primeauforensics.com
(800)-647-4281

15 January 2020

Dear Mr. Kohrs,

Based on our Preliminary Analysis Results (Factual Report Attached), we would like to proceed with a Full Investigation of the digital original recording of your hearing. In addition, it would be best to also examine the original equipment that was used to create the digital original, the chain of custody log as well as the environment where the hearing took place. If the recording was transferred using a computer, we would like to examine that equipment as well. We would be willing to initiate a protocol once we know the make and model of all equipment that was used. The examination will take no longer than 4 hours to complete.

Respectfully submitted,

Edward J. Primeau, CCI, CFC, PI





Date: April 9th, 2020

Prepared for: Cassady Toles, Esq.
Kern Segal & Murray
1338 Sutter Street, Suite 600
San Francisco, CA 94109

RE: Christopher Kohrs

Prepared By: Edward Primeau, CCI, CFC
Primeau Forensics, LTD.
1703 Star Batt Drive
Rochester Hills MI, 48309
United States
Ed@primeaucompaines.com
<https://www.primeauforensics.com>

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INTRODUCTION

I am an audio and video forensic expert and have been practicing for over 34 years. I have testified in several courts throughout the United States and worked on various International cases. My forensic practices for audio investigation include digital and analog audio authentication, enhancement and recovery. As a video forensic expert, my practices include video authentication, enhancement, and identification.

As an audio forensic expert, I follow standard operating procedures outlined by the Scientific Working Group for Digital Evidence (SWGDE). They outline the protocols and procedures for the intake, extraction, and handling of digital media evidence which requires documentation of each step. This ensures that the quality and integrity of digital media evidence is maintained throughout the seizure and extraction process. If protocols are not followed, digital media evidence becomes vulnerable to tampering or mishandling.

To date, I have been compensated \$5,950.00 to complete the Forensic Audio Authentication Investigation and generation of this report.

TRAINING & QUALIFICATIONS

- 1978-1981: Probation Officer, 53rd District Court, Troy, Michigan
- 1979-1985: University of Detroit (Communications major, Criminal Justice minor)
- 1980-1988: Ambience Recording Studio, Audio Engineer/National Sales Manager
- 1984-2018: Primeau Productions Inc., Audio and Video Production Studios
- 2008: Completed video analysis training with Pelco Global Training Institute
- 2013: Completed training in Forensic Authentication of Digital Audio at the National Center of Media Forensics in September of 2013
- 2014: Attended and took classes at the 99th IAI International Educational Conference.

Course topics included:

- Forensic Digital Image Processing Tips and Techniques
 - The Fundamentals of Processing of Digital Evidentiary Photography
 - Introduction to Forensic Gait Analysis
-
- 2014: Completed Resolution Video's Workshop: Digital Video Processing Techniques in September of 2014

- 2015: Completed Voice ID and Speech Analysis training with Owen Forensics in November of 2015
- 2015: Completed a Word Discrimination Test at Heritage Hearing Center in Rochester Hills, Michigan.
- 2016: Completed Resolution Video's Workshop: Digital Video Evidence Recovery in September of 2016
- 2018: Completed Resolution Video's Intro to Audio Forensics and iZotope Workshops in October of 2018

OBJECTIVE

On or about 7 November 2019, I received a digital audio recording titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3". You asked that I perform audio authentication testing to determine the authenticity and integrity of the digital audio recording provided. You also asked that I generate a report which includes the methodology I used, testing I performed as well as my opinions.

MATERIALS EXAMINED

- | | |
|--|----------------------|
| • mar 6 2019 2 closed session Kohrs (1) (1).mp3 | (digital evidence) |
| • transcripts Kohrs Christopher 3-6-3019 (1) (1) (1).pdf | (hearing transcript) |
| • REC00001.mp3 | (exemplar recording) |
| • REC00002.mp3 | (exemplar recording) |
| • REC00003.mp3 | (exemplar recording) |
| • REC00004.mp3 | (exemplar recording) |
| • REC00007.mp3 | (exemplar recording) |
| • REC00008.mp3 | (exemplar recording) |
| • REC00011.mp3 | (exemplar recording) |
| • REC00011_Edited_Audition.mp3 | (exemplar recording) |
| • REC00011_Edited_Audacity.mp3 | (exemplar recording) |
| • REC00011_Edited_RX.mp3 | (exemplar recording) |

HASH TEST

FILE NAMES	MD5	SHA1
D:\Forensics\Christopher Kohrs #00558\Original\mar 6 2019 2 closed session Kohrs (1) (1).mp3	D41D8CD98F00B204E980 0998ECF8427E	DA39A3EE5E6B4B0D3255BFEF9 5601890AFD80709
D:\Forensics\Christopher Kohrs #00558\Exemplars\Original\REC00001 .mp3	A9465FBE8619B50E6505 44D8312187A9	E8D55DDE19D063A4388381616 D11155A7AE82282
D:\Forensics\Christopher Kohrs #00558\Exemplars\Original\REC00002 .mp3	1FCF3EA43BCAFF26E230 8BD276DBADCC	8C4C6A71F6ECF068C39ACA1F2 08F08AF7568ACF0
D:\Forensics\Christopher Kohrs #00558\Exemplars\Original\REC00003 .mp3	1FCF3EA43BCAFF26E230 8BD276DBADCC	8C4C6A71F6ECF068C39ACA1F2 08F08AF7568ACF0
D:\Forensics\Christopher Kohrs #00558\Exemplars\Original\REC00004 .mp3	D4BE746B8CB5D2702E34 0ACEF365CA05	D2CCFB62226E7D6A9267B9732 22D4A46944947BC
D:\Forensics\Christopher Kohrs #00558\Exemplars\Original\REC00007 .mp3	7B4650A7C187087B14B2 50E2E6E45DEF	13F95A19408B76C2BD34AA48B BE2B525FA5A3C00
D:\Forensics\Christopher Kohrs #00558\Exemplars\Original\REC00008 .mp3	16520CED4068C4205942 FDBC5232E93D	B881675F695199D6A0BC78A95 B5002A39D38C9BD
D:\Forensics\Christopher Kohrs #00558\Exemplars\Original\REC00011 .mp3	15D1AE5B1D0AD088ED0 0968821C10120	F6D6FA1B104E0E58E6FABE1BA 18789DDEAEBEBC

D:\Forensics\Christopher Kohrs #00558\Exemplars\Original\REC00011 _Edited_Audition.mp3	9034E73985091B1939F6F 91FB1880ECD	FD2FA68AE05E5AE56ACB8D9A3 B66A7FEFB7BEE56
D:\Forensics\Christopher Kohrs #00558\Exemplars\Original\REC00011 _Edited_Audacity.mp3	FCE5C1ACF14FF7D794D B9A923D00283	A8EC2AD77097F76B9D840B2B4 BE53586374487E4
D:\Forensics\Christopher Kohrs #00558\Exemplars\Original\REC00011 _Edited_RX.mp3	EC538B346556B9D8C11B 278CDD33D8EC	9580BB0F1F5E248D9759E1AEE 4B9F780B597E175

SOFTWARE

The following software used during my examination and preparation of this report was duly licensed to the undersigned at all times:

- Microsoft® Windows® 10 Pro
- WinHex 18.5 (X-Ways Software Technology AG)
- MediaInfo 18.08.1 (BSD/OpenGNU opensource license)
- ExifToolGUI v5.16.0.0
- iZotope® RX 7 Advanced v7.01.315
- Adobe® Audition® CC 2018 v11.1.1.3
- Wavesurfer v.1.8.ap5
- Audacity® v.2.1.2.0

FORENSIC AUDIO AUTHENTICATION

METHODOLOGY

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SWGDE Best Practices for Digital Audio Authentication (2018)

1.1 Introduction

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CHAIN OF CUSTODY

METHODOLOGY

Digital media evidence submitted to the courts must be accompanied by a chain of custody. This chain of custody is most always in written form. It exhibits who was responsible for acquisition of the original recorded evidence, who was responsible for keeping that evidence safe and who was responsible for presenting that original evidence to the Trier of Fact. This chain of custody includes, but is not limited to:

1. Information on the original recording device including make and model.
2. Information on how the evidence was extracted from the recorder that created it.
3. Digital handling information from all parties that had access to the evidence between the time of its extraction and my investigation.

Preservation of Recordings:

The National Institute of Standards and Technology (NIST), Scientific Working Group on Digital Evidence (SWGDE) and Technical Working Group for the Examination of Digital Evidence (TWGEDE) guidelines describe:

- "Actions taken to secure and collect digital evidence should not affect the integrity of that evidence".
- "Persons conducting an examination of digital evidence should be trained for that Purpose".
- "Activity relating to the seizure, examination, storage, or transfer of digital evidence should be documented, preserved, and available for review".

OBSERVATIONS

I was provided the evidence data by Mr. Christopher Kohrs. Based on my understanding the evidence data was given to him by the police commission agency. Based on my experience all law enforcement agencies are required to maintain protocols for the preservation of evidence. Based on the best practices for the preservation of recordings, I have not performed the acquisition of the data, nor have I been provided or reviewed any chain of custody documentation. Therefore, I cannot authentic the chain of custody of the digital evidence files I was provided. To generate accurate opinions about the chain of

custody, I would have to review the protocols set forth by the police commission agency as well as review documentation for the acquisition of the digital evidence recordings.

CRITICAL LISTENING

METHODOLOGY

SWGDE Best Practices for Digital Audio Authentication (2018)

4.3 Critical Listening

Critical aural review of the submitted recording, without applying any processing, can yield information regarding areas to direct subsequent analyses. In addition to a preliminary overview, attention must be paid to voices, acoustic events, background noise changes, uncharacteristic noises that may indicate equipment malfunction and possible record and edit events, and any other areas of specific interest. To focus attention on each of these factors individually will require repeated playback [7]. Repeated aural review of the unprocessed and processed versions of the submitted recording may be necessary throughout the examination.

OBSERVATIONS

I began my investigation by critically listening to the digital audio file. While listening to the recording, I observed anomalies between time coordinates 11:37.369 through 11:39.974. I referenced timecode for critical listening and throughout this report based on the following format: MM:SS.MS.

- 11:37.369
- 11:38.672
- 11:39.974

I listened for any continuity changes or deviations from the common rule to the best of my abilities. I also searched for any evidence of background noise changes that would indicate any deviations from the common rule or continuity changes. I did observe anomalies and breaks in dialogue continuity in the evidence recording titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3". Included in referenced anomalies above, the break in the dialogue continuity is noted at time coordinate "11:37.369". I identified what sounds like a cough while a male subject is speaking at time coordinate "11:38.672", and a female subject beginning to speak abruptly at time coordinate "11:39.974". This change in continuity is different than the dialogue continuity of the entirety of the recording.

After my initial critical listening analysis and the observation of the noted anomalies, I analyzed the continuity of the conversation to the best of my abilities referencing the transcript that I was provided titled "transcripts Kohrs Christopher 3-6-3019 (1) (1) (1).pdf".

Throughout my critical listening testing, I noted an overall tonality similar to what I have experienced an out of phase dual stereo recording would sound like. I noted that the recording is stereo and not dual mono. The audio did not sound like what I would expect to hear from a two-channel recording with proper polarity. I could hear frequencies that were being cancelled out because each channel's sine wave cycle was opposite of the other. This is typically caused, in a stereo recording, by inverting the polarity one of the audio channels.

DIGITAL INFORMATION ANALYSIS

METHODOLOGY

SWGDE Best Practices for Digital Audio Authentication (2018)

4.4.1 File Format Analysis

This is a type of observational analysis in which an examiner uses applications capable of displaying multimedia file metadata, document metadata fields and their values. Metadata could include recorder make/model, serial number, settings applied during the recording, date and time of recording, recording length, and user data such as investigator or case number.

This includes examining the meta and hexadecimal data that reveals information about the file including, but not limited to:

- File format
- Date created, accessed, and modified
- Sample rate
- Bit depth
- File size and length
- Manufacturer and model information
- Third-party editing software used

4.4.2 File Structure Analysis

The file structure, including header metadata, recorded content, metadata multiplexed with the recorded content, and possible footer data of the submitted recording are observational analyses and should be compared with exemplar recordings made from submitted recorders or other test recordings. If the purported original recording device is not available or is otherwise unable to be utilized, use the same make/model of device. Document these structures to include both hex and American Standard Code for Information Interchange (ASCII) fields and their byte offsets.

FILE FORMAT ANALYSIS

I begin the digital information portion of my authentication investigation by examining the digital format and structure of the file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3". To examine the formatting of the file, I extracted the MetaData using ExifTool and WinHex. The outputs from ExifTool and WinHex are displayed in Figures 1 – 3 below:

Figure 1: mar 6 2019 2 closed session Kohrs (1) (1).txt

```
---- ExifTool ----
ExifTool Version Number      : 11.25
---- File ----
File Name                    : mar 6 2019 2 closed session Kohrs (1) (1).mp3
Directory                    : .
File Size                    : 17 MB
File Modification Date/Time   : 2019:11:07 20:32:42-05:00
File Access Date/Time        : 2020:02:28 12:49:36-05:00
File Creation Date/Time      : 2019:12:03 14:39:42-05:00
File Permissions              : rw-rw-rw-
File Type                    : MP3
File Type Extension          : mp3
MIME Type                    : audio/mpeg
---- MPEG ----
MPEG Audio ersion            : 1
Audio Layer                  : 3
Audio Bitrate                : 128 kbps
Sample Rate                  : 44100
Channel Mode                 : Joint Stereo
MS Stereo                    : On
Intensity Stereo             : Off
Copyright Flag               : False
Original Media               : False
Emphasis                     : None
---- Composite ----
Duration                     : 0:18:46 (approx)
```

Figure 2: mar 6 2019 2 closed session Kohrs (1) (1)_HEX Header.JPG

alist Options Window Help

mar 6 2019 2 closed sess...

Offset	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	ANSI ASCII
00000000	FF	FB	90	60	00	00	00	00	00	00	00	00	00	4D	26		ÿð M&
00000016	49	64	24	C6	6C	42	A0	05	2C	01	84	00	09	23	A0	26	Id\$E1B , , # &
00000032	50	C2	89	B0	00	00	01	00	00	E6	C8	19	15	93	AF	B1	P&:" æE "±
00000048	5E	D1	D4	33	B4	DE	78	CF	1B	36	F6	D9	2F	92	7B	DD	^N03'PxI 66Ü/'{Y
00000064	CE	44	10	07	26	4E	E3	3B	97	39	DA	33	DB	9F	BD	EF	îD &Nâ;-9Ú3ÜY<1
00000080	33	D9	7D	DF	9B	6E	E7	ED	DD	E4	4C	89	BB	F3	39	E0	3Ü}A>ncíY&Lk»ó9â
00000096	FE	FB	BA	FE	1A	63	39	CC	1A	CB	61	F1	E4	66	38	61	pû°p c9i E&a&f&a
00000112	7E	8E	83	22	28	23	87	0C	4C	00	2E	30	B1	1F	FF	69	~Zf"(&# L .0± yi
00000128	27	9E	30	B9	3E	6B	00	08	01	00	0D	49	C1	58	A5	42	'Z0'>k I&X&B
00000144	9D	3C	73	D6	BD	79	AA	99	EB	2A	A9	0B	56	71	77	65	<sÖ>y°m°æ°Vqwe
00000160	75	54	D9	9A	CA	96	94	A5	28	4D	45	B1	18	28	E0	40	uTÜSÊ-"¥(ME± (â@
00000176	D9	46	35	DA	0E	EC	E1	D4	8C	0E	2E	8D	28	C1	67	7D	ÜF5Ü i&áÖE . (âg)
00000192	55	8F	DB	B2	DE	BD	96	7B	78	39	3C	06	93	E4	D3	02	U Ü°B&-{x9< "æÖ
00000208	0C	0C	60	C2	E0	7C	D6	93	8E	93	82	3E	03	B0	D5	CC	^A& Ö"Z",> °Öi
00000224	FB	81	68	00	00	08	00	40	00	5A	2A	63	D6	2E	64	9E	â h @ Z°cÖ.dZ
00000240	1B	D8	E0	AE	28	91	70	EE	56	E0	81	E1	F5	19	2A	3A	Ø&@('piv& áö ":

Figure 3: mar 6 2019 2 closed session Kohrs (1) (1)_HEX Footer.JPG

18015408	33	6A	7E	8A	1B	DC	13	78	31	CE	76	10	F9	1A	D9	2B	3j~Š Ü xliV ù Ü+
18015424	65	4A	B0	1F	5B	A5	A0	6D	9E	65	CD	93	E8	C6	13	64	eJ° {¥ mzeI"è& d
18015440	CE	3C	8E	D1	11	C1	24	21	2B	B6	09	F5	AA	E8	9D	93	î<ZÑ Á&!+q ô°è "
18015456	03	D1	2B	36	0D	B0	65	B8	41	35	AA	BA	16	94	63	A5	N+6 °e, A5°° "c¥
18015472	29	5C	FD	D7	E9	43	C1	3C	A9	4E	E9	88	B7	1A	7A	93	)\ý×éC&A<@Né° z"
18015488	C5	A1	70	9D	42	70	F8	5D	A5	AE	76	57	61	36	D8	38	Á;p Bpø]¥øvWa608
18015504	F1	F2	46	94	02	A4	44	25	26	2E	71	4D	6B	AD	C2	25	ñóF" mD&±.qmK-Â&
18015520	F4	26	B0	DD	C7	77	10	68	6F	08	0F	9B	DC	3A	3E	FD	ô&°YÇw ho >Ü:>ý
18015536	FF	44	9B	B1	03	C2	38	70	E6	D9	66	B6	B9	C5	EA	87	ÿD>± Â8p&Üf¥·Â&±
18015552	12	75	FE	F1	E2	FB	39	FF	7E	67	BB	C0	F7	CB	EA	E7	upñ&ü9ý~g»Â°E&ç
18015568	DF	8C	E6	16	B6	07	D7	16	70	3C	C3	16	C2	EF	D5	99	âC& q × p<Â ÂiÖ°
18015584	EE	BF	EF	F6	E2	3C	C3	C1	47	D6	1E	94	63	60	E3	E3	i¿iô&<Â&GÖ "c°â&
18015600	88	9C	38	1D	F2	DC	10	01	A8	84	19	00	11	13	89	C0	°æ8 ôÜ "., h&
18015616	EC	82	99	32	90	55	1E	CB	2C	9A	5C	6D	71	44	4B	F0	i,°2 U Ê,š\mqDK&
18015632	A0	2D	41	89	06	25	1C	7E	7C	D5	AD	63	5D	C7	3A	76	-A& % ~ Ö-c]Ç:v
18015648	BA	98	A3	78	E1	01	A2	B2	F4	60	B2	4F	4E	78	8E	3A	°Ex& c°ô°°ONxZ:
18015664	4E	07	CB	3A	62	AE	A9	CE	82	3F	B1	A9	F7	95	A4	E8	N Ê:b&Öî,?±ø°·h&
18015680	0B	B7	A8	BE	66	CA	7F	6F	6E	B8	0F	EF	BE	C1	EF	BA	°°x&E on, i&âi°
18015696	AF	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	-

OBSERVATIONS

- Audio Bitrate: 128 kbps
- Sample Rate: 44.1 kHz
- Joint-Stereo file (2 Channels)
- No third-party software footprints detected
- No information about recording software or equipment used

TIME/FREQUENCY DOMAIN ANALYSIS

METHODOLOGY

According to the policies and procedures set forth by SWGDE (Scientific Working Group on Digital Evidence) and NCMF (National Center for Media Forensics) authentication of the digital integrity as well as the authenticating of recorded signal (waveform) must be performed. To verify the integrity of the recorded signal, I need to analyze the time/frequency domain of the audio content. This includes analysis of the waveform, sample values, signal power (power plot) and overall average levels. I analyze the frequency domain of the audio file. This includes examining the long-term average spectrum and momentary spectrum, as well as the spectrogram. The spectrogram testing allows me to inspect frequency information and intensity of those frequencies from color graphical representation.

SIGNAL POWER

METHODOLOGY

SWGDE Best Practices for Digital Audio Authentication (2018)

4.5.2 Signal Power

The power of an audio signal can be computed on short time frames, displayed as the trajectory of the power over the entire signal, and used to reveal possible missing information of the acoustic signal due to mechanical failure, compression artifacts, or insertion of silence. Signal power is observational, and measurement based. Measurement uncertainty depends on distortion (e.g. clipping) and windowing length.

SIGNAL POWER TESTING

EVIDENCE AUDIO RECORDING

I performed a power plot analysis of the digital audio file titled "mar 6 2019 2 closed session Kohrs (1).mp3" through Wavesurfer. I noted several deviations from the common rule. A display of the power plot analysis is displayed in Figure 4 and 5 below:

Figure 4: mar 6 2019 2 closed session Kohrs (1) (1)_Wavesurfer PowerPlot.JPG

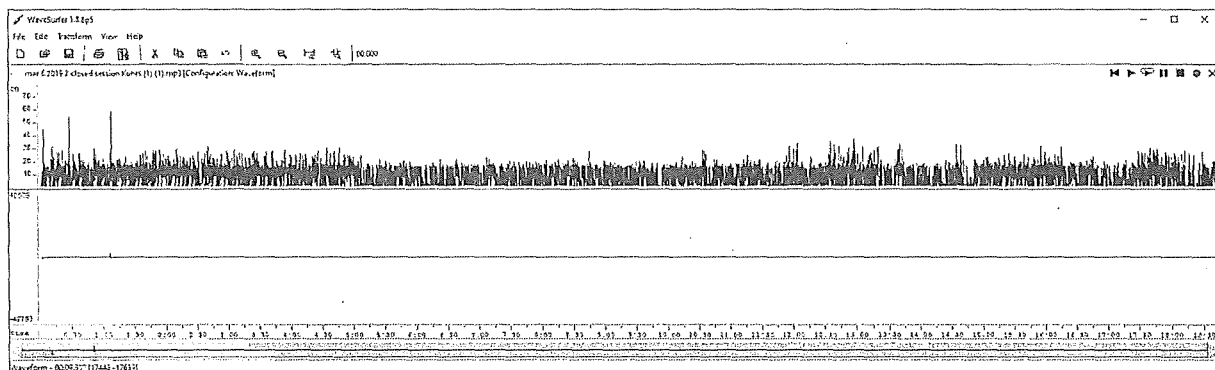
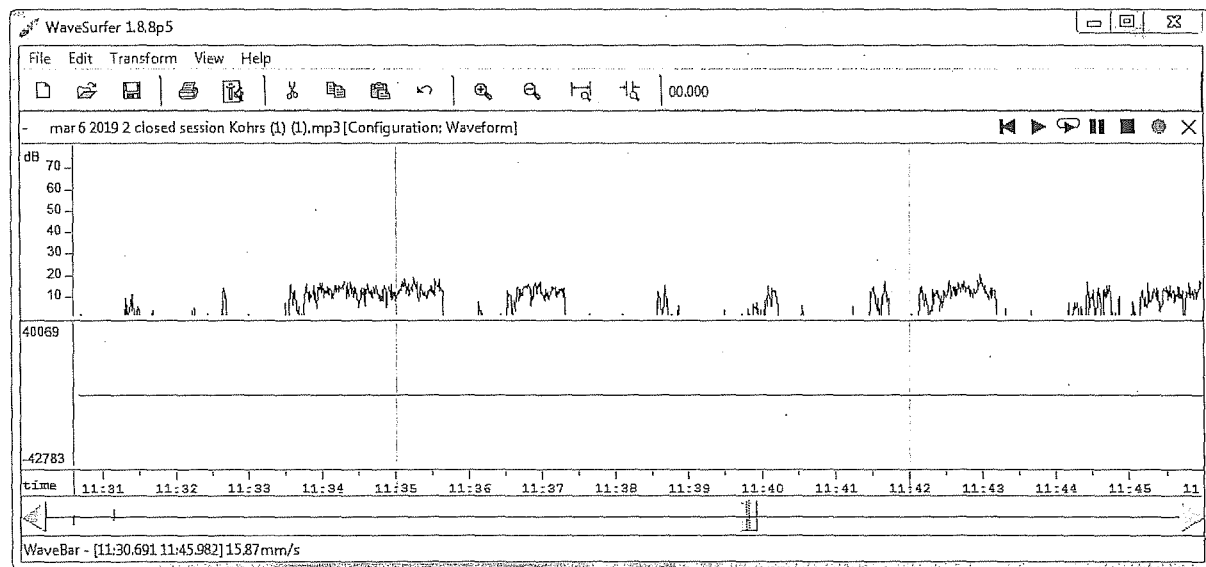


Figure 5: mar 6 2019 2 closed session Kohrs (1) (1)_Wavesurfer PowerPlot ZOOM.JPG



OBSERVATIONS

- I noted several deviations from the common rule.
- I noted that the waveform appears incomplete and should appear the same as the Exemplar Recording that I created, which can be seen in Figure 40 on Page 38 of this report.
- I noted that the power plot test for the digital evidence file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" cannot be completed due to the out of phase characteristics.

LTAS ANALYSIS

METHODOLOGY

SWGDE Best Practices for Digital Audio Authentication (2018)

4.4.5 Long Term Spectral Analyses

Spectral analyses are measurement based. Their measurement uncertainty depends on sampling frequency, bit depth, windowing function, and FFT order.

4.4.5.1 Long Term Average Spectrum

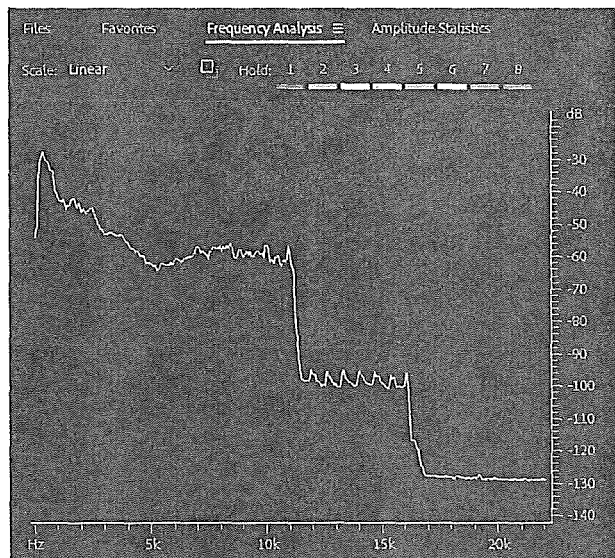
The long-term average spectrum (LTAS) of a signal is its plot of power in decibels (dB) as a function of frequency averaged from predefined fast Fourier transform (FFT) time windows. Inherently it is a function of the digital recorder's sample rate, but it may also be modified by the encoding algorithm. Therefore, characteristics of the LTAS can be observed to verify recorder settings and provenance.

LTAS TESTING

EVIDENCE AUDIO RECORDING

I performed an LTAS (long term average spectrum) analysis of the digital evidence audio file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" through Adobe Audition. I noted deviations from the common rule throughout the LTAS analysis of the recording titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3". A display of the LTAS analysis is displayed in Figure 6 below:

Figure 6: Audition_Waveform Statistics_mar 6 2019 2 closed session Kohrs (1) (1).JPG



OBSERVATIONS

- I noted deviations from the common rule throughout the LTAS analysis of the evidence recording titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3". These deviations include a second cutoff frequency around 16kHz as well as drop off's in the frequency content above the first cutoff frequency at 11kHz. This is an indication that it is possible that the recording was recompressed or resaved from the time it was first recorded to the time it was produced to me.
- I noted recompression artifacts and residual frequency content above the cutoff frequency.

SPECTROGRAM ANALYSIS

METHODOLOGY

SWGDE Best Practices for Digital Audio Authentication (2018)

4.5.3 Spectrographic Analysis

Spectrograms display audio content in a frequency vs. time representation and may be used to gain an overall impression of the recording and to view specific local events. Examples of observable events include characteristics of digital aliasing, sample band-pass filtering, questioned signals, background sounds, convolution and transmission characteristics, and power line frequency components.

Spectrographic analyses are observable, and measurement-based. Their measurement uncertainty depends on sampling frequency, bit depth, windowing function and length, and FFT order. [6] [17]

EVIDENCE AUDIO RECORDING

I performed a Spectrogram Analysis of the digital audio file titled "mar 6 2019 2 closed session Kohrs (1).mp3" through Adobe Audition. I reviewed the Spectrogram information for the entirety of the recording. A display of the Spectrogram analysis is displayed in Figure 7 and 8 below:

Figure 7: Audition_Spectrogram_mar 6 2019 2 closed session Kohrs (1) (1)_Secondary Noise Floor.JPG

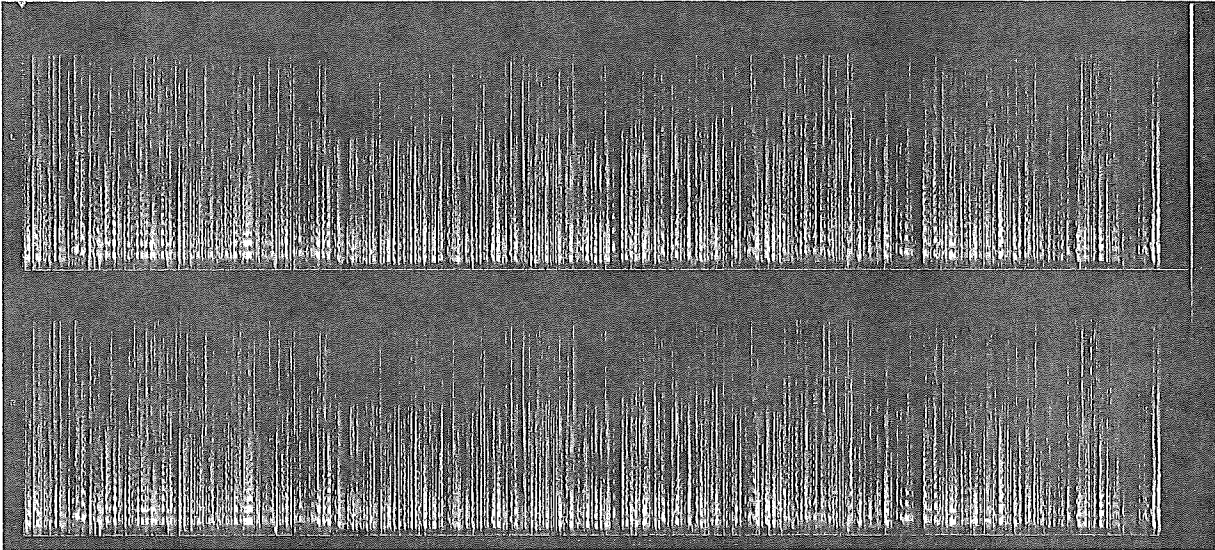
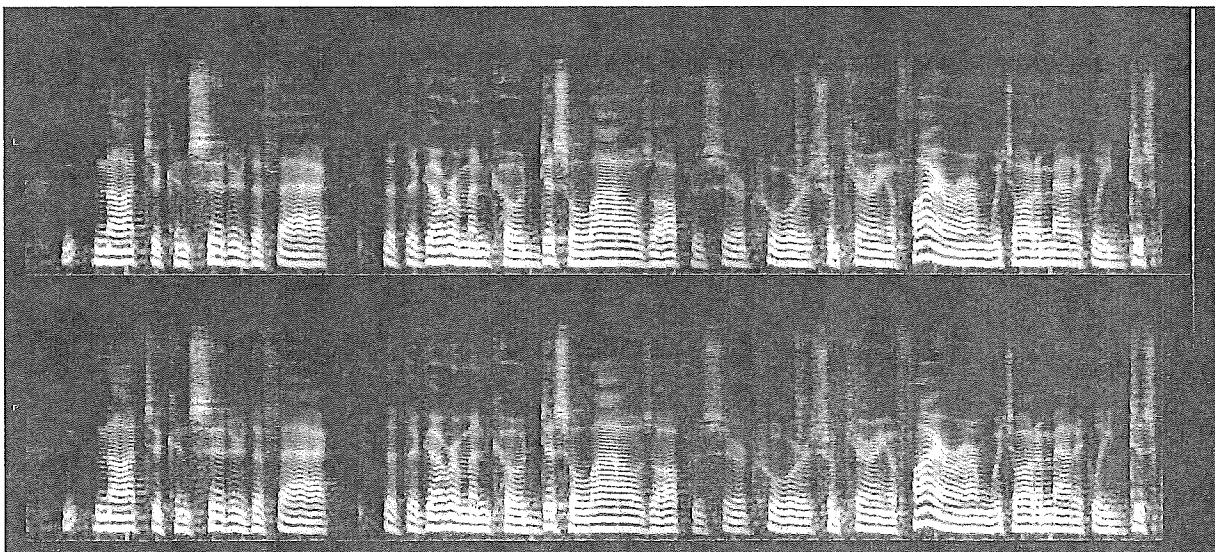


Figure 8: Audition_Spectrogram_mar 6 2019 2 closed session Kohrs (1) (1)_Secondary Noise Floor_Zoomed.JPG



OBSERVATIONS

- I reviewed the Spectrogram information for the recording titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3". Through the entirety of the recording, I noted a secondary noise floor.
- The color of the spectrogram has been changed to a multicolor setting, to identify the subtle changes observed in the noise floor.
- A secondary noise floor can indicate a file has been re-compressed and or converted from its original state.

WAVEFORM ANALYSIS

METHODOLOGY

SWGDE Best Practices for Digital Audio Authentication (2018)

4.5.1 Waveform Analysis

The waveform of an audio signal displays the relationship between time and amplitude of the acoustic information recorded, therefore allowing the determination of relative temporal and amplitude characteristics of a digital file ranging from a single sample point to an entire recording. Phenomena heard during critical listening can be visually observed as a waveform, such as dropouts, clipping, or other amplitude related events.

MAR 6 2019 2 CLOSED SESSION KOHRS (1) (1).MP3

I performed a Waveform Analysis of the digital audio file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" through Adobe Audition. I reviewed the Waveform for the entirety of the recording and noted the polarity of the waveform was inverted. A display of the Spectrogram analysis is displayed in Figures 9 and 10 below:

Figure 9: Audition_Waveform_mar 6 2019 2 closed session Kohrs (1) (1).JPG



Figure 10: mar 6 2019 2 closed session Kohrs (1) (1)_Waveform Zoom.JPG



OBSERVATIONS

- I noted that one of the audio channels is inverted (see Figure 10 above) which has caused the recording to sound out of phase.

EXEMPLAR COMPARISON ANALYSIS

METHODOLOGY

SWGDE Best Practices for Digital Audio Authentication (2018)

4.7 Generation of sample recordings and exemplars

Either from the obtained evidence recorder or from test recorders of the same manufacturer and model, test recordings can be made and compared against the evidence recording. In this way, the evidence can be assessed as to its consistency with a known, authentic file. Test recordings can also be obtained from a contributor that has prepared them or are available from the recorder's memory. If making test recordings on an evidence device, this may change the state of the device and will change the state of non-removable media. If necessary and possible, produce a verified bitstream copy of the non-removable memory prior to the testing.

SUMMARY

According to the policies and procedures set forth by SWGDE (Scientific Working Group on Digital Evidence) and NCMF (National Center for Media Forensics), sample recordings must be generated to determine the consistency of the evidence recording with respect to the original. This method is the most accurate way to compare exemplar recordings (known sample) with the evidence (unknown sample) to authenticate the evidence.

An exemplar recording is considered most accurate when created using the same equipment and recording parameters used to create the evidence. Because I did not have access to the original equipment that created the evidence recording, I had to obtain the same make/model equipment to recreate an authentic file for comparison. This activity is performed during the authentication process to compare specific characteristics of the files that will be analyzed to identify consistencies or inconsistencies with an original audio recording created by that system.

During our investigation, we were provided information about the equipment used to record the evidence recording titled “mar 6 2019 2 closed session Kohrs (1) (1).mp3”. I purchased a DENON DN-300R MKII Audio Recorder, the same equipment that was reportedly used to record the audio evidence. The equipment I obtained is displayed in Figures 11 through 13 below:

Figure 11: Denon Equipment 001.jpg

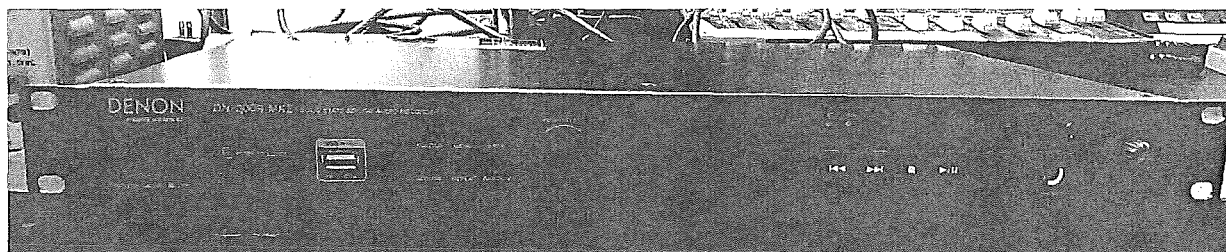
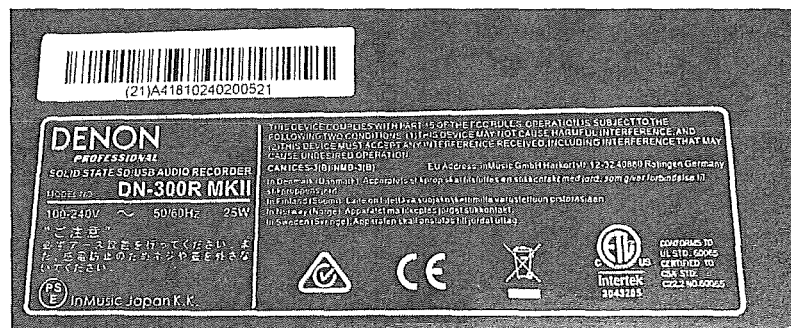


Figure 12: Denon Equipment 002.jpg



Figure 13: Denon Equipment 004.jpg



Before creating the exemplar recordings, I reviewed the "DENON DN-300R MKII" user guide to understand what parameter options were available on the device. I noted that the device Firmware was version 2.0.7. The parameter options are listed in the table below:

DENON DN-300R MKII EQUIPMENT PARAMETER OPTIONS	
Auto Level:	Turns Auto Level On or Off. When Auto Level is On, the recording level for the Inputs is automatically kept around -3 dB (± 3 dB).
Record Mode:	Sets how and what kind of files are recorded from the following options: • Mono: Records a single mono file to your selected device(s). • Stereo (default): Records a single stereo file to your selected device(s). • Dual Mono: When recording to SD or USB, records two mono audio files to the device at the same time. The second file will record at -10 dB to help protect your recording against accidental peaks in the audio source. When recording to both SD and USB, records two mono audio files to each device (creating a total of four files between both devices). The second file on each device will record at -10 dB. • Dual Stereo: When recording to SD or USB, records two stereo files to the device at the same time. The second file will record at -10 dB. When recording to both SD and USB, records two stereo files to each device (creating a total of four files between both devices). The second file on each device will record at -10 dB. NOTE: Dual Mono and Dual Stereo are only available with 44.1K/16bit WAV recording.
Pre Record:	Turns Pre-Record On or Off. When Pre-Record is On, a 2 second buffer of audio is kept in memory. When the record button is pressed, this buffer is used at the beginning of the recording. NOTE: Pre-Record cannot be used with 48K/24bit WAV recording.

Auto Track:	Turns Auto Track On or Off. When Auto Track is Off, new tracks must be created manually (by starting and stopping recording). When Auto Track is On, the Record button will flash, and recording will start and stop based on the options below. Press the Jog Dial to choose the options below, then select its value. • Level: Starts and stops recording when the input level passes a certain threshold. Set to -24, -30, -36, or -42 dB. • Time: Stops recording after a period of time has elapsed. Set to 1 min, 5 min (default), 10 min, 15 min, 30 min, 1 hr, 2 hr, 8 hr, 12 hr, or 24 hr. You can also press Stop to end the recording at any time. NOTE: If using the 8 hr, 12 hr, or 24 hr options, make sure to set the Format to MP3. WAV files will be too large and stop recording before the set time.
Format:	Select this option to set the recording format. Choose WAV (44.1K/16bit or 48K/24bit) or MP3 (192Kbps or 256Kbps).

The "DENON DN-300R MKII" is capable of recording WAV format and MP3 format. Because the evidence file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" is in MP3 format, the Exemplar recordings for the comparison analysis were recorded in MP3 format.

Based on the parameter options available, any files recorded in the MP3 format setting can only have a Bit Rate option of 192kbps or 256kbps. Based on the Digital Information Analysis of the evidence file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" on Page 11 of this report, the audio Bit Rate found in the evidence file metadata is 128kbps which is not an option available on the "DENON DN-300R MKII" equipment.

To observe the known behavior of the device "DENON DN-300R MKII", I created the following exemplar recordings:

EXEMPLAR RECORDINGS	EQUIPMENT PARAMETERS SET
REC00001.mp3	XLR Input Bit Rate: 192 kbps Auto Level: ON Record Mode: STEREO Pre Record: OFF Auto Track: OFF Format: MP3
REC00002.mp3	XLR Input Bit Rate: 256 kbps Auto Level: ON Record Mode: STEREO Pre Record: OFF Auto Track: OFF Format: MP3
REC00003.mp3	RCA Input Bit Rate: 256 kbps Auto Level: ON Record Mode: STEREO Pre Record: OFF Auto Track: OFF Format: MP3
REC00004.mp3	XLR Input Bit Rate: 256 kbps Auto Level: OFF Record Mode: STEREO Pre Record: OFF Auto Track: OFF Format: MP3
REC00007.mp3	XLR Input Bit Rate: 256 kbps Auto Level: ON Record Mode: STEREO Pre Record: ON Auto Track: OFF Format: MP3
REC00008.mp3	XLR Input Bit Rate: 256 kbps Auto Level: ON Record Mode: STEREO Pre Record: OFF

	Auto Track: LEVEL -24dB Format: MP3
REC00011.mp3	XLR Input Bit Rate: 256 kbps Auto Level: ON Record Mode: STEREO Pre Record: OFF Auto Track: OFF Format: MP3 XLR for right channel input had pins 2 and 3 reversed resulting in left and right being completely out of phase.

DIGITAL INFORMATION TESTING

I created the exemplar recording titled "REC00002.mp3". The equipment settings are as follows:

- XLR Input
- Bit Rate: 256 kbps
- Auto Level: ON
- Record Mode: STEREO
- Pre Record: OFF
- Auto Track: OFF
- Format: MP3

I then extracted the digital information using ExifTool and WinHex. The output from ExifTool and WinHex is displayed in Figures 14 through 16 below:

Figure 14: REC00002.txt

```

---- ExifTool ----
ExifTool Version Number      : 11.25
---- File ----
File Name                    : REC00002.mp3
Directory                    : .
File Size                    : 948 kB
File Modification Date/Time   : 2020:02:26 11:23:12-05:00
File Access Date/Time        : 2020:02:28 12:49:35-05:00
File Creation Date/Time      : 2020:02:28 12:47:07-05:00
File Permissions              : rw-rw-rw-
File Type                    : MP3
File Type Extension          : mp3
MIME Type                    : audio/mpeg
ID3 Size                     : 47

```

---- MPEG ----

MPEG Audio Version : 1
Audio Layer : 3
Audio Bitrate : 256 kbps
Sample Rate : 48000
Channel Mode : Joint Stereo
MS Stereo : On
Intensity Stereo : Off
Copyright Flag : False
Original Media : False
Emphasis : None

---- ID3 ----

Artist : DENON

---- Composite ----

Duration : 0:00:30 (approx)

Figure 15: REC00002_HEX Header.JPG

File Options Window Help																
REC00001.mp3 REC00002.mp3 REC00003.mp3 REC00004.mp3 REC00005.wav REC00007.mp3 REC00008.mp3 REC																
Offset	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
00000000	49	44	33	03	00	00	00	00	00	25	54	50	45	31	00	00
00000016	00	08	00	00	00	44	95	4E	4F	4E	00	00	00	00	00	00
00000032	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
00000048	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
00000064	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
00000080	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
00000096	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
00000112	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
00000128	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
00000144	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
00000160	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
00000176	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
00000192	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
00000208	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
00000224	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
00000240	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00

Figure 16: REC00002_HEX Footer.JPG

```

00970896 5E 01 1A FB 34 E7 0B EF 43 1F E7 24 1F 12 4D 82 ^ 04q 1C qS M,
00970912 72 4C EC 50 65 E3 85 1C 4F E8 85 B2 AB D2 A6 1C rLiPea. Oc.'«0;
00970928 23 98 B3 D1 AE 52 A0 54 96 68 91 A1 61 34 54 8C #*0SR „-h'ia4TGD
00970944 AC 85 49 13 34 EC 2D 17 91 9B 40 28 54 13 D6 4F ~'I 41- 'y8(T 00
00970960 8A 0B C5 04 90 38 9E 02 50 ED B6 DD 85 B2 C6 9B 0 A sz PiYŷu:~>
00970976 99 DB DE 99 92 99 DE 99 06 A2 24 00 24 28 19 65 ~0P~'P~ 65 3( e
00970992 89 AE 50 48 00 73 2A 94 71 24 15 92 16 06 21 E2 50PH ej"q$ ' 1â
00971008 FF EB D4 60 FF 80 65 83 69 4A EA 0C 4D FA 84 CC yâC'ye f'J6 Mû..i
00971024 09 5D 20 C6 EF 54 4D 7F 3B A7 A5 37 FA 1B B0 27 l E,TM :5Y7d ''
00971040 74 64 9A FF 7E 0A EC A9 52 6A DA 2E F7 DC 84 48 t4â9~ \CRjÜ.+U„H
00971056 51 59 84 DB 95 EC B4 0C AD E3 90 9C 76 A3 D7 B5 QY„Ü"i' -â œvE~p
00971072 61 99 0C 86 CE E7 F2 79 EA 71 86 6D 6C E4 C1 23 a™ +iççyâçtmlââ+
00971088 49 C7 2A 7F 10 A5 E8 7A BE D2 D6 AA 8B 20 4C 86 IQ^ "âz~00^, Li
00971104 90 CD 2A 31 8E A5 12 96 B1 25 69 1A A9 C4 84 C1 i'1Zŷ -+â1 0A„A
00971120 63 0E 3C 98 28 4D 2F 55 84 EC 6A 66 F4 4D 73 08 c <ŷm/U„içfçMa l
00971136 96 04 82 00 56 53 4D 50 33 20 65 6E 63 20 76 31 -, VSMP3 enc v1
00971152 2E 30 30 2E 56 53 4D 50 33 20 65 6E 63 20 76 31 .00.VSMP3 enc v1
00971168 2E 30 30 2E 56 53 4D 50 33 20 65 6E 63 20 76 31 .00.VSMP3 enc v1
00971184 2E 30 30 2E 56 53 4D 50 33 20 65 6E 63 20 76 31 .00.VSMP3 enc v1
00971200 2E 30 30 2E 56 53 4D 50 33 20 65 6E 63 20 76 31 .00.VSMP3 enc v1
00971216 2E 30 30 2E 56 53 4D 50 33 20 65 6E 63 20 76 31 .00.VSMP3 enc v1
00971232 2E 30 30 2E 56 53 4D 50 33 20 65 6E 63 20 76 31 .00.VSMP3 enc v1
00971248 2E 30 30 2E 56 53 4D 50 33 20 65 6E 63 20 76 31 .00.VSMP3 enc v1

```

SOFTWARE OUTPUT	EXEMPLAR SIGNATURE	EVIDENCE SIGNATURE	PASS/FAIL DIGITAL TESTING
ExifToolGUI	"Artist: DENON"	NONE	FAIL
WinHex: Header	"ID3 %tpe1 DENON"	NONE	FAIL
WinHex: Footer	"VSMP3 enc"	NONE	FAIL

Digital Information Testing was applied to the exemplar recordings titled "REC00001.mp3", "REC00002.mp3", "REC00003.mp3", "REC00004.mp3", "REC00007.mp3", "REC00008.mp3", and "REC00011.mp3".

OBSERVATIONS

- I noted the ExifTool output for the exemplar recordings titled "REC00001.mp3", "REC00002.mp3", "REC00003.mp3", "REC00004.mp3", "REC00007.mp3", "REC00008.mp3", and "REC00011.mp3" showed a "DENON" equipment signature. This was the same for all of the exemplar recordings that are MP3 format.
- I noted the evidence recording titled "mar 6 2019 2 closed session kohrs (1) (1).mp3" has no equipment signature in the ExifTool output.
- I noted the WinHex Header output for the exemplar recordings titled "REC00001.mp3", "REC00002.mp3", "REC00003.mp3", "REC00004.mp3", "REC00007.mp3", "REC00008.mp3", and "REC00011.mp3" showed a "DENON" equipment signature. This was the same for all of the exemplar recordings that are MP3 format.
- I noted the evidence recording titled "mar 6 2019 2 closed session kohrs (1) (1).mp3" has no equipment signature in the WinHex Header output.
- I noted the WinHex Footer output for the exemplar recordings titled "REC00001.mp3", "REC00002.mp3", "REC00003.mp3", "REC00004.mp3", "REC00007.mp3", "REC00008.mp3", and "REC00011.mp3" showed a variation of code that appeared as "VSMP3 enc". The exact signature varies between exemplars, but this signature is present in some form for all of the exemplar files that are MP3 format.
- I noted the evidence recording titled "mar 6 2019 2 closed session kohrs (1) (1).mp3" has no equipment signature in the WinHex Footer output.
- I noted that none of the Bit Rate settings available on the DENON DN-300R MKII Audio Recorder match with the Bit Rate found in the metadata of the evidence recording titled "mar 6 2019 2 closed session kohrs (1) (1).mp3".

PHASE INVERSION RECREATION

To recreate the phase inversion that was discovered during the Waveform Analysis of the evidence recording titled "mar 6 2019 2 closed session kohrs (1) (1).mp3", I had to physically rewire an XLR cable to invert the original position of pins 2 and 3 on a standard XLR cable. A procedure video was recorded to document this process and still-images have been extracted to demonstrate how this was accomplished. These images can be followed in Figures 17 through 22 below:

Figure 17: AA017901.00_00_45_07.Still001.tif

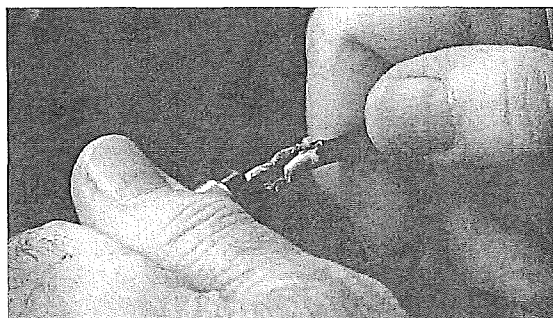
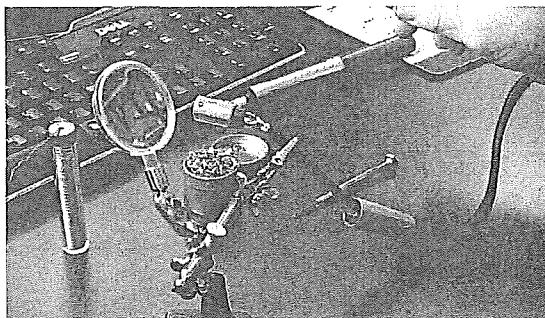


Figure 18: AA017901.00_01_10_13.Still002.tif



First, I disassembled the XLR cable to show the original cable connection. Then, I prepared to unsolder pin 2 and pin 3.

Figure 19: AA017901.00_01_21_16.Still003.tif



Figure 20: AA017901.00_01_57_08.Still004.tif



I removed the original solder, and then carefully switched pin 2 and pin 3.

Figure 21: AA017901.00_03_30_13.Still005.tif

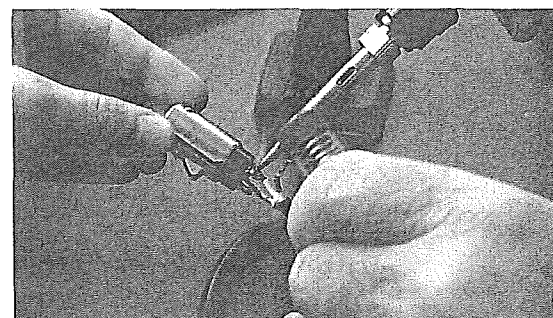
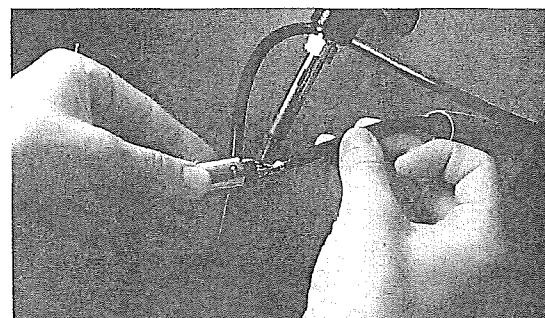


Figure 22: AA017901.00_04_48_11.Still006.tif



After switching pin 2 and pin 3, I begin to re-solder them in place. After, completing the inversion and re-soldering of pins 2 and 3 into the reversed position, I created the exemplar recording titled "REC00011.mp3" and began analyzing and comparing the digital information. The output from ExifTool and WinHex is displayed in Figures 23 through 25 below:

Figure 23: REC00011.txt

```
---- ExifTool ----  
ExifTool Version Number   : 11.25  
---- File ----  
File Name                  : REC00011.mp3  
Directory                  : .  
File Size                  : 798 kB  
File Modification Date/Time : 2020:02:26 16:19:28-05:00  
File Access Date/Time      : 2020:02:28 12:49:35-05:00  
File Creation Date/Time    : 2020:02:28 12:47:08-05:00  
File Permissions           : rw-rw-rw-  
File Type                  : MP3  
File Type Extension        : mp3  
MIME Type                  : audio/mpeg  
ID3 Size                   : 47  
---- MPEG ----  
MPEG Audio Version        : 1  
Audio Layer                : 3  
Audio Bitrate              : 256 kbps  
Sample Rate                : 48000  
Channel Mode               : Joint Stereo  
MS Stereo                  : On  
Intensity Stereo           : Off  
Copyright Flag             : False  
Original Media             : False  
Emphasis                   : None  
---- ID3 ----  
Artist                     : DENON  
---- Composite ----  
Duration                   : 25.55 s (approx)
```

[illegible]

00017352	53	4D	50	33	20	6E	6E	63	20	76	31	2E	30	30	2E	56	SMP3 enc v1.00.V
00017408	FF	FB	D4	60	FF	80	01	B1	1B	CE	ES	22	1A	EA	AE	4C	Y00:9E ± iE" eOL
00017424	09	DB	3D	E6	BF	49	F8	7B	37	A1	0C	CB	AA	98	AF	E6	Y=ziIs17; E"=eL
00017440	F4	FG	2C	FE	56	53	4D	50	33	20	65	6E	63	20	76	31	005yVSMF3 enc vl
00017456	2E	50	30	2E	56	53	4D	50	33	20	65	6E	63	20	76	31	.00.VSMF3 enc vl
00017472	2E	50	30	2E	56	53	4D	50	33	20	65	6E	63	20	76	31	.00.VSMF3 enc vl
00017488	2E	50	30	2E	56	53	4D	50	33	20	65	6E	63	20	76	31	.00.VSMF3 enc vl
00017504	2E	50	30	2E	56	53	4D	50	33	20	65	6E	63	20	76	31	.00.VSMF3 enc vl
00017520	2E	50	30	2E	56	53	4D	50	33	20	65	6E	63	20	76	31	.00.VSMF3 enc vl
00017536	2E	50	30	2E	56	53	4D	50	33	20	65	6E	63	20	76	31	.00.VSMF3 enc vl
00017552	2E	50	30	2E	56	53	4D	50	33	20	65	6E	63	20	76	31	.00.VSMF3 enc vl
00017568	2E	50	30	2E	56	53	4D	50	33	20	65	6E	63	20	76	31	.00.VSMF3 enc vl
00017584	2E	50	30	2E	56	53	4D	50	33	20	65	6E	63	20	76	31	.00.VSMF3 enc vl
00017600	2E	50	30	2E	56	53	4D	50	33	20	65	6E	63	20	76	31	.00.VSMF3 enc vl
00017616	2E	50	30	2E	56	53	4D	50	33	20	65	6E	63	20	76	31	.00.VSMF3 enc vl
00017632	2E	50	30	2E	56	53	4D	50	33	20	65	6E	63	20	76	31	.00.VSMF3 enc vl
00017648	2E	50	30	2E	56	53	4D	50	33	20	65	6E	63	20	76	31	.00.VSMF3 enc vl

OBSERVATIONS

- I noted the ExifTool and WinHex output are the same as the other exemplar recordings.
- The format is what I would expect to see from equipment used based on the parameters set.
- I noted that the data output from the exemplar recording titled "REC00011.mp3" does not match with the data output from the evidence recording titled "mar 6 2019 2 closed session kohrs (1) (1).mp3".
- I noted the Bit Rate of exemplar recording "REC00011.mp3" does not match the Bit Rate found in the data output from the evidence recording titled "mar 6 2019 2 closed session kohrs (1) (1).mp3".

EXEMPLAR MANIPULATION ANALYSIS

PROCESS

From the critical listening portion of my investigation, I noted inconsistencies in the continuity of the recording. Due to the inconsistencies found during critical listening and the exemplar digital information comparison, I wanted to determine if manipulation of a recording using the "DENON DN-300R MKII Audio Recorder" could replicate the phase inversion of the waveform that was found during the Waveform Analysis of the evidence recording titled "mar 6 2019 2 closed session kohrs (1) (1).mp3", and to see if manipulation could go undetected through forensic authentication testing. In the Phase Inversion Recreation section on Page 25 of this report, the exemplar titled "REC00011.mp3" was created using an XLR cable which had been purposely altered by reversing pin 2 and pin 3. This was done to intentionally reverse the polarity of the audio channels.

I also intentionally manipulated the exemplar recording I created titled "REC00011.MP3" using three separate software programs capable of editing. The programs used were Adobe Audition, Audacity, and iZotope RX 7. I then compared the digital information to determine if the digital integrity of the exemplar was affected.

I extracted the metadata of the manipulated exemplars titled "REC00011_Edited_Audition.mp3", "REC00011_Edited_Audacity.mp3", and "REC00011_Edited_RX.mp3" to analyze and compare it with the data from the evidence file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" and the other exemplar recordings. The output from ExifTool and WinHex is displayed in Figures 26 through 28 below:

Figure 26: REC00011_Edited_Audition.txt

```
---- ExifTool ----
ExifTool Version Number      : 11.25
---- File ----
File Name                    : REC00011_Edited_Audition.mp3
Directory                   : .
File Size                   : 371 kB
File Modification Date/Time  : 2020:02:27 16:53:12-05:00
File Access Date/Time       : 2020:02:28 12:49:35-05:00
File Creation Date/Time     : 2020:02:28 12:47:08-05:00
File Permissions            : rw-rw-rw-
File Type                   : MP3
File Type Extension         : mp3
MIME Type                   : audio/mpeg
ID3 Size                    : 32
---- MPEG ----
MPEG Audio Version          : 1
Audio Layer                 : 3
Audio Bitrate               : 128 kbps
Sample Rate                 : 44100
Channel Mode                : Joint Stereo
MS Stereo                   : Off
Intensity Stereo            : Off
Copyright Flag              : False
Original Media              : False
Emphasis                    : None
---- Composite ----
Duration                    : 23.74 s (approx)
```

Offset	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	ASCII	ASCII
00000000	49	44	33	03	00	00	00	00	00	16	00	00	00	00	00	00	ID3	
00000016	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00		
00000032	FF	F8	90	40	00	00	00	00	00	48	80	00	00	08	00	00	ya e	KE
00000048	09	70	00	00	01	00	00	01	2E	00	00	00	20	00	00	25	p	
00000064	C0	00	00	04	B4	04	B1	00	0F	F9	E2	00	00	BF	FF	FF	Ä ± ää äyy	
00000080	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	YYYYYYYYYYYYYYYY	
00000096	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	YYYYYYYYYYYYYYYY	
00000112	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	FF	YYYYYYYYYYYYYYYY	
00000128	00	04	43	39	18	EA	94	0A	A2	14	13	27	BD	61	4C	9E	C9 c" c 'haLä	
00000144	F7	B4	41	9C	04	03	5D	DE	FF	F9	E8	40	8D	F8	70	33	-'Acc Bfud@ ep3	
00000160	6A	38	73	10	56	32	A1	8E	FF	2F	59	F9	77	A6	23	FE	j5e v2;ÿ/yüw;ÿy	
00000176	FF	A1	41	1F	F2	8E	FF	20	1F	C8	C6	DB	6D	B6	FF	A5	y;A öÿ EÄÖMyÿ	
00000192	00	F4	7B	C8	DE	CC	D0	19	3E	98	AB	74	63	29	D7	2B	ä(EÖID >ätc)ä+	
00000208	79	1A	22	B8	9C	97	85	84	07	18	99	06	F5	87	DB	E3	y ",ä..... ääÜc	
00000224	43	98	0E	1B	C4	3C	23	90	00	90	72	5D	23	14	75	5D	C' Ä<äc r)äü	
00000240	15	8C	D4	0D	EF	6E	EB	DD	4C	14	DC	71	A2	15	2A	37	+Ö äneÿL Üc '7	

[illegible]

SOFTWARE OUTPUT	EXEMPLAR SIGNATURE (REC00011.MP3)	EXEMPLAR MANIPULATION SIGNATURE (RX and Audacity)	MANIPULATED EXEMPLAR SIGNATURE (Audition)	EVIDENCE SIGNATURE
ExifToolGUI	"Artist: DENON"	"Encoder: LAME3.99r"	NONE	NONE
WinHex: Header	"ID3 %tpe1 DENON"	"LAME3.99r"	"ID3"	NONE
WinHex: Footer	"VSMP3 enc"	"LAME3.99"	NONE	NONE

OBSERVATIONS

- I noted the manipulated exemplars ExifTool output showed no "DENON" signature.
- I noted the manipulated exemplars WinHex output showed no "DENON" signature.
- I noted no third-party editing software footprints were found in the metadata.
- I noted that Adobe Audition can export an audio recording with the option to include or exclude "markers and other metadata". When this box was unchecked (to exclude this information) no data or software footprint was found in the output.
- I noted a variation of the "LAME3.99" signature in the data throughout the manipulated exemplar recordings titled "REC00011_Edited_Audacity.mp3" and "REC00011_Edited_RX.mp3".

HEX MANIPULATION

The exemplar recording titled "REC00011_Edited_Audition.mp3" which was manipulated using Adobe Audition shared several characteristics with the digital evidence recording titled "mar 6 2019 2 closed session kohrs (1) (1).mp3". The WinHex output from the manipulated exemplar recording titled "REC00011_Edited_Audition.mp3" showed "ID3" in the header. This was an identifier found in the hexadecimal information.

To determine if this data could be removed, pass additional authentication testing, and still play an intelligible audio signal, I opened the file using WinHex and manually highlighted the unwanted portion and clicked delete. The output from this can be seen in Figure 29 below:

[illegible]

- I noted that the "ID3" data, which appeared in the manipulated exemplar recording titled "REC00011_Edited_Audition.mp3" could successfully be removed.
- I noted that even after the Hex Header data was removed, the file remained in a playable state.
- After removing the "ID3" data, I noted that the WinHex Header output matched the WinHex Header of evidence file titled "mar 6 2019 2 closed session kohrs (1) (1).mp3".

LTAS TESTING

EXEMPLAR AUDIO RECORDINGS

I performed an LTAS (long term average spectrum) analysis of the exemplar audio recordings using Adobe Audition. A comparison of the LTAS analysis from the evidence recording titled "mar 6 2019 2 closed session kohrs (1) (1).mp3" and the exemplar recording titled "REC00011.mp3" are displayed in Figures 30 and 31 below:

Figure 30: Audition_Waveform Statistics_mar 6 2019 2 closed session Kohrs (1) (1).JPG

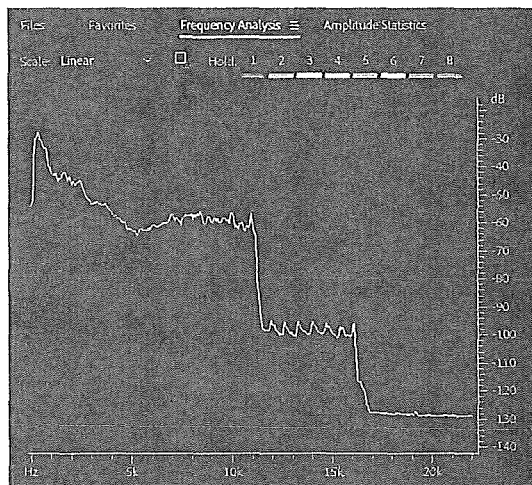
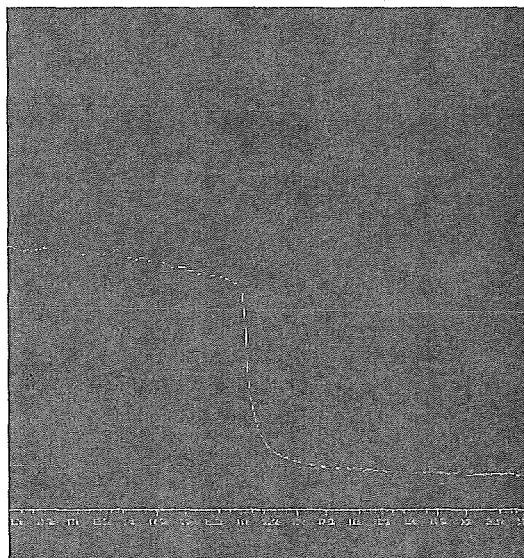


Figure 31: Audition_Frequency Analysis_REC00011.JPG



MANIPULATED EXEMPLAR RECORDINGS

I then performed the LTAS testing on the audio recordings that underwent exemplar manipulation testing. A comparison of the LTAS analysis from the evidence recording titled "mar 6 2019 2 closed session kohrs (1) (1).mp3" and the manipulated exemplar recording titled "REC00011_Edited_Audition.mp3" are displayed in Figures 32 and 33 below:

Figure 32: Audition_Waveform Statistics_mar 6 2019 2 closed session Kohrs (1) (1).JPG

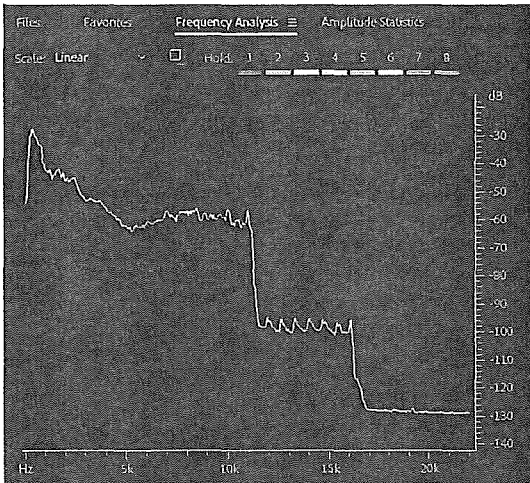
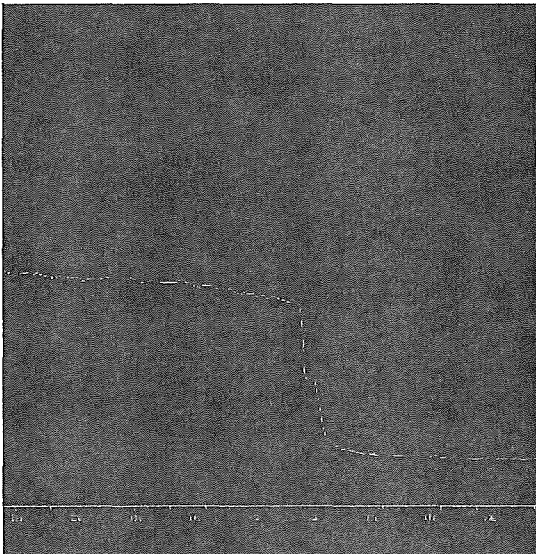


Figure 33: Audition_Frequency Analysis_REC00011_Edited_Audition.JPG



OBSERVATIONS

- I noted from the LTAS analysis of the manipulated exemplar recordings appeared similar to the original exemplars.
- I noted no deviations from the common rule throughout the LTAS analysis of the exemplar recording titled "REC00011.mp3" or the manipulated exemplar recording titled "REC00011_Edited_Audition.mp3".
- I noted no recompression artifacts or residual frequency content above the cutoff frequency was detected in the exemplar recording titled "REC00011.mp3" or the manipulated exemplar recording titled "REC00011_Edited_Audition.mp3".
- I noted the LTAS analysis of the evidence recording titled "mar.6 2019 2 closed session kohrs (1).mp3" does not match the output from any of the exemplar recordings that were created.

SPECTROGRAM ANALYSIS

I performed a Spectrogram Analysis of the exemplar recording titled "REC00011.mp3" and the manipulated exemplar recording "REC00011_Edited_Audition.mp3" through Adobe Audition.

The Spectrogram analysis is displayed in Figures 34 and 35 below:

Figure 34: Audition_Spectrogram_REC00011.JPG

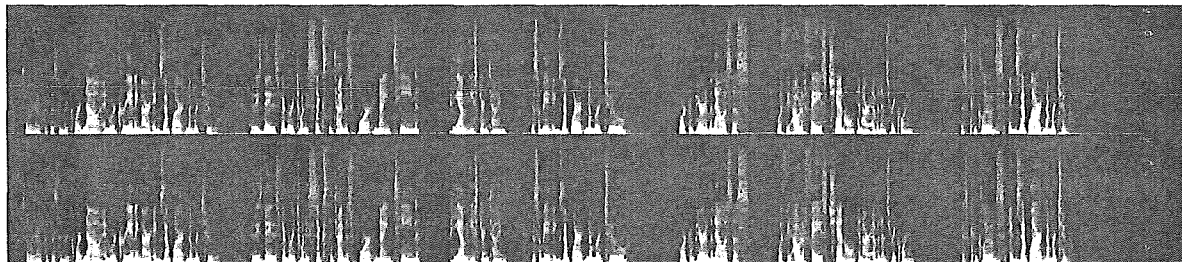
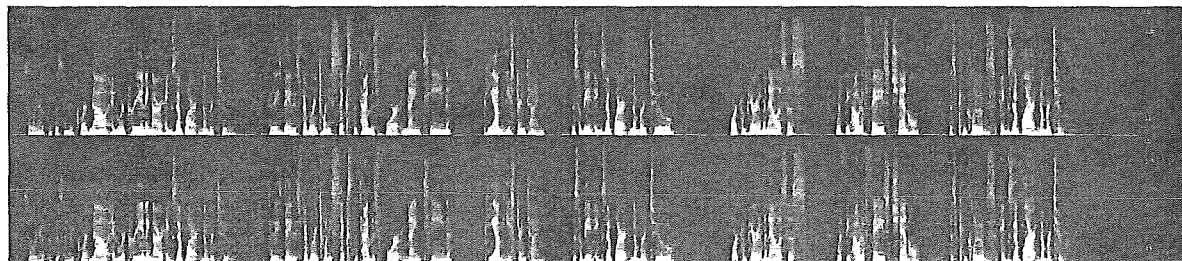


Figure 35: Audition_Spectrogram_REC00011_Edited_Audition.JPG



OBSERVATIONS

- I noted no visual anomalies in the Spectrogram information for the exemplar recording titled "REC00011.mp3".
- I noted no visual anomalies in the Spectrogram information for the manipulated exemplar recordings titled "REC00011_Edited_Audition.mp3".

WAVEFORM ANALYSIS

REC00011.MP3

I performed a Waveform Analysis of the Exemplar Recording titled "REC00011.mp3" through Adobe Audition. A display of the Waveform is displayed in Figures 36 and 37 below:

Figure 36: Audition_Waveform_REC00011.JPG

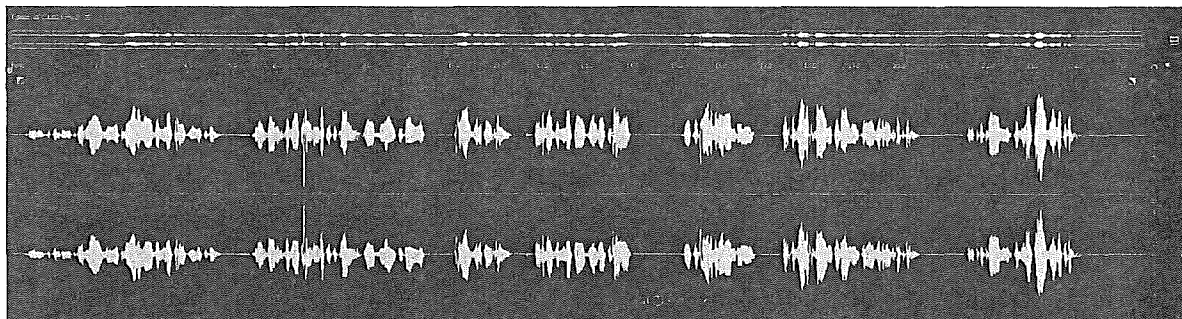
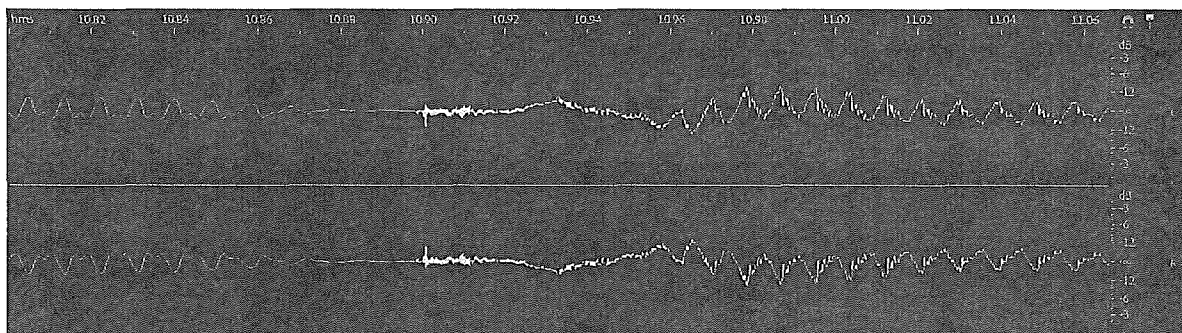


Figure 37: Audition_Waveform_REC00011 Zoom.JPG



I then reviewed the Waveform for the entirety of the manipulated Exemplar Recordings titled "REC00011_Edited_Audition.mp3". A display of the Waveform is displayed in Figures 38 and 39 below:

Figure 38: Audition_Waveform_REC00011_Edited_Audition.JPG

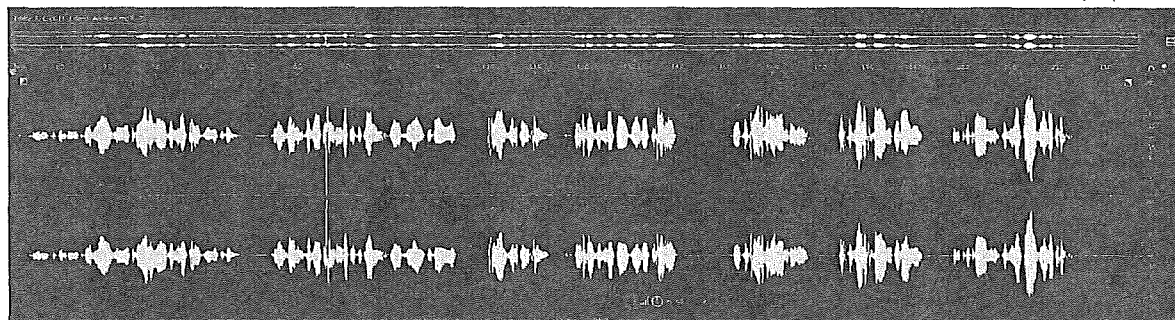
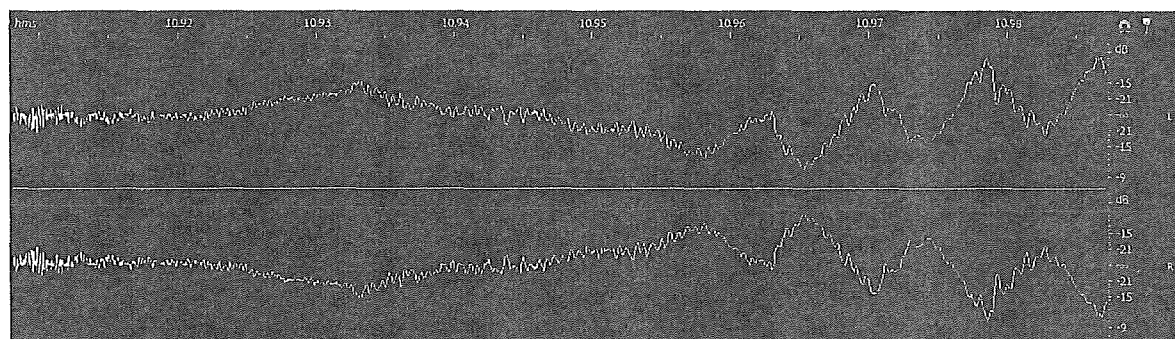


Figure 39: Audition_Waveform_REC00011_Edited_Audition Zoom.JPG



OBSERVATIONS

- I noted that the polarity of the waveform appears inverted on the exemplar recording titled "REC00011.mp3".
- I noted that the polarity of the waveform appears inverted on the manipulated exemplar recording titled "REC00011_Edited_Audition.mp3".
- I noted similarities to the inverse polarity detected on the digital evidence titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3".

SIGNAL POWER

SIGNAL POWER TESTING

On Page 13 of this report, you will find the Signal Power Testing of the digital audio file titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" through Wavesurfer, where I noted several deviations from the common rule. I have completed Signal Power Testing for the exemplar recordings "REC00002.mp3", "REC00011.mp3", and "REC00011_Edited_Audition.mp3" for comparative analysis. The output from the power plot tests can be seen in Figures 40 through 42 below:

Figure 40: REC00002_Wavesurfer Powerplot.JPG

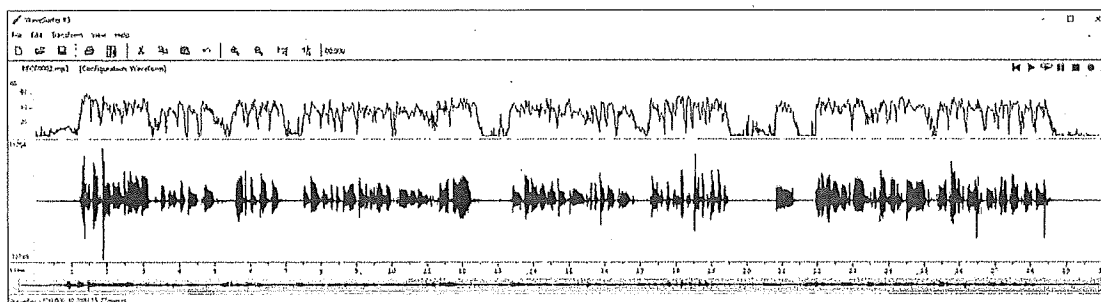


Figure 41: REC00011_Wavesurfer Powerplot.JPG

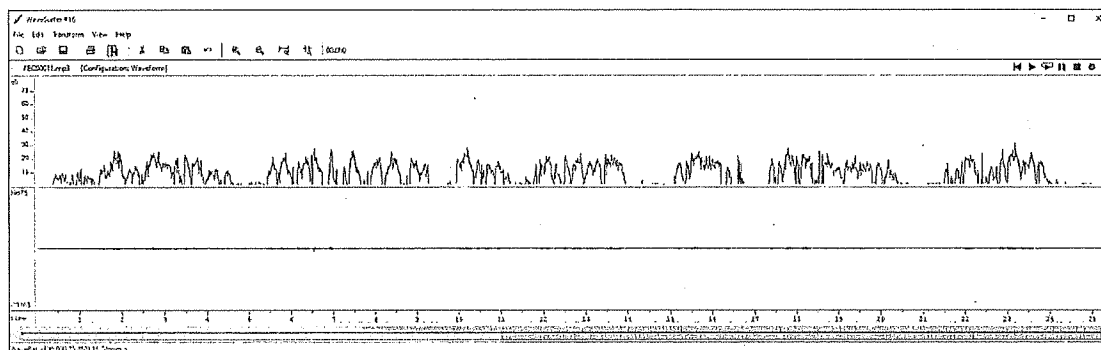
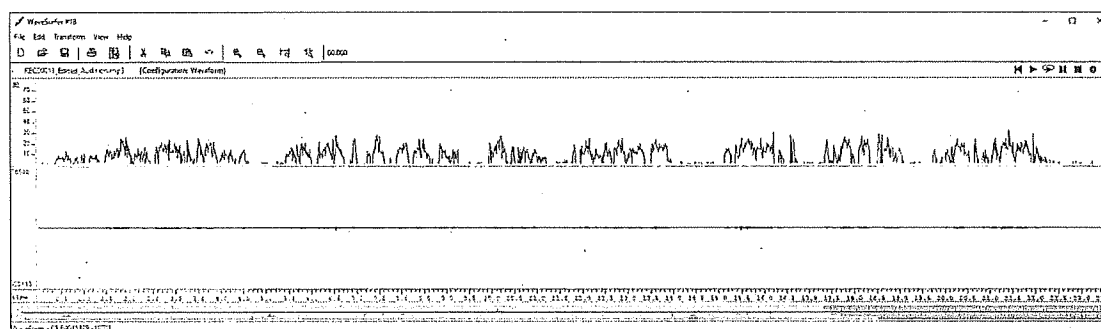


Figure 42: REC00011_Edited_Audition_Wavesurfer Powerplot.JPG



OBSERVATIONS

- I noted that the power plot test for the exemplar recording titled "REC00002.mp3" appeared normal.
- I noted several deviations from the common rule in the power plot test for the exemplar recordings titled "REC00011.mp3" and "REC00011_Edited_Audition.mp3"
- I noted the waveform seen in Figures 41 and 42 are incomplete and share similar characteristics to the digital evidence recording titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" that can be seen in Figures 4 and 5 on Page 14 of this report.
- I noted that the power plot tests for the digital audio file titled "REC00011.mp3" and "REC00011_Edited_Audition.mp3" could not be completed due to the out of phase characteristics.

CONCLUSION

OPINIONS

- Throughout the critical listening portion of my investigation, I discovered continuity changes or deviations from the common rule at time coordinates 11:37.369, 11:38.672, and 11:39.974 (MM:SS.MS) as an interruption in the dialogue from the male speaker in the recording. It is my opinion that these interruptions are changes in sound that are different than the rest of the recording.
- From the digital information analysis, I performed it is my opinion that the evidence recording titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" contains differences with the exemplar recordings I recreated.
- From the digital information analysis, I performed, it is my opinion that the evidence recording titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" contains differences with the exemplar recordings I manipulated for comparison. I was able to confirm that these manipulations were undetectable from forensic testing once recycled.
- There is a lack of HEX information in the digital evidence titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3".
- I was able to alter the HEX information and save the data output, which matched the digital evidence recording titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3".
- The DENON DN-300R MKII Audio Recorder cannot produce an audio file with properties like the evidence audio recording titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3". This includes a different Bit Rate and missing equipment information in metadata of the evidence recording.
- I was able to alter the continuity of a recording and export the file using Audition with a setting option that allowed us to opt-out of having "markers and metadata" information.

- It is my opinion that the evidence recording "mar 6 2019 2 closed session Kohrs (1) (1).mp3" is not an authentic digital original.
- The evidence recording titled "mar 6 2019 2 closed session Kohrs (1) (1).mp3" is not an authentic representation of the events as they occurred naturally.

I have followed all procedures accordingly while performing the forensic audio authentication investigation. I reserve the right to amend my conclusions and opinions as additional materials are provided in conjunction with future oral testimony. Pursuant to 28 U.S.C. Section 1746, I declare under penalty of perjury that the foregoing report is true and correct.

Respectfully submitted,

Edward J. Primeau, CCI, CFC

Audio & Video Forensic Expert

From: [cikohrs](#)
To: [SFPD, Commission \(POL\)](#)
Subject: Audio Recording
Date: Friday, September 13, 2019 12:07:37 PM

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

Greetings Police Commission,

I would like a copy of the audio recording of my termination hearing that took place at room 400 in City Hall at 8:23 PM on 3/6/2019. Please let me know how and when I can pick it up. Thank you.

Respectfully,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: Cassidy Toles <ctoles@kernlaw.com>
Sent: Monday, September 7, 2020 2:36 PM
To: SOTF, (BOS)
Subject: No longer with Kern Segal & Murray Re: SOTF - Notice of Appearance - Complaint Committee: September 15, 2020, 5:30 p.m.

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

Cassidy is no longer with Kern Segal & Murray. All his cases have been taken over by Grace Harriett, Michael Thomas, or Philip A. Segal. You can contact each of them at gharriett@kernlaw.com, mthomas@kernlaw.com, or phil@kernlaw.com. If you believe he is still handling your case, you can now contact him at cassady@flatratelaw.com or his new office at (510) 776-4936. If you need to speak to someone immediately, contact (415) 474-1900 and speak to a receptionist.

We apologize for any inconvenience.

--
Cassidy Toles, Esq.

Kern, Segal & Murray

San Francisco and Long Beach, CA

Tele: 415/474-1900

Fax: 415/474-0302

e-mail: ctoles@kernlaw.com

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Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Monday, September 7, 2020 6:10 PM
To: Leger, Cheryl (BOS)
Subject: Re: res 19-18 ALW IAD 2015-0358

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

Hello Cheryl,

As of now, I am representing myself.

Sent from my iPhone

On Sep 7, 2020, at 6:06 PM, cjkohrs <ckohrs@gmail.com> wrote:

Hello Cheryl,

Please add this email that I never got a response from to my file 19145.

Sent from my iPhone

Begin forwarded message:

From: cjkohrs <ckohrs@gmail.com>
Date: March 3, 2020 at 1:55:29 AM PST
To: Commission SFPD <sfpd.commission@sfgov.org>, Stacy Youngblood <Stacy.A.Youngblood@sfgov.org>
Subject: Fwd: res 19-18 ALW IAD 2015-0358

Dear SF Police Commission,

Can you please explain why the attachment below was sent to me over 11 months after I was terminated?

Respectfully,
Chris Kohrs

Sent from my iPhone

Begin forwarded message:

From: James Lassart <JLassart@MPBF.com>
Date: February 7, 2020 at 1:18:17 PM PST
To: cjkohrs <ckohrs@gmail.com>
Subject: res 19-18 ALW IAD 2015-0358

P1571

<res 19-18 ALW IAD 2015-0358.pdf>

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, May 5, 2020 11:04 AM
To: SOTF, (BOS)
Cc: Cassady Toles; Audrey Hufnagel; Benavidez, Louie (POL)
Subject: Re: Forensic Report File No. 19145

Cheryl,

I totally understand and agree with you on this one. In fact I think other agencies (like the Office of Administrative Hearings) should also take this stance rather than requiring you to attend a hearing via video conference.

Chris

Sent from my iPhone

On May 5, 2020, at 10:24 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Chris, I am in receipt of and thank you for your email below. As you are aware, the Covid-19 virus has affected City government and has put us all in a challenging position. The Sunshine Task Force will not meet until given clearance by the Board of Supervisors. Hope this answers your question. Feel free to email me again if you have further questions.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

<image001.png>

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From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, May 5, 2020 5:02 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Cc: Cassady Toles <ctoles@kernlaw.com>; Audrey Hufnagel <audrey@primeaucompanies.com>;

Benavidez, Louie (POL) <Louie.Benavidez@sfgov.org>

Subject: Forensic Report File No. 19145

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

Dear SOTF,

Attached below is a more detailed forensic report that was created because the SF Police Commission still has not provided us a copy of the digital original audio recording regarding my hearing. This report further documents why we need your timely assistance to gain transparency in this matter. Please add this report to my file. Is there any ETA on the next hearing date? We would like to move forward as soon as possible.

Respectfully,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Thursday, July 16, 2020 5:01 AM
To: SOTF, (BOS)
Cc: Cassady Toles; Audrey Hufnagel
Subject: Scheduling File 19145

Dear Cheryl Leger,

On January 28th, 2020 in room 408 at City Hall I attended a hearing for my case. At the conclusion of that hearing it was agreed upon by all the members that my case would be heard at the next available hearing date.

File 19145 was scheduled to be heard on 2/25/2019. It was then delayed because Sergeant Youngblood stated he would be on vacation that day and that no one else could appear for him (see email thread below). This delay should have been prevented.

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.

Contrary to Section 67.21 (e) of the Ordinance, Sergeant Youngblood was allowed to delay this case indefinitely. In fact according to your last email you sent me on July 13th, there is still not a date scheduled to hear my case. Considering these facts, we requesting you to schedule our hearing sometime before September 1st.

Respectfully,
Chris Kohrs

On Feb 12, 2020, at 9:42 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Chris:

Due to noticing requirements and available meeting dates the SOTF is not able to comply with your request. The next available hearing date is March 17th and 24th. I will let Cheryl know to schedule your matter if you are agreeable.

Victor Young
Assistant Clerk
Board of Supervisors
phone 415-554-7723 | fax 415-554-5163
victor.young@sfgov.org | www.sfbos.org

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, February 12, 2020 9:31 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Cc: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Subject: Re: Question

Dear SOTF members,

I am copying an email thread below between Cheryl Leger and SFPD Sergeant Stacy Youngblood. As you can see, the hearing was already confirmed and scheduled for 2/25/2020. Stacy then delayed it because he said he will be on vacation. As documented below, Stacy told Cheryl that he is the only person that can attend this hearing and no one else can fill in for him. Cheryl questioned this and I also find that hard to believe. Can Stacy delay this hearing for the reasons he provided? What's to keep him from delaying the next scheduled hearing? Can we move the hearing date forward, before Stacy takes his vacation? Answers to these questions would be appreciated.

Respectfully,
Chris Kohrs

Chris, we need to reschedule your matter to another hearing date in the near future. See the email string below.

Cheryl Leger

From: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Sent: Thursday, February 6, 2020 4:33 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: SOTF - Notice of Appearance - Compliance and Amendments Committee; February 25, 2020; 4:30 p.m.

I'm pretty much the only person in the office now. There isn't anyone else that can take my place I'm afraid.

On Feb 6, 2020, at 4:32 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Can someone else from your department make the appearance?

Cheryl Leger

From: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Sent: Thursday, February 6, 2020 4:29 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: SOTF - Notice of Appearance - Compliance and Amendments Committee; February 25, 2020; 4:30 p.m.

Hello Cheryl,

I have a pre-planned vacation that week.
Can this be moved back please?

Thank you
Stacy

On Feb 6, 2020, at 3:47 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Dear Sgt. Youngblood, Please see the Notice of Appearance for the Compliance and Amendments Committee of February 25, 2020. This is regarding file no. 19145. Call me today if you have questions because I will be on medical leave beginning Friday, February 7.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

<image001.png>

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From: SOTF, (BOS)

Sent: Thursday, February 6, 2020 3:04 PM

To: Boudin, Chesa (DAT) <chesa@sfgov.org>; Bastian, Alex (DAT)

<alex.bastian@sfgov.org>; S

<grovestand2012@gmail.com>; chancellor@ucsf.edu; Blackman, Sue

(LIB) <Sue.Blackman@sfpl.org>; Lambert, Michael (LIB)

<michael.lambert@sfpl.org>; cjkohrs

<ckohrs@gmail.com>; ctoles@kernlaw.com; Campbell, Jayme (POL)

<jayme.a.campbell@sfgov.org>; Cox, Andrew (POL)

<r.andrew.cox@sfgov.org>; sanderries@andgolaw.com; nmitchell@andgolaw.com; Vu, Tyler (PDR) <tyler.vu@sfgov.org>

Subject: SOTF - Notice of Appearance - Compliance and Amendments Committee; February 25, 2020; 4:30 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 Compliance and Amendments Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: February 25, 2020

Location: City Hall, Room 408

Time: 4:30 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. 19130: Complaint filed by Stephen Malloy against Chesa Boudin and the District Attorney's Office 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. 19138: Complaint filed by Stephen Malloy against the University of California, Regents of the University of California, 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. 19146: Complaint filed by Anonymous against City Librarian Michael Lambert and the Public Library for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to request for public records in a timely and/or complete manner.

File No. 19145: Complaint filed by Chris Kohrs against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19114: Complaint filed by Shane Anderies against Tyler Vu and the Public Defender's Office for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.24, 67.25, 67.26, 67.27 and 67.29 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, February 18, 2020.*

Cheryl Leger

Assistant Clerk, Board of Supervisors

Tel: 415-554-7724

<image001.png>

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Sent from my iPhone

On Feb 12, 2020, at 8:49 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Chris:

File No. 190145 is awaiting scheduling before a committee. Based on the backlog I am guessing late March or April hearing date. (Usually on the 3rd or 4th Tuesday of the month, late afternoon/evening).

Notice of hearing will be provided approximated 2 weeks prior to the meeting.

Victor Young
Assistant Clerk
Board of Supervisors

phone 415-554-7723 | fax 415-554-5163
victor.young@sfgov.org | www.sfbos.org

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

From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, February 11, 2020 9:40 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Cc: Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Subject: Re: Question

Thank you for the update. File Number 19145. What's the current status on that case?

Chris

Sent from my iPhone

On Feb 11, 2020, at 9:07 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Good Morning:

Please note that Cheryl is out of the office for 2 weeks. If you reference a File No. I can look into your question but hearings dates are normally set by the Chair of the committee.

Victor Young
Assistant Clerk
Board of Supervisors
phone 415-554-7723 | fax 415-554-5163
victor.young@sfgov.org | www.sfbos.org

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

From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, February 11, 2020 7:42 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: Question

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

Good morning Cheryl,

Have you heard from my attorney Cassady Toles regarding scheduling the next SOTF hearing date? If not, please let me know when you do. Needless to say, we'd like to prevent anymore delays.

Chris

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Friday, September 11, 2020 9:33 PM
To: SOTF, (BOS)
Subject: Re: File No. 19145 More Audio Evidence
Attachments: transcripts Kohrs Christopher 3-6-3019 (1).pdf

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

Hello Cheryl,

I sent you a link with the audio of my hearing. You should be able to click on it, then download it, then listen to it. If you still have technical difficulties please let me know.

On a different subject, I would like to know why the deliberations are not included in the transcript and audio recording. There is a possible discrepancy on page 15 line 18 of the transcript which I attached below. I say "possible" because to the best of my knowledge the deliberations are required to be "on the record" not "off the record". The Commission President at the time, Robert Hirsch, shares the same sentiment.

If you listen to the last 15 seconds of the recorded hearing audio attached below, the court reporter Anna C. Greenley "stepped out" when the deliberations began. However, to the best of my knowledge and according to the audio of Commission President at the time, Robert Hirsch, "We need to have the deliberations on the record here". Then the audio ends without the deliberations on the record. It would be concerning that the court reporter "stepped out" if it's required that the deliberations be **on the record**. After multiple requests, the San Francisco Police Commission still has not provided us the rules, policies and procedures the court reporter was required to adhere to in this hearing. The SOTF's assistance in attaining the rules, policies and procedures the court reporter was required to adhere to in this matter would be greatly appreciated.

Respectfully,
Chris Kohrs

<mar 6 2019 2 closed session Kohrs.mp3>

Sent from my iPhone

On Sep 11, 2020, at 4:17 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Chris: Do you have the recording from a link? If there was a link from the hearing I may be able to get the web address on the cover page. Thanks.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Cheryl.Leger@sfgov.org

Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org

<image001.png>

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From: cjkohrs <cjkohrs@gmail.com>
Sent: Thursday, September 10, 2020 2:45 PM
To: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>
Subject: Re: File No. 19145 More Audio Evidence

Hello Cheryl, Does this audio file work on your computer?

Chris

On Thu, Sep 10, 2020 at 12:35 PM cjkohrs <cjkohrs@gmail.com> wrote:

What type of audio file will your program accept?

Sent from my iPhone

On Sep 10, 2020, at 12:07 PM, Leger, Cheryl (BOS) <cheryl.leger@sfgov.org> wrote:

Chris: I am preparing records to upload for next Tuesday's Complaint Hearing. I cannot upload audio as you have sent and my program will not allow it.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org

<image001.png>

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From: cjkohrs . <ckohrs@gmail.com>
Sent: Tuesday, January 7, 2020 9:57 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: File No. 19145 More Audio Evidence

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Hello Cheryl,

Please add this to my file. Thanks.

Chris Kohrs

Leger, Cheryl (BOS)

From: cjkohrs.<ckohrs@gmail.com>
Sent: Monday, September 14, 2020 9:20 AM
To: SOTF, (BOS)
Subject: Re: File No. 19145 More Audio Evidence

Cheryl,

You requested that I send you a link so you can open and hear the audio recording in question. Were you able to click on the below link and hear the audio?

https://cvws.icloud-content.com/B/AWTb5fa8wtMhTZLMgrXjQLG5upfDAbIUb8c6BvL4JplfbPZOVtI7bVfn/mar+6+2019+2+closed+session+Kohrs.mp3?o=Am39TjKi3dhdzLykebaPbECP0A2egbDofs5JpViae9--&v=1&x=3&a=CAogEpUTCPR3KBiESNAKOsaB8As3bXURyG9NkAkMeku9k60SbRCewe2YyC4YvrikmcgulgEAUgS5upfDWgR7bVfnaiZ1_GPK4WpjC38PNoiWDbyVxandDAXuANXIsHWV-LosA1IVh_fd_nlm3cAx6JGXN1-yfilyKpq3pQI8MW_oDGSngj3E-1NrvN9O0aBSgBI&e=1599928343&f=&r=f2ca2115-4215-454f-b4a2-011bbe222ecd-1&k=ASLURrClx0HRUOpEwypOXw&ckc=com.apple.cloud docs&ckz=com.apple.CloudDocs&p=54&s=oyKMMr4mZAYLgAQfwb0P7ofnMvw&cd=i

Chris

Sent from my iPhone

On Sep 14, 2020, at 9:06 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Hello Chris: Again your need to explain your position to the Committee tomorrow.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org

<image001.png>

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.

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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.

From: cjkohrs <cjkohrs@gmail.com>
Sent: Saturday, September 12, 2020 9:27 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: File No. 19145 More Audio Evidence

Hello Cheryl,

Below is a link you can click on to hear the recording in question. Please let me know if you have any issues with opening this link and listening to the audio. The main points of concern happen at 11 minutes and 38 seconds into the recording and the last 15 seconds of the recording.

<https://cvws.icloud-content.com/B/AWTb5fa8wtMhTZLMgrXjQLG5upfDAblUb8c6BvL4JplfbPZOVtl7bVfn/mar+6+2019+2+closed+session+Kohrs.mp3?o=Am39TjKi3dhdzLykebaPbECP0A2egbDofs5JpViae9--&v=1&x=3&a=CAogEpUTCPR3KBiESNAKOsaB8As3bXURyG9NkAkMeku9k60SbRCewe2YyC4YvrikmcgulgEAUgS5upfDWgr7bVfnaiZ1 GPK4WpjC38PNoiWDbyVxandDAXuANXIsHWV-LosA1IVh fd nlm3cAx6JGXN1-yfilyKpq3pQl8MW oDGSngj3E-1NrvN9O0aBSgBI&e=1599928343&fl=&r=f2ca2115-4215-454f-b4a2-011bbe222ecd-1&k=ASLURrCix0HRUOpEwypOXw&ckc=com.apple.cloud docs&ckz=com.apple.CloudDocs&p=54&s=oyKMMr4mZAylgAQfwb0P7ofnMvw&cd=i>

Sent from my iPhone

On Sep 11, 2020, at 9:33 PM, cjkohrs <cjkohrs@gmail.com> wrote:

Hello Cheryl,

I sent you a link with the audio of my hearing. You should be able to click on it, then download it, then listen to it. If you still have technical difficulties please let me know.

On a different subject, I would like to know why the deliberations are not included in the transcript and audio recording. There is a possible discrepancy on page 15 line 18 of the transcript which I attached below. I say "possible" because to the best of my knowledge the deliberations are required to be "on the record" not "off the record". The Commission President at the time, Robert Hirsch, shares the same sentiment.

If you listen to the last 15 seconds of the recorded hearing audio attached below, the court reporter Anna C. Greenley "stepped out" when the deliberations began. However, to the best of my knowledge and according to the audio of Commission President at the

time, Robert Hirsch, "We need to have the deliberations on the record here". Then the audio ends without the deliberations on the record. It would be concerning that the court reporter "stepped out" if it's required that the deliberations be **on the record**. After multiple requests, the San Francisco Police Commission still has not provided us the rules, policies and procedures the court reporter was required to adhere to in this hearing. The SOTF's assistance in attaining the rules, policies and procedures the court reporter was required to adhere to in this matter would be greatly appreciated.

Respectfully,
Chris Kohrs

<transcripts Kohrs Christopher 3-6-3019 (1).pdf>
<mar 6 2019 2 closed session Kohrs.mp3>

Sent from my iPhone

On Sep 11, 2020, at 4:17 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Chris: Do you have the recording from a link? If there was a link from the hearing I may be able to get the web address on the cover page.
Thanks.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org

<[image001.png](#)>

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From: cjkohrs <ckohrs@gmail.com>
Sent: Thursday, September 10, 2020 2:45 PM
To: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>
Subject: Re: File No. 19145 More Audio Evidence

Hello Cheryl, Does this audio file work on your computer?

Chris

On Thu, Sep 10, 2020 at 12:35 PM cjkohrs <ckohrs@gmail.com> wrote:

What type of audio file will your program accept?

Sent from my iPhone

On Sep 10, 2020, at 12:07 PM, Leger, Cheryl (BOS)
<cheryl.leger@sfgov.org> wrote:

Chris: I am preparing records to upload for next Tuesday's Complaint Hearing. I cannot upload audio as you have sent and my program will not allow it.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Cheryl.Leger@sfgov.org

Tel: 415-554-7724

Fax: 415-554-5163

www.sfbos.org

<[image001.png](#)>

Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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From: cjkohrs . <ckohrs@gmail.com>
Sent: Tuesday, January 7, 2020 9:57 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: File No. 19145 More Audio Evidence

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

Hello Cheryl,

Please add this to my file. Thanks.

Chris Kohrs

Leger, Cheryl (BOS)

From: Jim Bjla <bjlajim@yahoo.com>
Sent: Tuesday, September 15, 2020 4:34 PM
To: Leger, Cheryl (BOS)
Subject: File No. 19145 Complaint filed by Chris Kohrs against the Police Commission
Attachments: Untitled; footer.gif

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

SOTF -- To whom it may concern<
Regarding File No. 19145 Chris Kohrs
Why can't Chris Kohrs be provided a copy of the digital original audio recording of his own hearing? Why can't he be provided the make and model of the recording equipment used to record his hearing? It sure does seem like the police commission is trying to hide something. The forensic report further supports this theory and provides even more reason why the police commission should provide Chris Kohrs the Transparency that he is requesting. File number 19145 should immediately be granted access to a copy of a digital original audio recording of his own hearing and the make and model of all equipment used to record his hearing. To delay this transparency any further would be unjust.

Respectfully,
A concerned U.S. citizen

Regarding file number 19145. Why can't Chris Kohrs be provided a copy of the digital original audio recording of his own hearing? Why can't he be provided the make and model of the recording equipment used to record his hearing? It sure does seem like the police commission is trying to hide something. The forensic report further supports this theory and provides even more reason why the police commission should provide Chris Kohrs the Transparency that he is requesting. File number 19145 should be immediately be granted access to a copy of a digital original audio recording of his own hearing and the make and model of all equipment used to record his hearing. To delay this transparency any further would be unjust.

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, September 16, 2020 6:37 AM
To: Youngblood, Stacy (POL)
Cc: Leger, Cheryl (BOS)
Subject: File 19145 Request

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

Dear Sergeant Youngblood,

As a former employee, requesting my personnel records, I am requesting a digital original or a copy of the digital original recording of my hearing that took place in room 400 at city hall on 3/6/2019 at approximately 8:23 PM.

Chris Kohrs

Sent from my iPhone

On Sep 15, 2020, at 10:57 PM, cjkohrs <ckohrs@gmail.com> wrote:

Dear Sergeant Youngblood,

As a former employee, I am requesting a digital original or a copy of the digital original of my hearing that took place in room 400 at city hall on 3/6/2019 at approximately 8:23 PM.

Chris Kohrs

Leger, Cheryl (BOS)

From: colby jack <cjack777@hotmail.com>
Sent: Thursday, September 24, 2020 8:32 PM
To: Leger, Cheryl (BOS)
Subject: File No. #19145

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

Dear SOTF,

After listening to the hearings that took place on September 15, 2020. I have some unsettled feelings about one specific case.

It's in regards to file number 19145, Mr. Chis Kors. I find it concerning that the court reporter stepped out of the hearing when the deliberations were clearly supposed to be part of the record. With these types of hearings, the transcription is required to be contemporaneous. If the court reporter was not present for all or part of the hearing, that would cause great concern.

Altering/tampering with official transcripts and hearing audio recordings can drastically change the course of people's lives. Assuming this is criminal conduct, wouldn't Sergeant Stacy Youngblood of the San Francisco Police Department want to investigate this crime rather than prevent the investigation of this crime? It seems that the San Francisco Police Department may not want to further investigate a crime that falls back on them or their department. Therefore, the SOTF must assist with this investigation. Thank you for hearing out my concerns.

Sincerely,
A Concerned Citizen

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, September 16, 2020 7:31 AM
To: Leger, Cheryl (BOS)
Subject: Re: File 19145

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

Cheryl,

Also, how long do these formal record requests usually take? Days, weeks, months?

Chris

Sent from my iPhone

On Sep 16, 2020, at 1:47 AM, cjkohrs <ckohrs@gmail.com> wrote:

Cheryl,

How do I file a formal public records request for the make and model of recording equipment that was used to record my hearing? Is there a link?

Chris Kohrs

Sent from my iPhone

On Sep 16, 2020, at 1:31 AM, cjkohrs <ckohrs@gmail.com> wrote:

Cheryl,

Please add this request to my file.

Thank you,
Chris

Sent from my iPhone

Begin forwarded message:

From: cjkohrs <ckohrs@gmail.com>
Date: September 15, 2020 at 10:57:57 PM PDT
To: Stacy Youngblood <Stacy.A.Youngblood@sfgov.org>
Subject: Request

Dear Sergeant Youngblood,

As a former employee, I am requesting a digital original or a copy of the digital original of my hearing that took place in room 400 at city hall on 3/6/2019 at approximately 8:23 PM.

Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, September 16, 2020 12:46 PM
To: Leger, Cheryl (BOS)
Subject: File 19145

Cheryl,

I believe the below email chain would suffice as confirmation for make and model of the recording device used to record my hearing, correct? Is there anything else I need to file or send to make this a formal request? It is very important that the information media services provided us below is accurate.

Chris Kohrs

Sent from my iPhone

Begin forwarded message:

From: cjkohrs <ckohrs@gmail.com>
Date: September 14, 2020 at 4:10:36 PM PDT
To: "MediaServices (ADM)" <MediaServices@sfgov.org>
Subject: Re: Question

Thanks Daniel,

Can you send me the invoice and can you tell me what date the switch was made?

Chris

Sent from my iPhone

On Sep 14, 2020, at 4:02 PM, MediaServices (ADM) <MediaServices@sfgov.org> wrote:

Hi Chris,

We found the invoice of when the current recorder was put in, and it was after the meeting. So I can confirm that the Gemini DRP-1 was used for the on March 6th, 2019 meeting.

Thanks,

Daniel Wilson
Media/Security Systems Specialist
San Francisco City Hall Building Management

Real Estate Division
1 Dr. Carlton B. Goodlett Place, Room 008
San Francisco, CA 94102
Office (415) 554-7490
Direct (415) 554-4589

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

From: MediaServices (ADM) <MediaServices@sfgov.org>
Sent: Monday, September 14, 2020 3:02 PM
To: cjkohrs <ckohrs@gmail.com>; MediaServices (ADM) <MediaServices@sfgov.org>
Subject: RE: Question

Hi Chris,

The current device in there is the Denon, but we installed these more recently as they replaced the Gemini recorders. I believe at the time of that meeting, we were still using the Gemini recorders, but I am currently trying to confirm this.

Daniel Wilson
Media/Security Systems Specialist
San Francisco City Hall Building Management
Real Estate Division
1 Dr. Carlton B. Goodlett Place, Room 008
San Francisco, CA 94102
Office (415) 554-7490
Direct (415) 554-4589

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

From: cjkohrs <ckohrs@gmail.com>
Sent: Monday, September 14, 2020 1:19 PM
To: MediaServices (ADM) <MediaServices@sfgov.org>
Subject: Re: Question

Hi Daniel,

So you're certain that the audio recording equipment that was used in city hall room 400 on the evening of March 6, 2019 was the Gemini DRP-1? Because the information

we got from Tom Loftus, SFGTV Media Systems & Operations Supervisor was different. He stated that it was the Denon DN-300R MKII. I just need verification.

Chris

Sent from my iPhone

On Sep 14, 2020, at 1:06 PM, MediaServices (ADM)
<MediaServices@sfgov.org> wrote:

Hi Chris,

The device we use is the Gemini DRP-1. It's up to the clerk to bring a usb drive to record the meetings. We don't keep any copies of the meetings at our office.

Daniel Wilson
Media/Security Systems Specialist
San Francisco City Hall Building Management Real Estate Division
1 Dr. Carlton B. Goodlett Place, Room 008 San Francisco, CA 94102
Office (415) 554-7490 Direct (415) 554-4589

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

From: cjkohrs <ckohrs@gmail.com>
Sent: Monday, September 14, 2020 11:50 AM
To: MediaServices (ADM) <MediaServices@sfgov.org>
Subject: Re: Question

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

I forgot to include this question in my last email.

Regarding room 400 of City Hall. Was the Denon DN-300R MKII in service on the evening of March 6, 2019?

Chris

Management if the Denon was in service on March 6, 2019.

Sent from my iPhone

On Sep 14, 2020, at
11:44 AM, cjkohrs
<ckohrs@gmail.com>
wrote:

Hello,

My name is Chris Kohrs and I would like to know what audio recording device(s) was used to record the closed session hearing that took place at City Hall room 400 on the evening of March 6, 2019. Please provide the make, model and serial number if possible.

Thank you,

Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: .ckohrs <ckohrs@gmail.com>
Sent: Sunday, September 27, 2020 5:29 PM
To: Leger, Cheryl (BOS)
Subject: 10/7 SOTF hearing

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

Cheryl,

My apologies if you have already answered this question. If my forensic expert is available to be on the call on Oct 7th at 4PM, can he speak and provide some insight regarding the forensic analysis of the audio recording in question? Or maybe answer some of the more technical questions? If so, I'll see if he can join the call. Please let me know.

Thanks,
Chris

Sent from my iPhone

Leger, Cheryl (BOS)

From: Jim Bjla <bjlajim@yahoo.com>
Sent: Tuesday, October 13, 2020 6:51 PM
To: Leger, Cheryl (BOS)
Subject: FILE NUMBER 19145 SOTF MEETING 10_07_2020

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

Dear Task Force Members,

After listening to the arguments that took place regarding file number 19145 on 10/07/2020, I have some very serious concerns as it relates to the basic execution of law and the overall disingenuous attitude of the SFPD.

I have very strong feelings after listening to this hearing that the police are trying to prevent the investigation of a crime rather than present investigation findings. It truly reads like they are trying to hide pertinent facts of this case.

The SFPD police sergeant testified that he provided the petitioner the audio recording of his hearing as a former employee requesting his personnel records and not as a public records request. One of the SOTF board members discovered that this was a lie. According to what I heard, page 1010 of the evidence packet clearly documented that the petitioner obtained the audio of his hearing via public records request. Police sergeant Youngblood got caught lying in testimony and nothing was done about that. That is unacceptable. What is to prevent the police from lying again in the next SOTF hearing? This has to be addressed and action should be taken to ensure that lying during testimony is unacceptable for anyone including police officers.

I have further concerns with the fact that the deliberations were not recorded. This should be a normal/standard procedure and seems like the "not" recording of deliberations was intentional and not a mistake. There should have been one continuous recording of this entire closed session hearing (from start to finish) including the deliberations.

A recording of the entire hearing is also documented as a requirement in the ordinance. Also, It is my understanding from listening to this hearing that there is not a documented log or record for the court reporters attendance for arriving or departing of this San Francisco police commission hearing. This does not seem normal.

A final and very important concern I would also like to address is as it relates to this SOTF meeting --- the glitch in the audio at 11 minutes and 38 seconds into the recording. Unless the police can prove what this glitch is and how it occurred, I would believe the petitioner. That audio is not the original recording. The police have already lied in testimony regarding this case and their credibility causes me to firmly believe the audio is missing dialogue at the edit/glitch. Altering audio recordings and transcripts of this nature is an absolute crime. I pray the SOTF members can uncover what the police commission is trying to hide.

Sincerely,
A very disgruntled citizen

Leger, Cheryl (BOS)

From: Tricia Mulligan <tmulligan10@hotmail.com>
Sent: Tuesday, October 27, 2020 10:01 AM
To: Leger, Cheryl (BOS)
Subject: File number 19145

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

Dear Sunshine Ordinance Task Force,

I have some serious concerns as I listened to the arguments that took place on October 7, 2020 regarding file number 19145. The SFPD Police Sergeant testified he provided the petitioner the audio recording of the hearing only because he was a former employee, and it was provided as part of his personnel records not as a public records request. This is obviously untrue as one of the Board Members discovered that the petitioner obtained the copy of the audio recording via a public records request which was referenced in the evidence packet. The Police Sergeant was caught lying in his testimony yet this was not addressed. What would keep the SFPD from lying again in the next hearing?

My other concern includes the non-continuous recording of the closed session hearing. Based on the ordinance, the recording should have been continuous and deliberations should have also been on the recording. Even more concerning is the anomaly in the audio recording which seems to be a primary concern for the petitioner. As the petitioner testified, the forensic reports conclude that there is reason for concern. If there are alterations in the audio recording what would prevent SFPD from making alterations in the transcripts as well. Unless the SFPD can prove how these anomalies occurred in the recording then I would believe the petitioner is justified in saying the audio recording is not the original. It seems to me the Police Commission is trying to hide something if they cannot provide a continuous unaltered audio recording without anomalies of the closed hearing session.

Sincerely,
A Concerned Citizen

Sent from my Samsung Galaxy smartphone.

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Saturday, October 31, 2020 7:46 AM
To: SOTF, (BOS)
Subject: File 19145

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

Hello Cheryl,

When is my next SOTF hearing?

Chris

Sent from my iPhone

On Oct 2, 2020, at 2:09 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Good Afternoon:

The agenda and packet for the Sunshine Ordinance Task Force 10/07/20 – 4:00 p.m. meeting is online at the following link:

https://sfgov.org/sunshine/sites/default/files/sotf_100720_agenda.pdf

The packet material is linked to each item listed on the agenda marked 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

Cheryl.Leger@sfgov.org

Tel: 415-554-7724

Fax: 415-554-5163

[https://avanan.url-](https://avanan.url-protection.com/v1/url?o=www.sfbos.org&g=ZWFjZTZiMTFkNDdhODI5NA==&h=MDUzMWU0OWY5ZTM5ZWExNzY3NzQwZTE1ZTQ3MmIzZTQ5Nm4Y2NjNGZlNjFkYmI5NmU3NDNmOTc5NzhmODRiNg==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWIsOjM5YTViMTkxYTAYOGNkZmUyYTMzOTM5ODc0YzQzZDU1OnYx)

[protection.com/v1/url?o=www.sfbos.org&g=ZWFjZTZiMTFkNDdhODI5NA==&h=MDUzMWU0OWY5ZTM5ZWExNzY3NzQwZTE1ZTQ3MmIzZTQ5Nm4Y2NjNGZlNjFkYmI5NmU3NDNmOTc5NzhmODRiNg==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWIsOjM5YTViMTkxYTAYOGNkZmUyYTMzOTM5ODc0YzQzZDU1OnYx](https://avanan.url-protection.com/v1/url?o=www.sfbos.org&g=ZWFjZTZiMTFkNDdhODI5NA==&h=MDUzMWU0OWY5ZTM5ZWExNzY3NzQwZTE1ZTQ3MmIzZTQ5Nm4Y2NjNGZlNjFkYmI5NmU3NDNmOTc5NzhmODRiNg==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWIsOjM5YTViMTkxYTAYOGNkZmUyYTMzOTM5ODc0YzQzZDU1OnYx)

<image001.png>

Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Monday, November 23, 2020 3:21 PM
To: Leger, Cheryl (BOS)
Subject: Fwd: SOTF - October Sunshine Ordinance Task Force hearing; re file no. 19145

Sent from my iPhone

Begin forwarded message:

From: cjkohrs <ckohrs@gmail.com>
Date: November 23, 2020 at 3:20:22 PM PST
To: "SOTF, (BOS)" <sotf@sfgov.org>
Subject: Re: SOTF - October Sunshine Ordinance Task Force hearing; re file no. 19145

Dear Cheryl,

Both the transcript and audio of my hearing have absolutely been altered. I was at the hearing and I know what was said. Stacy testified that he was not even there. Also, the below statement in the minutes you emailed me is inaccurate.

"Mr. Khors stated that he was provided that recording and transcript of his hearing because he was a former police officer."

It was actually Stacy Youngblood who made the above statement. Not me. Please listen to 6 minutes and 50 seconds to 7 minutes and 24 seconds in the recording of the previous SOTF hearing attached below for proof.

I was provided the recording of my hearing via an online public records request as documented on page 1010 of the evidence packet and as pointed out by Chair Wolfe at the last hearing.

At my last SOTF hearing, Stacy Youngblood testified that he gave me the audio recording of my termination hearing because I requested it as a former employee asking for my personnell records and not as a public records request. This is a lie. As pointed out by chair Wolfe and as documented on page 1010 of the evidence packet, I requested the recording as an online public records request and I obtained the altered recording by the same online public records request. What's disturbing is that Stacy Youngblood actually created this online public records request as documented on page 1012 of the evidence packet.

In fact if we go online right now to the public records request portal, we can pull up the audio of the hearing as a public records request. I will even provide you my username and password so you can view it and hear it yourself after clicking on the link below.

[https://sanfranciscopd.mycusthelp.com/WEBAPP/_rs/\(S\(beunihj1px5oqyiggzcyutud\)\)/CustomerHome.aspx](https://sanfranciscopd.mycusthelp.com/WEBAPP/_rs/(S(beunihj1px5oqyiggzcyutud))/CustomerHome.aspx)

James Lassart was the attorney that represented me in this matter. He was present for all my administrative hearings including this one. On October 25th, 2019, James told me that he knew Ashley Worsham made statements on the record that somehow did not get recorded on a transcript or audio recording.

On Page 875 of the evidence packet - 4 months after I received my altered recording via a public records request, Paul Chignell, legal defense administrator of the POA stated that James Lassart attempted to obtain the unaltered recording.

<Oct SOTF.m4a>

Chris Kohrs

Sent from my iPhone

On Nov 13, 2020, at 11:45 AM, cjkohrs <ckohrs@gmail.com> wrote:

Cheryl,

Were you able to open the link to the public records request website and the attached audio file in my previous email? If not please let me know.

Chris

Sent from my iPhone

On Nov 12, 2020, at 5:28 PM, cjkohrs <ckohrs@gmail.com> wrote:

[Download Attachment](#)
[Available until Dec 12, 2020](#)

Dear Cheryl,

Both the transcript and audio of my hearing have absolutely been altered. I was at the hearing and I know what was said. Stacy testified that he was not even there. Also, the below statement in the minutes you emailed me is inaccurate.

"Mr. Khors stated that he was provided that recording and transcript of his hearing because he was a former police officer."

It was actually Stacy Youngblood who made the above statement. Not me. Please listen to 6 minutes and 50 seconds to 7 minutes and 24 seconds in the recording of the previous SOTF hearing attached below for proof.

I was provided the recording of my hearing via an online public records request as documented on page 1010 of the evidence packet and as pointed out by Chair Wolfe at the last hearing.

At my last SOTF hearing, Stacy Youngblood testified that he gave me the audio recording of my termination hearing because I requested it as a former employee asking for my personnell records and not as a public records request. This is a lie. As pointed out by chair Wolfe and as documented on page 1010 of the evidence packet, I requested the recording as an online public records request and I obtained the altered recording by the same online public records request. What's disturbing is that Stacy Youngblood actually created this online public records request as documented on page 1012 of the evidence packet.

In fact if we go online right now to the public records request portal, we can pull up the audio of the hearing as a public records request. I will even provide you my username and password so you can view it and hear it yourself after clicking on the link below.

[https://sanfranciscopd.mycusthelp.com/WEBAPP/rs/\(S\(beunihj1px5oqyjqgzcyutud\)\)/CustomerHome.aspx](https://sanfranciscopd.mycusthelp.com/WEBAPP/rs/(S(beunihj1px5oqyjqgzcyutud))/CustomerHome.aspx)

James Lassart was the attorney that represented me in this matter. He was present for all my administrative hearings including this one. On October 25th, 2019, James told me that he knew Ashley Worsham made statements on the record that somehow did not get recorded on a transcript or audio recording.

On Page 875 of the evidence packet - 4 months after I received my altered recording via a public records request, Paul Chignell, legal defense administrator of the POA stated that James Lassart attempted to obtain the unaltered recording.

Click to Download

Oct SOTF.m4a

0 bytes

Chris Kohrs

Sent from my iPhone

On Nov 12, 2020, at 1:47 PM, SOTF, (BOS)
<sotf@sfgov.org> wrote:

Mr. Kohrs, Please see the email below.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Cheryl.Leger@sfgov.org

Tel: 415-554-7724

Fax: 415-554-5163

[https://avanan.url-](https://avanan.url-protection.com/v1/url?o=www.sfbos.org&g=Zjk5M2I2MzQ3Njc3YTJmOQ==&h=ZTQ3NzllOTgwNGZiZjJjNjZjZTM2ODEwZTRmZmM1MGEzNjk2Nzc1MDI0YzQzZWQzODZmNjU1ZTg0NDNJZDEyZA==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWwlsOjBjZTQxNjYzZGNkNTY5MTU4MDAwMzEyZmJmOTY5YjQ1OnYx)

[protection.com/v1/url?o=www.sfbos.org&g=Zjk5M2I2MzQ3Njc3YTJmOQ==&h=ZTQ3NzllOTgwNGZiZjJjNjZjZTM2ODEwZTRmZmM1MGEzNjk2Nzc1MDI0YzQzZWQzODZmNjU1ZTg0NDNJZDEyZA==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWwlsOjBjZTQxNjYzZGNkNTY5MTU4MDAwMzEyZmJmOTY5YjQ1OnYx](https://avanan.url-protection.com/v1/url?o=www.sfbos.org&g=Zjk5M2I2MzQ3Njc3YTJmOQ==&h=ZTQ3NzllOTgwNGZiZjJjNjZjZTM2ODEwZTRmZmM1MGEzNjk2Nzc1MDI0YzQzZWQzODZmNjU1ZTg0NDNJZDEyZA==&p=YXAzOnNmZHQyOmF2YW5hbGpvZmZpY2UzNjVfZW1haWxzX2VtYWwlsOjBjZTQxNjYzZGNkNTY5MTU4MDAwMzEyZmJmOTY5YjQ1OnYx)

[<image001.png>](#)

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From: Youngblood, Stacy (POL)
<Stacy.A.Youngblood@sfgov.org>
Sent: Thursday, November 12, 2020 1:34 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: RE: SOTF - October Sunshine Ordinance Task Force hearing; re file no. 19145

No. The audio has not been altered.
I don't think anyone in the office would even have the knowledge on how to even begin to alter an audio recording on top of getting the court reporter to alter her transcript to reflect the exact same audio.

From: SOTF, (BOS) <sotf@sfgov.org>
Sent: Thursday, November 12, 2020 1:31 PM
To: cjkohrs <cjkohrs@gmail.com>; Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Subject: RE: SOTF - October Sunshine Ordinance Task Force hearing; re file no. 19145

Stacy: Is Mr. Kohrs statement accurate?

Cheryl Leger
Assistant Clerk, Board of Supervisors
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org

<image001.png>

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From: cjkohrs <cjkohrs@gmail.com>
Sent: Thursday, November 12, 2020 1:21 PM
To: Youngblood, Stacy (POL)
<Stacy.A.Youngblood@sfgov.org>
Cc: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: SOTF - October Sunshine Ordinance Task Force hearing; re file no. 19145

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Dear Cheryl and Stacy,

I have only been provided altered copies of the recording with the deliberations missing.

Also the copies that I have been provided are missing important dialogue. At 11 minutes and 38 seconds into the recording, you hear my attorney James Lassart getting cut off mid sentence. James says "he is.....", then there's a pause, then a sound sound blip, then it awkwardly goes into questioning by a female voice.

This occurs on page 10 line 21 of the transcript

Where the sound blip occurs is where the city attorney Ashley Worsham made very specific statements to the Commission. These statements influenced the Commission's decision to terminate me immediately. **Her statements are missing from both the audio recording and transcript.** I am still requesting the SOTF's assistance in obtaining an unaltered audio recording with Ashley Worsham's statements included.

Chris

Sent from my iPhone

P1608

On Nov 12, 2020, at 12:29 PM,
Youngblood, Stacy (POL)
<Stacy.A.Youngblood@sfgov.org>
wrote:

Yes we have.

He was given a copy twice and we
uploaded a copy per his attorney's
request.

From: SOTF, (BOS) <sotf@sfgov.org>
Sent: Thursday, November 12, 2020
12:26 PM
To: Youngblood, Stacy (POL)
<Stacy.A.Youngblood@sfgov.org>
Cc: cjkohrs <ckohrs@gmail.com>
Subject: SOTF - October Sunshine
Ordinance Task Force hearing; re file
no. 19145

Stacy: Have you provided Chris Kohrs
the audio recording of the closed
session of his termination
hearing? Below are the minutes of the
October SOTF hearing. Thanks.

File No. 19145:

Complaint filed by Chris
Khors against the Police
Commission for
allegedly violating
Administrative Code
(Sunshine Ordinance),
Sections 67.5 and 67.21,
by failing to respond to a
public records request in
a timely and/or complete
manner.

Chris Khors (Petitioner)
provided a summary of
the complaint and
requested the Committee
find a violation. Mr.
Khors stated that on
March 6, 2019, he had a
hearing before the Police

Commission. Mr. Kohrs requested a copy of the original recording and transcript of the hearing. Mr. Khors stated that he was provided that recording and transcript of his hearing because he was a former police officer. Mr. Khors noted that after reviewing the recording and transcript he noticed that his attorney was cut off and that deliberations during the hearing were not recorded. Mr. Khors had the recording analyzed and the forensic results remain inconclusive.

Sgt. Stacy Youngblood (Police Commission) (Respondent), provided a summary of the department's position. Sgt. Youngblood stated that on September 13, 2020, he provided both a copy of the original Police Commission recording and transcript to Mr. Khors.

A question and answer period occurred. The parties were provided an opportunity for rebuttals.

Member Yankee noted that the transcript and portions of the audio recording seem to be incomplete. Member Yankee stated that the Petitioner said that part of the recording was

deleted not that records
were not turned over.

Sgt. Youngblood stated
that the entire
proceeding was recorded
except for deliberations
and during that time the
court reporter was asked
to leave the room.

Chair Wolfe stated that
the SOTF has the
transcript and heard the
recording and there
seem to be missing parts
and that under Sunshine
there must be a
recording of the
session. Chair Wolfe
also cited 67.8-1 which
states that all closed
sessions of any policy
body covered by this
Ordinance shall be either
audio recorded or audio
and video recorded in
their entirety and shall
be retained for 10 years.

Action: Moved by Member Yankee,
seconded by Member Schmidt, to
continue the matter to the call of the
Chair, requested that that Sgt.
Youngblood provide a recording of the
closed session of the Police Commission
hearing and request that DCA Price-
Wolf provide an analysis of the issue.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org

<image001.png>

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Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, November 24, 2020 9:17 PM
To: SOTF, (BOS)
Cc: Leger, Cheryl (BOS)
Subject: File 19145

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Dear Board,

I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

Respectfully,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: Bruce Wolfe <sotf@brucewolfe.net>
Sent: Wednesday, December 2, 2020 2:20 PM
To: SOTF, (BOS)
Subject: Re: FW: File 19145

Who is he addressing this to? Police Commish or SOTF?

Bruce Wolfe, Chair.

On Mon, Nov 30, 2020, 11:35 AM SOTF, (BOS) <sotf@sfgov.org> wrote:

Bruce: Shall I forward the email below to the entire SOTF? I heard from Sgt. Youngblood of the Police Commission that they do have a recording of the closed session of Mr. Kohrs matter and specifically it is not disclosable. Thanks.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org

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

From: cjkohrs <ckohrs@gmail.com>
Sent: Tuesday, November 24, 2020 9:17 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Cc: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>
Subject: File 19145

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Dear Board,

I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

Respectfully,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, December 2, 2020 3:23 PM
To: Leger, Cheryl (BOS)
Cc: SOTF, (BOS)
Subject: Fwd: Request

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

Hello Cheryl and Board,

Below is the email that I sent you and the Police Commission on Monday. Hope this clarifies things. Please let me know if you got it. If not I'll resend.

Thank you,
Chris Kohrs

Sent from my iPhone

Begin forwarded message:

From: cjkohrs <ckohrs@gmail.com>
Date: November 30, 2020 at 10:56:40 AM PST
To: Stacy Youngblood <Stacy.A.Youngblood@sfgov.org>
Cc: Cheryl Leger <cheryl.leger@sfgov.org>, SOTF <sotf@sfgov.org>
Subject: Request

Dear SF Police Commission,

I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

Respectfully,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: Lila LaHood <lilalahood.sotf@gmail.com>
Sent: Wednesday, December 2, 2020 4:54 PM
To: SOTF, (BOS)
Subject: Re: FW: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

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Let's start with CAC.

Thank you,

Lila

On Mon, Nov 30, 2020 at 11:25 AM SOTF, (BOS) <sotf@sfgov.org> wrote:

Lila: Please see the email exchange below regarding Chris Kohrs' police Commission hearing. Do you want me to forward to all SOTF or the CAC committee? Thanks.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Cheryl.Leger@sfgov.org

Tel: 415-554-7724

Fax: 415-554-5163

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From: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Sent: Monday, November 30, 2020 11:17 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Cc: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Subject: RE: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Closed session deliberations are not releasable.

I will be advising him that we have the recording however.

As for the SOTF, will the requested items be emailed to me and do I need to do anything further at this time to advise SOTF we have the recording?

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street

San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SOTF, (BOS) <sotf@sfgov.org>

Sent: Monday, November 30, 2020 11:08 AM

To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>

Subject: RE: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Sgt. Youngblood, please provide the audio and transcript of the missing recording to Mr. Kohrs. Thank you.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Cheryl.Leger@sfgov.org

Tel: 415-554-7724

Fax: 415-554-5163

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From: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Sent: Monday, November 30, 2020 10:54 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Cc: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Subject: RE: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Good Morning SOTF,

I have a question regarding File No. 19145.

At the meeting on November 24th, the SOTF asked for 2 items.

Will the SOTF email me what items were requested?

Also, at the meeting, it was discussed that the Police Commission did not have the recording of closed session deliberations for the Kohrs termination hearing. Upon returning to the office the following day, we did one more search for the audio and discovered that we do in fact have the recording for the closed session deliberations.

Do I wait until the next time this item is put on your agenda to advise the SOTF that we do have this audio?

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street

San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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prohibited and may violate applicable laws, including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

From: SOTF, (BOS) <sotf@sfgov.org>

Sent: Friday, November 20, 2020 11:54 AM

To: Cisneros, Jose (TTX) <jose.cisneros@sfgov.org>; Fried, Amanda (TTX) <amanda.fried@sfgov.org>; cjkohrs <ckohrs@gmail.com>; Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; 84162-44435865@requests.muckrock.com; pmonette-shaw <pmonette-shaw@earthlink.net>; COTE, JOHN (CAT) <John.Cote@sfcityatty.org>; COOLBRITH, ELIZABETH (CAT) <Elizabeth.Coolbrith@sfcityatty.org>; DIETTERLE, COLLEEN (CAT) <Colleen.Dietterle@sfcityatty.org>; Cityattorney <Cityattorney@sfcityatty.org>

Subject: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Good Afternoon:

The agenda and packet for the Compliance and Amendments Committee of the Sunshine Ordinance Task Force November 24, 2020, 4:30 p.m. meeting is online at the following link:

https://sfgov.org/sunshine/sites/default/files/cac112420_agenda.pdf

The packet material is linked to each item listed on the agenda marked 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

Cheryl.Leger@sfgov.org

Tel: 415-554-7724

Fax: 415-554-5163

www.sfbos.org



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Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Saturday, December 5, 2020 9:14 PM
To: Leger, Cheryl (BOS)
Cc: SOTF, (BOS)
Subject: Re: File 19145 Recording Time Stamp
Attachments: transcripts Kohrs Christopher 3-6-3019.pdf

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

Correction - 8:23 PM is the time the hearing started according to the attached transcript, not 8:53 PM like I incorrectly stated in my previous email.

My apologizes,
Chris Kohrs

Sent from my iPhone

> On Dec 5, 2020, at 9:07 PM, cjkohrs <ckohrs@gmail.com> wrote:
>
> Dear Board
>
> Regarding file 19145, please ensure sure that the time code of the closed session recording you will be requesting from the Commission clearly shows the date and time the recording took place. The recording time stamp should digitally show that it was recorded at 8:53 pm on 3/6/2019. My concern is that you may be provided a recording with a complete time code that was recorded at a later date than when my actual hearing took place.
>
> A digital time stamp showing the recording date of 3/6/2019 around 8:53 pm can rule out the possibility that the original recording was altered and then re-recorded on the same or similar device to artificially show a complete time code.
>
> Thank you,
> Chris Kohrs
>
> Sent from my iPhone

BEFORE THE POLICE COMMISSION
OF THE CITY AND COUNTY OF SAN FRANCISCO
SAN FRANCISCO POLICE DEPARTMENT

---oOo---

In the Matter of

Officer Christopher Kohrs, No. ALW IAD 2015-0358
A Police Officer.

City HALL, ROOM 400
#1 Dr. Carlton B. Goodlett Place
San Francisco, California

REPORTER'S TRANSCRIPT OF HEARING

Wednesday, March 6, 2019

ROOMIAN & ASSOCIATES

Reported by:

Deposition Reporters

ANNA C. GREENLEY

(415) 362-5920

CSR No. 8311

Roomassoc@yahoo.com

Roomian & Associates
(415) 362-5920

P1624

1 IN ATTENDANCE
2 SAN FRANCISCO POLICE COMMISSION
3
4 PRESIDENT ROBERT M. HIRSCH
5 VICE PRESIDENT DAMALI TAYLOR
6 COMMISSIONER PETRA DEJESUS
7 COMMISSIONER CINDY ELIAS
8 COMMISSIONER DIONJAY BROOKTER
9
10 ASHLEY WORSHAM, Attorney at Law
11 SAN FRANCISCO POLICE DEPARTMENT
12 For: San Francisco Police Department
13
14
15 JAMES LASSART, Attorney at Law
16 For: Officer Christopher Kohrs
17
18
19
20
21
22
23
24
25

1 PROCEEDINGS

2 8:23 P.M.

3 SGT. WARE: We're back on the record. Line
4 8a. For the record, Commissioner Mazzucco is recused
5 from this matter. In the room we've added -- Assistant
6 Chief Saenz has also left the room for the time being.
7 City Attorney's office is represented by Paul Zarefsky.
8 We have Officer Kohrs present.

9 MR. LASSART: Yes.

10 SGT. WARE: We have Ashley Worsham from
11 Internal Affairs counsel present.

12 MS. WORSHAM: Present.

13 SGT. WARE: We have Mr. Jim Lassart
14 representing Officer Kohrs. We still have a quorum.

15 PRESIDENT HIRSCH: Thank you. Good evening.

16 MS. WORSHAM: Good evening.

17 MR. LASSART: Good evening.

18 PRESIDENT HIRSCH: Which commissioner has
19 this matter?

20 COMMISSIONER ELIAS: Me. I think we should
21 start with a brief overview of the charges, Ms. Worsham,
22 if you can let us know or let the other Commissioners
23 know sort of what the charges are and your position.

24 MS. WORSHAM: Okay. Thank you. Good
25 evening, Commissioners. In this case, Officer

1 Christopher Kohrs was involved in a hit and run accident
2 that resulted in serious bodily injury to two
3 individuals. Evidently Officer Kohrs had been a
4 designated driver and he had his brother and another
5 friend in the car with him. These two individuals were
6 crossing the street. It's also noted I think in the
7 charging documents as well that they were crossing
8 against the light. But nonetheless, they were struck by
9 Officer Kohrs' car. It's the department's position that
10 he was the driver.

11 As a result, the police responding to the
12 scene, Officer Kohrs fled the scene without providing any
13 information such as his name, address, registration or
14 driver's license. And as part of Vehicle Code Section
15 2001 subsection A, you're also required to render aide if
16 anybody is injured. He failed to do that. He was not at
17 the scene. He was subsequently arrested and charged with
18 two felony counts of violating Section 2001 subsection A.
19 He was convicted by way of a jury of his peers on
20 March 15th of the year 2018. And he was sentenced, I
21 believe, it was in August but I have the actual Superior
22 Court document. He was sentenced to three years
23 probation, served the 90-day jail sentence. I believe he
24 still remains on probation as of today until the year
25 2021.

1 And we then filed one specification alleging
2 violation of Rule 9.. And included within that is the
3 fact that pursuant to California Government Code Section
4 1029 Officer Kohrs is prohibited from working as a peace
5 officer now having been rendered a convicted felon as a
6 result of this conduct from November of 2015. And so
7 also we did make reference to Government Code Section
8 1031 subsection D which requires that you be of good
9 moral character, first to be hired as a police officer,
10 but we also believe that that standard still carries
11 throughout your profession in law enforcement as a sworn
12 peace officer. As probably a lot of you know, felony
13 conviction for a -- conviction for a felony hit and run
14 is considered a crime of moral turpitude. The case
15 People versus Bautista, 1990 case, 217 Cal App Third, No.
16 1 supports that assertion that felony conviction of hit
17 and run is considered a crime of moral turpitude.

18 That's the Department's position. We
19 submitted a trial binder as the -- we were in agreement
20 with the defense the exhibits that was submitted and it's
21 this Department's position that Specification 1 should be
22 sustained.

23 COMMISSIONER ELIAS: And also just for
24 clarification, I know this issue came up at the actual
25 hearing that even if the officer wasn't convicted of

1 these charges, the Department would still be seeking
2 termination because of the facts surrounding this
3 incident. And that is, leaving the scene when someone
4 was injured, which relate to the moral character
5 component that you referenced?

6 MS. WORSHAM: That's correct. And I would
7 also note, even if this matter had been reduced to
8 misdemeanor pursuant to Penal Code Section 17b he would
9 still be prohibited under the Government Code Section
10 1029.

11 COMMISSIONER ELIAS: Thank you. Mr. Lassart.

12 MR. LASSART: Yes.

13 COMMISSIONER ELIAS: I'll give you an
14 opportunity.

15 MR. LASSART: Good evening, Commissioner. I
16 believe that I'd like to add a few facts to the matter
17 that has been given to you. This is a case in which at
18 the hearing we made it very clear that we did not contest
19 the fact that he was convicted of two counts of hit and
20 run as a felony. That would have been a waste of
21 everyone's time because we all know that happened.
22 However, some of the factors of that incident itself are
23 important for you to understand.

24 Officer Kohrs was not alone when he hit the
25 individuals who were crossing Broadway after midnight

1 against the light having a very high blood alcohol when
2 they did that. He was not alone because he was with his
3 brother and another passenger. The other passenger
4 happened to be a medical doctor who was there. Officer
5 Kohrs did leave the scene but there was a crowd that
6 gathered and the crowd gathered he was recognized as,
7 quote, the hot cop. Officer Kohrs is the police officer
8 who gained rather good reputation in the gay community
9 because of his good work there as a police officer. He
10 has an impeccable past record. There was hot cop
11 comments and he left. He did leave the scene. And he
12 did it by fear, in fear.

13 We're not foolish enough to ask you not to
14 consider the fact that the Government Code disallows
15 Officer Kohrs from carrying a firearm, which
16 automatically disqualifies him to be a police officer.
17 For us to indicate that that was otherwise would be once
18 again a waste of time. However, what I'd like to ask
19 this Commission to do is to allow whatever decision you
20 make to be held in abeyance until after the appeal on his
21 criminal matter is completed. I know that the appellate
22 brief was filed in November and the Court of Appeal,
23 depending on which division you're in, takes whatever
24 time but it's usually at the very least a year if you
25 have a good panel. But if you hold it in abeyance to

1 find out if there was the legal error that we think that
2 was made in the criminal matter, which is the not giving
3 the duress instruction at the time of the charge for the
4 jury.

5 Duress is interesting only from the
6 standpoint that it flops the burden on that one issue
7 from the defense to -- to the prosecution on that issue
8 of duress. Obviously, the prosecution always has a
9 burden but the duress issue is a -- the instruction is
10 strong instruction. And we believe there was error. I
11 was not the individual who defended him in the criminal
12 matter but I've spoken to the appellate counsel. That is
13 -- and I realize that there is -- his conduct -- I wish
14 to call to your attention his conduct at the scene I
15 don't think there is any question about his conduct at
16 the scene. He left. He didn't leave anybody unattended
17 when there is a doctor in the car. Nor was there any
18 indication that nobody called for help. The truth of the
19 matter is it's pretty hard not to be identified when the
20 car is registered to you and your brother is there and
21 they don't leave the scene. So what we're asking for is
22 to hold this in abeyance until the appellate matter is
23 decided and then consider this case. Thank you.

24 COMMISSIONER ELIAS: Fellow Commissioners,
25 does anybody have any questions?

1 PRESIDENT HIRSCH: I do. The doctor in the
2 car, doctor stay in the car and left with your client?

3 MR. LASSART: Pardon me?

4 PRESIDENT HIRSCH: The doctor was in what
5 car?

6 MR. LASSART: In the car with my client. He
7 was -- the doctor and his brother were friends of his and
8 they were in the car together.

9 PRESIDENT HIRSCH: Did the doctor get out and
10 tend to the people that were hit?

11 MR. LASSART: The doctor, I think, yes. The
12 answer is he was there and he went to the injured.
13 That's what I know of the case. I also know 911 was
14 called and the police came and paramedics came.

15 PRESIDENT HIRSCH: Did the doctor leave with
16 your client?

17 MR. LASSART: He did not leave. He stayed
18 there and was interviewed by the police department.

19 COMMISSIONER ELIAS: But the incident report
20 says all the occupants left the scene prior to the police
21 officers arriving.

22 MR. LASSART: That's not accurate. That is
23 not accurate. I don't know where you got that actually.

24 COMMISSIONER ELIAS: The incident report.

25 MR. LASSART: They are saying these people

1 were not there, the brother wasn't there and the doctor,
2 the passenger wasn't there? That's not accurate.

3 COMMISSIONER TAYLOR: When the police
4 arrived.

5 MR. LASSART: When the police arrived? They
6 both were interviewed. In fact, they talked to the
7 brother and they wanted to know where he was.

8 COMMISSIONER DEJESUS: Right. I saw that.

9 PRESIDENT HIRSCH: And if the appeal is
10 granted, if you win the appeal, the matter will be
11 remanded back to the trial court for a new trial?

12 MR. LASSART: That's the way it works, yes.

13 PRESIDENT HIRSCH: And you would seek to have
14 us stay this until that whole process runs its course?

15 MR. LASSART: If that process -- depends on
16 what the Court of Appeal says, yes.

17 PRESIDENT HIRSCH: Let's say they rule in
18 your favor.

19 MR. LASSART: Yes, I would. To be candid
20 with you, yes. And by the way, he's not on any paid
21 status. He is --

22 COMMISSIONER TAYLOR: Did your client call
23 911?

24 MR. LASSART: Pardon me?

25 COMMISSIONER TAYLOR: Did your client call

1 911?

2 MR. LASSART: No, he did not. In fact, he
3 left his phone in the car. His phone was in the car.

4 COMMISSIONER TAYLOR: So you're not
5 suggesting that the fact that 911 was called -- did he
6 know somehow that 911 was called? Was he involved in
7 calling 911?

8 MR. LASSART: No. He ran when the crowd
9 formed started yelling things. His phone was in the car.
10 I think, you know, did he know specifically, directly? I
11 doubt you can say that honestly. But I would say that
12 past practices when you leave your car there, there's
13 someone injured and you leave two people behind and a
14 crowd is forming and people are injured 911 is called.
15 And 911 was called.

16 COMMISSIONER TAYLOR: I guess what I'm
17 wondering is there are two separate obligations. There
18 is the obligation not to leave the scene, which is the
19 obligation on anyone walking around the city, walking
20 around San Francisco. But there's -- and that's the
21 felony case. That's the criminal case. There's also the
22 obligation of his duties as a police officer. And so I
23 guess I'm trying to reconcile for myself is what one has
24 to do with the other. So even if the, you know, you're
25 successful on the appeal and, you know, he's granted a

1 new trial, which may or may not result in a felony
2 conviction, there is still what he was obligated to do as
3 a police officer. And he had gotten in the car and drove
4 home. I just don't understand and I want you to help me
5 understand.

6 MR. LASSART: He didn't get in the car and
7 drive home. He left the car at the scene. He ran away.
8 He left the phone and he ran away because of the crowd.

9 COMMISSIONER TAYLOR: But -- in any case he
10 still had an obligation as an officer. And so I'm
11 wondering why he didn't make any attempt to call 911.

12 MR. LASSART: Quite frankly, he was afraid.
13 He didn't get around to calling 911 and he ran because no
14 doubt about it.

15 COMMISSIONER BROOKTER: I understand you have
16 a crowd but you're an officer. Why wouldn't you still
17 call 911? I get fleeing the space, fleeing the
18 situation, the scene. But then why not when you get home
19 do you not inform 911?

20 MR. LASSART: I can't answer that question.
21 Other than the fact that he was panicked enough never to
22 take his phone out of the car when he got out of the car.

23 COMMISSIONER ELIAS: Thank you. I guess
24 Ms. Worsham, do you have anything to add? Because I know
25 at the hearing Mr. Lassart kind of asserted his Fifth

1 Amendment right not to say anything at the hearing. So I
2 guess sort of coming up now, is there anything you want
3 to respond?

4 MS. WORSHAM: All this is new information. I
5 know that Officer Kohrs was -- I'm sorry. Officer Kohrs
6 was -- there was a request made by IAD Admin for him to
7 come in for an administrative interview. He declined to
8 participate in that through his attorney. I can say that
9 in my review of this file in preparing the charges, there
10 was no mention that the friend who was a physician
11 rendered aid to any of the two individuals that were
12 unconscious in the street. I believe that if there had
13 been a significant issue with the crowd, that that would
14 have been noted in the incident report because I think a
15 lot of people were very familiar with Officer Kohrs being
16 known as the hot cop in the Castro District. And I think
17 if there had been a crowd and when law enforcement had
18 responded, I think members of the crowd would have easily
19 been able to identify who that person was and report that
20 to those who had responded to the scene. There's no
21 information contained in our investigative file and any
22 of those steps that our IAD Admin officer took to
23 investigate this case that indicates those version
24 occurred.

25 COMMISSIONER ELIAS: And you also reviewed

1 the trial transcript of this case.

2 MS. WORSHAM: I personally did not review the
3 trial transcript. I spoke to the D.A. who was handling
4 the case and I also requested just certified documents.

5 COMMISSIONER ELIAS: Okay.

6 PRESIDENT HIRSCH: I have a question. What
7 about Lybarger warning, wasn't there an obligation to
8 give a statement?

9 MS. WORSHAM: If he had come in, that
10 Lybarger warning would have been given so -- and he would
11 have been advised that failure to -- and in fact, one of
12 the -- we could have filed that charge, the failure to
13 cooperate with the IAD investigation. We felt strongly
14 that the two felony convictions were sufficient enough to
15 warrant termination in this case.

16 COMMISSIONER ELIAS: And the moral character.

17 MS. WORSHAM: Yes.

18 MR. LASSART: Both the doctor and his brother
19 testified during the trial. My assumption is somebody
20 read that transcript. And they testified. Just so --
21 that's not -- and actually Officer Kohrs testified. So
22 all that information is in the trial transcript.

23 COMMISSIONER ELIAS: Right. And when we had
24 our hearing, there was no evidence presented by the
25 defense so. Okay. Thank you.

1 MS. WORSHAM: Thank you.

2 COMMISSIONER ELIAS: Do you want to step
3 outside so we can deliberate?

4 SGT. WARE: Can I read one thing for the
5 record? I never read 8a in its entirety in my haste to
6 begin closed session.

7 Line 8A. Personnel exception. Pursuant to
8 Government Code section 54957(b)(1) and San Francisco
9 Administrative Code Section 67.10(b), Penal Code Section
10 832.7. Hearing to sustain or not sustain disciplinary
11 charges filed in Case No. ALW IAD 2015-0358, discussion
12 and action to decide penalty, if necessary, or take other
13 action, if necessary. Officer Christopher Kohrs.
14 Discussion and possible action.

15 And I neglected to mention that Risa Tom is
16 present and Sergeant Jayme Campbell. Thank you.

17 COMMISSIONER ELIAS: Thank you.

18 (Off the record.)

19 SGT. WARE: For the record, counsel for the
20 Department Ashley Worsham is back in the room. Mr. Jim
21 Lassart is back in the room and Officer Kohrs has
22 returned.

23 PRESIDENT HIRSCH: Commissioner Elias.

24 COMMISSIONER ELIAS: Thank you. Thank you
25 for being here today. We do appreciate your time and

1 effort. At this point our unanimous decision, we are
2 going to be following the recommendation of the
3 Department and asking for the termination of Officer
4 Kohrs. We do find that there was a violation of
5 Specification No. 1, that he violated Government Code
6 Section 1029 Rule 9 of the Department General Order 2.01.
7 And as well as the Commission of Peace Officers standards
8 and training violation of Government Code Section 1031
9 subsection B. And we are denying the request to hold
10 this in abeyance.

11 MR. LASSART: Thank you.

12 PRESIDENT HIRSCH: Thank you.

13 MS. WORSHAM: Thank you.

14

15 (The proceeding was concluded at 8:50 p.m.)

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1 R E P O R T E R ' S C E R T I F I C A T E

2

3 I, ANNA C. GREENLEY, a Certified Shorthand
4 Reporter of the State of California, hereby certify that
5 the foregoing hearing was held at the time and place
6 therein stated; and that the hearing was reported by me,
7 a duly certified shorthand reporter, and was thereafter
8 transcribed under my direction into typewriting.

9 I FURTHER CERTIFY that I am not of counsel or
10 attorney for either or any of the parties in the
11 foregoing proceeding and caption named, or in any way
12 interested in the outcome of the cause named in said
13 caption.

14 IN WITNESS WHEREOF, I have hereunto set my
15 hand this 4th day of April, 2019.

16

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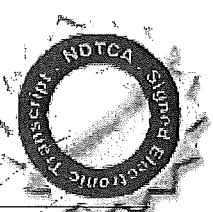
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ANNA C. GREENLEY, CSR #8311
Certified Shorthand Reporter
State of California

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Saturday, December 5, 2020 9:08 PM
To: Leger, Cheryl (BOS)
Cc: SOTF, (BOS)
Subject: File 19145 Recording Time Stamp

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

Dear Board

Regarding file 19145, please ensure sure that the time code of the closed session recording you will be requesting from the Commission clearly shows the date and time the recording took place. The recording time stamp should digitally show that it was recorded at 8:53 pm on 3/6/2019. My concern is that you may be provided a recording with a complete time code that was recorded at a later date than when my actual hearing took place.

A digital time stamp showing the recording date of 3/6/2019 around 8:53 pm can rule out the possibility that the original recording was altered and then re-recorded on the same or similar device to artificially show a complete time code.

Thank you,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <cjkohrs@gmail.com>
Sent: Monday, December 7, 2020 5:56 AM
To: Leger, Cheryl (BOS)
Cc: SOTF, (BOS)
Subject: Re: File 19145 Recording Time Stamp

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

Dear Board,

Regarding File 19145: on page 166 of the Nov. 24 evidence packet. Stacy documents:

"The recording was then transferred onto a desktop computer at the Police Commission office while the jump drive was retained in the complainants' file. The recording from the desktop computer was then emailed to have a transcript made of the hearing to an outside vendor."

I think it would improve transparency to see what was saved on that desktop and what was sent to the outside vendor for transcription.

Respectfully,
Chris Kohrs

On Sat, Dec 5, 2020 at 9:14 PM cjkohrs <cjkohrs@gmail.com> wrote:

Correction - 8:23 PM is the time the hearing started according to the attached transcript, not 8:53 PM like I incorrectly stated in my previous email.

My apologies,
Chris Kohrs

Sent from my iPhone

> On Dec 5, 2020, at 9:07 PM, cjkohrs <cjkohrs@gmail.com> wrote:

>

> Dear Board

>

> Regarding file 19145, please ensure sure that the time code of the closed session recording you will be requesting from the Commission clearly shows the date and time the recording took place. The recording time stamp should digitally show that it was recorded at 8:53 pm on 3/6/2019. My concern is that you may be provided a recording with a complete time code that was recorded at a later date than when my actual hearing took place.

>

> A digital time stamp showing the recording date of 3/6/2019 around 8:53 pm can rule out the possibility that the original recording was altered and then re-recorded on the same or similar device to artificially show a complete time code.

>

> Thank you,
> Chris Kohrs
>
> Sent from my iPhone

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, December 9, 2020 7:13 PM
To: SOTF, (BOS); Leger, Cheryl (BOS)
Subject: Re: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda
Attachments: Crescent Way.m4a

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

Dear Police Commission and SOTF,

Sergeant Youngblood's bullet points below contain inaccuracies.

Bullet point #3 - I never received any CD of my hearing in the mail by the SF Police Commission. I have requested certified mail receipts and tracking numbers from them, but have yet to be provided any.

Bullet point # 5 and the following quote below by Sergeant Youngblood: "Those recordings were given to him not as a public record but as part of his personnel file. Those recordings are not subject to release absent a court order or waiver."

I requested the audio of my hearing as a public records request and I received it via the same public records request. Stacy Youngblood was actually the creator of that public records request. This is documented in the below link of the Nov. 24, 2020 evidence packet regarding file 19145 on pages 299-301. Please see pages 299 - 301 in the link below.

https://sfgov.org/sunshine/sites/default/files/cac112420_item5.pdf

In his email Stacy states " On 11/4/20 I advised the members that the Commission Office sent Kohrs the audio recording of his termination hearing, but we were unable to locate the recorded deliberations from the closed session on 3/6/19."

The above statement is inaccurate. If you'd like to hear Sergeant Youngblood's actual response please listen below to the one minute sound clip that was taken on Nov. 24th in the SOTF hearing.

Also in the the last hearing and as recorded in the minutes, Sergeant Youngblood stated that this case is still open due to pending lawsuits. This is not true. I'm not aware of any lawsuits regarding this matter.

I find it disturbing that Stacy Youngblood testified in the Nov. 24, SOTF hearing that track 2 of the audio did not exist. However, after the SOTF told him that the Police Commission was in violation of the ordinance for not recording track 2, somehow track 2 is magically found. Coincidence? I think not.

The ordinance clearly states "Closed session recordings shall be made available whenever all rationales for closing the session are no longer applicable". Currently, all rationales for closing the case are no longer applicable.

But more importantly, this is about morals and ethics. City officials desperately do not want the truth to be exposed regarding this matter. But it needs to be. Altering transcripts and audio recordings can have a devastating impact on people's lives. Action must be taken.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Dec 9, 2020, at 11:24 AM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

Good Afternoon SOTF,

I am following up on our last appearance before the Sunshine Ordinance Task Force on 11/4/2020. As a reminder, below is a summary of events for the Chris Kohrs matter:

1. 3/06/2019 – Kohrs Termination Hearing held
2. April 2019 – Kohrs requests a copy of hearing
3. April 2019 – Kohrs is mailed a CD containing the audio recording as a former employee
4. 9/13/2019 – Kohrs requests a copy of the audio recording of termination hearing
5. 9/13/2019 – Kohrs given a copy of audio recording as a former employee
6. 1/06/2020 – Commission receives an email from Kohrs in which he states he received the audio recording but believes it to be altered.
7. 1/17/2020 – Commission Office receives email from SOTF regarding complaint 19145
8. 9/15/2020 – SOTF Appearance
9. 10/7/2020 – SOTF Appearance
10. 11/4/2020 – SOTF Compliance and Amendments Committee Appearance

On 11/4/20 I advised the members that the Commission Office sent Kohrs the audio recording of his termination hearing, but we were unable to locate the recorded deliberations from the closed session on 3/6/19. The following work day, I conducted another search of the audio and was able to locate the deliberations audio, which took place on 3/6/19.

The Kohrs termination hearing was recorded in 3 parts (3 different tracks). The 1st track begins when the attorneys present their case and Mr. Kohrs is present. Both parties as well as the court reporter were then excused from the room for commencement of the Commission deliberations. The 2nd track records the audio from the deliberations. After deliberations, both parties and the court reporter come back in the room and the 3rd track begins recording the final portion of the termination hearing.

Mr. Kohrs was provided a copy of track 1 and track 3 from his termination hearing. Mr. Kohrs was not given track 2 because he was only entitled to receive the portions of the hearing in which he was present. Those recordings were given to him not as a public record but as part of his personnel file. Those recordings are not subject to release absent a court order or waiver.

Track 2 is not subject to release because the Police Commission has the right to invoke a privilege to go into closed session under Cal. Government Code sections 54963, 54957, 6254(k) and S.F. Admin Code 67.10. The purpose of closed session is not only to protect employees from public embarrassment but to permit free and candid discussions of personnel matters. *Morrow v. LA Unified School Dist.*, 149 Cal. App.4th 1424 (2007). The Commission excluded Mr. Kohrs from the deliberations in order to allow frank conversations among the Police Commission members. Upon conclusion of the closed session, the Commission voted not disclose the information contained in closed session. Thus, the Commission office is unable to release Track 2.

Please see Admin Code 67.10, Government Code 54963, Government Code 54957 and Government Code 6254(k).

Thank you

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SOTF, (BOS)

Sent: Friday, November 20, 2020 11:54 AM

To: Cisneros, Jose (TTX) <jose.cisneros@sfgov.org>; Fried, Amanda (TTX) <amanda.fried@sfgov.org>; cjkohrs <ckohrs@gmail.com>; Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; 84162-44435865@requests.muckrock.com; pmonette-shaw <pmonette-shaw@earthlink.net>; COTE, JOHN (CAT) <John.Cote@sfcityatty.org>; COOLBRITH, ELIZABETH (CAT) <Elizabeth.Coolbrith@sfcityatty.org>; DIETTERLE, COLLEEN (CAT) <Colleen.Dietterle@sfcityatty.org>; Cityattorney <Cityattorney@sfcityatty.org>

Subject: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Good Afternoon:

The agenda and packet for the Compliance and Amendments Committee of the Sunshine Ordinance Task Force November 24, 2020, 4:30 p.m. meeting is online at the following link:

https://sfgov.org/sunshine/sites/default/files/cac112420_agenda.pdf

The packet material is linked to each item listed on the agenda marked 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
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org

<image001.png>

Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, December 9, 2020 7:27 PM
To: Leger, Cheryl (BOS); SOTF, (BOS)
Subject: Re: Request

Dear SOTF,

I am requesting that all my records be open to public examination, including the deliberations. According to Stacy's email, if I sign the attached document below, the deliberations will not be open to public examination. I do not want to sign a document that prevents any portion of my hearing from being open to public examination. I want to help you in any way I can to bring transparency to this matter. What do you advise I do? Sign it? Not sign it? Please let me know.

Respectfully,
Chris Kohrs

Chris Kohrs

Sent from my iPhone

> On Dec 9, 2020, at 11:10 AM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:
>
> Good Afternoon Mr. Kohrs,
>
> The Police Commission Office writes to provide an update as to the deliberation audio recording portion of your termination hearing and in response to your email to the Commission dated, December 2nd 2020.
>
> After the November 24th 2020 meeting of the Sunshine Task Force (SOTF), the Commission Office did one more search of your termination hearing and located the closed session deliberation audio recording. We will notify the SOTF and copy you that the audio recording was located. However, as explained below the deliberation portion of your termination hearing is not subject to release.
>
>
> On December 2nd 2020, the Commission received the following request:
>
> "Dear SF Police Commission and SOTF,
>
> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore, all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter."
>
> We understand that you wish to waive your rights under Cal. Penal Code 832.7 that protects peace officer personnel records and the right of privacy under the California and U.S. Constitution retroactively to your termination hearing. We will need to have you sign a document stipulating to your request. That document is attached to this email. If you still wish to have the records from your termination hearing released to the public, please sign the attached form and email it back to the Commission Office. Your request will allow the Police Commission Office to release the closed session portion of your termination hearing to the public upon request. To be clear, this waiver only applies to the portions of the hearing that you were present at.

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> You are unable to waive your rights for purposes of obtaining the deliberation portion of the proceedings where you were not present. The Police Commission has a privilege to go into closed session and deliberate in closed session on personnel matters under Cal. Government Code sections 54963, 54957, 6254(k) and S.F. Admin Code 67.10. The purpose of closed session is not only to protect employees from public embarrassment but to permit free and candid discussions of personnel matters. *Morrow v. LA Unified School Dist.*, 149 Cal. App.4th 1424 (2007). You may waive your right to privacy and allow the public to hear the proceedings. But, you lack the ability to waive the Police Commission's privilege to engage in frank discussions in closed session. The Commission excluded you from the deliberations and you lack the ability to invoke a waiver for a privilege that you do not hold. Upon conclusion of the closed session, the Commission voted not to disclose the information contained in closed session.

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> For the foregoing reasons, we decline to disclose the deliberation proceedings of your termination hearing.

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> Thank you,

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> Sergeant Stacy Youngblood #1211
> San Francisco Police Department
> Police Commission Office
> 1245 3rd Street
> San Francisco, CA 94158
> stacy.a.youngblood@sfgov.org
> 415-837-7071 – Desk

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>
>
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> -----Original Message-----

> From: cjkohrs [mailto:cjkohrs@gmail.com]
> Sent: Wednesday, December 2, 2020 5:59 PM
> To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
> Cc: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
> Subject: Re: Request

>
>
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>> Dear SF Police Commission and SOTF,
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>> Respectfully,

>> Chris Kohrs

>

> Sent from my iPhone

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> <RELEASE REQUEST AND AUTHORIZATION - Kohrs Termination Hearing.pdf>

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, December 9, 2020 7:27 PM
To: Leger, Cheryl (BOS); SOTF, (BOS)
Subject: Re: Request

Dear SOTF,

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Respectfully,
Chris Kohrs

Chris Kohrs

Sent from my iPhone

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> After the November 24th 2020 meeting of the Sunshine Task Force (SOTF), the Commission Office did one more search of your termination hearing and located the closed session deliberation audio recording. We will notify the SOTF and copy you that the audio recording was located. However, as explained below the deliberation portion of your termination hearing is not subject to release.
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>>> Chris Kohrs

> <RELEASE REQUEST AND AUTHORIZATION - Kohrs Termination Hearing.pdf>

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Wednesday, December 9, 2020 7:13 PM
To: SOTF, (BOS); Leger, Cheryl (BOS)
Subject: Re: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda
Attachments: Crescent Way.m4a

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

Dear Police Commission and SOTF,

Sergeant Youngblood's bullet points below contain inaccuracies.

Bullet point #3 - I never received any CD of my hearing in the mail by the SF Police Commission. I have requested certified mail receipts and tracking numbers from them, but have yet to be provided any.

Bullet point # 5 and the following quote below by Sergeant Youngblood: "Those recordings were given to him not as a public record but as part of his personnel file. Those recordings are not subject to release absent a court order or waiver."

I requested the audio of my hearing as a public records request and I received it via the same public records request. Stacy Youngblood was actually the creator of that public records request. This is documented in the below link of the Nov. 24, 2020 evidence packet regarding file 19145 on pages 299-301. Please see pages 299 - 301 in the link below.

https://sfgov.org/sunshine/sites/default/files/cac112420_item5.pdf

In his email Stacy states " On 11/4/20 I advised the members that the Commission Office sent Kohrs the audio recording of his termination hearing, but we were unable to locate the recorded deliberations from the closed session on 3/6/19. "

The above statement is inaccurate. If you'd like to hear Sergeant Youngblood's actual response please listen below to the one minute sound clip that was taken on Nov. 24th in the SOTF hearing.

Also in the the last hearing and as recorded in the minutes, Sergeant Youngblood stated that this case is still open due to pending lawsuits. This is not true. I'm not aware of any lawsuits regarding this matter.

I find it disturbing that Stacy Youngblood testified in the Nov. 24, SOTF hearing that track 2 of the audio did not exist. However, after the SOTF told him that the Police Commission was in violation of the ordinance for not recording track 2, somehow track 2 is magically found. Coincidence? I think not.

The ordinance clearly states "Closed session recordings shall be made available whenever all rationales for closing the session are no longer applicable". Currently, all rationales for closing the case are no longer applicable.

But more importantly, this is about morals and ethics. City officials desperately do not want the truth to be exposed regarding this matter. But it needs to be. Altering transcripts and audio recordings can have a devastating impact on people's lives. Action must be taken.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Dec 9, 2020, at 11:24 AM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

Good Afternoon SOTF,

I am following up on our last appearance before the Sunshine Ordinance Task Force on 11/4/2020. As a reminder, below is a summary of events for the Chris Kohrs matter:

1. 3/06/2019 – Kohrs Termination Hearing held
2. April 2019 – Kohrs requests a copy of hearing
3. April 2019 – Kohrs is mailed a CD containing the audio recording as a former employee
4. 9/13/2019 – Kohrs requests a copy of the audio recording of termination hearing
5. 9/13/2019 – Kohrs given a copy of audio recording as a former employee
6. 1/06/2020 – Commission receives an email from Kohrs in which he states he received the audio recording but believes it to be altered.
7. 1/17/2020 – Commission Office receives email from SOTF regarding complaint 19145
8. 9/15/2020 – SOTF Appearance
9. 10/7/2020 – SOTF Appearance
10. 11/4/2020 – SOTF Compliance and Amendments Committee Appearance

On 11/4/20 I advised the members that the Commission Office sent Kohrs the audio recording of his termination hearing, but we were unable to locate the recorded deliberations from the closed session on 3/6/19. The following work day, I conducted another search of the audio and was able to locate the deliberations audio, which took place on 3/6/19.

The Kohrs termination hearing was recorded in 3 parts (3 different tracks). The 1st track begins when the attorneys present their case and Mr. Kohrs is present. Both parties as well as the court reporter were then excused from the room for commencement of the Commission deliberations. The 2nd track records the audio from the deliberations. After deliberations, both parties and the court reporter come back in the room and the 3rd track begins recording the final portion of the termination hearing.

Mr. Kohrs was provided a copy of track 1 and track 3 from his termination hearing. Mr. Kohrs was not given track 2 because he was only entitled to receive the portions of the hearing in which he was present. Those recordings were given to him not as a public record but as part of his personnel file. Those recordings are not subject to release absent a court order or waiver.

Track 2 is not subject to release because the Police Commission has the right to invoke a privilege to go into closed session under Cal. Government Code sections 54963, 54957, 6254(k) and S.F. Admin Code 67.10. The purpose of closed session is not only to protect employees from public embarrassment but to permit free and candid discussions of personnel matters. *Morrow v. LA Unified School Dist.*, 149 Cal. App.4th 1424 (2007). The Commission excluded Mr. Kohrs from the deliberations in order to allow frank conversations among the Police Commission members. Upon conclusion of the closed session, the Commission voted not disclose the information contained in closed session. Thus, the Commission office is unable to release Track 2.

Please see Admin Code 67.10, Government Code 54963, Government Code 54957 and Government Code 6254(k).

Thank you

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SOTF, (BOS)

Sent: Friday, November 20, 2020 11:54 AM

To: Cisneros, Jose (TTX) <jose.cisneros@sfgov.org>; Fried, Amanda (TTX) <amanda.fried@sfgov.org>; cjkohrs <ckohrs@gmail.com>; Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; 84162-44435865@requests.muckrock.com; pmonette-shaw <pmonette-shaw@earthlink.net>; COTE, JOHN (CAT) <John.Cote@sfcityatty.org>; COOLBRITH, ELIZABETH (CAT) <Elizabeth.Coolbrith@sfcityatty.org>; DIETTERLE, COLLEEN (CAT) <Colleen.Dietterle@sfcityatty.org>; Cityattorney <Cityattorney@sfcityatty.org>

Subject: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Good Afternoon:

The agenda and packet for the Compliance and Amendments Committee of the Sunshine Ordinance Task Force November 24, 2020, 4:30 p.m. meeting is online at the following link:

https://sfgov.org/sunshine/sites/default/files/cac112420_agenda.pdf

The packet material is linked to each item listed on the agenda marked 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
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org

<image001.png>

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.

Leger, Cheryl (BOS)

From: Bruce Wolfe <sotf@brucewolfe.net>
Sent: Thursday, December 10, 2020 1:55 PM
To: cjkohrs
Cc: SOTF, (BOS); WOLF, MARC (CAT)
Subject: Re: Advice

Thanks for the thoughts and interest to help, Chris. I need to have this on the record so I've Cc'd our administrator and legal counsel in this email for recording purposes only.

The hard part is ex parte communications when a person is party to an active complaint. I understand your concerns but I'm also bound to a list of incompatible activities that disallows me to provide certain assistance.

Here is the specific active restriction, as follows:

**"1. MEMBERS OF THE SUNSHINE ORDINANCE TASK FORCE AND CLERK
EMPLOYEES ASSISTING THE TASK FORCE**

Unless otherwise expressly permitted by state or local law and regulation, no officer or employee may assist, advise or represent other persons or entities concerning Sunshine Ordinance complaints or concerning matters that may appear before the Task Force, regardless of whether the activity is compensated. Nothing in this section prohibits an officer or employee from providing factual information or, as part of the officer's or employee's duties, information about City laws, rules and procedures if that information is available to all members of the public."

That said, let's see what I can answer for you but it may not be as helpful as you may think.

First, anyone who petitions for a hearing on a complaint is helping to increase transparency as the hearing is widely public. So, thank you for this. You are already helping in many ways.

As to the issue, we are in receipt of the same communications from the Respondent and is under review as to further actions. If decided any aspects and/or issues will be discussed in an open, public meeting of the SOTF or one of its committees. Our bylaws require that the Compliance and Amendments Committee review all cases where a finding(s) of violations occurred to monitor.

Furthermore, as to what your rights are under Sunshine or the correct compliance for the Respondent that was the crux of the hearing and our Orders of Determination.

What I can say as was revealed in the hearing is that the procedure for recording closed session was found to be non-compliant with the Sunshine Ordinance including the discretion from case-to-case before the Police Commission as also reflected in our Orders of Determination.

As to the conditions being set forth by the Respondent with regards to your signing of released or other documents we do not have jurisdiction over this. These are other matters of law or regulation, I believe, that you should consult with your attorney, collective bargaining agent or other resources to have answered.

If this appears to be less than helpful to you, I do apologize, as we do have certain guardrails in order to preserve the fidelity of the Sunshine Ordinance and its procedures.

If there is anything else I can help with please do not hesitate to contact me or Cheryl again.

Thank you for your advocacy.

Be safe, stay well,
Bruce Wolfe, Chair

On Thu, Dec 10, 2020, 12:34 PM cjkohrs <ckohrs@gmail.com> wrote:

Hello Bruce,

I spoke to Cheryl Leger today and she told me to email you regarding some of my concerns.

At the last SOTF hearing on 11/24, Stacy Youngblood confirmed that the recording of the deliberations did not exist. This was a lie. The task force found the Commission to be in violation of the ordinance for not recording the entire hearing. After being told they were in violation, only then does the truth come out that they actually have the audio recording in their possession. This sequence of events is concerning.

The larger concern I have is with the below email. According to Sergeant Youngblood, if I sign the document below, I am essentially signing not to have the deliberations open to public examination. I need everything regarding this matter open to public examination. The public needs to hear what was said in track 2 that the police commission is trying so desperately to hide.

I want to help the SOTF in anyway I can to bring transparency to this matter. Should I sign those documents that are attached to the bottom of this email or not? Any advice would be greatly appreciated.

Thank you,
Chris Kohrs

Sent from my iPhone

> On Dec 9, 2020, at 7:26 PM, cjkohrs <ckohrs@gmail.com> wrote:

>

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>> After the November 24th 2020 meeting of the Sunshine Task Force (SOTF), the Commission Office did one more search of your termination hearing and located the closed session deliberation audio recording. We will notify the SOTF and copy you that the audio recording was located. However, as explained below the deliberation portion of your termination hearing is not subject to release.

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>> For the foregoing reasons, we decline to disclose the deliberation proceedings of your termination hearing.

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>> Thank you,

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>> Police Commission Office

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>> To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>

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>> Subject: Re: Request

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Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Thursday, December 10, 2020 4:04 PM
To: Youngblood, Stacy (POL); SFPD, Commission (POL)
Cc: Leger, Cheryl (BOS); SOTF, (BOS)
Subject: Re: Request

Dear Sergeant Youngblood and Police Commission,

Your email states that I'm not allowed to have full access to my hearing. We disagree with you. I am requesting that my full hearing, including the transcript and deliberations be open to public examination. I will sign the below documents if my full hearing, including the transcript and all 3 tracks of audio are open to full public examination. This is what I am still requesting. We are urgently requesting that the Commission provide us this transparency.

Chris

Sent from my iPhone

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>> We understand that you wish to waive your rights under Cal. Penal Code 832.7 that protects peace officer personnel records and the right of privacy under the California and U.S. Constitution retroactively to your termination hearing. We will need to have you sign a document stipulating to your request. That document is attached to this email. If you still wish to have the records from your termination hearing released to the public, please sign the attached form and email it back to the Commission Office. Your request will allow the Police Commission Office to release the closed session portion of your termination hearing to the public upon request. To be clear, this waiver only applies to the portions of the hearing that you were present at.

>>

>> You are unable to waive your rights for purposes of obtaining the deliberation portion of the proceedings where you were not present. The Police Commission has a privilege to go into closed session and deliberate in closed session on personnel matters under Cal. Government Code sections 54963, 54957, 6254(k) and S.F. Admin Code 67.10. The purpose of closed session is not only to protect employees from public embarrassment but to permit free and candid discussions of personnel matters. *Morrow v. LA Unified School Dist.*, 149 Cal. App.4th 1424 (2007). You may waive your right to privacy and allow the public to hear the proceedings. But, you lack the ability to waive the Police Commission's privilege to engage in frank discussions in closed session. The Commission excluded you from the deliberations and you lack the ability to invoke a waiver for a privilege that you do not hold. Upon conclusion of the closed session, the Commission voted not to disclose the information contained in closed session.

>>

>> For the foregoing reasons, we decline to disclose the deliberation proceedings of your termination hearing.

>>

>> Thank you,

>>

>>

>>

>> Sergeant Stacy Youngblood #1211

>> San Francisco Police Department

>> Police Commission Office

>> 1245 3rd Street

>> San Francisco, CA 94158

>> stacy.a.youngblood@sfgov.org

>> 415-837-7071 – Desk

>>

>>

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>>

>>

>>

>> -----Original Message-----

>> From: cjkohrs [mailto:ckohrs@gmail.com]

>> Sent: Wednesday, December 2, 2020 5:59 PM

>> To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>

>> Cc: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>

>> Subject: Re: Request

>>

>>

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

>>

>>

>>

>>> Dear SF Police Commission and SOTF,

>>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

>>> Respectfully,

>>> Chris Kohrs

>>

>> Sent from my iPhone

>>

>>>> On Dec 2, 2020, at 3:23 PM, cjkohrs <ckohrs@gmail.com> wrote:

>>>> Dear SF Police Commission,

>>>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

>>>> Respectfully,

>>>> Chris Kohrs

>> <RELEASE REQUEST AND AUTHORIZATION - Kohrs Termination Hearing.pdf>

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Saturday, December 12, 2020 5:52 PM
To: SOTF, (BOS); Leger, Cheryl (BOS)
Subject: Re: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda
Attachments: Crescent Way 3.m4a; Crescent Way 4.m4a; Crescent Way 4.m4a; Crescent Way.m4a; Crescent Way 6.m4a; Crescent Way 5.m4a

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

Dear Board,

I wanted to provide you some background info regarding my case because Sergeant Youngblood's recollection of the chain of events documented in his email is inaccurate.

On March 6, 2019 I had a hearing before the San Francisco police commission.

After the hearing I received both a transcript and audio recording of my hearing.

Upon review of both the transcript and audio recording I noticed important dialogue missing from both.

Page 71 of the evidence packet documents that the hearing started at 8:23 PM. Page 84 of the evidence packet documents that the hearing concluded at 8:50 PM. Therefore the hearing officially lasted 27 minutes and there should be 27 minutes of recorded audio. However, there is only 20 minutes of recorded audio, which contains anomalies. See corresponding page numbers in the evidence packet link below or view the 2 pics below of the transcript documenting this.

https://sfgov.org/sunshine/sites/default/files/cac112420_item5.pdf

1 PROCEEDINGS

2 8:23 P.M.

3 SGT. WARE: We're back on the record. Line
4 8a. For the record, Commissioner Mazzucco is recused
5 from this matter. In the room we've added -- Assistant
6 Chief Saenz has also left the room for the time being.
7 City Attorney's office is represented by Paul Zarefsky.
8 We have Officer Kohrs present.

9 MR. LASSART: Yes.

10 SGT. WARE: We have Ashley Worsham from
11 Internal Affairs counsel present.

12 MS. WORSHAM: Present.

13 SGT. WARE: We have Mr. Jim Lassart
14 representing Officer Kohrs. We still have a quorum.

15 PRESIDENT HIRSCH: Thank you. Good evening

16 MS. WORSHAM: Good evening.

17 MR. LASSART: Good evening.

18 PRESIDENT HIRSCH: Which commissioner has
19 this matter?

20 COMMISSIONER ELIAS: Me. I think we should
21 start with a brief overview of the charges, Ms. Worsham
22 if you can let us know or let the other Commissioners
23 know sort of what the charges are and your position.

24 MS. WORSHAM: Okay. Thank you. Good
25 evening, Commissioners. In this case, Officer

1 effort. At this point our unanimous decision, we are
2 going to be following the recommendation of the
3 Department and asking for the termination of Officer
4 Kohrs. We do find that there was a violation of
5 Specification No. 1, that he violated Government Code
6 Section 1029 Rule 9 of the Department General Order 2.01
7 And as well as the Commission of Peace Officers standard
8 and training violation of Government Code Section 1031
9 subsection E. And we are denying the request to hold
10 this in abeyance.

11 MR. LASSART: Thank you.

12 PRESIDENT HIRSCH: Thank you.

13 MS. WORSHAM: Thank you.

14

15 (The proceeding was concluded at 8:50 p.m.)

16 ---oOo---

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An example of an anomaly occurs at 11 minutes and 38 seconds into the recording, you hear my attorney James Lassart getting cut off mid sentence. James says "he is.....", then there's a pause, then a sound sound blip, then it awkwardly goes into questioning by a female voice.

This occurs on page 10 line 21 of the hearing transcript which corresponds to page 78 of the 11/24/20 evidence packet link below or view the below pic.

https://sfgov.org/sunshine/sites/default/files/cac112420_item5.pdf

1 were not there, the brother wasn't there and the doctor,
2 the passenger wasn't there? That's not accurate.

3 COMMISSIONER TAYLOR: When the police
4 arrived.

5 MR. LASSART: When the police arrived? They
6 both were interviewed. In fact, they talked to the
7 brother and they wanted to know where he was.

8 COMMISSIONER DEJESUS: Right. I saw that.

9 PRESIDENT HIRSCH: And if the appeal is
10 granted, if you win the appeal, the matter will be
11 remanded back to the trial court for a new trial?

12 MR. LASSART: That's the way it works, yes.

13 PRESIDENT HIRSCH: And you would seek to hav
14 us stay this until that whole process runs its course?

15 MR. LASSART: If that process -- depends on
16 what the Court of Appeal says, yes.

17 PRESIDENT HIRSCH: Let's say they rule in
18 your favor.

19 MR. LASSART: Yes, I would. To be candid
20 with you, yes. And by the way, he's not on any paid
21 status. He is --

22 COMMISSIONER TAYLOR: Did your client call
23 911?

24 MR. LASSART: Pardon me?

25 COMMISSIONER TAYLOR: Did your client call

Here's the play back of the actual hearing audio clip.

Where the sound blip occurs is where crucial dialogue that city officials do not want the public to hear is cut from the recording. The public needs to know what was actually discussed in my hearing in its entirety.

Another point of concern I have is in the last 15 seconds of the first audio recording of my administrative hearing. Below is the audio clip.

Page 15 line 18 of the transcript is where this occurs which corresponds to page 83 of the 11/24/20 evidence packet link below or view the below pic.

https://sfgov.org/sunshine/sites/default/files/cac112420_item5.pdf

1 MS. WORSHAM: Thank you.

2 COMMISSIONER ELIAS: Do you want to step
3 outside so we can deliberate?

4 SGT. WARE: Can I read one thing for the
5 record? I never read 8a in its entirety in my haste to
6 begin closed session.

7 Line 8A. Personnel exception. Pursuant to
8 Government Code section 54957(b)(1) and San Francisco
9 Administrative Code Section 67.10(b), Penal Code Section
10 832.7. Hearing to sustain or not sustain disciplinary
11 charges filed in Case No. ALW IAD 2015-0358, discussion
12 and action to decide penalty, if necessary, or take othe
13 action, if necessary. Officer Christopher Kohrs.
14 Discussion and possible action.

15 And I neglected to mention that Risa Tom is
16 present and Sergeant Jayme Campbell. Thank you.

17 COMMISSIONER ELIAS: Thank you.

18 (Off the record.)

19 SGT. WARE: For the record, counsel for the
20 Department Ashley Worsham is back in the room. Mr. Jim
21 Lassart is back in the room and Officer Kohrs has
22 returned.

23 PRESIDENT HIRSCH: Commissioner Elias.

24 COMMISSIONER ELIAS: Thank you. Thank you
25 for being here today. We do appreciate your time and

This dialogue should have been recorded on line 18 of the transcript above. Notice this dialogue was not recorded on the transcript which is another point of concern. The transcript should exactly match the audio. The bigger question is why did the court reporter step out? Who told her to step out and what was she told to do to the transcript while out? Why does the transcript match the altered audio recording? When did the court reporter step out? 5 minutes into the hearing? Ten minutes into the hearing? Did she step out prior to my hearing? We don't know. All we know is that she was not present. But according to her transcript, she was present the entire time which we know is inaccurate. This is disturbing. The court reporter needs to be brought in for questioning.

The SOTF ruled that my deliberations were to be on the record. The transcription was also required to be contemporaneous. But the deliberations were off the record and the entire transcription was not contemporaneous. It is impossible to have a complete and contemporaneous transcription if the court reporter is not physically present. Either SFPD Sergeant Ware or the commission president at the time, Robert Hirsch shares the same concern. This is recorded on the last 15 seconds of recording 1, however this dialogue cannot be found on the transcript. This is concerning. The attachment below contains the actual hearing playback.

That's the end of recording 1 which raises more concern. We have no idea when the court reporter actually stepped out or when she returned because her transcript never documents that she left the hearing. We know that is inaccurate. It is improper procedure for a court reporter to leave in the middle of a hearing and return without recording the time they left and the time they returned.

Below is an example of a court reporter following policy and procedure by correctly documenting on her transcript the time she left and returned to the hearing she transcribed.

7 THE COURT: All right. Counsel, we're -- I actually
8 realize we're going into the lunch hour.

9 Let's wait. We'll start our work again. Let's come back
10 at 1:45.

11 Ladies and gentlemen, please remember the admonitions.

12 Sir, see you back 1:45.

13 THE WITNESS: Thanks.

14 (Luncheon recess was taken at 12:13 P.M.)

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SUSAN K. CROZIER, CSR #4761

Compare that with page 15 line 18 of the transcript attached below or view the below pic.

1 MS. WORSHAM: Thank you.

2 COMMISSIONER ELIAS: Do you want to step
3 outside so we can deliberate?

4 SGT. WARE: Can I read one thing for the
5 record? I never read 8a in its entirety in my haste to
6 begin closed session.

7 Line 8A. Personnel exception. Pursuant to
8 Government Code section 54957(b)(1) and San Francisco
9 Administrative Code Section 67.10(b), Penal Code Section
10 832.7. Hearing to sustain or not sustain disciplinary
11 charges filed in Case No. ALW IAD 2015-0358, discussion
12 and action to decide penalty, if necessary, or take other
13 action, if necessary. Officer Christopher Kohrs.
14 Discussion and possible action.

15 And I neglected to mention that Risa Tom is
16 present and Sergeant Jayme Campbell. Thank you.

17 COMMISSIONER ELIAS: Thank you.

18 (Off the record.)

19 SGT. WARE: For the record, counsel for the
20 Department Ashley Worsham is back in the room. Mr. Jim
21 Lassart is back in the room and Officer Kohrs has
22 returned.

23 PRESIDENT HIRSCH: Commissioner Elias.

24 COMMISSIONER ELIAS: Thank you. Thank you
25 for being here today. We do appreciate your time and

This can also be viewed on page 83 in the 11/24/2020 evidence packet link below.

https://sfgov.org/sunshine/sites/default/files/cac112420_item5.pdf

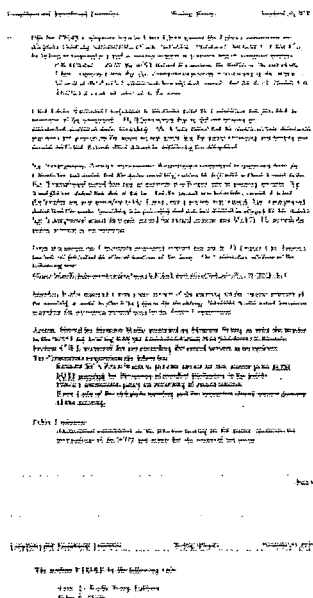
Due to this break in continuity, the audio of this hearing actually had to be broken up into 3 separate audio recordings. However, it should've been one continuous recording with the deliberations included and without breaks, cuts, anomalies or excisions. I have requested the SOTF's assistance in obtaining the full, continuous recording of my hearing as well as the court reporter's unedited contemporaneous transcription notes before she left the hearing prior to deliberations.

As documented on page 168 of the evidence packet, I have requested this information from the SF Police Commission numerous times, but they have yet to provide it. See the corresponding page number in the link below.

https://sfgov.org/sunshine/sites/default/files/cac112420_item5.pdf

Over the past several months, in several emails, I have asked the San Francisco Police Commission to provide me the rules, policies and procedures that the court reporter Anna C. Greenley was required to adhere to. They never provided it to me. The SOTF is now requesting this information from the SF Police Commission including the rules, policies and procedures that the San Francisco Police Commission was required to adhere to regarding my hearing. The SOTF has requested the timestamp and time codes of the digital original recording of my March 6, 2019 hearing. See the pic below of the 11/24/2020 agenda minutes or click on the link below and scroll to file 19145 to view this documentation.

https://sfgov.org/sunshine/sites/default/files/cac112420_minutes.pdf



The Commission is still refusing to provide us the transparency that we are requesting. Also shown in the above pic and link is that the Deputy City Attorney has still not provided an analysis of the issue as requested by the SOTF. This is concerning.

James Lassart was the attorney that represented me in this matter. He was present for this hearing. On October 25th, 2019, James told me that he knew Ashley Worsham made statements on the record that did not get recorded on a transcript or audio recording.

On Page 115 of the evidence packet - 4 months after I received my altered recording via a public records request, Paul Chignell, legal defense administrator of the POA stated that James Lassart attempted to obtain the unaltered recording of my hearing. James' efforts were unsuccessful. See corresponding page number in the evidence packet link below or view the below pic.

https://sfgov.org/sunshine/sites/default/files/cac112420_item5.pdf

On Jan 9, 2020, at 2:51 PM, Paul C. Chignell <Paul@sfpda.org> wrote:

Chris:

I am sorry you are experiencing this issue with the unaltered recording.

I spoke with your attorney Jim Lassart this morning regarding this matter and he has been pursuing the unaltered tape with a Deputy City Attorney. He advised me that he will file a public records request for the tape if the City Attorney does not relent and hand over the tape. I will stay in touch with Jim about this.

Also, best of luck in the Court of Appeal in overturning your conviction.

From: cjkohrs . [mailto:cjkohrs@gmail.com]

Sent: Saturday, December 28, 2019 10:20 PM

To: Paul C. Chignell

Subject: Request for Unaltered, Original Audio Recording of Termination Hearing on 3/6/2019

Dear Paul Chignell,

My name is Christopher Kohrs and I am a former San Francisco Police Officer. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged. These unchallenged, false statements that were fraudulently cut from the recording and transcript influenced the Commission's decision to terminate me at the conclusion of the hearing.

I had forensic experts examine both the audio recording and transcript of

After notifying Chief Scott of these issues, he did not take any action and instead placed responsibility back on the Commission as documented on page 324 of the evidence packet.

See corresponding page numbers in the 11/24/20 evidence packet link below or view the below pic.

https://sfgov.org/sunshine/sites/default/files/cac112420_item5.pdf



LONDON N. BREED
MAYOR

CITY AND COUNTY OF SAN FRANCISCO
POLICE DEPARTMENT
HEADQUARTERS
1245 3rd Street
San Francisco, California 94158



WILLIAM SCOTT
CHIEF OF POLICE

March 5, 2020

Mr. Chris Kohrs
Sent via Email
ckohrs@gmail.com

Dear Mr. Kohrs:

RE: Transparency Request

We are in receipt of your request dated March 2, 2020. In your letter you asked the Department to assist you in obtaining an "unaltered, original recording" of your hearing from the San Francisco Police Commission.

It is our understanding that the Police Commission has provided you a copy of the audio recording of your hearing in your capacity as a former employee. It appears that you are challenging the authenticity of the recording. Under the Charter section 4.104, the Commission is responsible for keeping a record of the proceedings. We are unable to assist you any further in this request.

Thank you.

Sincerely,


WILLIAM SCOTT
Chief of Police

/cf

c: Jeffery Zumwalt (ETH)
SOTF (BOS)
Jeffrey Pierce (ETH)
Cassady Toles (ctoles@kernlaw.com)
Audrey Hufnagel (audrey@primeancompanies.com)
Sergeant Stacy Youngblood, Police Commission

Altering transcripts and audio recordings of this nature is a crime. Yet SFPD Chief of Police, William Scott, refused to investigate a crime that could fall back on his fellow city officials that support him. This is unacceptable. The public needs to know this. Truth and transparency needs to be urgently provided by our city officials regardless what it exposes.

In the audio below Sergeant Stacy Youngblood clearly states that the Commission did not record my deliberations. Listen to the below audio clip taken from the 11/24/20 SOTF hearing.

This was a lie.

After it was ruled that the SF Police Commission was in violation of the Sunshine Ordinance for not recording the entire hearing, only then does Sergeant Youngblood change his story stating that the Commission actually does have the audio recording of my deliberations but that he will not provide it to me or the SOTF even after he was ordered to by the SOTF. (See the corresponding portion of Sergeant Youngblood's documented response below sent in an email on Wednesday 12/9/20 below.)

On 11/4/20 I advised the members that the Commission Office sent Kohrs the audio recording of his termination hearing, but we were unable to locate the recorded deliberations from the closed session on 3/6/19. The following work day, I conducted another search of the audio and was able to locate the deliberations audio, which took place on 3/6/19.

The Kohrs termination hearing was recorded in 3 parts (3 different tracks). The 1st track begins when the attorneys present their case and Mr. Kohrs is present. Both parties as well as the court reporter were then excused from the room for commencement of the Commission deliberations. The 2nd track records the audio from the deliberations. After deliberations, both parties and the court reporter come back in the room and the 3rd track begins recording the final portion of the termination hearing.

Mr. Kohrs was provided a copy of track 1 and track 3 from his termination hearing. Mr. Kohrs was not given track 2 because he was only entitled to receive the portions of the hearing in which he was present. Those recordings were given to him not as a public record but as part of his personnel file. Those recordings are not subject to release absent a court order or waiver.

Track 2 is not subject to release because the Police Commission has the right to invoke a privilege to go into closed session under Cal. Government Code sections 54963, 54957, 6254(k) and S.F. Admin Code 67.10. The purpose of closed session is not only to protect employees from public embarrassment but to permit free and candid discussions of personnel matters. *Morrow v. LA Unified School Dist.*, 149 Cal. App.4th 1424 (2007). The Commission excluded Mr. Kohrs from the deliberations in order to allow frank conversations among the Police Commission members. Upon conclusion of the closed session, the Commission voted not disclose the information contained in closed session. Thus, the Commission office is unable to release Track 2.

Please see Admin Code 67.10, Government Code 54963, Government Code 54957 and Government Code 6254(k).

Thank you

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street

San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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It should be noted that Sergeant Youngblood stated in his email that he was “unable to locate the recorded deliberations”. However this is not what he stated in the SOTF hearing on 11/24/20 as recorded in the above audio clip. In the audio clip he testified that the recording did not exist. That is very different from his email stating that he was “unable to locate” the recording.

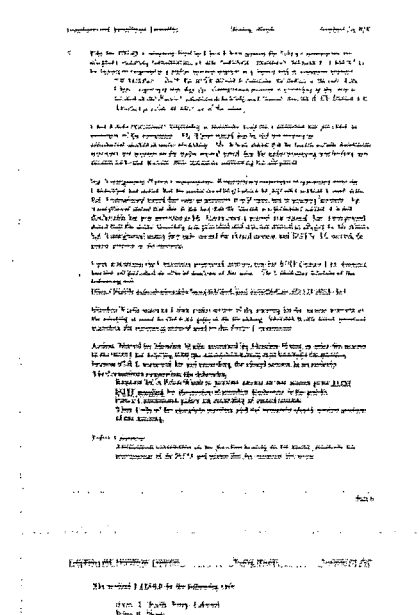
According to Sergeant Youngblood’s above email, the Commission is also refusing to provide us the digital original audio files so we can accurately verify the time codes and time stamps of the altered audio recordings in question. Sergeant Youngblood documents.

“Those recordings are not subject to release absent a court order or waiver.”

The SF Police Commission is actively preventing the SOTF from conducting any type of investigation. Additionally, the deputy city attorney has so far refused to provide any assistance or even an analysis of the issues. These facts are concerning.

The above caselaw and administrative/government codes in the above email stated by Sergeant Youngblood are irrelevant. The SOTF already ruled that I am entitled to have the complete audio recording and transcript of my own hearing. I think this is just plain common sense. This is also documented in the link below regarding file 19145 or view the below pic.

https://sfgov.org/sunshine/sites/default/files/cac112420_minutes.pdf



In the 3rd paragraph of Sergeant Stacy Youngblood’s email, he documented

"Those recordings were given to him not as a public record but as part of his personnel file."

This is a lie.

In the SOTF hearing on 10/7/20 Sergeant Youngblood testified that I was provided the audio of my hearing via a personnel records request and not a public records request. This can be heard in the below link.

<https://sfgov.org/sunshine/audio-archive-full-sotf>

Select the 10/7/2020 SOTF hearing and fast forward to 18 minutes and 33 seconds to 19 minutes and 7 seconds into the audio. Not the mp3 audio.

Or simply click the audio file below to hear the audio clip.

In the hearing, SOTF chair Bruce Wolfe points out that what Stacy testified to was inaccurate.

Select the 10/7/2020 SOTF hearing in the below link.

<https://sfgov.org/sunshine/audio-archive-full-sotf>

Fast forward to 40 minutes and 25 seconds to 44 minutes and 6 seconds into the audio. Not the mp3 audio.

Or simply click the audio file below to hear the audio clip.

This is also documented on pages 299 - 302 of the 11/24/20 evidence packet. Click on link below and scroll to the corresponding page numbers or review the below pics.

https://sfgov.org/sunshine/sites/default/files/cac112420_item5.pdf

1/22/2020

GovQA - SAN FRANCISCO PD - Stacy Youngblood

Public Records Request (P009021-091319)

▼ Public Records Request Details

Department: Police Commission
Category of Records: Other - Police Commission
Describe the Record(s) Requested: Greetings Police Commission,

I would like a copy of the audio recording of my termination hearing that took place at room 400 in City Hall at 8:23 PM on 3/6/2019. Please let me know how and when I can pick it up. Thank you.

Respectfully,
Chris Kohrs

Incident Number: *if known*
Police Officer(s) Involved: *if known*
Time of Incident: *specify AM or PM, if known*
Date Range From: *if applicable*
Date Range To: *if applicable*
Preferred Method to Receive Records: Electronic via Records Center

> Create an Activity to Retrieve Records

> Send for Review

> Time Extension

> Denials, Exemptions & Redaction Codes

> Cost Estimate/Payment Details

> Clarification

▼ Trending -- Internal Use Only

Trend As: (select all that apply)
Body Cam Video Included:
Total Number of Videos requested:
Total length of all the videos requested: Please enter this value in MINUTES
Total Number of Videos Pending:
Total length of all videos pending: Please enter this value in MINUTES

▼ SB 1421 (Currently HIDDEN from all Users)

Criminal Force Investigation: No

1/22/2020

GovQA - SANFRANCISCO.PD - Stacy Youngblood

Date

On 9/13/2019 12:17:37 PM, Stacy Youngblood wrote:

Subject: Public Records Request :: P009021-091319

Body:

September 13, 2019

Via email: ckohrs@gmail.com

Chris Kohrs
San Francisco, CA

RE: Public Records Request, dated September 13, 2019, Reference # P009021-091319

Dear Chris Kohrs:

The San Francisco Police Commission (Commission) received your Public Records Act request, dated September 13, 2019, on September 13, 2019.

You requested, "Greetings Police Commission,

I would like a copy of the audio recording of my termination hearing that took place at room 400 in City Hall at 8:23 PM on 3/6/2019. Please let me know how and when I can pick it up. Thank you.

Respectfully,
Chris Kohrs

Responsive records are available via the San Francisco Public Records Center. Click on the link below to view your request.

Public Records Request - P009021-091319

If you have any questions, please contact the Police Commission at 415-837-7070.

Sincerely,

Sergeant Jayme Campbell
Officer in Charge
Police Commission

On 9/13/2019 12:12:30 PM, System Generated Message:

Subject: San Francisco Police Public Records Request :: P009021-091319

Body:



Dear Chris Kohrs:

Thank you for your interest in public records of the San Francisco Police Department ("SFPD").

The San Francisco Police Department ("SFPD") received your request, dated September 13, 2019 and given the reference number P009021-091319 for tracking purposes.

Record(s) Requested: *Greetings Police Commission, I would like a copy of the audio recording of my termination hearing that took place at room 400 in City Hall at 8:23 PM on 3/6/2019. Please let me know how and when I can pick it up. Thank you. Respectfully, Chris Kohrs*

Your request is being forwarded to the appropriate department(s) for processing and you will be notified once the request is complete.

You can monitor request progress at the link below. Thank you for using the San Francisco Public Records Center.

P1686

1/22/2020

GovQA - SANFRANCISCOPO - Stacy Youngblood

Date

On 9/13/2019 12:12:29 PM, Stacy Youngblood wrote:
Request was created by staff

▼ Request Details

Reference No: P009021-091319
Created By: Stacy Youngblood
Create Date: 9/13/2019 12:12 PM
Update Date: 9/13/2019 12:19 PM
Completed/Closed: Yes
Close Date: 9/13/2019 12:19 PM

Status: Full Release
Priority: Medium
Assigned Dept: Police Commission
Assigned Staff: Stacy Youngblood

Customer Name: Chris Kohrs
Email Address: ckohrs@gmail.com
Phone: 4156862411

Source: Email

From: Youngblood, Stacy (POL)
To: ckohrs@gmail.com
Cc: Kilshaw, Rachael (POL); SFPD, Commission (POL); Youngblood, Stacy (POL)
Subject: RE: Requesting Unaltered Video and Audio of Hearing on 3/6/2019
Date: Wednesday, January 8, 2020 1:51:44 PM

Mr. Kohrs,

We are in receipt of your public records request dated January 7th 2020.

Your request has been assigned request #P01437-010820 for your reference.
You should have received a confirmation email from our GovQA public records tracking software.

We will contact you no later than January 16th 2020 to provide you with either an update or responsive records.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Sent: Tuesday, January 7, 2020 9:37 AM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Cc: Kilshaw, Rachael (POL) <rachael.kilshaw@sfgov.org>
Subject: Fwd: Requesting Unaltered Video and Audio of Hearing on 3/6/2019

Get Outlook for iOS

From: ckohrs <ckohrs@gmail.com>

What makes this disturbing is that Sergeant Youngblood knows that my hearing audio was requested and provided to me as a public records request. As seen in the above pic and as documented on page 301 above, Sergeant Youngblood actually created my public records request.

Additionally, if we go online right now to the public records request portal, we can pull up the audio of my hearing as a public records request. Provided below is my username and password so you can view it and hear it for yourself. My hearing audio was without a doubt requested and provided to me as a public records request and not as a personnel records request as Sergeant Youngblood falsely claims.

[https://sanfranciscopd.mycusthelp.com/WEBAPP/rs/\(S\(vqmvpyksxivv2qbijphwkmw\)\)/Login.aspx?sSessionID=&target=YpURA3m6cNU+N1K9kEqQhsCau7xsobKtWN9EQJ9A/m/ZCLs+CDvjkdgi0A0+ztm/yC0/DhfGueHVzCdfCkvLhHviFjkKApPzTjntvBAsEAHYImKnjo168lDrkkBZMZ](https://sanfranciscopd.mycusthelp.com/WEBAPP/rs/(S(vqmvpyksxivv2qbijphwkmw))/Login.aspx?sSessionID=&target=YpURA3m6cNU+N1K9kEqQhsCau7xsobKtWN9EQJ9A/m/ZCLs+CDvjkdgi0A0+ztm/yC0/DhfGueHVzCdfCkvLhHviFjkKApPzTjntvBAsEAHYImKnjo168lDrkkBZMZ)

Username:ckohrs@gmail.com

I can type in the password upon request.

The lack of transparency coupled with the Police Commission's unethical behavior is disturbing. City officials altering transcripts and audio recordings of this nature has a devastating impact on the lives of the people they govern. Complete government transparency is urgently needed regarding this matter.

I have already formally requested that my termination hearing no longer be held in closed session and be open to public examination. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am still requesting the full audio recording and transcript of my hearing.

I hope this can provide a documented clear picture of the unfolding chain of events regarding this case.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Dec 9, 2020, at 7:13 PM, cjkohrs <ckohrs@gmail.com> wrote:

Dear Police Commission and SOTF,

Sergeant Youngblood's bullet points below contain inaccuracies.

Bullet point #3 - I never received any CD of my hearing in the mail by the SF Police Commission. I have requested certified mail receipts and tracking numbers from them, but have yet to be provided any.

Bullet point # 5 and the following quote below by Sergeant Youngblood: "Those recordings were given to him not as a public record but as part of his personnel file. Those recordings are not subject to release absent a court order or waiver."

I requested the audio of my hearing as a public records request and I received it via the same public records request. Stacy Youngblood was actually the creator of that public records request. This is documented in the below link of the Nov. 24, 2020 evidence packet regarding file 19145 on pages 299-301. Please see pages 299 - 301 in the link below.

https://sfgov.org/sunshine/sites/default/files/cac112420_item5.pdf

In his email Stacy states " On 11/4/20 I advised the members that the Commission Office sent Kohrs the audio recording of his termination hearing, but we were unable to locate the recorded deliberations from the closed session on 3/6/19. "

The above statement is inaccurate. If you'd like to hear Sergeant Youngblood's actual response please listen below to the one minute sound clip that was taken on Nov. 24th in the SOTF hearing.

<Crescent Way.m4a>

Also in the the last hearing and as recorded in the minutes, Sergeant Youngblood stated that this case is still open due to pending lawsuits. This is not true. I'm not aware of any lawsuits regarding this matter.

I find it disturbing that Stacy Youngblood testified in the Nov. 24, SOTF hearing that track 2 of the audio did not exist. However, after the SOTF told him that the Police Commission was in violation of the ordinance for not recording track 2, somehow track 2 is magically found. Coincidence? I think not.

The ordinance clearly states "Closed session recordings shall be made available whenever all rationales for closing the session are no longer applicable". Currently, all rationales for closing the case are no longer applicable.

But more importantly, this is about morals and ethics. City officials desperately do not want the truth to be exposed regarding this matter. But it needs to be. Altering transcripts and audio recordings can have a devastating impact on people's lives. Action must be taken.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Dec 9, 2020, at 11:24 AM, Youngblood, Stacy (POL)
<Stacy.A.Youngblood@sfgov.org> wrote:

Good Afternoon SOTF,

I am following up on our last appearance before the Sunshine Ordinance Task Force on 11/4/2020. As a reminder, below is a summary of events for the Chris Kohrs matter:

1. 3/06/2019 – Kohrs Termination Hearing held
2. April 2019 – Kohrs requests a copy of hearing
3. April 2019 – Kohrs is mailed a CD containing the audio recording as a former employee
4. 9/13/2019 – Kohrs requests a copy of the audio recording of termination hearing
5. 9/13/2019 – Kohrs given a copy of audio recording as a former employee

6. 1/06/2020 – Commission receives an email from Kohrs in which he states he received the audio recording but believes it to be altered.
7. 1/17/2020 – Commission Office receives email from SOTF regarding complaint 19145
8. 9/15/2020 – SOTF Appearance
9. 10/7/2020 – SOTF Appearance
10. 11/4/2020 – SOTF Compliance and Amendments Committee Appearance

On 11/4/20 I advised the members that the Commission Office sent Kohrs the audio recording of his termination hearing, but we were unable to locate the recorded deliberations from the closed session on 3/6/19. The following work day, I conducted another search of the audio and was able to locate the deliberations audio, which took place on 3/6/19.

The Kohrs termination hearing was recorded in 3 parts (3 different tracks). The 1st track begins when the attorneys present their case and Mr. Kohrs is present. Both parties as well as the court reporter were then excused from the room for commencement of the Commission deliberations. The 2nd track records the audio from the deliberations. After deliberations, both parties and the court reporter come back in the room and the 3rd track begins recording the final portion of the termination hearing.

Mr. Kohrs was provided a copy of track 1 and track 3 from his termination hearing. Mr. Kohrs was not given track 2 because he was only entitled to receive the portions of the hearing in which he was present. Those recordings were given to him not as a public record but as part of his personnel file. Those recordings are not subject to release absent a court order or waiver.

Track 2 is not subject to release because the Police Commission has the right to invoke a privilege to go into closed session under Cal. Government Code sections 54963, 54957, 6254(k) and S.F. Admin Code 67.10. The purpose of closed session is not only to protect employees from public embarrassment but to permit free and candid discussions of personnel matters. *Morrow v. LA Unified School Dist.*, 149 Cal. App.4th 1424 (2007). The Commission excluded Mr. Kohrs from the deliberations in order to allow frank conversations among the Police Commission members. Upon conclusion of the closed session, the Commission voted not disclose the information contained in closed session. Thus, the Commission office is unable to release Track 2.

Please see Admin Code 67.10, Government Code 54963, Government Code 54957 and Government Code 6254(k).

Thank you

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SOTF, (BOS)

Sent: Friday, November 20, 2020 11:54 AM

To: Cisneros, Jose (TTX) <jose.cisneros@sfgov.org>; Fried, Amanda (TTX) <amanda.fried@sfgov.org>; cjkohrs <ckohrs@gmail.com>; Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; 84162-44435865@requests.muckrock.com; pmonette-shaw <pmonette-shaw@earthlink.net>; COTE, JOHN (CAT) <John.Cote@sfcityatty.org>; COOLBRITH, ELIZABETH (CAT) <Elizabeth.Coolbrith@sfcityatty.org>; DIETTERLE, COLLEEN (CAT) <Colleen.Dietterle@sfcityatty.org>; Cityattorney <Cityattorney@sfcityatty.org>
Subject: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Good Afternoon:

The agenda and packet for the Compliance and Amendments Committee of the Sunshine Ordinance Task Force November 24, 2020, 4:30 p.m. meeting is online at the following link:

https://sfgov.org/sunshine/sites/default/files/cac112420_agenda.pdf

The packet material is linked to each item listed on the agenda marked 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
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org

<image001.png>

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:

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Leger, Cheryl (BOS)

From: cjkohrs <cjkohrs@gmail.com>
Sent: Thursday, December 10, 2020 4:04 PM
To: Youngblood, Stacy (POL); SFPD, Commission (POL)
Cc: Leger, Cheryl (BOS); SOTF, (BOS)
Subject: Re: Request

Dear Sergeant Youngblood and Police Commission,

Your email states that I'm not allowed to have full access to my hearing. We disagree with you. I am requesting that my full hearing, including the transcript and deliberations be open to public examination. I will sign the below documents if my full hearing, including the transcript and all 3 tracks of audio are open to full public examination. This is what I am still requesting. We are urgently requesting that the Commission provide us this transparency.

Chris

Sent from my iPhone

> On Dec 9, 2020, at 7:26 PM, cjkohrs <cjkohrs@gmail.com> wrote:

>

> Dear SOTF,

>

> I am requesting that all my records be open to public examination, including the deliberations. According to Stacy's email, if I sign the attached document below, the deliberations will not be open to public examination. I do not want to sign a document that prevents any portion of my hearing from being open to public examination. I want to help you in any way I can to bring transparency to this matter. What do you advise I do? Sign it? Not sign it? Please let me know.

>

> Respectfully,

> Chris Kohrs

>

> Chris Kohrs

>

> Sent from my iPhone

>

>> On Dec 9, 2020, at 11:10 AM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

>>

>> Good Afternoon Mr. Kohrs,

>>

>> The Police Commission Office writes to provide an update as to the deliberation audio recording portion of your termination hearing and in response to your email to the Commission dated, December 2nd 2020.

>>

>> After the November 24th 2020 meeting of the Sunshine Task Force (SOTF), the Commission Office did one more search of your termination hearing and located the closed session deliberation audio recording. We will notify the SOTF and copy you that the audio recording was located. However, as explained below the deliberation portion of your termination hearing is not subject to release.

>>

>>

>> On December 2nd 2020, the Commission received the following request:

>>

>> "Dear SF Police Commission and SOTF,

>>

>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore, all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter."

>>

>> We understand that you wish to waive your rights under Cal. Penal Code 832.7 that protects peace officer personnel records and the right of privacy under the California and U.S. Constitution retroactively to your termination hearing. We will need to have you sign a document stipulating to your request. That document is attached to this email. If you still wish to have the records from your termination hearing released to the public, please sign the attached form and email it back to the Commission Office. Your request will allow the Police Commission Office to release the closed session portion of your termination hearing to the public upon request. To be clear, this waiver only applies to the portions of the hearing that you were present at.

>>

>> You are unable to waive your rights for purposes of obtaining the deliberation portion of the proceedings where you were not present. The Police Commission has a privilege to go into closed session and deliberate in closed session on personnel matters under Cal. Government Code sections 54963, 54957, 6254(k) and S.F. Admin Code 67.10. The purpose of closed session is not only to protect employees from public embarrassment but to permit free and candid discussions of personnel matters. *Morrow v. LA Unified School Dist.*, 149 Cal. App.4th 1424 (2007). You may waive your right to privacy and allow the public to hear the proceedings. But, you lack the ability to waive the Police Commission's privilege to engage in frank discussions in closed session. The Commission excluded you from the deliberations and you lack the ability to invoke a waiver for a privilege that you do not hold. Upon conclusion of the closed session, the Commission voted not to disclose the information contained in closed session.

>>

>> For the foregoing reasons, we decline to disclose the deliberation proceedings of your termination hearing.

>>

>> Thank you,

>>

>>

>>

>> Sergeant Stacy Youngblood #1211

>> San Francisco Police Department

>> Police Commission Office

>> 1245 3rd Street

>> San Francisco, CA 94158

>> stacy.a.youngblood@sfgov.org

>> 415-837-7071 – Desk

>>

>>

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>>

>>

>>

>> -----Original Message-----

>> From: cjkohrs [mailto:ckohrs@gmail.com]

>> Sent: Wednesday, December 2, 2020 5:59 PM

>> To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>

>> Cc: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>

>> Subject: Re: Request

>>

>>

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

>>

>>

>>

>>> Dear SF Police Commission and SOTF,

>>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

>>> Respectfully,

>>> Chris Kohrs

>>

>> Sent from my iPhone

>>

>>>> On Dec 2, 2020, at 3:23 PM, cjkohrs <ckohrs@gmail.com> wrote:

>>>> Dear SF Police Commission,

>>>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

>>>> Respectfully,

>>>> Chris Kohrs

>> <RELEASE REQUEST AND AUTHORIZATION - Kohrs Termination Hearing.pdf>

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Sunday, December 20, 2020 9:44 AM
To: SOTF, (BOS)
Cc: Leger, Cheryl (BOS)
Subject: File 19145

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

Dear Board,

I am requesting that the SOTF Board members go online to the public records request portal, and listen to the audio of my hearing as a public records request.

Provided below is my username and password so you can view it and hear it for yourself.

[https://sanfranciscopd.mycusthelp.com/WEBAPP/rs/\(S\(vqmvpyksxivv2qbijphwkmw\)\)/Login.aspx?sSessionID=&target=YpURA3m6cNU+N1K9kEqQhsCau7xsobKtWN9EQJj9A/m/ZCLs+CDvjkdgi0A0+ztm/yC0/DhfGueHVzCdfCkvLhHviFjkKApPzTjntvBAsEAHYImKnjo168lDrkkBZMZ](https://sanfranciscopd.mycusthelp.com/WEBAPP/rs/(S(vqmvpyksxivv2qbijphwkmw))/Login.aspx?sSessionID=&target=YpURA3m6cNU+N1K9kEqQhsCau7xsobKtWN9EQJj9A/m/ZCLs+CDvjkdgi0A0+ztm/yC0/DhfGueHVzCdfCkvLhHviFjkKApPzTjntvBAsEAHYImKnjo168lDrkkBZMZ)

Username:ckohrs@gmail.com

Password: Local104!

If you have any issues hearing the audio files, please let me know.

Respectfully,
Chris Kohrs

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Saturday, January 9, 2021 8:45 AM
To: SOTF, (BOS)
Cc: Leger, Cheryl (BOS)
Subject: Re: SOTF - Notice of Appearance - Compliance and Amendments Committee; January 26, 2021 4:30 p.m.

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

Hello SOTF Board,

Will there be an agenda packet emailed to me for my hearing on Jan. 26? Was the SOTF able to use my public records request login and password and listen to my full hearing on the public records website I provided to you last month? Did the deputy city attorney provide an analysis on the issues regarding this case (File 19145)? Please let me know.

Thanks.

Chris Kohrs

Sent from my iPhone

On Jan 8, 2021, at 4:09 PM, SOTF, (BOS) <sotf@sfgov.org> wrote:

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 Compliance and Amendments Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: January 26, 2021

Location: Remote meeting; participant information to be included on the Agenda

Time: 4:30 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:

1. **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.
2. **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 67.21 and 67.26 and 67.27 and Government Code (CPRA) 6253.9, 6253, and 6255, by failing to respond to a request for public records in a timely and/or complete manner.

3. **File No. 19145:** Complaint filed by Chris Kohrs against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 67.21, by failing to respond to a public records request in a timely and/or complete manner.
4. **File No. 19140:** Complaint filed by Stephen Malloy against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a request for public records in a timely and/or complete manner.
5. **File No. 19114:** Complaint filed by Shane Anderies against Tyler Vu and the Public Defender's Office for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.24, 67.25, 67.26, 67.27 and 67.29 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, January 20, 2021..***

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

<image001.png>

Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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Leger, Cheryl (BOS)

From: Bruce Wolfe <sotf@brucewolfe.net>
Sent: Sunday, January 10, 2021 12:40 PM
To: Lila LaHood; Jenn
Cc: SOTF, (BOS)
Subject: Fwd: File 19145

Members, Please be advised of the below thread Mr. Kors had with me.

Cheryl, this is Cc'd to you for just being reflected in the record of this file.

Bruce Wolfe, Chair

----- Forwarded message -----

From: **Bruce Wolfe** <sotf@brucewolfe.net>
Date: Sun, Jan 10, 2021, 12:38 PM
Subject: Re: File 19145
To: cjkohrs <ckohrs@gmail.com>

Ok, thanks. This will go to Compliance as they monitor cases after ODs are issued. I need to check in with Cheryl about the other items.

Bruce Wolfe, Chair

On Sun, Jan 10, 2021, 10:54 AM cjkohrs <ckohrs@gmail.com> wrote:

Hello Bruce,

Sure. It can be for the record. I'm just trying to be as transparent as possible. Feel free to pass the link, user name and password along to the other board members or whomever you like as well. The more transparency the better in my opinion.

Also, did the deputy city attorney ever provide an analysis on this case? Did the Commission provide you the original audio recording to digitally verify the date last modified and time codes? Did the commission provide you the rules and policies they were to abide by in this hearing as well as your other requests? Just curious.

Chris

Sent from my iPhone

On Jan 10, 2021, at 9:59 AM, Bruce Wolfe <sotf@brucewolfe.net> wrote:

Thank you. Are you submitting this for the record?

Bruce Wolfe, Chair

On Sun, Jan 10, 2021, 9:27 AM cjkohrs <ckohrs@gmail.com> wrote:

Hello Bruce,

If you have already listened to the entire recorded hearing that was altered, then please ignore this email. But if you haven't, you can listen to the entire hearing online at the public records request portal as a public records request.

Provided below is the link as well as my username and password so you can view it and hear it for yourself if you wish.

[https://sanfranciscopd.mycusthelp.com/WEBAPP/rs/\(S\(vqmvpyksxivv2qbijphwkmw\)\)/Login.aspx?sSessionID=&target=YpURA3m6cNU+N1K9kEqQhsCau7xsobKtWN9EQJi9A/m/ZCLs+CDvjkdgIOAO+ztm/yC0/DhfGueHVzCdfCkvLhHviFjkKApZTjntvBAsEAHYImKnjo168IIDrkkBZMZ](https://sanfranciscopd.mycusthelp.com/WEBAPP/rs/(S(vqmvpyksxivv2qbijphwkmw))/Login.aspx?sSessionID=&target=YpURA3m6cNU+N1K9kEqQhsCau7xsobKtWN9EQJi9A/m/ZCLs+CDvjkdgIOAO+ztm/yC0/DhfGueHVzCdfCkvLhHviFjkKApZTjntvBAsEAHYImKnjo168IIDrkkBZMZ)

Username:ckohrs@gmail.com

Password: Local104!

If you have any issues hearing the audio files, please let me know.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Dec 10, 2020, at 4:11 PM, cjkohrs <ckohrs@gmail.com> wrote:

Thank you for the explanation Bruce. I'll do my best.

Chris

Sent from my iPhone

On Dec 10, 2020, at 1:55 PM, Bruce Wolfe <sotf@brucewolfe.net> wrote:

Thanks for the thoughts and interest to help, Chris. I need to have this on the record so I've Cc'd our administrator and legal counsel in this email for recording purposes only.

The hard part is ex parte communications when a person is party to an active complaint. I understand your concerns but I'm also bound to a list of incompatible activities that disallows me to provide certain assistance.

Here is the specific active restriction, as follows:

**"1. MEMBERS OF THE SUNSHINE ORDINANCE TASK FORCE AND
CLERK
EMPLOYEES ASSISTING THE TASK FORCE**

Unless otherwise expressly permitted by state or local law and regulation, no officer or employee may assist, advise or represent other persons or entities concerning Sunshine Ordinance complaints or concerning matters that may appear before the Task Force, regardless of whether the activity is compensated. Nothing in this section prohibits an officer or employee from providing factual information or, as part of the officer's or employee's duties, information about City laws, rules and procedures if that information is available to all members of the public."

That said, let's see what I can answer for you but it may not be as helpful as you may think.

First, anyone who petitions for a hearing on a complaint is helping to increase transparency as the hearing is widely public. So, thank you for this. You are already helping in many ways.

As to the issue, we are in receipt of the same communications from the Respondent and is under review as to further actions. If decided any aspects and/or issues will be discussed in an open, public meeting of the SOTF or one of its committees. Our bylaws require that the Compliance and Amendments Committee review all cases where a finding(s) of violations occurred to monitor.

Furthermore, as to what your rights are under Sunshine or the correct compliance for the Respondent that was the crux of the hearing and our Orders of Determination.

What I can say as was revealed in the hearing is that the procedure for recording closed session was found to be non-compliant with the Sunshine Ordinance including the discretion from case-to-case before the Police Commission as also reflected in our Orders of Determination.

As to the conditions being set forth by the Respondent with regards to your signing of released or other documents we do not have jurisdiction over this. These are other matters of law or regulation, I believe, that you should consult with your attorney, collective bargaining agent or other resources to have answered.

If this appears to be less than helpful to you, I do apologize, as we do have certain guardrails in order to preserve the fidelity of the Sunshine Ordinance and its procedures.

If there is anything else I can help with please do not hesitate to contact me or Cheryl again.

Thank you for your advocacy.

Be safe, stay well,
Bruce Wolfe, Chair

--
On Thu, Dec 10, 2020, 12:34 PM cjkohrs <ckohrs@gmail.com> wrote:
Hello Bruce,

I spoke to Cheryl Leger today and she told me to email you regarding some of my concerns.

At the last SOTF hearing on 11/24, Stacy Youngblood confirmed that the recording of the deliberations did not exist. This was a lie. The task force found the Commission to be in violation of the ordinance for not recording the entire hearing. After being told they were in violation, only then does the truth come out that they actually have the audio recording in their possession. This sequence of events is concerning.

The larger concern I have is with the below email. According to Sergeant Youngblood, if I sign the document below, I am essentially signing not to have the deliberations open to public examination. I need everything regarding this matter open to public examination. The public needs to hear what was said in track 2 that the police commission is trying so desperately to hide.

I want to help the SOTF in anyway I can to bring transparency to this matter. Should I sign those documents that are attached to the bottom of this email or not? Any advice would be greatly appreciated.

Thank you,
Chris Kohrs

Sent from my iPhone

> On Dec 9, 2020, at 7:26 PM, cjkohrs <ckohrs@gmail.com> wrote:

>

> Dear SOTF,

>

> I am requesting that all my records be open to public examination, including the deliberations. According to Stacy's email, if I sign the attached document below, the deliberations will not be open to public examination. I do not want to sign a document that prevents any portion of my hearing from being open to public examination. I want to help you in any way I can to bring transparency to this matter. What do you advise I do? Sign it? Not sign it? Please let me know.

>

> Respectfully,

> Chris Kohrs

>

> Chris Kohrs

>

> Sent from my iPhone

>

>> On Dec 9, 2020, at 11:10 AM, Youngblood, Stacy (POL)

<Stacy.A.Youngblood@sfgov.org> wrote:

>>

>> Good Afternoon Mr. Kohrs,

>>

>> The Police Commission Office writes to provide an update as to the deliberation audio recording portion of your termination hearing and in response to your email to the Commission dated, December 2nd 2020.

>>

>> After the November 24th 2020 meeting of the Sunshine Task Force (SOTF), the Commission Office did one more search of your termination hearing and located the closed session deliberation audio recording. We will notify the SOTF and copy you that the audio recording was located. However, as explained below the deliberation portion of your termination hearing is not subject to release.

>>

>>

>> On December 2nd 2020, the Commission received the following request:

>>

>> "Dear SF Police Commission and SOTF,

>>

>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore, all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter."

>>

>> We understand that you wish to waive your rights under Cal. Penal Code 832.7 that protects peace officer personnel records and the right of privacy under the California and U.S. Constitution retroactively to your termination hearing. We will need to have you sign a document stipulating to your request. That document is attached to this email. If you still wish to have the records from your termination hearing released to the public, please sign the attached form and email it back to the Commission Office. Your request will allow the Police Commission Office to release the closed session portion of your termination hearing to the public upon request. To be clear, this waiver only applies to the portions of the hearing that you were present at.

>>

>> You are unable to waive your rights for purposes of obtaining the

deliberation portion of the proceedings where you were not present. The Police Commission has a privilege to go into closed session and deliberate in closed session on personnel matters under Cal. Government Code sections 54963, 54957, 6254(k) and S.F. Admin Code 67.10. The purpose of closed session is not only to protect employees from public embarrassment but to permit free and candid discussions of personnel matters. *Morrow v. LA Unified School Dist.*, 149 Cal. App.4th 1424 (2007). You may waive your right to privacy and allow the public to hear the proceedings. But, you lack the ability to waive the Police Commission's privilege to engage in frank discussions in closed session. The Commission excluded you from the deliberations and you lack the ability to invoke a waiver for a privilege that you do not hold. Upon conclusion of the closed session, the Commission voted not to disclose the information contained in closed session.

>>

>> For the foregoing reasons, we decline to disclose the deliberation proceedings of your termination hearing.

>>

>> Thank you,

>>

>>

>>

>> Sergeant Stacy Youngblood #1211

>> San Francisco Police Department

>> Police Commission Office

>> 1245 3rd Street

>> San Francisco, CA 94158

>> stacy.a.youngblood@sfgov.org

>> 415-837-7071 – Desk

>>

>>

>> CONFIDENTIALITY NOTICE: This communication and its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws, including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

>>

>>

>>

>> -----Original Message-----

>> From: cjkohrs [mailto:ckohrs@gmail.com]

>> Sent: Wednesday, December 2, 2020 5:59 PM

>> To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>

>> Cc: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; SOTF, (BOS)

>> <sotf@sfgov.org>; SFPD, Commission (POL)

>> <SFPD.Commission@sfgov.org>

>> Subject: Re: Request

>>

>>

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>> Sent from my iPhone

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>>>> Chris Kohrs

>> <RELEASE REQUEST AND AUTHORIZATION - Kohrs Termination Hearing.pdf>

Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Tuesday, January 19, 2021 11:06 AM
To: cjkohrs
Cc: Leger, Cheryl (BOS); SOTF, (BOS); SFPD, Commission (POL); Youngblood, Stacy (POL)
Subject: RE: Request
Attachments: res 21-8 Vote not to waive atty client privilege.pdf

Mr. Kohrs and SOTF,

Please see the attached resolution from the Police Commission.

At the January 13th 2021 Police Commission meeting, the Police Commission voted unanimously not to waive the attorney-client privilege for audio or video recordings of the Police Commission closed session disciplinary hearing of Christopher Kohrs, held on March 6th, 2019.

Sergeant Stacy Youngblood #1211
San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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

From: cjkohrs [mailto:ckohrs@gmail.com]
Sent: Thursday, December 10, 2020 4:04 PM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Cc: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: Request

Dear Sergeant Youngblood and Police Commission,

Your email states that I'm not allowed to have full access to my hearing. We disagree with you. I am requesting that my full hearing, including the transcript and deliberations be open to public examination. I will sign the below documents if my full hearing, including the transcript and all 3 tracks of audio are open to full public examination. This is what I am still requesting. We are urgently requesting that the Commission provide us this transparency.

Chris

Sent from my iPhone

> On Dec 9, 2020, at 7:26 PM, cjkohrs <ckohrs@gmail.com> wrote:

>

> Dear SOTF,

>

> I am requesting that all my records be open to public examination, including the deliberations. According to Stacy's email, if I sign the attached document below, the deliberations will not be open to public examination. I do not want to sign a document that prevents any portion of my hearing from being open to public examination. I want to help you in any way I can to bring transparency to this matter. What do you advise I do? Sign it? Not sign it? Please let me know.

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>> Sergeant Stacy Youngblood #1211

>> San Francisco Police Department

>> Police Commission Office

>> 1245 3rd Street

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>> Sent: Wednesday, December 2, 2020 5:59 PM

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>> Subject: Re: Request

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>>>> Chris Kohrs

>> <RELEASE REQUEST AND AUTHORIZATION - Kohrs Termination Hearing.pdf>



The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

January 15, 2021

MALIA COHEN
President

CINDY ELIAS
Vice President

PETRA DeJESUS
Commissioner

JOHN HAMASAKI
Commissioner

DION-JAY BROOKTER
Commissioner

At the Police Commission meeting of Wednesday, January 13, 2021, the following resolution was adopted:

Sergeant Stacy Youngblood
Secretary

RESOLUTION 21-8

DECISION NOT TO WAIVE THE ATTORNEY-CLIENT PRIVILEGE FOR AUDIO RECORDINGS OF POLICE COMMISSION CLOSED SESSION OF ATTORNEY-CLIENT COMMUNICATIONS IN THE DISCIPLINARY HEARING OF CHRISTOPHER KOHRS, CASE NO. ALW IAD 2015-0358, HELD ON MARCH 6, 2019

WHEREAS, on January 13, 2021, the Police Commission voted whether to waive the attorney-client privilege for audio or video recordings of Police Commission closed sessions of attorney-client communications in the disciplinary hearing of Christopher Kohrs, Case No. ALW IAD 2015-0358, held on March 6, 2019; therefore, be it

RESOLVED, that the Police Commission voted not to waive the attorney-client privilege for audio or video recordings of Police Commission closed sessions of attorney-client communications in the disciplinary hearing of Christopher Kohrs, Case No. ALW IAD 2015-0358, held on March 6, 2019.

AYES: Commissioners Cohen, Elias, DeJesus, Brookter, Hamasaki

Very truly yours,

Sergeant Stacy Youngblood
Secretary
Police Commission

cc: Christopher Kohrs

Leger, Cheryl (BOS)

From: Anonymous <arecordsrequestor@protonmail.com>
Sent: Tuesday, January 26, 2021 11:50 PM
To: Lila LaHood; Bruce Wolfe (Chair, SOTF, SF); SOTF, (BOS); SFPD, Commission (POL)
Subject: Public Comment to File - Kohrs v Police Commission
Attachments: signature.asc

Please add this to the public correspondence for this File. I am not a party to this complaint, and this is not legal advice to any party.

Argument: The withheld recording would indeed be exempt under PC 832.7(a) but that exemption is overridden by SB 1421 (PC 832.7(b)(1)(A)(ii)) in this instance.

The information about the nature of the termination was *already* introduced into the record in P1352 et seq of the Compliance packet of Jan 26, 2021. The letter against Kohrs states:

(8) During an IAD-Crim investigation, it was discovered that on or about November 29, 2015, Officer Kohrs was involved in a felony hit and run accident that resulted in **serious bodily injury** to two separate victims.

...

(10) The driver of the Dodge Charger had the green light and there were two other passengers in the car.

(11) Both pedestrians were hit by the Dodge Charger. The driver of the Dodge Charger fled the scene without identifying him.self, reporting the accident or making an attempt to exchange information. Both pedestrians were **severely injured** and there was also physical damage to the Dodge Charger as a result of the accident.

(12) The vehicle came back registered to Christopher Kohrs. Both passengers admitted that **Officer Christopher Kohrs was driving the vehicle** that was involved in the accident.

...

The question for the task force is whether this constitutes therefore an *exception* to exemption Penal Code 832.7(a), due to Penal Code 832.7(b)(1)(A)(ii).

Is a police officer accidentally hitting someone with a car and severely injuring them "**(ii) An incident in which the use of force by a peace officer or custodial officer against a person resulted in death, or in great bodily injury.**"? I think it is.

Nowhere is it required by SB1421 (i.e. Penal Code 832.7(b)) that the use of force be intentional or part of on the job work in order to qualify for disclosure.

Therefore under Prop 59 requiring broad interpretation for access, and narrow interpretation of exemptions, the SOTF should deem this record disclosable under SB 1421.

NOTE: 1. If you are a public official: I intend that these communications all be disclosable public records, and I will not hold in confidence any of your messages, notwithstanding any notices to the contrary. 2. 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. 3. In no event shall the author be liable for any special, direct, indirect,

consequential, or any other damages whatsoever. 4. The digital signature (signature.asc attachment), if any, in this email is not an indication of a binding agreement or offer; it merely authenticates the sender.

Sincerely,

Anonymous

Leger, Cheryl (BOS)

From: cjkohrs <ckohrs@gmail.com>
Sent: Friday, March 12, 2021 5:30 PM
To: Bruce Wolfe
Cc: Leger, Cheryl (BOS)
Subject: Re: File 19145

Hello Bruce,

Just want to document and reiterate that I am giving you, the entire SOTF, and the general public permission to access my termination hearing recordings that took place over 2 years ago. If you need the link, user name and/or password please let me know and I will provide it. Looking forward to the next hearing.

Hope all is well,
Chris Kohrs

Sent from my iPhone

On Jan 14, 2021, at 6:10 PM, cjkohrs <ckohrs@gmail.com> wrote:

I do not want to shut off access. I want complete transparency. I just wanted to make sure you were able to access the recordings and it sounds like you have. Great.

Chris

Sent from my iPhone

On Jan 14, 2021, at 5:54 PM, Bruce Wolfe <sotf@brucewolfe.net> wrote:

Not all of it. My office has had me on call at all hours so I get parts here and there. Did you want to shut off access? I could use through the weekend to finish.

***Bruce Wolfe, Chair
SF Sunshine Ordinance Task Force***

(Response is very limited during business hours on business days and holidays)

~~~~~

On Thu, Jan 14, 2021 at 11:02 AM cjkohrs <ckohrs@gmail.com> wrote:

Hello Bruce,

Just checking in. Were you able to listen to the entire hearing with my user name and password on the public records request site?

Chris

Sent from my iPhone

On Jan 10, 2021, at 1:40 PM, Bruce Wolfe <[sotf@brucewolfe.net](mailto:sotf@brucewolfe.net)> wrote:

Orders of Determination.

Bruce Wolfe, Chair

On Sun, Jan 10, 2021, 1:13 PM cjkohrs <[ckohrs@gmail.com](mailto:ckohrs@gmail.com)> wrote:  
Thanks. What are ODs?

Sent from my iPhone

On Jan 10, 2021, at 12:38 PM, Bruce Wolfe  
<[sotf@brucewolfe.net](mailto:sotf@brucewolfe.net)> wrote:

Ok, thanks. This will go to Compliance as they monitor cases after ODs are issued. I need to check in with Cheryl about the other items.

Bruce Wolfe, Chair

On Sun, Jan 10, 2021, 10:54 AM cjkohrs  
<[ckohrs@gmail.com](mailto:ckohrs@gmail.com)> wrote:  
Hello Bruce,

Sure. It can be for the record. I'm just trying to be as transparent as possible. Feel free to pass the link, user name and password along to the other board members or whomever you like as well. The more transparency the better in my opinion.

Also, did the deputy city attorney ever provide an analysis on this case? Did the Commission provide you the original audio recording to digitally verify the date last modified and time codes? Did the commission provide you the rules and policies they were to abide by in this hearing as well as your other requests? Just curious.

Chris

Sent from my iPhone

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Thank you. Are you submitting this for the record?

Bruce Wolfe, Chair

On Sun, Jan 10, 2021, 9:27 AM cjkohrs <ckohrs@gmail.com> wrote:  
Hello Bruce,

If you have already listened to the entire recorded hearing that was altered, then please ignore this email. But if you haven't, you can listen to the entire hearing online at the public records request portal as a public records request.

Provided below is the link as well as my username and password so you can view it and hear it for yourself if you wish.

[https://sanfranciscopd.mycusthelp.com/WEBAPP/rs/\(S\(vqmvpkysxivv2qbijphwkmw\)\)/Login.aspx?sSessionID=&target=YpURA3m6cNU+N1K9kEqQhsCau7xsobKtWN9EQJi9A/m/ZCLs+CDvjkdgi0AO+ztm/yCO/DhfGueHVzCdfCkvLhHviFjkKApPzTjntvBASAHYImKnjo168lIDrkkBZMZ](https://sanfranciscopd.mycusthelp.com/WEBAPP/rs/(S(vqmvpkysxivv2qbijphwkmw))/Login.aspx?sSessionID=&target=YpURA3m6cNU+N1K9kEqQhsCau7xsobKtWN9EQJi9A/m/ZCLs+CDvjkdgi0AO+ztm/yCO/DhfGueHVzCdfCkvLhHviFjkKApPzTjntvBASAHYImKnjo168lIDrkkBZMZ)

Username:ckohrs@gmail.com

Password: Local104!

If you have any issues hearing the audio files, please let me know.

Respectfully,  
Chris Kohrs

Sent from my iPhone

On Dec 10, 2020, at  
4:11 PM, cjkohrs  
<[ckohrs@gmail.co](mailto:ckohrs@gmail.com)  
m> wrote:

Thank you for the  
explanation Bruce.  
I'll do my best.

Chris

Sent from my  
iPhone

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From: cjkohrs <ckohrs@gmail.com>  
Sent: Friday, March 12, 2021 5:30 PM  
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Chris

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Thanks for the thoughts and interest to help, Chris. I need to have this on the record so I've Cc'd our administrator and legal counsel in this email for recording purposes only.

The hard part is ex parte communications when a person is party to an active complaint. I understand your concerns but I'm also bound to a list of incompatible activities that disallows me to provide certain assistance.

Here is the specific active restriction, as follows:

"1. MEMBERS OF THE SUNSHINE ORDINANCE TASK FORCE AND CLERK
EMPLOYEES ASSISTING THE TASK FORCE

Unless otherwise expressly permitted by state or local law and regulation, no officer or employee may assist, advise or represent other persons or entities concerning Sunshine Ordinance complaints or concerning matters that may appear before the Task Force, regardless of whether the activity is compensated. Nothing in this section prohibits an officer or employee from providing factual information or, as part of the officer's or employee's duties, information about City laws, rules and procedures if that information is available to all members of the public."

That said, let's see what I can answer for you but it may not be as helpful as you may think.

First, anyone who petitions for a hearing on a complaint is helping to increase transparency as the hearing is widely public. So, thank you for this. You are already helping in many ways.

As to the issue, we are in receipt of the same communications from the Respondent and is under review as to further actions. If decided any aspects and/or issues will be discussed in an open, public meeting of the SOTF or one of its committees. Our bylaws require that the Compliance and Amendments Committee review all cases where a finding(s) of violations occurred to monitor.

Furthermore, as to what your rights are under Sunshine or the correct compliance for the Respondent that was the crux of the hearing and our Orders of Determination.

What I can say as was revealed in the hearing is that the procedure for recording closed session was found to be non-compliant with the Sunshine Ordinance including the discretion from case-to-case before the Police Commission as also reflected in our Orders of Determination.

As to the conditions being set forth by the Respondent with regards to your signing of released or other documents we do not have jurisdiction over this. These are other matters of law or regulation, I believe, that you should consult with your attorney, collective bargaining agent or other resources to have answered.

If this appears to be less than helpful to you, I do apologize, as we do have certain guardrails in order to preserve the fidelity of the Sunshine Ordinance and its procedures.

If there is anything else I can help with please do not hesitate to contact me or Cheryl again.

Thank you for your advocacy.

Be safe, stay well,

Bruce Wolfe, Chair

--

On Thu, Dec 10, 2020, 12:34 PM cjkohrs <ckohrs@gmail.com> wrote:

Hello Bruce,

I spoke to Cheryl Leger today and she told me to email you regarding some of my concerns.

At the last SOTF hearing on 11/24, Stacy Youngblood confirmed that the recording of the deliberations did not exist. This was a lie. The task force found the Commission to be in violation of the ordinance for not recording the entire hearing. After being told they were in violation, only then does the truth come out that they actually have the audio recording in their possession. This sequence of events is concerning.

The larger concern I have is with the below email. According to Sergeant Youngblood, if I sign the document below, I am essentially signing not to have the deliberations open to public examination. I need everything regarding this matter open to public examination. The public needs to hear what was said in track 2 that the police commission is trying so desperately to hide.

I want to help the SOTF in anyway I can to bring transparency to this matter. Should I sign those documents that are attached to the bottom of this email or not? Any advice would be greatly appreciated.

Thank you,
Chris Kohrs

Sent from my iPhone

> On Dec 9, 2020, at 7:26 PM, cjkohrs <ckohrs@gmail.com> wrote:

>

> Dear SOTF,

>

> I am requesting that all my records be open to public examination, including the deliberations. According to Stacy's email, if I sign the attached document below, the deliberations will not be open to public examination. I do not want to sign a document that prevents any portion of my hearing from being open to public examination. I want to help you in any way I can to bring transparency to this matter. What do you advise I do? Sign it? Not sign it? Please let me know.

>

> Respectfully,

> Chris Kohrs

>

> Chris Kohrs

>

> Sent from my iPhone

>

>> On Dec 9, 2020, at 11:10 AM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

>>

>> Good Afternoon Mr. Kohrs,

>>

>> The Police Commission Office writes to provide an update as to the deliberation audio recording portion of your termination hearing and in response to your email to the Commission dated, December 2nd 2020.

>>

>> After the November 24th 2020 meeting of the Sunshine Task Force (SOTF), the Commission Office did one more search of your termination hearing and located the closed session deliberation audio recording. We will notify the SOTF and copy you that the audio recording was located. However, as explained below the deliberation portion of your termination hearing is not subject to release.

>>

>>

>> On December 2nd 2020, the Commission received the following request:

>>

>> "Dear SF Police Commission and SOTF,

>>

>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore, all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter."

>>

>> We understand that you wish to waive your rights under Cal. Penal Code 832.7 that protects peace officer personnel records and the right of privacy under the California and U.S. Constitution retroactively to your termination hearing. We will need to have you sign a document stipulating to your request. That document is attached to this email. If you still wish to have the records from your termination hearing released to the public, please sign the attached form and email it back to the Commission Office. Your request will allow the Police Commission Office to release the closed session portion of your termination hearing to the public upon request. To be clear, this waiver only applies to the portions of the hearing that you were present at.

>>

>> You are unable to waive your rights for purposes of obtaining the deliberation portion of the proceedings where you were not present. The Police Commission has a privilege to go into closed session and deliberate in closed session on personnel matters under Cal. Government Code sections 54963, 54957, 6254(k) and S.F. Admin Code 67.10. The purpose of closed session is not only to protect employees from public embarrassment but to permit free and candid discussions of personnel matters. *Morrow v. LA Unified School Dist.*, 149 Cal. App.4th 1424 (2007). You may waive your right to privacy and allow the public to hear the proceedings. But, you lack the ability to waive the Police Commission's privilege to engage in frank discussions in closed session. The Commission excluded you from the deliberations and you

lack the ability to invoke a waiver for a privilege that you do not hold. Upon conclusion of the closed session, the Commission voted not to disclose the information contained in closed session.

>>

>> For the foregoing reasons, we decline to disclose the deliberation proceedings of your termination hearing.

>>

>> Thank you,

>>

>>

>>

>> Sergeant Stacy Youngblood #1211

>> San Francisco Police Department

>> Police Commission Office

>> 1245 3rd Street

>> San Francisco, CA 94158

>> stacy.a.youngblood@sfgov.org

>> 415-837-7071 – Desk

>>

>>

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>>

>>

>>

>> -----Original Message-----

>> From: cjkohrs [mailto:ckohrs@gmail.com]

>> Sent: Wednesday, December 2, 2020 5:59 PM

>> To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>

>> Cc: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>

>> Subject: Re: Request

>>

>>

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

>>

>>

>>

>>> Dear SF Police Commission and SOTF,

>>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

>>> Respectfully,

>>> Chris Kohrs

>>

>> Sent from my iPhone

>>

>>>> On Dec 2, 2020, at 3:23 PM, cjkohrs <ckohrs@gmail.com> wrote:

>>>> Dear SF Police Commission,

>>>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more

Respondents Document Submission

Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Friday, January 17, 2020 3:41 PM
To: Youngblood, Stacy (POL)
Subject: FW: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19145
Attachments: SOTF - Complaint Procedure 2019-10-02 FINAL.pdf; 19145 Complaint.pdf

Dear Sgt. Youngblood:

I just heard today that you are the new Custodian of Records contact for the Police Commission. Please see the email below regarding a response to the Complaint filed with the Sunshine Ordinance Task Force; file no. 19145. Please respond to this email as soon as possible. We would like to schedule this matter to be heard before a SOTF Committee. Feel free to contact me if you have questions.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724



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From: SOTF, (BOS)
Sent: Monday, January 6, 2020 4:44 PM
To: Campbell, Jayme (POL) <jayme.a.campbell@sfgov.org>
Cc: 'cjkohrs' <ckohrs@gmail.com>
Subject: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19145

Good Afternoon:

The Police Commission has been named as a Respondent 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



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Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Wednesday, January 22, 2020 11:27 AM
To: SOTF, (BOS)
Cc: cjkohrs; YANK, JONATHAN (CAT); ZAREFSKY, PAUL (CAT); Youngblood, Stacy (POL)
Subject: RE: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19145
Attachments: Kohrs_PRA_Request.pdf

Good Morning,

In response to the questions from the Sunshine Task Force:

1. List all relevant records with descriptions that have been provided pursuant to the Complainant request.
 - A copy of the closed session audio recording for the Police Commission hearing involving Complainant.
2. Date the relevant records were provided to the Complainant.
 - 1st request for audio recording was requested in April of 2019 and provided in April of 2019.
 - 2nd request for audio recording was requested on 9/13/19 and sent on 9/13/19.
3. Description of the method used, along with any relevant search terms used, to search for the relevant records.
 - Records are stored electronically under officers' names.
4. Statement/declaration that all relevant documents have been provided, does not exist, or has been excluded.
 - All records requested (i.e., the audio recording) were provided and have not been altered. In addition, the Complainant may listen to the original of the recording at Commission headquarters if he so chooses.
5. Copy of the original request for records (if applicable).
 - Email that was sent to the Police Commission by Complainant is attached.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street

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From: SOTF, (BOS) <sotf@sfgov.org>
Sent: Monday, January 6, 2020 4:43 PM
To: Campbell, Jayme (POL) <Jayme.A.Campbell@sfgov.org>
Cc: cjkohrs <ckohrs@gmail.com>
Subject: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19145

Good Afternoon:

The Police Commission has been named as a Respondent 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



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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.

From: [cikohrs](#)
To: [SFPD, Commission \(POL\)](#)
Subject: Audio Recording
Date: Friday, September 13, 2019 12:07:37 PM

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

Greetings Police Commission,

I would like a copy of the audio recording of my termination hearing that took place at room 400 in City Hall at 8:23 PM on 3/6/2019. Please let me know how and when I can pick it up. Thank you.

Respectfully,
Chris Kohrs

Sent from my iPhone

Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Wednesday, January 22, 2020 1:24 PM
To: SOTF, (BOS)
Subject: RE: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19145
Attachments: GovQA - SANFRANCISCOPD - Kohrs 9.13.19.pdf; RE_ Requesting Unaltered Video and Audio of Hea....pdf

Emails have been attached.

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SOTF, (BOS) <sotf@sfgov.org>
Sent: Wednesday, January 22, 2020 12:15 PM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Subject: RE: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19145

Dear Sgt. Youngblood:

I am in receipt of and thank you for your email below. I need the emails you refer to for the record and to process the Complaint. Thank you.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724



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From: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>

Sent: Wednesday, January 22, 2020 11:27 AM

To: SOTF, (BOS) <sotf@sfgov.org>

Cc: cjkohrs <ckohrs@gmail.com>; YANK, JONATHAN (CAT) <Jonathan.Yank@sfcityatty.org>; ZAREFSKY, PAUL (CAT) <Paul.Zarefsky@sfcityatty.org>; Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>

Subject: RE: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19145

Good Morning,

In response to the questions from the Sunshine Task Force:

1. List all relevant records with descriptions that have been provided pursuant to the Complainant request.
 - A copy of the closed session audio recording for the Police Commission hearing involving Complainant.
2. Date the relevant records were provided to the Complainant.
 - 1st request for audio recording was requested in April of 2019 and provided in April of 2019.
 - 2nd request for audio recording was requested on 9/13/19 and sent on 9/13/19.
3. Description of the method used, along with any relevant search terms used, to search for the relevant records.
 - Records are stored electronically under officers' names.
4. Statement/declaration that all relevant documents have been provided, does not exist, or has been excluded.
 - All records requested (i.e., the audio recording) were provided and have not been altered. In addition, the Complainant may listen to the original of the recording at Commission headquarters if he so chooses.
5. Copy of the original request for records (if applicable).
 - Email that was sent to the Police Commission by Complainant is attached.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department

Police Commission Office

1245 3rd Street

San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SOTF, (BOS) <sotf@sfgov.org>
Sent: Monday, January 6, 2020 4:43 PM
To: Campbell, Jayme (POL) <Jayme.A.Campbell@sfgov.org>
Cc: cjkohrs <ckohrs@gmail.com>
Subject: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19145

Good Afternoon:

The Police Commission has been named as a Respondent 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



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Public Records Request (P009021-091319)

✓ Public Records Request Details

Department: Police Commission
Category of Records: Other - Police Commission
Describe the Record(s) Requested: Greetings Police Commission,

I would like a copy of the audio recording of my termination hearing that took place at room 400 in City Hall at 8:23 PM on 3/6/2019. Please let me know how and when I can pick it up. Thank you.

Respectfully,
Chris Kohrs

Incident Number: *if known*
Police Officer(s) Involved: *if known*
Time of Incident: *specify AM or PM, if known*
Date Range From: *if applicable*
Date Range To: *if applicable*
Preferred Method to Receive Records: Electronic via Records Center

> Create an Activity to Retrieve Records

> Send for Review

> Time Extension

> Denials, Exemptions & Redaction Codes

> Cost Estimate/Payment Details

> Clarification

✓ Trending -- Internal Use Only

Trend As: (select all that apply)
Body Cam Video Included:
Total Number of Videos requested:
Total length of all the videos requested: Please enter this value in MINUTES
Total Number of Videos Pending:
Total length of all videos pending: Please enter this value in MINUTES

✓ SB 1421 (Currently HIDDEN from all Users)

Criminal Force Investigation: No
Administrative Force Investigation: No

✓ Message History

Date

P1741

Date

On 9/13/2019 12:17:37 PM, Stacy Youngblood wrote:

Subject: Public Records Request :: P009021-091319

Body:

September 13, 2019

Via email ckohrs@gmail.com

Chris Kohrs
San Francisco, CA

RE: Public Records Request, dated September 13, 2019, Reference # P009021-091319

Dear Chris Kohrs:

The San Francisco Police Commission (Commission) received your Public Records Act request, dated September 13, 2019, on September 13, 2019.

You requested, "*Greetings Police Commission,*

I would like a copy of the audio recording of my termination hearing that took place at room 400 in City Hall at 8:23 PM on 3/6/2019. Please let me know how and when I can pick it up. Thank you.

*Respectfully,
Chris Kohrs"*

Responsive records are available via the San Francisco Public Records Center. Click on the link below to view your request.

Public Records Request - P009021-091319

If you have any questions, please contact the Police Commission at 415-837-7070.

Sincerely,

Sergeant Jayme Campbell
Officer in Charge
Police Commission

On 9/13/2019 12:12:30 PM, System Generated Message:

Subject: San Francisco Police Public Records Request :: P009021-091319

Body:



Dear Chris Kohrs:

Thank you for your interest in public records of the San Francisco Police Department ("SFPD").

The San Francisco Police Department ("SFPD") received your request, dated September 13, 2019 and given the reference number **P009021-091319** for tracking purposes.

Record(s) Requested: *Greetings Police Commission, I would like a copy of the audio recording of my termination hearing that took place at room 400 in City Hall at 8:23 PM on 3/6/2019. Please let me know how and when I can pick it up. Thank you. Respectfully, Chris Kohrs*

Your request is being forwarded to the appropriate department(s) for processing and you will be notified once the request is complete.

You can monitor request progress at the link below. Thank you for using the San Francisco Public Records Center.

San Francisco Police Department

To monitor the progress or update this request please log into the SFPD Public Records Center.

Date

On 9/13/2019 12:12:29 PM, Stacy Youngblood wrote:
Request was created by staff

▼ Request Details

Reference No: P009021-091319
Created By: Stacy Youngblood
Create Date: 9/13/2019 12:12 PM
Update Date: 9/13/2019 12:19 PM
Completed/Closed: Yes
Close Date: 9/13/2019 12:19 PM

Status: Full Release
Priority: Medium
Assigned Dept: Police Commission
Assigned Staff: Stacy Youngblood

Customer Name: Chris Kohrs
Email Address: ckohrs@gmail.com
Phone: 4156862411

Source: Email

From: Youngblood, Stacy (POL)
To: ckohrs@gmail.com
Cc: Kilshaw, Rachael (POL); SFPD, Commission (POL); Youngblood, Stacy (POL)
Subject: RE: Requesting Unaltered Video and Audio of Hearing on 3/6/2019
Date: Wednesday, January 8, 2020 1:51:44 PM

Mr. Kohrs,

We are in receipt of your public records request dated January 7th 2020.

Your request has been assigned request #P01437-010820 for your reference.
You should have received a confirmation email from our GovQA public records tracking software.

We will contact you no later than January 16th 2020 to provide you with either an update or responsive records.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Sent: Tuesday, January 7, 2020 9:37 AM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Cc: Kilshaw, Rachael (POL) <rachael.kilshaw@sfgov.org>
Subject: Fwd: Requesting Unaltered Video and Audio of Hearing on 3/6/2019

Get [Outlook for iOS](#)

From: [ckohrs . <ckohrs@gmail.com>](mailto:ckohrs@gmail.com)
Sent: Monday, January 6, 2020 8:17:41 PM

To: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>

Subject: Requesting Unaltered Video and Audio of Hearing on 3/6/2019

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

Dear San Francisco Police Commission,

My name is Christopher Kohrs and I am a former San Francisco Police Officer. On March 6th, 2019 I had a termination hearing that took place at San Francisco City Hall in front of the San Francisco Police Commission. I was terminated at the conclusion of the hearing. The San Francisco Police Officers Union did not represent me in this matter. Both my private attorney and I were present at the hearing.

Months after the hearing, I received a copy of both the audio recording and transcript of my termination hearing. Unfortunately, the audio recording and transcript of the hearing have been altered where parts of the testimony in the audio have been deleted. An example of a deleted portion of the court audio recording occurs at 11 minutes and 38 seconds into the recording. At that point there is a sound blip due to a cut audio. My attorney says "He is --", then there is a sound blip, and it immediately jumps to questioning by a San Francisco Police Commissioner. The sound blip is one example of an altered/excised part of the audio. Line 21 on page 10 in the transcript is where this happens. Unfortunately, the transcript reflects the altered audio. In the deleted portion of the audio, the city attorney made false statements to the Police Commission that went unchallenged.

I had forensic experts examine both the audio recording and transcript of the court hearing. Their preliminary findings verify that the audio recording is not an original. Attached to this email is the preliminary forensic report as well as the altered audio recording and transcript. I have been requesting the unaltered, original recording of my hearing since October 28, 2019, but have yet to receive it. I am now requesting the unaltered, original audio and video recording of my termination hearing that took place on 3/6/2019. Please provide me information on the device used to record the hearing including serial numbers, make and model. Please provide this information to me as soon as possible. Please confirm that you have received this email.

Respectfully,
Chris Kohrs

Cell: (415) 686-2411

Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Thursday, January 30, 2020 2:31 PM
To: SOTF, (BOS)
Cc: cjkohrs; Youngblood, Stacy (POL)
Subject: SOTF Complaint - #19145

To whom it may concern,

We are submitting this email to supplement our email of January 22nd, responding to the five questions we were asked in connection with this complaint.

The Police Commission has received complaint #19145 from the Sunshine Ordinance Task Force.

The complainant was involved in a personnel hearing before the Police Commission in March of 2019 at City Hall in room 400. The hearing was held in closed session in the presence of a court reporter. The audio equipment in room 400 was also used to record the hearing onto a jump drive which was retained by the Police Commission staff.

The recording was then transferred onto a desktop computer at the Police Commission office while the jump drive was retained in the complainants' file. The recording from the desktop computer was then emailed to have a transcript made of the hearing to an outside vendor.

In April of 2019, the complainant telephoned the Police Commission office and requested a copy of the audio from the hearing. Since the complainant was employed as a San Francisco Police Officer and the audio of their hearing is part of their personnel record, they are allowed to be given a copy. The Police Commission office transferred an unaltered copy of the audio recording to a DVD and mailed it to the complainant's home address.

On September 13th 2019, the complainant again called the Police Commission office asking for a copy of the audio from their hearing. The Police Commission staff entered the request into our records tracking software (GovQA) and digitally emailed the complainant another copy of the unaltered audio recording on September 13th 2019 through the records tracking software.

On January 6th 2020, the Police Commission Office received another email from the complainant stating they had received the audio but believed it had been altered and wanted the Police Commission to send them an "unaltered" audio recording.

It is important to understand that no member of the public has a right to request closed session items which have been voted on by the entire Commission as being non-disclosable. . Therefore, neither the Complainant, as a member of the public, nor any other member of the public, has a right to inspect or receive a copy of the recording. Rather, the Complainant's' access to the recording is based on his employment status – his being a (former) employee of the Police Department – given that the closed session proceeding involved a personnel matter directly related to his employment. However, if the Sunshine Task Force finds that it has jurisdiction over this particular issue, the Commission has provided the record the requester sought. There are no further records to provide to the complainant.

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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1703 Star Batt DR
Rochester Hills, MI 48309
www.primeauforensics.com
(800)-647-4281

15 January 2020

Dear Mr. Kohrs,

Based on our Preliminary Analysis Results (Factual Report Attached), we would like to proceed with a Full Investigation of the digital original recording of your hearing. In addition, it would be best to also examine the original equipment that was used to create the digital original, the chain of custody log as well as the environment where the hearing took place. If the recording was transferred using a computer, we would like to examine that equipment as well. We would be willing to initiate a protocol once we know the make and model of all equipment that was used. The examination will take no longer than 4 hours to complete.

Respectfully submitted,

Edward J. Primeau, CCI, CFC, PI

A handwritten signature in cursive script, appearing to read "Edward J. Primeau", is written in dark ink.

Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Wednesday, February 5, 2020 12:39 PM
To: cjkohrs
Cc: SOTF, (BOS); McClain, Thomas (ETH); Youngblood, Stacy (POL)
Subject: RE: Re:SOTF Complaint - #19145

Mr. Kohrs,

Please see the responses below to your requests. Let me reiterate that these requests for information are in response to your having access to personnel records as a former employee of the San Francisco Police Department not as a member of the public who is requesting public records.

1 – “Please provide the make, model and serial number of all the equipment that was used to make the recording(s) of my termination hearing that took place on March 6, 2019.”

- The equipment used to record your termination hearing belongs to and is maintained by SFGOVTV which is located at City Hall. Please contact SFGOVTV at 415-554-4188 to make this request.

2- “Please provide the make, model and serial number of the jump drive and desktop you referenced in your email below as well.”

- The jump drive used was a Transcend 4 gigabyte. Serial numbers are not printed on the drive nor are they displayed under properties. We are unable to locate a serial number to provide this information to you.
- The serial number of the desktop computer will not be provided to avoid the risk to the security and integrity of the city’s data systems and to avoid the release of exempt confidential or privileged information. Per Government Code 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.

3 – “Please provide the chain of custody logs for the recording(s) including the jump drive.”

- Chain of custody logs do not exist. The jump drive has never left the custody of the Police Commission Office.

4 – “Please provide the name of the court reporter present at this hearing and the company they work for.”

- This information is on the first page of the transcript that was provided to you previously.
 - Court Reporter – Anna Greenley
 - Company – Roomian & Associates

5 – “Please forward me the email containing the recording that you sent to the outside vendor where you had the transcript made.”

Let me clarify my previous email. When the Commission has audio recordings that need to be transcribed, they are digitally sent to a vendor. Since your termination hearing had a court reporter present, the Commission did not need to send out the audio. The court reporter listens to the proceeding as well as records it so they can create the transcript. That transcript is then sent to the Police Commission once complete.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street

San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: cjkohrs <cjkohrs@gmail.com>
Sent: Tuesday, February 4, 2020 4:40 AM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; ZAREFSKY, PAUL (CAT) <Paul.Zarefsky@sfcityatt.org>; Benavidez, Louie (POL) <Louie.Benavidez@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; McClain, Thomas (ETH) <thomas.mcclain@sfgov.org>
Subject: Re:SOTF Complaint - #19145

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

Dear Stacy Youngblood and Paul Zarefsky,

Please provide the make, model and serial number of all the equipment that was used to make the recording(s) of my termination hearing that took place on March 6, 2019. This would include the audio equipment in City Hall, room 400. Please provide the make, model and serial number of the jump drive and desktop you referenced in your email below as well. Please provide the chain of custody logs for the recording(s) including the jump drive. Please provide the name of the court reporter present at this hearing and the company they work for. Please forward me the email containing the recording that you sent to the outside vendor where you had the transcript made. This transparency would be appreciated.

Respectfully,
Chris Kohrs

Sent from my iPhone

On Jan 30, 2020, at 2:31 PM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

To whom it may concern,

We are submitting this email to supplement our email of January 22nd, responding to the five questions we were asked in connection with this complaint.

The Police Commission has received complaint #19145 from the Sunshine Ordinance Task Force.

The complainant was involved in a personnel hearing before the Police Commission in March of 2019 at City Hall in room 400. The hearing was held in closed session in the presence of a court

reporter. The audio equipment in room 400 was also used to record the hearing onto a jump drive which was retained by the Police Commission staff.

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Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

February 7, 2020

Chief William Scott
Chief of Police

Dear Chief Scott:

At the meeting of the Police Commission on Wednesday, March 6, 2019, the following proceeding was held:

HEARING OF OFFICER CHRISTOPHER KOHRS, STAR NO. 2432, (FILE NO. ALW IAD 2015-0358)

The hearing of Officer Christopher Kohrs, Star No. 2432, was called it having been set for this date. Officer Kohrs was charged, in a properly verified complaint by Chief William Scott, Chief of Police of the San Francisco Police Department, with violating the Rules and Procedures, as follows:

Specification No. 1:

Convicted of two felony violations of Vehicle Code Section 20001(a) on or about March 15, 2018, (a violation of California Government Code Section 1029, Rule 9 of Department General Order 2.01 of the San Francisco Police Department, and the California Commission on Peace Officer Standards and Training (Government Code Section 1031(d)).

Ms. Ashley Worsham, Attorney at Law, appeared on behalf of the San Francisco Police Department.

Officer Christopher Kohrs appeared in person and was represented by Mr. James Lassart, Attorney at Law.

The Commission took the matter under submission and the following resolution was adopted:

RESOLUTION NO. 19-18

DECISION – HEARING OF OFFICER CHRISTOPHER KOHRS, STAR NO. 2432, (FILE NO. ALW IAD 2015-0358)

WHEREAS, on June 5, 2018, Chief William Scott, Chief of Police of the San Francisco Police Department, made and served charges against Officer Christopher Kohrs, Star No. 2432, as follows:

ROBERT HIRSCH
President

DAMALI TAYLOR
Vice President

PETRA DeJESUS
Commissioner

THOMAS MAZZUCCO
Commissioner

JOHN HAMASAKI
Commissioner

CINDY ELIAS
Commissioner

DION-JAY BROOKTER
Commissioner

Sergeant Stacy Youngblood
Secretary

GENERAL ALLEGATIONS:

- (1) At all times herein mentioned Officer Christopher J. Kohrs, Star Number 2432, was and is a Police Officer employed by the San Francisco Police Department (hereinafter referred to as the "Department"). Officer Kohrs has been a member of the Department since June 23, 2008. On November 29, 2015, Officer Kohrs was arrested for a felony violation of Vehicle Code Section 20001(a). Officer Kohrs was out on leave at the time of his arrest and was placed on interim suspension without pay on December 9, 2016 as a result of his felony arrest.
- (2) As a member of the Department, Officer Kohrs is responsible for knowing and obeying the rules, orders, and procedures of the San Francisco Police Department.
- (3) As a member of the Department, Officer Kohrs is responsible for maintaining the minimum standards that were required when he was hired by the Department in June 2008. One of the most important minimum standards required of peace officers is compliance with California Government Code §1031(d) which states that peace officers must:
 - d. Be good moral character, as determined by a thorough background investigation.
- (4) As a member of the Department, Officer Kohrs is required to be in compliance with Government Code Section 1029. Government Code Section 1029 prohibits anyone, who has been convicted of a felony, from serving as a peace officer.
- (5) On or about November 29, 2015, the San Francisco District Attorney's Office formerly charged Officer Kohrs with two felonies: Vehicle Code Section 20001(a) – Felony Hit and Run Resulting in Serious Bodily Injury.
- (6) On or about March 15, 2018, Officer Kohrs was convicted, by a jury of his peers, of two felony violations of Vehicle Code Section 20001(a), Felony Hit and Run and Felony Hit and Run resulting in Serious Bodily Injury.

SPECIFICATION NO. 1:

- (7) The general allegations incorporated in paragraphs (1) through (6) are incorporated by reference as though fully set forth herein.
- (8) During an IAD-Crim investigation, it was discovered that on or about November 29, 2015, Officer Kohrs was involved in a felony hit and run accident that resulted in serious bodily injury to two separate victims.

Chief William Scott

February 7, 2020

Page 3

- (9) The accident occurred at approximately 2:30 a.m., at the location of Broadway and Montgomery Street in the City and County of San Francisco. Two pedestrians were crossing the street. The area was well lit, it was a straight flat surface, all street lights were functioning and there were no obstructions or any unusual roadway conditions.
- (10) The driver of the Dodge Charger had the green light and there were two other passengers in the car.
- (11) Both pedestrians were hit by the Dodge Charger. The driver of the Dodge Charger fled the scene without identifying himself, reporting the accident or making an attempt to exchange information. Both pedestrians were severely injured and there was also physical damage to the Dodge Charger as a result of the accident.
- (12) The vehicle came back registered to Christopher Kohrs. Both passengers admitted that Officer Christopher Kohrs was driving the vehicle that was involved in the accident.
- (13) Officer Kohrs was arrested on November 29, 2015 and charged with two felony violations of Vehicle Code Section 20001(a).
- (14) On March 15, 2018, Officer Kohrs was convicted of two felony violations of Vehicle Code Section 20001(a) in San Francisco Superior Court case number S6777105 (DA Case number 15026523). Vehicle Code Section 20001(a) states:
 - (a) 20001 (a) The driver of a vehicle involved in an accident resulting in injury to a person, other than himself or herself, or is the death of a person shall immediately stop the vehicle at the scene of the accident and shall fulfill the requirements of Sections 20003 and 20004.
- (15) The text of this law also refers to two other provisions in the Vehicle Code, Vehicle Code Sections 20003 and 20004. Together, the laws state that after an accident a person must:
 - 1. Pull over the nears safe place
 - 2. Give the other driver your personal information including your name and address, and show them your driver's license
 - 3. Contact law enforcement and report the accident, if they aren't already on the scene.
- (16) On April 4, 2018, Officer Kohrs was sentenced to nine months in jail, place on three years of probation, and ordered to pay restitution as a result of his felony convictions for violating Vehicle Code Section 20001(a).
- (17) As a convicted felon, Officer Kohrs can no longer carry a firearm which is an essential function of being a peace officer. As a convicted felon, Officer Kohrs can no longer demonstrate that he is of "good moral" character.

- (18) California Government Code Section 1029 prohibits convicted felons from serving as police officers in the State of California under any circumstances, regardless of the nature of the felony, or whether it was subsequently reduced to a lesser offense.
- (19) Officer Kohrs committed a felony violation of "hit and run" that involved two victims who were severely injured and subsequently required extensive medical treatment. Officer Kohrs fled the scene without identifying himself, exchanging contact information, or call the police to report the accident. As a member of the San Francisco Police Department, Officer Kohrs must know that such conduct violates the standards of the Department and is cause for discipline or dismissal from employment; such conduct violates Government Code Section 1029, the Commission on Peace Officer Standards (Government Code Section 1031(d)), and Rule 9 of Department General Order 2.01, which are stated below:

Government Code Section 1029(a)(1) states:

(a) *Except as provided in subdivision (b), (c), or (d), each of the following persons is disqualified from holding office as a peace officer or being employed as a peace officer of the state, county, city, city and county or other political subdivision, whether with or without compensation, and is disqualified from any office or employment by the state, county, city, city and county or other political subdivision whether with or without compensation, which confers upon the holder or employee the powers and duties of a peace officer:*

(1) *A person who has been convicted of a felony.*

Government Code Section 1031(d) states;

Each class of public officers or employees declared by law to be peace officers shall meet all of the following minimum standards:

(d) *Be of good moral character, as determined by a thorough background investigation.*

Rule 9 of Department General Order 2.01 states:

"MISCONDUCT. Any breach of peace, neglect of duty, misconduct or any conduct by an officer either within or without the state that tends to subvert the order, efficiency or discipline of the Department or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, although not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action."

Chief William Scott
February 7, 2020
Page 5

PENALTIES:

- (20) If Specification One is sustained, my recommendation for penalty is that Officer Kohrs be terminated from his employment as a sworn peace officer with the San Francisco Police Department.

WHEREAS, hearings on said charges were held before the Police Commission pursuant to section 8.343 of the Charter of the City and County of San Francisco on November 28, 2018, and on March 6, 2019 the matter was submitted to the Police Commission for decision of guilt and penalty;

WHEREAS, the Commission decided the following:

SPECIFICATION NO. 1 - Sustained; Termination for violation of Specification No. 1 and that Officer Kohrs violated California Government Code Section 1029, Rule 9 of Department General Order 2.01 as well as the California Commission on Peace Officer Standards and Training a violation of Government Code Section 1031(d); and, the Commission denied motion to hold termination held in abeyance.

AYES: Commissioners Hirsch, Taylor, DeJesus, Elias, Brookter
RECUSED: Commissioner Mazzucco
ABSENT: Commissioner Hamasaki

RESOLVED, that consistent with the Commission's duty to protect the health, safety, and general welfare of the citizens of the City and County of San Francisco and the public in general, and in order to promote efficiency and discipline in the San Francisco Police Department, the Police Commission orders that Officer Christopher Kohrs, Star No. 2432, be terminated, and

FURTHER RESOLVED, that said termination, effective immediately, be, and the same is hereby affirmed and approved; and

AYES: Commissioners DeJesus, Hirsch, Elias, Brookter, Taylor
RECUSED: Commissioner Mazzucco
ABSENT: Commissioner Hamasaki

(These proceedings were taken in shorthand form by Ms. Anna Greenley, CSR., Roomian & Associates)

This decision may be appealed in accordance with the Rules of Appeal that were adopted in Resolution No. 19-15 on February 13, 2019. You have thirty (30) days from the date of this letter to appeal this decision.

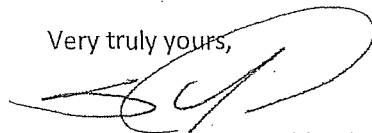
Chief William Scott

February 7, 2020

Page 6

Affidavit of mailing (CCP § 1013a (3)): I am a citizen of the United States, over the age of eighteen years and not a party to this action. I am employed at the San Francisco Police Department, 1245 3rd Street, San Francisco, CA 94102. On the date indicated below, I served this resolution on Christopher Kohrs, 101 Crescent Way, #2107, San Francisco, CA 94134, in this manner. Following ordinary business practices, I sealed true and correct copies of this document in addressed envelope(s) and placed them at this agency for collection and mailing with the United States Postal Service. I am readily familiar with the practices of this agency for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, the sealed envelope(s) that are place for collection would be deposited, postage fully prepaid, with the United States Postal Service that same day. I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct. Executed on February 7, 2020, at San Francisco, California.

Very truly yours,



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

1211/rct

cc: Attorney A. Worsham/IAD, Attorney J. Lassart, Deputy City Attorney P. Zarefsky, Christopher Kohrs



The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

February 14, 2019

Chief William Scott
Chief of Police

Dear Chief Scott:

At the meeting of the Police Commission on Wednesday, February 13, 2019, the following resolution was adopted:

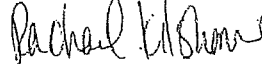
RESOLUTION 19-15

ADOPTION OF RULES FOR ADMINISTRATIVE APPEALS

RESOLVED, that the Police Commission hereby adopts the Rules for Administrative Appeals dated January 30, 2019.

AYES: Commissioners Hirsch, Taylor, DeJesus, Mazzucco, Hamasaki, Elias, Brookter

Very truly yours,


Sergeant Rachael Kilshaw
Secretary
San Francisco Police Commission

949/rct

cc: Director P. Henderson/DPA
Ret. Captain P. Chignell/POA
Deputy Chief M. Connolly/MEA
Attorney A. Worsham/IAD
Attorney S. Betz/IAD
Attorney T. Thompson/DPA

ROBERT HIRSCH
President

DAMALI TAYLOR
Vice President

PETRA DEJESUS
Commissioner

THOMAS MAZZUCCO
Commissioner

JOHN HAMASAKI
Commissioner

CINDY ELIAS
Commissioner

DION-JAY BROOKTER
Commissioner

Sergeant Rachael Kilshaw
Secretary

RULES FOR ADMINISTRATIVE APPEALS

The following rules shall govern administrative appeals from disciplinary determinations by the Police Commission, in accordance with California Government Code section 3304(b). These rules shall apply only to final disciplinary determinations by the Police Commission on verified complaints filed by the Chief of Police of the San Francisco Police Department ("SFPD") or the Director of the Department of Police Accountability ("DPA").

1. **Right to Appeal.** The Member shall have a right to appeal the Commission's final decision imposing discipline to a Hearing Officer. The appeal shall not stay or delay implementation of the Police Commission's decision.
2. **Deadline to File an Appeal.** The Notice of Appeal must be in writing and contain a statement specifying each basis for the appeal. The Member must file and serve the Notice of Appeal to the Commission Secretary and counsel for the SFPD or DPA (whichever agency prosecuted the specific matter before the Commission) no later than 5:00 p.m. on the date that is 30 calendar days from when both the Commission's determination to impose discipline and its findings of fact are served on the officer by a superior officer. If the 30th day falls on a Saturday, Sunday, or legal holiday, the deadline to file the appeal shall be the next business day. Filing and service of the Notice of Appeal must be by personal delivery, electronic delivery, or by other means calculated to effect delivery on or before the 30th day. Failure to comply with the foregoing requirements shall result in forfeiture of the Member's right to an appeal.
3. **Appeal Hearing Officer.** The Hearing Officer for administrative appeals shall be an Administrative Law Judge ("ALJ") from the California Office of Administrative Hearings ("OAH"). Within seven (7) calendar days of receipt of a Notice of Appeal, the Commission Secretary shall contact the OAH and request the assignment of an ALJ as the neutral Hearing Officer for the appeal. When OAH has assigned a Hearing Officer, the Commission Secretary shall notify the parties of the identity of the assigned Hearing Officer.
4. **Communications; Service on Other Party and Commission.**
 - a. Unless otherwise specified in these rules, once a Hearing Officer is assigned, the parties shall submit all written communications, briefs, and other filings to the Hearing Officer directly and concurrently carbon copy (for communications) or serve (for briefs or other filings) the opposing party and the Commission Secretary with a copy by U.S. Mail, personal delivery, or other means agreed to by the parties. The parties shall provide a courtesy hard copy of all briefs and other filings to the Commission Secretary for the Commission files.
 - b. The OAH requires e-filing pursuant to its Electronic Filing and Naming Guidelines. Information about those procedures is available on the OAH website, currently (<https://www.dgs.ca.gov/oah/Home/SecureFileTransfer.aspx>). The parties shall familiarize themselves with those procedures, and shall ensure they submit materials in compliance with the OAH requirements.
 - c. The parties and their representatives may not have *ex parte* communications with the Hearing Officer. The Hearing Officer may not have *ex parte* communications with members of the Commission or SFPD or DPA regarding the matter or issues on appeal. Any communications from a party to the Hearing Officer regarding the appeal shall be in writing, with a copy concurrently served on the opposing party and Commission Secretary by U.S. Mail, electronic delivery,

CE 1/30/19

personal delivery, or other means agreed to by the parties and the Commission Secretary.

5. **Discovery.** Except as specified elsewhere herein, no discovery is permitted for the appeal. Discovery was available prior to the trial before the Commission, under the Commission's Procedural Rules Governing Trial of Disciplinary Cases, Section VIII. The appeal is limited to the evidentiary record made before the Police Commission, unless the Hearing Officer has ordered the Record on Appeal to be augmented pursuant to the procedures herein.

6. **Appeal Submissions.**

- a. **Transmission of Record on Appeal:** Within thirty (30) calendar days of the timely filing of a Notice of Appeal, the Commission Secretary shall submit the Notice of Appeal and the following materials to the Hearing Officer by personal delivery or other means calculated to effect delivery within the thirty (30) day period, with copies to the parties by the same means:
 - i. Decision letter from the Commission;
 - ii. Commission's Findings of Fact; and
 - iii. Record of the Police Commission proceedings, including the charging documents, the reporter's transcript, and all exhibits.
- b. **Augmenting the Record:** Upon a showing of good cause, the Hearing Officer may grant a party's motion to augment the Record on Appeal with the following: (1) any document that was part of the Commission proceeding that was not included in the Record on Appeal prepared by the Commission Secretary; (2) any document or testimony that was excluded from the Commission proceeding based on an evidentiary ruling of the Commission or as a result of a decision by the Commission denying a request by the Member for more time to put on the Member's case, provided that the Member identified to the Commission, on the record, the specific document or testimony the Member wished to be considered; or (3) any newly-discovered evidence that was unknown to the party at the time of proceedings before the Commission, despite that party's diligent investigation and efforts to discover all relevant evidence. A party must file any motion to augment the record within fourteen (14) calendar days of the date of the Commission Secretary's transmission of the Record on Appeal. The other party may file an opposition within fourteen (14) calendar days of the filing of any such motion. The Hearing Officer may allow an oral argument on any such motion. The Hearing Officer shall rule on the motion within a reasonable time, not to exceed thirty (30) days from the later of either submission of the opposition brief or the date of any oral argument. The Hearing Officer shall provide a written decision to the Commission Secretary for distribution to the parties, which shall include the basis for his or her evidentiary ruling(s).
 - i. If the Hearing Officer grants a motion to augment the Record on Appeal with a document that was part of the Commission proceeding, the Commission Secretary shall submit the document consistent with the Hearing Officer's decision, within not more than fourteen (14) calendar days of that decision.

CE 1/30/19

- ii. A Member challenging a ruling by the Commission to exclude documentary or testimonial evidence must show that the ruling was erroneous and prejudicial. If the Hearing Officer, on motion by the Member, makes such findings, the hearing officer shall allow limited discovery for the introduction and authentication of such evidence, as well as such related subject matter as the Hearing Officer may approve. Such discovery and evidence shall be part of the Record on Appeal.
- iii. If the Hearing Officer grants a motion to augment the Record on Appeal with newly-discovered evidence that was unknown to the party at the time of proceedings before the Commission, the hearing officer shall allow limited discovery for the introduction and authentication of such evidence, as well as such related subject matter as the Hearing Officer may approve. Such discovery and evidence shall be part of the Record on Appeal.
- c. Certification of the Record: Upon completion of the procedures described in subparagraphs a. and b. above, the Commission Secretary shall certify that the Record of Appeal is final.
- d. Briefing on the Merits of the Appeal:
 - i. Scope of Evidence. In their briefing, the parties may rely only on evidence in the Record on Appeal, as prepared by the Commission Secretary, and as augmented per any decision of the Hearing Officer on a motion to augment the Record. Neither party may submit new or additional evidence in the briefs.
 - ii. Appellant's Opening Brief: The Member shall file and serve the Opening Brief on the Hearing Officer and the SFPD or DPA, whichever prosecuted the discipline matter before the Police Commission, no later than twenty-one (21) calendar days after the Commission Secretary certifies that the Record on Appeal is final. Any basis for appeal not stated in Appellant's Opening Brief is waived.
 - iii. Response Brief: The SFPD or DPA, whichever prosecuted the discipline matter before the Police Commission, shall file and serve its Response Brief no later than twenty-one (21) calendar days after the Member files and serves the Opening Brief.
 - iv. Appellant's Optional Reply Brief: The Member may file a Reply Brief no later than seven (7) calendar days after the SFPD or DPA files and serves its Response Brief.
 - v. The parties must file and serve the briefs pursuant to Paragraphs 4(a) and (b).
 - vi. If one of the preceding deadlines falls on a Saturday, Sunday, or legal holiday, the due date shall be extended to the next business day.
 - vii. Either party may request to continue any one of the foregoing deadlines for good cause by filing and serving with the Hearing Officer (1) a stipulated request with the other party; or (2) a motion to continue, as soon as reasonably possible after learning of the circumstances leading to

CE 1/30/19

the request for a continuance. The Hearing Officer may allow the other party an opportunity to respond or oppose a motion under (2) above. The Hearing Officer may decide the motion, in his or her discretion, and grant additional time not to exceed sixty (60) calendar days.

7. **Appeal Hearing Date and Continuances.** The Hearing Officer shall set a hearing date in consultation with the parties for no later than thirty (30) calendar days following the date for submission of the Optional Reply Brief. If a party wishes to request a continuance of the hearing date, that party must submit a written request to the Hearing Officer as soon as reasonably possible after learning of the circumstances establishing good cause for a continuance. The request must propose three dates when the party and representative will be available, with the objective of setting the hearing for a date as soon as reasonably possible. The opposing party may file a response by the close of business the following day, stating any objection to the request and indicating whether that party is available on any of the three proposed dates. The Hearing Officer shall decide whether the matter should be continued, and if so, set a new date for the hearing when the parties and representatives are available.
8. **Appeal Hearing Time and Location.** The hearing shall be conducted in person, although a party or the representative may appear telephonically with the approval of the Hearing Officer. No later than seven (7) calendar days before the hearing date, the Police Commission Secretary shall, in consultation with the Hearing Officer or OAH staff, reserve an appropriate location to accommodate the hearing and shall notify all parties of the time and location of the hearing.
9. **Closed/Open Hearing.** The appeal hearing shall be conducted in closed (non-public) session unless the Member requests open (public) session, in which case the appeal hearing shall be open. If the Member requests open session, the Hearing Officer shall close portions of the appeal hearing to the extent necessary to protect the privacy interests of third parties, e.g., medical information, or to comply with other laws making some of the material in the record confidential.
10. **Representatives.** The parties may each have a representative of their choice at the appeal hearing.
11. **Court Reporter.** The Commission shall provide a court reporter to record and prepare a stenographic transcript of the appeal hearing. The Commission shall order the transcripts and provide a complete copy to both parties and to the Hearing Officer if requested.

12. Rights and Responsibility at the Appeal Hearing

a. Rights and Responsibilities of the Parties.

Each party shall have the right to make an oral argument and respond to questions from the Hearing Officer, directly or through a representative.

b. Role and Responsibilities of the Hearing Officer.

The Hearing Officer shall independently reexamine the entire Record on Appeal prior to the appeal hearing.

The Hearing Officer shall preside at the appeal hearing and exercise all powers relating to the conduct of the appeal hearing.

CT 1/30/17

The Hearing Officer may record the appeal hearing with an audio recorder provided by the Commission Secretary.

The Hearing Officer shall issue a written decision (see Paragraph 14 below).

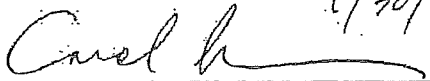
13. Standard of Review. The Hearing Officer shall review the Commission's decision for abuse of discretion, as defined in Code of Civil Procedure section 1094.5 and case law construing that statute:

14. Decision by the Hearing Officer. The Hearing Officer shall decide the appeal based on the Record on Appeal, the briefs, and the arguments of the parties at the appeal hearing. Not later than sixty (60) calendar days after the appeal hearing, the Hearing Officer shall prepare and issue a written decision that determines the issues on appeal, including factual determinations relating to whether the Commission abused its discretion. The Hearing Officer shall submit the decision to the Commission Secretary, who shall serve the decision on the parties along with written notification that the decision is final. If the Hearing Officer reverses the Commission's decision or reduces the discipline imposed by the Commission, the Hearing Officer shall remand the case to the Commission for further action consistent with the decision. The decision of the Hearing Officer shall be final and binding on Member, the SFPD and DPA (as applicable), and the Commission.

15. Public Meeting Laws. The appeal hearing is not subject to public meeting requirements under the Ralph M. Brown Act, Government Code section 54950 *et seq.*, or the San Francisco Sunshine Ordinance, Administrative Code Chapter 67.

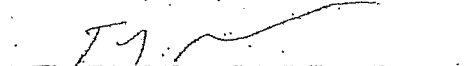
16. Peace Officer Personnel Records. Unless the member requests an open proceeding, the entire file on appeal, including the Record on Appeal; the communications, motions and briefs; the transcript of the appeal hearing; and the Hearing Officer's decision, are confidential peace officer personnel records protected by Penal Code section 832.7. These records are not subject to disclosure, including but not limited to disclosure in response to a request under public records laws. In response to any such request, the OAH shall assert an exemption to disclosure based on Penal Code section 832.7. In the event that the Member has requested an open proceeding, any testimony or evidence presented in closed session to protect privacy interests shall remain subject to the foregoing restrictions.

For the City:

 1/30/19

Carol Isen
Employee Relations Director

For the San Francisco Police Officers' Association (SFPOA) Union:

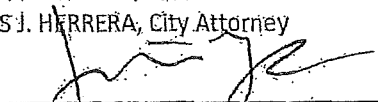


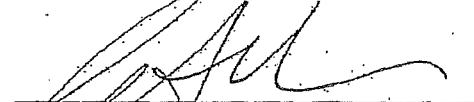
Tony Montoya
President

APPROVED AS TO FORM:

DENNIS J. HERRERA, City Attorney

By:


Jonathan Yank
Deputy City Attorney


Gregg Adam
Union Counsel

Leger, Cheryl (BOS)

From: Fountain, Christine (POL) on behalf of Scott, William (POL)
Sent: Wednesday, March 11, 2020 10:49 AM
To: cjkohrs.; SOTF, (BOS); Scott, William (POL); Youngblood, Stacy (POL); Cassady Toles; Calvillo, Angela (BOS); Benavidez, Louie (POL); Audrey Hufnagel; Ed Primeau; Zumwalt, Jeffrey (ETH); Pierce, Jeffrey (ETH)
Subject: Response - Request: SOTF File No. 19145
Attachments: Ltr_CKohrs_TransparencyRequest_2020_03_05.pdf

Mr. Kohrs,

Please see attached letter from Chief William Scott in response to your email dated March 2, 2020.

Thank you.

Christine Fountain
Office of the Chief of Police
(415) 837-7000
(415) 837-7370 (fax)

for

William Scott
Chief of Police
San Francisco Police Department
1245 3rd Street
San Francisco, CA 94158

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From: cjkohrs. <ckohrs@gmail.com>
Sent: Monday, March 2, 2020 7:11 PM
To: SOTF, (BOS) <sotf@sfgov.org>; Scott, William (POL) <william.scott@sfgov.org>; Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; Cassady Toles <ctoles@kernlaw.com>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>; Benavidez, Louie (POL) <Louie.Benavidez@sfgov.org>; Audrey Hufnagel <audrey@primeaucompanies.com>; Ed Primeau <Ed@primeaucompanies.com>; Zumwalt, Jeffrey (ETH) <jeffrey.zumwalt@sfgov.org>; Pierce, Jeffrey (ETH) <jeffrey.pierce@sfgov.org>
Subject: Request: SOTF File No. 19145

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

Dear Sergeant Youngblood and Chief Scott,

We are still requesting a copy of the digital original audio recording of the attached transcript, which we have not received. If you are claiming you have sent us a copy of the digital original, please let us know when it was sent, who it was sent to, and the mode of delivery (certified mail, FedEx, UPS, etc.) please include tracking numbers if applicable. Additionally, either I or my attorney would be happy to stop by your office and pick up a copy of the digital original at your convenience. Contrary to your statement, the updated information SFGTV has provided is still inconsistent and conflicts with your original statement below in quotes...

"The equipment used to record your termination hearing belongs to and is maintained by SFGOVTV which is located at City Hall."

The information we requested in my previous email was only requested to provide some transparency. We would still appreciate answers to the following questions:

Can you elaborate on the specific procedures for recording my hearing?

Since the chain of custody logs do not exist for the recording(s) including the jump drive, who had/has access to the recording(s) including the jump drive?

Are there policies and procedures in place to ensure the integrity of the jump drive without a chain of custody log?

Prior to the court reporter, Anna C Greenley, leaving the hearing on 3/6/2019, did Anna provide the Commission an unedited draft of the hearing?

Regarding my hearing that took place on 3/6/2019 at City Hall room 400, what is the make and model of the device that allows recording of the room audio to a USB or SD card?

Was the audio recorded as an mp3 audio file? If not, what type of file was it recorded on?

Having answers to these questions would improve transparency and be appreciated.

Respectfully,
Chris Kohrs



LONDON N. BREED
MAYOR

CITY AND COUNTY OF SAN FRANCISCO
POLICE DEPARTMENT
HEADQUARTERS
1245 3RD Street
San Francisco, California 94158



WILLIAM SCOTT
CHIEF OF POLICE

March 5, 2020

Mr. Chris Kohrs
Sent via Email
ckohrs@gmail.com

Dear Mr. Kohrs:

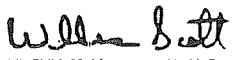
RE: Transparency Request

We are in receipt of your request dated March 2, 2020. In your letter you asked the Department to assist you in obtaining an "unaltered, original recording" of your hearing from the San Francisco Police Commission.

It is our understanding that the Police Commission has provided you a copy of the audio recording of your hearing in your capacity as a former employee. It appears that you are challenging the authenticity of the recording. Under the Charter section 4.104, the Commission is responsible for keeping a record of the proceedings. We are unable to assist you any further in this request.

Thank you.

Sincerely,


WILLIAM SCOTT
Chief of Police

/cf

c: Jeffery Zumwalt (ETH)
SOTF (BOS)
Jeffrey Pierce (ETH)
Cassady Toles (ctoles@kernlaw.com)
Audrey Hufnagel (audrey@primeaucompanies.com)
Sergeant Stacy Youngblood, Police Commission

Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Friday, September 25, 2020 11:09 AM
To: SOTF, (BOS)
Cc: SFPD, Commission (POL)
Subject: RE: SOTF - Notice of Appearance, October 7 2020 - Sunshine Ordinance Task Force; 4:00 PM; remote meeting

Good Morning SOTF,

Your meeting is scheduled the same day as the Police Commission meeting.

In order to attend this meeting I request that you put the Police Commission first on the agenda. I will need to be off of the SOTF meeting by 4:45pm at the latest in order to have enough time to set up the Police Commission meeting. If these accommodations cannot be made I will not be able to attend the SOTF.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SOTF, (BOS) <sotf@sfgov.org>
Sent: Friday, September 25, 2020 10:48 AM
To: Vien, Veronica (DPH) <veronica.vien@sfdph.org>; SGM <grovestand2012@gmail.com>; Paul A. Vander Waerdt <paulavanderwaerdt@gmail.com>; Schneider, Dylan (HOM) <dylan.schneider@sfgov.org>; Cox, Andrew (POL) <r.andrew.cox@sfgov.org>; Scott, William (POL) <william.scott@sfgov.org>; 81412-71801448@requests.muckrock.com; 76435-93915115@requests.muckrock.com; cjkohrs <ckohrs@gmail.com>; Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Cc: Young, Victor (BOS) <victor.young@sfgov.org>; Somera, Alisa (BOS) <alisa.somera@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Subject: SOTF - Notice of Appearance, October 7 2020 - Sunshine Ordinance Task Force; 4:00 PM; remote meeting

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 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 7, 2020

Location: Remote meeting

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. 19080: Complaint filed by Paul A. Vander Waerdt against the Dept. of Homelessness and Supportive Housing for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, for failing to respond to an Immediate Disclosure Request in a timely manner.

File No. 19109: Complaint filed by Stephen Malloy against Dept. of Public Health for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24, 67.25, 67.26 and 67.27 by failing to respond to a public records request in a timely and/or complete manner.

File No. 19112: Complaint filed by Anonymous against Chief William Scott and Lt. R. Andrew Cox and the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.25, 67.26, 67.27, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner, failing to respond to a public records request in a timely and/or complete manner; failing to justify withholding of records and failing to maintain a Proposition G calendar.

File No. 19098: Complaint filed by Anonymous against Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.26 and 67.27, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19145: Complaint filed by Chris Kohrs against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19140: Complaint filed by Stephen Malloy against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, 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, September 30, 2020.**

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.

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Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Thursday, December 3, 2020 1:57 PM
To: cjkohrs
Cc: Leger, Cheryl (BOS); SOTF, (BOS); SFPD, Commission (POL)
Subject: Re: Request

Mr. Kohrs,

Your request has been received. We will be in touch with you after we speak with the City Attorney.

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk



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From: cjkohrs <ckohrs@gmail.com>
Date: Wednesday, December 2, 2020 at 5:59 PM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Cc: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>, SOTF, (BOS) <sotf@sfgov.org>, SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Subject: Re: Request

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

> Dear SF Police Commission and SOTF,
>

> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session

should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

>

> Respectfully,

> Chris Kohrs

Sent from my iPhone

> On Dec 2, 2020, at 3:23 PM, cjkohrs <ckohrs@gmail.com> wrote:

>

>>

>> Dear SF Police Commission,

>>

>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

>>

>> Respectfully,

>> Chris Kohrs

Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Wednesday, December 9, 2020 11:19 AM
To: SOTF, (BOS); Leger, Cheryl (BOS)
Cc: cjkohrs; SFPD, Commission (POL); Youngblood, Stacy (POL)
Subject: RE: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Good Afternoon SOTF,

I am following up on our last appearance before the Sunshine Ordinance Task Force on 11/4/2020. As a reminder, below is a summary of events for the Chris Kohrs matter:

- 3/06/2019 – Kohrs Termination Hearing held
- April 2019 – Kohrs requests a copy of hearing
- April 2019 – Kohrs is mailed a CD containing the audio recording as a former employee
- 9/13/2019 – Kohrs requests a copy of the audio recording of termination hearing
- 9/13/2019 – Kohrs given a copy of audio recording as a former employee
- 1/06/2020 – Commission receives an email from Kohrs in which he states he received the audio recording but believes it to be altered.
- 1/17/2020 – Commission Office receives email from SOTF regarding complaint 19145
- 9/15/2020 – SOTF Appearance
- 10/7/2020 – SOTF Appearance
- 11/4/2020 – SOTF Compliance and Amendments Committee Appearance

On 11/4/20 I advised the members that the Commission Office sent Kohrs the audio recording of his termination hearing, but we were unable to locate the recorded deliberations from the closed session on 3/6/19. The following work day, I conducted another search of the audio and was able to locate the deliberations audio, which took place on 3/6/19.

The Kohrs termination hearing was recorded in 3 parts (3 different tracks). The 1st track begins when the attorneys present their case and Mr. Kohrs is present. Both parties as well as the court reporter were then excused from the room for commencement of the Commission deliberations. The 2nd track records the audio from the deliberations. After deliberations, both parties and the court reporter come back in the room and the 3rd track begins recording the final portion of the termination hearing.

Mr. Kohrs was provided a copy of track 1 and track 3 from his termination hearing. Mr. Kohrs was not given track 2 because he was only entitled to receive the portions of the hearing in which he was present. Those recordings were given to him not as a public record but as part of his personnel file. Those recordings are not subject to release absent a court order or waiver.

Track 2 is not subject to release because the Police Commission has the right to invoke a privilege to go into closed session under Cal. Government Code sections 54963, 54957, 6254(k) and S.F. Admin Code 67.10. The purpose of closed session is not only to protect employees from public embarrassment but to permit free and candid discussions of personnel matters. *Morrow v. LA Unified School Dist.*, 149 Cal. App.4th 1424 (2007). The Commission excluded Mr. Kohrs from the deliberations in order to allow frank conversations among the Police Commission members. Upon conclusion of the closed session, the Commission voted not disclose the information contained in closed session. Thus, the Commission office is unable to release Track 2.

Please see Admin Code 67.10, Government Code 54963, Government Code 54957 and Government Code 6254(k).

Thank you

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SOTF, (BOS)

Sent: Friday, November 20, 2020 11:54 AM

To: Cisneros, Jose (TTX) <jose.cisneros@sfgov.org>; Fried, Amanda (TTX) <amanda.fried@sfgov.org>; cjkohrs <ckohrs@gmail.com>; Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; 84162-44435865@requests.muckrock.com; pmonette-shaw <pmonette-shaw@earthlink.net>; COTE, JOHN (CAT) <John.Cote@sfcityatty.org>; COOLBRITH, ELIZABETH (CAT) <Elizabeth.Coolbrith@sfcityatty.org>; DIETTERLE, COLLEEN (CAT) <Colleen.Dietterle@sfcityatty.org>; Cityattorney <Cityattorney@sfcityatty.org>

Subject: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Good Afternoon:

The agenda and packet for the Compliance and Amendments Committee of the Sunshine Ordinance Task Force November 24, 2020, 4:30 p.m. meeting is online at the following link:

https://sfgov.org/sunshine/sites/default/files/cac112420_agenda.pdf

The packet material is linked to each item listed on the agenda marked 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
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org



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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.

Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Wednesday, December 9, 2020 11:10 AM
To: cjkohrs
Cc: Leger, Cheryl (BOS); SOTF, (BOS); SFPD, Commission (POL); Youngblood, Stacy (POL)
Subject: RE: Request
Attachments: RELEASE REQUEST AND AUTHORIZATION - Kohrs Termination Hearing.pdf

Good Afternoon Mr. Kohrs,

The Police Commission Office writes to provide an update as to the deliberation audio recording portion of your termination hearing and in response to your email to the Commission dated, December 2nd 2020.

After the November 24th 2020 meeting of the Sunshine Task Force (SOTF), the Commission Office did one more search of your termination hearing and located the closed session deliberation audio recording. We will notify the SOTF and copy you that the audio recording was located. However, as explained below the deliberation portion of your termination hearing is not subject to release.

On December 2nd 2020, the Commission received the following request:

"Dear SF Police Commission and SOTF,

I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore, all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter."

We understand that you wish to waive your rights under Cal. Penal Code 832.7 that protects peace officer personnel records and the right of privacy under the California and U.S. Constitution retroactively to your termination hearing. We will need to have you sign a document stipulating to your request. That document is attached to this email. If you still wish to have the records from your termination hearing released to the public, please sign the attached form and email it back to the Commission Office. Your request will allow the Police Commission Office to release the closed session portion of your termination hearing to the public upon request. To be clear, this waiver only applies to the portions of the hearing that you were present at.

You are unable to waive your rights for purposes of obtaining the deliberation portion of the proceedings where you were not present. The Police Commission has a privilege to go into closed session and deliberate in closed session on personnel matters under Cal. Government Code sections 54963, 54957, 6254(k) and S.F. Admin Code 67.10. The purpose of closed session is not only to protect employees from public embarrassment but to permit free and candid discussions of personnel matters. *Morrow v. LA Unified School Dist.*, 149 Cal. App.4th 1424 (2007). You may waive your right to privacy and allow the public to hear the proceedings. But, you lack the ability to waive the Police Commission's privilege to engage in frank discussions in closed session. The Commission excluded you from the deliberations and you lack the ability to invoke a waiver for a privilege that you do not hold. Upon conclusion of the closed session, the Commission voted not to disclose the information contained in closed session.

For the foregoing reasons, we decline to disclose the deliberation proceedings of your termination hearing.

Thank you,

Sergeant Stacy Youngblood #1211
San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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

From: cjkohrs [mailto:ckohrs@gmail.com]
Sent: Wednesday, December 2, 2020 5:59 PM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Cc: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Subject: Re: Request

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

> Dear SF Police Commission and SOTF,
>

> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

>
> Respectfully,
> Chris Kohrs

Sent from my iPhone

> On Dec 2, 2020, at 3:23 PM, cjkohrs <ckohrs@gmail.com> wrote:

>
>>
>> Dear SF Police Commission,
>>

>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session

should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

>>

>> Respectfully,

>> Chris Kohrs

REQUEST AND AUTHORIZATION
TO RELEASE AND OBTAIN INFORMATION AND RECORDS
(Peace Officer Records Release)

I, Christopher Kohrs, hereby retroactively waive my rights under Cal. Penal Code 832.7 which protects peace officer personnel records and the right to privacy under the California and U.S. Constitution and authorize the City and County of San Francisco ("City"), through its Police Commission Office, to release the transcript and audio recording of my termination hearing held on March 6th 2019 to any member of the public who should ask for the above named records.

In executing this Request and Authorization to Release Information and Records, I knowingly, voluntarily and expressly waive the procedures and protections afforded by the Public Safety Officers' Procedural Bill of Rights Act, California Government Code section 3300 et seq., California Evidence Code sections 1040, 1043 through 1047, and 1511, and California Penal Code sections 832.5, 832.6 and 832.7.

Dated: _____

CHRISTOPHER KOHRS

Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Monday, December 14, 2020 10:43 AM
To: SOTF, (BOS)
Cc: Young, Victor (BOS); SFPD, Commission (POL); Youngblood, Stacy (POL)
Subject: RE: SOTF - Request of SOTF for the materials below.
Attachments: COMMISSION MEETING SET-UP.PDF; Commission Rules of Order.pdf

Good Morning SOTF,

In response to your two requests:

- a. Attached you will find:
 - a. Internal Memo titled "Commission Meeting Set-Up"
 - b. Memorandum titled "San Francisco Commission Rules of Order" – See Rule 2.15 – Minutes of Proceedings
 - c. Link to the "Good Government Guide" – See page 163 (h. Recordings of closed sessions)
- b. Time Code of the complete meeting (each track is recorded separately) :
 - a. Track 1 – 00:00 – 18:45
 - b. Track 2 – 00:00 – 6:46
 - c. Track 3 – 00:00 – 1:15
 - d. Closed session can only be released with a court order. Mr. Kohrs has not signed a release form to allow the release of Track 1 and Track 3 which he was present at. Track 2 contains deliberations from the termination hearing which the Police Commission voted not to disclose and contains attorney-client privileged information.

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SOTF, (BOS)
Sent: Monday, December 14, 2020 10:25 AM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Cc: Young, Victor (BOS) <victor.young@sfgov.org>
Subject: SOTF - Request of SOTF for the materials below.

Dear Sgt. Youngblood: The Compliance and Amendments Committee of the Sunshine Task Force asks that you provide the following materials/information regarding the Police Commission hearing of Chris Kohrs.

- a. Police Commission policy on recording of closed session.
- b. Time Code of the complete meeting and the complete closed session portion of the Police Commission hearing regarding Chris Kohrs.

Thank you.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

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POLICE COMMISSION MEETING SET-UP AND PROCEEDINGS

- 1) Go to floor monitor and click "Login"
- 2) Find "Clerk"- type in clerk code from login sheet
- 3) Click "Gavel Down" – then turn the mics off
- 4) Click on "controls" icon- you want it to be on "Auto"
- 5) Click back on the controls icon to close screen
- 6) Check timer to make sure it works- (time is usually set to 3 minutes but check with President to ensure they don't want to shorten the time limit due to a full agenda).
 - ****The President must make a public announcement if the time limit is going to be changed****
- 7) Turn on recording equipment (power button).
 - Insert thumb drive and watch the little screen to make sure it looks ready to record
 - Press RED button to open new track (the screen will zero out).
- 8) Go to each Commissioner's monitor and log them in:
 - click "LOGIN" then type in code assigned to that Commissioner; Give President the sheet of paper with the tip line on it.
 - To check proper code was typed in, click on "Request to speak"- Commissioner's name will pop up.
 - Click "request to speak" button again to remove the name from display
 - Make sure the tip-line phone number sheet is at the president's chair.

START OF MEETING – (Turn on mics at around 5:27)

- 1) President will let you know they are ready to start: Press ~~RED~~ button to start recording.
 - 2) President will call the meeting to order.
- *** Ladies and gentlemen, the chair has called the meeting to order.
- *** Please turn off your electronic devices as they tend to interfere with the equipment in the room.
- *** Can you please rise for the Pledge of Allegiance. ***
- Commissioner _____ I'd like to call roll. (use agenda for list of names) ***
- Commissioner you have a quorum (at least 4 Commissioners present)

*** Also present is Chief William Scott (or designee) of the San Francisco Police Department and Director Paul Henderson (or designee-usually Sarah Hawkins) from The Department of Police Accountability.

*** If one a presenter brings a handout for their presentation that was not given prior to the meeting to be posted on the Police Commission Website, an announcement has to be made regarding this... along the lines of explaining that the material was not provided prior to the meeting, etc.

1) President will have you read line item 1.

- When the line item is **Reports to the Commission:**

- read each line item entirely as you get to each one (ie: Read all items under a, then Chief gives reports related; then Commissioners discuss. Then read all of b, then DPA gives reports, then Commissioners discuss, etc.)
- At line item d, (Commission Reports) this is where the Commissioners request items to be agendaized for future meetings and also the next police Commission meeting's date, time, and location are announced.

- Reports to the Commission line item is only open for public comment after item d (Commission announcements) and comment can only be related to items a-d.

- You say, "The public is now invited to comment on line items 1a through 1d" (eg).

- Each line item thereafter is open for public comment.

- For Action items: a Commissioner makes a Motion, then another person 2^{nds} it; it MUST go to **public comment**; and then Commissioners vote.

2) When you get to the line item that reads: **GENERAL PUBLIC COMMENT**- read the fine print that explains the rules for Public Comment. DON'T FORGET TO START THE TIMER FOR EACH PERSON!!

3) The line following General Public Comment is the last item that is open to Public Comment.

4) The "Vote on whether to hold item _ in Closed Session" is simply a vote (Action) - not open for Public Comment.

5) Before going to Closed Session:

- Press WHITE Button on stereo equip. to stop recording.
- Press RED button to start a new recording track.
- Click the "Closed Session" icon on the computer screen.

6) Clear the room, cover windows

- 7) SFGTV should automatically go black.

CLOSED SESSION:

- 1) Press RED button to begin recording.
- 2) Read "preamble" by Police Commission Secretary regarding Commissioner "We are back on the record and in closed session and you still have a quorum with commissioners"...list all present. Also present in the room is Chief Scott, AC Sainez, Dir. DPA, list Commission staff, Deputy City Atty. Alicia Cabrera (or Paul Zerefsky- for Discipline)
- 3) Each line item under closed session should have its own track so start and stop after each one. We have also been changing the tracks for deliberations as well.
- 4) After last item in Closed Session is covered, Press WHITE button to stop recording Closed Session.

BACK TO OPEN SESSION- Click "Close session" on computer screen (turns from red back to black) - CALL SFGTV to restart televising.

- 1) Press RED button 2x (to change the track and start recording open session)
- 2) "Commissioner we are back on the record for open session and you still have a quorum."
- 3) Continue line items
- 4) Adjournment (Action item)
- 5) Press WHITE button to stop recording
- 6) Click "Adjourn"



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

August 11, 2005

The Police Commission
850 Bryant Street, Room 505
San Francisco, CA 94103

Dear Commissioners:

At the meeting of the Police Commission on Wednesday, August 10, 2005, the following resolution was adopted:

RESOLUTION NO. 54-05

APPROVAL OF REVISIONS TO THE POLICE COMMISSION RULES OF ORDER

RESOLVED, that the Police Commission adopts the revised Police Commission Rules of Orders, which states as follows:

**SAN FRANCISCO POLICE COMMISSION
RULES OF ORDER**

Chapter 1 - Definitions

The following terms, whenever used or referred to in these Rules, shall have the following respective meanings, unless a different meaning is clearly made apparent by the context:

- A. "Administrative Code" shall mean the San Francisco Administrative Code.
- B. "Adopted" in connection with proposed resolutions shall mean and include adoption of such proposed resolutions by the Commission.
- C. "Charter" shall mean the Charter of the City and County of San Francisco.
- D. "Commission" shall mean the Police Commission of the City and County of San Francisco.
- E. "Committee" shall mean the Police Commission of the City and County of San Francisco.

LOUISE RENNE
President

GAYLE ORR-SMITH
Vice President

DOUGLAS CHAN
Commissioner

PETER KEANE
Commissioner

THERESA SPARKS
Commissioner

DR. JOE MARSHALL
Commissioner

JOE VERONESE
Commissioner

SERGEANT JOE REILLY
Secretary

- F. "Member" shall mean a member of the Commission.
- G. "Open Meetings Laws" shall mean California Government Code Section 54950 et seq. (commonly known as the 'Brown Act') and San Francisco Administrative Code Chapter 67 (commonly known as the 'Sunshine Ordinance').
- H. "President" shall mean the President of the Commission.
- I. "Rules" shall mean the Rules of Order of the Commission.
- J. "Secretary" shall mean the Executive Secretary of the Commission.

Chapter 2 - Organization and Meetings

Rule 2.1 - Adoption of Rules of Order. The Rules of Order (Rules) shall be adopted by motion carried by an affirmative recorded vote of a majority of the members of the Commission.

When adopted, such Rules remain in effect unless suspended or amended as provided herein. The President may adopt temporary rules to address a specific situation or point of order in a Commission meeting where such situation or point of order is not covered in these Rules.

Rule 2.2 - Amendment to Rules. All proposed amendments to the Rules shall be by motion and shall require an affirmative vote of a majority of the members of the Commission.

Rule 2.3 - Election of Officers. At the last regular meeting of the Commission held before the 30th day of May of each year, or at a prior meeting, the date of which shall be fixed annually by the Commission, the members of the Commission shall elect from among their number a President and Vice President of the Commission, each to serve for a term beginning on the date of the first regular or special meeting held after the 30th day of May, and ending one year thereafter or until the election of a new President or Vice President. *(amended 01/05/05)*

Rule 2.4 - Meetings and Rules of Procedures. Except as otherwise determined by the Commission, regular meeting of the Commission shall be held at 5:30 p.m. every Wednesday of the month in Room 400 at the San Francisco City Hall. All proceedings shall be conducted in conformance with the San Francisco Charter, the Brown Act, and the Sunshine Ordinance. Acts by the Commission shall be expressed by motion or resolution.

Rule 2.5 - Parliamentary Procedure. The Rules of parliamentary procedure as set forth in *Robert's Rules of Order* shall govern all meetings of the Commission unless otherwise provided herein.

Rule 2.6 - Alternative Meeting Place. In the event the regular meeting place is unavailable, the President shall designate some other appropriate place as its temporary meeting place.

Rule 2.7 - Special Meetings of the Commission. The President, subject to the requirements of the Brown Act and Sunshine Ordinance may call a special meeting of the Commissioners.

Rule 2.8 - Quorum. The majority of the members of the Commission constitutes a quorum for the transaction of business.

Rule 2.9 - Voting. Every official act of the Commission shall be adopted by majority vote. A majority vote shall mean a majority of all members of the Commission. All members present shall vote for or against each question brought to a vote unless a member is excluded from voting by a motion adopted by a majority of the members present.

Rule 2.10 - Rights of Members Less Than Quorum. In the absence of a quorum no information may be presented and no official action shall be taken by the members present except to order a call of the Commission, to reschedule the same meeting, to recess or to adjourn.

Rule 2.11 - President. The President shall preside at all meetings of the Commission and shall perform all other duties necessary or incidental to the office. The President may create such committees to perform such advisory functions as he/she shall determine, and may appoint and remove as his/her pleasure, members from such committees.

Rule 2.12 - Vice President. In the absence or inability of the President to act, the Vice President shall take the place and perform the duties of the President.

Rule 2.13 - Agenda Items. Any agenda item submitted to the Secretary for inclusion on the agenda of a regular or special meeting must be approved by a Commissioner, Deputy Chief, Assistant Chief or the Chief of Police. Items submitted by the Office of Citizen Complaints must be approved by the OCC Director. All items must be submitted before the close of business on the Thursday preceding a regular Commission meeting. The Secretary shall promptly inform the President of all such submitted agenda items. If the President determines that in the interest of maintaining a meeting of reasonable length, such item should not be included on the agenda for the meeting for which the item was submitted, such item may be omitted but shall be included on the agenda of the next regular meeting or of a special meeting. Except as provided by the Brown Act or Sunshine Ordinance, the Commission shall not act upon or discuss any item at the meeting unless a description of the item appears on the posted agenda for that meeting. If an item arises after the agenda has been distributed, the Commission may add it to the agenda and consider the item in accordance with the procedures set forth under the Brown Act.

Rule 2.14 - Consent Calendar. The Consent Calendar shall include those matters that have been the subject of a public hearing conducted by the Department, a committee of the Commission or considered in closed session by the Commission. There will be no separate discussion of those items unless a member of the Commission or the public so requests, in which event the Commission shall remove and consider those items separately.

Rule 2.15 - Minutes of Proceedings. The Secretary shall record the proceedings of each meeting in the minutes of the Commission and a copy thereof shall be forwarded promptly to the Mayor and members of the Commission, as provided by Section 4.102.9 of the Charter.

Chapter 3 - Rules of Conduct

Rule 3.1 - Public Comment. Members of the public are entitled to comment on any matter on the calendar prior to action being taken by the Commission on that item. In addition, the agenda shall provide an opportunity for members of the public to address the Commission on items of interest to the public which are under the jurisdiction of the Commission and have not been the subject of public comment on other items on the agenda. The President may set a reasonable time limit for each speaker, depending on the complexity of the item, the length of the agenda and the number of persons present to speak on the item.

Rule 3.2 - Addressing the Commission. Speakers must speak from the podium when addressing the Commission and shall speak clearly into the microphone. Speakers are to refrain from using profanity and/or yelling or screaming. Commissioners find it difficult to give serious consideration to any comments addressed in such a fashion. Members of the public should address their questions or remarks to the Commission. Neither Police personnel, OCC personnel nor Commissioners are required to respond to questions expect when requested to do so by the President. Individual Commissioners and Police personnel should refrain from entering into any debates or discussion with speakers during public comment.

Rule 3.3 - Audience Conduct. Persons in the audience may not express vocal support or opposition to statements made by members of the public, Police Department or OCC staff addressing the Commission. Applause and booing are prohibited. Members of the public may not display signs that impede the ability of the public or Commission to see or participate in the meeting or that endanger any meeting participants. Cameras and tape recording devices may be brought into the Commission hearing room; however, persons are prohibited from using flash, camera lights or other devices that may disrupt the meeting.

Rule 3.4 - Permission to Remove Disruptive Persons. The President shall possess the power and duty to order removed from the meeting room any person who commits the following acts after being warned that such conduct could lead to their removal:

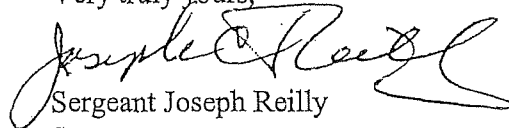
- (A) Disorderly conduct that disrupts the due and orderly course of the meeting such as making noise, speaking out of turn, or otherwise refusing to comply with the Commission Rules governing meetings;
- (B) A breach of the peace, boisterous conduct or violent disturbance, tending to interrupt the due and orderly course of the meeting;
- (C) Disobedience of any lawful order of the Commission President, which shall include an order to be seated;

(D) Any other unlawful interference with the due and orderly course of the meeting.

In addition to effecting the removal of any person or persons from the meeting who, in the opinion of the President, has violated the order and decorum of any meeting, the President may request Police personnel to place such person(s) under arrest for violation of Section 403 of the California Penal Code or any other applicable law, and may cause such person or persons to be prosecuted therefor, the complaint to be signed by the President or the Commission Secretary.

AYES: Commissioners Renne, Orr-Smith, Chan, Keane, Marshall, Sparks, Veronese

Very truly yours,



Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct

cc: Commissioners
Ms. Lori Giorgi/City Attorney's Office

Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Monday, November 30, 2020 11:17 AM
To: SOTF, (BOS)
Cc: SFPD, Commission (POL)
Subject: RE: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Closed session deliberations are not releasable.
I will be advising him that we have the recording however.

As for the SOTF, will the requested items be emailed to me and do I need to do anything further at this time to advise SOTF we have the recording?

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SOTF, (BOS) <sotf@sfgov.org>
Sent: Monday, November 30, 2020 11:08 AM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Subject: RE: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Sgt. Youngblood, please provide the audio and transcript of the missing recording to Mr. Kohrs. Thank you.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org



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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.

From: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>
Sent: Monday, November 30, 2020 10:54 AM
To: SOTF, (BOS) <sotf@sfgov.org>
Cc: SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Subject: RE: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Good Morning SOTF,

I have a question regarding File No. 19145.

At the meeting on November 24th, the SOTF asked for 2 items.
Will the SOTF email me what items were requested?

Also, at the meeting, it was discussed that the Police Commission did not have the recording of closed session deliberations for the Kohrs termination hearing. Upon returning to the office the following day, we did one more search for the audio and discovered that we do in fact have the recording for the closed session deliberations.

Do I wait until the next time this item is put on your agenda to advise the SOTF that we do have this audio?

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SOTF, (BOS) <sotf@sfgov.org>
Sent: Friday, November 20, 2020 11:54 AM
To: Cisneros, Jose (TTX) <jose.cisneros@sfgov.org>; Fried, Amanda (TTX) <amanda.fried@sfgov.org>; cjkohrs <ckohrs@gmail.com>; Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; 84162-44435865@requests.muckrock.com; pmonette-shaw <pmonette-shaw@earthlink.net>; COTE, JOHN (CAT) <John.Cote@sfcityatty.org>; COOLBRITH, ELIZABETH (CAT) <Elizabeth.Coolbrith@sfcityatty.org>; DIETTERLE, COLLEEN (CAT) <Colleen.Dietterle@sfcityatty.org>; Cityattorney <Cityattorney@sfcityatty.org>
Subject: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Good Afternoon:

The agenda and packet for the Compliance and Amendments Committee of the Sunshine Ordinance Task Force November 24, 2020, 4:30 p.m. meeting is online at the following link:

https://sfgov.org/sunshine/sites/default/files/cac112420_agenda.pdf

The packet material is linked to each item listed on the agenda marked 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
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163
www.sfbos.org



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Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Friday, January 8, 2021 3:40 PM
To: SOTF, (BOS)
Cc: cjkohrs; SFPD, Commission (POL)
Subject: Re: SOTF - Notice of Appearance - Compliance and Amendments Committee; January 26, 2021 4:30 p.m.

Good Afternoon SOTF,

I just received your notice of appearance for January 26th at 4:30pm.

I cannot confirm that I will be able to make the SOTF meeting. I will be in an Evidentiary Hearing on that date which is scheduled from 9-5pm. These hearings often run longer than they are scheduled.

It is possible that the hearing will end on time and I could make the meeting but I cannot guarantee my attendance at this time.

Thank you,

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk



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From: SOTF, (BOS) <sotf@sfgov.org>
Date: Friday, January 8, 2021 at 3:33 PM
To: 72056-97339218@requests.muckrock.com <72056-97339218@requests.muckrock.com>, COTE, JOHN (CAT) <John.Cote@sfcityatty.org>, Cityattorney <Cityattorney@sfcityatty.org>, Heckel, Hank (MYR) <hank.heckel@sfgov.org>, 72902-46637773@requests.muckrock.com <72902-46637773@requests.muckrock.com>, cjkohrs <ckohrs@gmail.com>, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>, S <grovestand2012@gmail.com>, McHale, Maggie (HRD) <maggie.mchale@sfgov.org>, Callahan, Micki (HRD) <micki.callahan@sfgov.org>, Vu, Tyler (PDR) <tyler.vu@sfgov.org>, sanderries@andgolaw.com <sanderries@andgolaw.com>, Nicole Mitchell

<nmitchell@andgolaw.com>

Subject: SOTF - Notice of Appearance - Compliance and Amendments Committee; January 26, 2021 4:30 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 Compliance and Amendments Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: January 26, 2021

Location: Remote meeting; participant information to be included on the Agenda

Time: 4:30 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:

1. **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.
2. **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 67.21 and 67.26 and 67.27 and Government Code (CPRA) 6253.9, 6253, and 6255, by failing to respond to a request for public records in a timely and/or complete manner.

3. **File No. 19145:** Complaint filed by Chris Kohrs against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 67.21, by failing to respond to a public records request in a timely and/or complete manner.
4. **File No. 19140:** Complaint filed by Stephen Malloy against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a request for public records in a timely and/or complete manner.
5. **File No. 19114:** Complaint filed by Shane Anderies against Tyler Vu and the Public Defender's Office for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.24, 67.25, 67.26, 67.27 and 67.29 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, January 20, 2021..***

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

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Leger, Cheryl (BOS)

From: Youngblood, Stacy (POL)
Sent: Tuesday, January 19, 2021 11:06 AM
To: cjkohrs
Cc: Leger, Cheryl (BOS); SOTF, (BOS); SFPD, Commission (POL); Youngblood, Stacy (POL)
Subject: RE: Request
Attachments: res 21-8 Vote not to waive atty client privilege.pdf

Mr. Kohrs and SOTF,

Please see the attached resolution from the Police Commission.

At the January 13th 2021 Police Commission meeting, the Police Commission voted unanimously not to waive the attorney-client privilege for audio or video recordings of the Police Commission closed session disciplinary hearing of Christopher Kohrs, held on March 6th, 2019.

Sergeant Stacy Youngblood #1211
San Francisco Police Department
Police Commission Office
1245 3rd Street
San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

CONFIDENTIALITY NOTICE: This communication and its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws, including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

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

From: cjkohrs [mailto:ckohrs@gmail.com]
Sent: Thursday, December 10, 2020 4:04 PM
To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>
Cc: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: Request

Dear Sergeant Youngblood and Police Commission,

Your email states that I'm not allowed to have full access to my hearing. We disagree with you. I am requesting that my full hearing, including the transcript and deliberations be open to public examination. I will sign the below documents if my full hearing, including the transcript and all 3 tracks of audio are open to full public examination. This is what I am still requesting. We are urgently requesting that the Commission provide us this transparency.

Chris

Sent from my iPhone

> On Dec 9, 2020, at 7:26 PM, cjkohrs <ckohrs@gmail.com> wrote:

>

> Dear SOTF,

>

> I am requesting that all my records be open to public examination, including the deliberations. According to Stacy's email, if I sign the attached document below, the deliberations will not be open to public examination. I do not want to sign a document that prevents any portion of my hearing from being open to public examination. I want to help you in any way I can to bring transparency to this matter. What do you advise I do? Sign it? Not sign it? Please let me know.

>

> Respectfully,

> Chris Kohrs

>

> Chris Kohrs

>

> Sent from my iPhone

>

>> On Dec 9, 2020, at 11:10 AM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

>>

>> Good Afternoon Mr. Kohrs,

>>

>> The Police Commission Office writes to provide an update as to the deliberation audio recording portion of your termination hearing and in response to your email to the Commission dated, December 2nd 2020.

>>

>> After the November 24th 2020 meeting of the Sunshine Task Force (SOTF), the Commission Office did one more search of your termination hearing and located the closed session deliberation audio recording. We will notify the SOTF and copy you that the audio recording was located. However, as explained below the deliberation portion of your termination hearing is not subject to release.

>>

>>

>> On December 2nd 2020, the Commission received the following request:

>>

>> "Dear SF Police Commission and SOTF,

>>

>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore, all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter."

>>

>> We understand that you wish to waive your rights under Cal. Penal Code 832.7 that protects peace officer personnel records and the right of privacy under the California and U.S. Constitution retroactively to your termination hearing. We will need to have you sign a document stipulating to your request. That document is attached to this email. If you still wish to have the records from your termination hearing released to the public, please sign the attached form and email it back to the Commission Office. Your request will allow the Police Commission Office to release the closed session portion of your termination hearing to the public upon request. To be clear, this waiver only applies to the portions of the hearing that you were present at.

>>

>> You are unable to waive your rights for purposes of obtaining the deliberation portion of the proceedings where you were not present. The Police Commission has a privilege to go into closed session and deliberate in closed session on personnel matters under Cal. Government Code sections 54963, 54957, 6254(k) and S.F. Admin Code 67.10. The purpose of closed session is not only to protect employees from public embarrassment but to permit free and candid

discussions of personnel matters. *Morrow v. LA Unified School Dist.*, 149 Cal. App.4th 1424 (2007). You may waive your right to privacy and allow the public to hear the proceedings. But, you lack the ability to waive the Police Commission's privilege to engage in frank discussions in closed session. The Commission excluded you from the deliberations and you lack the ability to invoke a waiver for a privilege that you do not hold. Upon conclusion of the closed session, the Commission voted not to disclose the information contained in closed session.

>>

>> For the foregoing reasons, we decline to disclose the deliberation proceedings of your termination hearing.

>>

>> Thank you,

>>

>>

>>

>> Sergeant Stacy Youngblood #1211

>> San Francisco Police Department

>> Police Commission Office

>> 1245 3rd Street

>> San Francisco, CA 94158

>> stacy.a.youngblood@sfgov.org

>> 415-837-7071 – Desk

>>

>>

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>>

>>

>>

>> -----Original Message-----

>> From: cjkohrs [mailto:ckohrs@gmail.com]

>> Sent: Wednesday, December 2, 2020 5:59 PM

>> To: Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>

>> Cc: Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>; SOTF, (BOS) <sotf@sfgov.org>; SFPD, Commission (POL) <SFPD.Commission@sfgov.org>

>> Subject: Re: Request

>>

>>

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

>>

>>

>>

>>> Dear SF Police Commission and SOTF,

>>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

>>> Respectfully,

>>> Chris Kohrs

>>

>> Sent from my iPhone

>>

>>>> On Dec 2, 2020, at 3:23 PM, cjkohrs <ckohrs@gmail.com> wrote:

>>>> Dear SF Police Commission,

>>>> I am formally requesting that my termination hearing no longer be held in closed session and be open to public examination. This includes both the transcript and audio of my hearing. Therefore all rationales for closing the session should no longer be applicable as per section 67.8-1 of the ordinance. I am hoping this can bring more transparency to this matter.

>>>> Respectfully,

>>>> Chris Kohrs

>> <RELEASE REQUEST AND AUTHORIZATION - Kohrs Termination Hearing.pdf>



The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

January 15, 2021

MALIA COHEN
President

CINDY ELIAS
Vice President

PETRA DeJESUS
Commissioner

JOHN HAMASAKI
Commissioner

DION-JAY BROOKTER
Commissioner

At the Police Commission meeting of Wednesday, January 13, 2021, the following resolution was adopted:

Sergeant Stacy Youngblood
Secretary

RESOLUTION 21-8

DECISION NOT TO WAIVE THE ATTORNEY-CLIENT PRIVILEGE FOR AUDIO RECORDINGS OF POLICE COMMISSION CLOSED SESSION OF ATTORNEY-CLIENT COMMUNICATIONS IN THE DISCIPLINARY HEARING OF CHRISTOPHER KOHRS, CASE NO. ALW IAD 2015-0358, HELD ON MARCH 6, 2019

WHEREAS, on January 13, 2021, the Police Commission voted whether to waive the attorney-client privilege for audio or video recordings of Police Commission closed sessions of attorney-client communications in the disciplinary hearing of Christopher Kohrs, Case No. ALW IAD 2015-0358, held on March 6, 2019; therefore, be it

RESOLVED, that the Police Commission voted not to waive the attorney-client privilege for audio or video recordings of Police Commission closed sessions of attorney-client communications in the disciplinary hearing of Christopher Kohrs, Case No. ALW IAD 2015-0358, held on March 6, 2019.

AYES: Commissioners Cohen, Elias, DeJesus, Brookter, Hamasaki

Very truly yours,

Sergeant Stacy Youngblood
Secretary
Police Commission

cc: Christopher Kohrs

Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Monday, January 6, 2020 4:44 PM
To: Campbell, Jayme (POL)
Cc: 'cjkohrs'
Subject: SOTF - Complaint Filed with the Sunshine Ordinance Task Force - File No. 19145
Attachments: SOTF - Complaint Procedure 2019-10-02 FINAL.pdf; 19145 Complaint.pdf

Good Afternoon:

The Police Commission has been named as a Respondent 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



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Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Monday, January 13, 2020 3:22 PM
To: '76434-70600365@requests.muckrock.com'; Heckel, Hank (MYR); '79182-05441065@requests.muckrock.com'; Gerull, Linda (TIS); 'D'Amato, Nina (TIS); '79356-20639593@requests.muckrock.com'; Nuru, Mohammed (DPW); Steinberg, David (DPW); 'S'; Vien, Veronica (DPH); Ludwig, Theresa (FIR); 'Con Rad'; Peters, Michelle (PUC); seamusthompson66@gmail.com; Cox, Andrew (POL); Makstman, Michael (TIS); Licudine-Barker, Arlene (TIS); 'Anonymous'; '80695-54486849@requests.muckrock.com'; 'Cote, John (CAT)'; '80239-52834911@requests.muckrock.com'; Hirsch, Bob (POL); Taylor, Damali (POL); Mazzucco, Thomas (POL); Hamasaki, John (POL); Elias, Cindy (POL); Brookter, Dion-Jay (POL); Campbell, Jayme (POL); Blackman, Sue (LIB); 'Kniha, Paul'; 'janine@majlabor.com'; '80368-97597279@requests.muckrock.com'; Rosenfield, Ben (CON); 'trebouxann@yahoo.com'; Krell, Rebekah (ART); '84031-44127205@requests.muckrock.com'; 'Scott, William (POL)'; Cox, Andrew (POL); Rodriguez, Brian (POL); Andraychak, Michael (POL); Bastian, Alex (DAT); '84162-44435865@requests.muckrock.com'; Cisneros, Jose (TTX); Buckley, Theresa (TTX); '84181-53996453@requests.muckrock.com'; '84168-39742724@requests.muckrock.com'; Carroll, Maryellen (DEM); 84164-62563184@requests.muckrock.com; Maguire, Tom (MTA); 'Celaya, Caroline'; '84166-59035583@requests.muckrock.com'; Reiter, Rob (ADM); Mazzola, Lori (ADM); Miyamoto, Paul (SHF); Kelleher, William (SHF); '84182-48147675@requests.muckrock.com'; Kelly, Naomi (ADM); , ADMSunshinerequests (ADM); '84184-60623262@requests.muckrock.com'; 'Megan Bourne'; Campbell, Thomas (FAM); '84500-13253092@requests.muckrock.com'; Buick, Jeanne (HRD); Voong, Henry (HRD); Gard, Susan (HRD); Voong, Henry (HRD); '83872-25170468@requests.muckrock.com'; '84168-39742724@requests.muckrock.com'; Wilson, James (SHF); '83876-31149286@requests.muckrock.com'; Henderson, Paul (DPA); Rosenstein, Diana (DPA); Polk, Mary (DPA); Wargo-Wilson, Stephanie (DPA); Campbell, Jayme (POL); 'cjkohrs'
Subject: SOTF - Notice of Appearance to Determine Jurisdiction - Compliance and Amendments Committee; January 28, 2020

Good Afternoon:

Notice is hereby given that the Compliance and Amendments Committee of the Sunshine Ordinance Task Force shall hold hearings on complaints listed below to determine if the Task Force has jurisdiction pursuant to Administrative Code (Sunshine Ordinance), Section 67.21(e). A hearing to review the merits of the complaint will be scheduled on a future date.

The Complainant and Respondent are **NOT REQUIRED** to attend the January 28, 2020, Committee meeting but may attend to provide testimony related to the above listed determinations only.

Date: January 28, 2020

Location: City Hall, Room 408

Time: 4:30 p.m.

Complaints:

File No. 19091: Complaint filed by Anonymous against Mayor London Breed, the Office of the Mayor, Hank Heckel, 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.

File No. 19094: Complaint filed by Anonymous against Linda Gerull and the Department of Technology for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.25, 67.26 and 67.27 by failing to respond to a public records request in a timely and/or complete manner.

File No. 19097: Complaint filed by Anonymous against Public Works for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.26 and 67.27, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19109: Complaint filed by Stephen Malloy against Dept. of Public Health for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24, 67.25, 67.26 and 67.27 by failing to respond to a public records request in a timely and/or complete manner.

File No. 19110: Complaint filed by Stephen Malloy against the Fire Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24, 67.25, 67.26 and 67.27 by failing to respond to a public records request in a timely and/or complete manner.

File No. 19117: Complaint filed by Conrad Wu against the Public Utilities Commission for allegedly violating Administrative Code, (Sunshine Ordinance) Sections 67.25 by failing to respond to a public records request in a timely and/or complete manner.

File No. 19118: Complaint filed by Paul Ondik against the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b), by failing to respond to a records request in a timely and/or complete manner.

File No. 19119: Complaint filed by Anonymous against the Department of Technology for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b), 67.26 and 67.27 by failing to respond to a public records request in a timely and/or complete manner.

File No. 19120: Complaint filed by Anonymous against the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b)(c), 67.26, 67.27, by failing to respond to a request for public records in a timely and/or complete manner; failing to justify withholding of records and failing to provide assistance.

File No. 19121: Complaint filed by Anonymous against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b)(k), 67.26 and 67.27, by failing to respond to a public records request in a timely and/or complete manner; withholding more than the minimum and failing to justify withholding.

File No. 19122: Complaint filed by Anonymous against City Librarian Michael Lambert and the Public Library 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. 19123: Complaint filed by Paul Kniha against the San Francisco Municipal Executive Association 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. 19125: Complaint filed by Anonymous against the Controller's Office for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b)(c)(k), 67.26, 67.27, by failing to respond to a request for records in a timely and/or complete manner, failing to assist, withheld more than the minimally exempt portion of a public record, failing to justify withholdings with clear reference to exemption statute or case law and failing to provide an exact copy of records.

File No. 19126: Complaint filed by Ann Treboux against the San Francisco 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.

File No. 19128: Complaint filed by Anonymous against Chief William Scott, Sgt. Brian Rodriguez, Michael Andraychak and the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.25, 67.26, 67.27 and 67.29-7(a), by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19130: Complaint filed by Stephen Malloy against Chesa Boudin and the District Attorney's Office 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. 19131: Complaint filed by Anonymous against Jose Cisneros, Theresa Buckley and the Treasurer's Office for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.24, 67.26, 67.27, by failing to respond to a request for records in a timely and/or complete manner, failing to assist, withheld more than the minimally exempt portion of a public record.

File No. 19132: Complaint filed by Anonymous against Mary Ellen Carroll and the Department of Emergency Management for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19133: Complaint filed by Anonymous against Tom Maguire and the San Francisco Municipal Transportation Agency for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19134: Complaint filed by Anonymous against Rob Reiter and City Hall Building Management for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25 by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19135: Complaint filed by Anonymous against Vicki Hennessy and the Sheriff's Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25 by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19136: Complaint filed by Anonymous against Naomi Kelly and the Office of the City Administrator for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25 by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19137: Complaint filed by Anonymous against Thomas P. Campbell and the Fine Arts Museum for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.25 and 67.34 by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19138: Complaint filed by Stephen Malloy against the University of California, Regents of the University of California, 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. 19139: Complaint filed by Anonymous against Jeanne Buick, Henry Voong and the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24, 67.26 and 67.27(a), by withholding public records.

File No. 19140: Complaint filed by Stephen Malloy against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a request for public records in a timely and/or complete manner.

File No. 19141: Complaint filed by Anonymous against Chief William Scott and the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19143: Complaint filed by Anonymous against Sheriff Vicki Hennessy, James Wilson and the Sheriff's Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24, 67.25 and 67.27, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

File No. 19144: Complaint filed by Anonymous against the Department of Police Accountability for allegedly violating Administrative Code (Sunshine Ordinance), Sections, 67.21, 67.24, 67.26 and 67.27, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19145: Complaint filed by Anonymous against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19146: Complaint filed by Anonymous against City Librarian Michael Lambert and the Public Library for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to request for public records in a timely and/or complete manner.

The agenda and packet material for the meeting is available online at the following link:

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

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Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Thursday, February 6, 2020 3:04 PM
To: Boudin, Chesa (DAT); Bastian, Alex (DAT); S; chancellor@ucsf.edu; Blackman, Sue (LIB); Lambert, Michael (LIB); cjkohrs; ctoles@kernlaw.com; Campbell, Jayme (POL); Cox, Andrew (POL); sanderies@andgolaw.com; nmitchell@andgolaw.com; Vu, Tyler (PDR)
Subject: SOTF - Notice of Appearance - Compliance and Amendments Committee; February 25, 2020; 4:30 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 Compliance and Amendments Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: February 25, 2020

Location: City Hall, Room 408

Time: 4:30 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. 19130: Complaint filed by Stephen Malloy against Chesa Boudin and the District Attorney's Office 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. 19138: Complaint filed by Stephen Malloy against the University of California, Regents of the University of California, 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. 19146: Complaint filed by Anonymous against City Librarian Michael Lambert and the Public Library for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to request for public records in a timely and/or complete manner.

File No. 19145: Complaint filed by Chris Kohrs against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19114: Complaint filed by Shane Anderies against Tyler Vu and the Public Defender's Office for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.24, 67.25, 67.26, 67.27 and 67.29 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, February 18, 2020.*

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724



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Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Monday, September 7, 2020 2:34 PM
To: '80695-54486849@requests.muckrock.com'; 'Cote, John (CAT)'; COOLBRITH, ELIZABETH (CAT); Cox, Andrew (POL); '76435-93915115@requests.muckrock.com'; Ray Hartz Jr; vitusl@sfzoo.org; Buell, Mark (REC); 'TanyaP@sfzoo.org'; Lin-Wilson, Tiffany (REC); grovestand2012@gmail.com; McHale, Maggie (HRD); 'ckohrs@gmail.com'; 'ctoles@kernlaw.com'; Youngblood, Stacy (POL)
Subject: SOTF - Notice of Appearance - Complaint Committee: September 15, 2020, 5:30 p.m.

Good Afternoon:

Notice is hereby given that the Complaint Committee (Committee) of the Sunshine Ordinance Task Force (Task Force) shall hold hearings on complaints listed below to: 1) determine if the Task Force has jurisdiction; 2) review the merits of the complaints; and/or 3) issue a report and/or recommendation to the Task Force.

Date: September 15, 2020

Location: Remote Meeting

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. 19098: Complaint filed by Anonymous against Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.26 and 67.27, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19120: Complaint filed by Anonymous against the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b)(c), 67.26, 67.27, by failing to respond to a request for public records in a timely and/or complete manner; failing to justify withholding of records and failing to provide assistance.

File No. 19101: Complaint filed by Ray Hartz against President Mark Buell and the Joint Zoo Committee for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.15(d), and 67.16, by failing to place the submitted 150-word summaries of Public Comment into the meeting minutes (Meeting of August 15, 2019).

File No. 19140: Complaint filed by Stephen Malloy against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a request for public records in a timely and/or complete manner.

File No. 19145: Complaint filed by Chris Kohrs against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 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 four (4) working days before the hearing. ***For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, September 10, 2020.***

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724



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Leger, Cheryl (BOS)

From: SOTF, (BOS)
To: Vien, Veronica (DPH); SGM; Paul A. Vander Waerdt; Schneider, Dylan (HOM); Cox, Andrew (POL); Scott, William (POL); 81412-71801448@requests.muckrock.com; 76435-93915115@requests.muckrock.com; cjkohrs; Youngblood, Stacy (POL)
Cc: Young, Victor (BOS); Somera, Alisa (BOS); Calvillo, Angela (BOS)
Subject: SOTF - Notice of Appearance, October 7 2020 - Sunshine Ordinance Task Force; 4:00 PM; remote meeting

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 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 7, 2020

Location: Remote meeting

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. 19080: Complaint filed by Paul A. Vander Waerdt against the Dept. of Homelessness and Supportive Housing for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, for failing to respond to an Immediate Disclosure Request in a timely manner.

File No. 19109: Complaint filed by Stephen Malloy against Dept. of Public Health for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24, 67.25, 67.26 and 67.27 by failing to respond to a public records request in a timely and/or complete manner.

File No. 19112: Complaint filed by Anonymous against Chief William Scott and Lt. R. Andrew Cox and the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.25, 67.26, 67.27, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner, failing to respond to a public records request in a timely and/or complete manner; failing to justify withholding of records and failing to maintain a Proposition G calendar.

File No. 19098: Complaint filed by Anonymous against Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.26 and 67.27, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19145: Complaint filed by Chris Kohrs against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 67.21, by failing to respond to a public records request in a timely and/or complete manner.

File No. 19140: Complaint filed by Stephen Malloy against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, 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, September 30, 2020.**

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

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Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Monday, November 16, 2020 10:07 AM
To: cjkohrs; Youngblood, Stacy (POL); pmonette-shaw; Cityattorney; Cote, John (CAT); Heckel, Hank (MYR); Breed, Mayor London (MYR); Breed, London (MYR); Walton, Shamann (BOS); AhimsaPorterSumchaiMD@comcast.net; 84162-44435865 @requests.muckrock.com; Cisneros, Jose (TTX); Fried, Amanda (TTX)
Subject: SOTF - Notice of Appearance - Compliance and Amendments Committee; November 24, 2020 4:30 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 Compliance and Amendments Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: November 24, 2020

Location: Remote meeting; participant information to be included on the Agenda

Time: 4:30 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:

1. **File No. 19145:** Complaint filed by Chris Khors against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 67.21, by failing to respond to a public records request in a timely and/or complete manner.
2. **File No. 20010:** Complaint filed by Patrick Monette-Shaw against the Office of the City Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21(b) and 67.25(d), by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.
3. **File No. 20011:** Complaint filed by Ahimsa Porter Sumchai against Mayor London Breed 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.
4. **File No. 20012:** Complaint filed by Ahimsa Porter Sumchai against Supervisor Shamann Walton, Board of Supervisors, 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.
5. **File No. 19131:** Complaint filed by Anonymous against Jose Cisneros, Theresa Buckley and the Treasurer's Office for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21,

67.24, 67.26, 67.27, by failing to respond to a request for records in a timely and/or complete manner, failing to assist, withheld more than the

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (3) 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, November 19, 2020.*

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

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Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Tuesday, August 18, 2020 12:33 PM
To: Steinberg, David (DPW); 79356-20639593@requests.muckrock.com; 76435-93915115@requests.muckrock.com; Cox, Andrew (POL); rwhartzjr@comcast.net; Vitusl@sfzoo.org; TanyaP@sfzoo.org; Buell, Mark (REC); annreboux@yahoo.com; Cote, John (CAT); BAUMGARTNER, MARGARET (CAT); CityAttorney (CAT); Licudine-Barker, Arlene (TIS); Gerull, Linda (TIS); Makstman, Michael (TIS); arecordsrequestor@pm.me; 80695-54486849@requests.muckrock.com; Cote, John (CAT); CityAttorney (CAT); WALSH, MOIRA (CAT); CLARK, JANA (CAT); SNODGRASS, WAYNE (CAT); SHEN, ANDREW (CAT); RUSSI, BRAD (CAT); RIES, DAVID (CAT); CABRERA, ALICIA (CAT); ZAREFSKY, PAUL (CAT); MINTY, SCOTT (CAT); GIVNER, JON (CAT); COOLBRITH, ELIZABETH (CAT); BUTA, ODAYA (CAT); 80239-52834911@requests.muckrock.com; Hirsch, Bob (POL); Taylor, Damali (POL); De Jesus, Peterkent (POL); Hamasaki, John (POL); cindy.n.elias@sfgov.org; Brookter, Dion-Jay (POL); Campbell, Jayme (POL); Patterson, Kate (LIB); Lambert, Michael (LIB); Krell, Rebekah (ART); 84031-44127205@requests.muckrock.com; Cox, Andrew (POL); Scott, William (POL); Rodriguez, Brian (POL); Andraychak, Michael (POL); SGM; Bastian, Alex (DAT); Boudin, Chesa (DAT); 84162-44435865@requests.muckrock.com; Cisneros, Jose (TTX); 84182-48147675@requests.muckrock.com; , ADMSunshinerequests (ADM); Kelly, Naomi (ADM); chancellor@ucsf.edu; 84500-13253092@requests.muckrock.com; Voong, Henry (HRD); Buick, Jeanne (HRD); McHale, Maggie (HRD); 83872-25170468@requests.muckrock.com; Scott, William (POL); 84168-39742724@requests.muckrock.com; Miyamoto, Paul (SHF); ckohrs@gmail.com; Youngblood, Stacy (POL); ctoles@kernlaw.com
Subject: SOTF - Waiver of the 45-Day Rule

Dear SOTF Petitioners, Respondents and other Stakeholders:

As you most likely know SOTF operations have been delayed over the last few months due to the Covid-19 emergency. The SOTF have started to conduct remote meetings via videoconference and are working to establish procedures to resume all operations including the processing of complaints.

While the Sunshine Ordinance requires that certain actions be taken within 45 days, the Covid-19 emergency has forced delays and immense new backlogs for complaint hearings. We write today to ask if you are willing to waive the 45 day rule for your complaint.

The SOTF intends to resume hearing complaints *on a limited basis and complaints will be queued* to be heard in the near future. We continue to work to address technical issues posed by remote meetings. We are aware of the time sensitivity of your records requests. Please be assured that the SOTF appreciates the urgency of your matters and the importance of handling them in a timely manner.

If you have further questions about your files or have other issues, please feel free to email the SOTF Administrator at the email below.

Cheryl Leger
Assistant Clerk, Board of Supervisors
Cheryl.Leger@sfgov.org
Tel: 415-554-7724
Fax: 415-554-5163

Leger, Cheryl (BOS)

From: Lila LaHood <lilalahood.sotf@gmail.com>
Sent: Thursday, December 17, 2020 10:19 AM
To: SOTF, (BOS)
Cc: Bruce Wolfe
Subject: Re: FW: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Since we know that the recording exists and has been located, should we bring back to CAC in January or February to determine whether there is rationale for withholding it?

Lila

On Thu, Dec 10, 2020 at 8:20 AM SOTF, (BOS) <sotf@sfgov.org> wrote:

Bruce and Lila: The email exchange below is also interesting. Let me know what you would like me to do. Thank you.

Cheryl Leger

Assistant Clerk, Board of Supervisors

Cheryl.Leger@sfgov.org

Tel: 415-554-7724

Fax: 415-554-5163

www.sfbos.org

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From: cjkohrs <ckohrs@gmail.com>

Sent: Wednesday, December 9, 2020 7:13 PM

To: SOTF, (BOS) <sotf@sfgov.org>; Leger, Cheryl (BOS) <cheryl.leger@sfgov.org>

Subject: Re: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

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

Dear Police Commission and SOTF,

Sergeant Youngblood's bullet points below contain inaccuracies.

Bullet point #3 - I never received any CD of my hearing in the mail by the SF Police Commission. I have requested certified mail receipts and tracking numbers from them, but have yet to be provided any.

Bullet point # 5 and the following quote below by Sergeant Youngblood: "Those recordings were given to him not as a public record but as part of his personnel file. Those recordings are not subject to release absent a court order or waiver."

I requested the audio of my hearing as a public records request and I received it via the same public records request. Stacy Youngblood was actually the creator of that public records request. This is documented in the below link of the Nov. 24, 2020 evidence packet regarding file 19145 on pages 299-301. Please see pages 299 - 301 in the link below.

https://sfgov.org/sunshine/sites/default/files/cac112420_item5.pdf

In his email Stacy states " On 11/4/20 I advised the members that the Commission Office sent Kohrs the audio recording of his termination hearing, but we were unable to locate the recorded deliberations from the closed session on 3/6/19. "

The above statement is inaccurate. If you'd like to hear Sergeant Youngblood's actual response please listen below to the one minute sound clip that was taken on Nov. 24th in the SOTF hearing.

Also in the the last hearing and as recorded in the minutes, Sergeant Youngblood stated that this case is still open due to pending lawsuits. This is not true. I'm not aware of any lawsuits regarding this matter.

I find it disturbing that Stacy Youngblood testified in the Nov. 24, SOTF hearing that track 2 of the audio did not exist. However, after the SOTF told him that the Police Commission was in violation of the ordinance for not recording track 2, somehow track 2 is magically found. Coincidence? I think not.

The ordinance clearly states "Closed session recordings shall be made available whenever all rationales for closing the session are no longer applicable". Currently, all rationales for closing the case are no longer applicable.

But more importantly, this is about morals and ethics. City officials desperately do not want the truth to be exposed regarding this matter. But it needs to be. Altering transcripts and audio recordings can have a devastating impact on people's lives. Action must be taken.

Respectfully,

Chris Kohrs

Sent from my iPhone

On Dec 9, 2020, at 11:24 AM, Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org> wrote:

Good Afternoon SOTF,

I am following up on our last appearance before the Sunshine Ordinance Task Force on 11/4/2020. As a reminder, below is a summary of events for the Chris Kohrs matter:

1. 3/06/2019 – Kohrs Termination Hearing held
2. April 2019 – Kohrs requests a copy of hearing
3. April 2019 – Kohrs is mailed a CD containing the audio recording as a former employee
4. 9/13/2019 – Kohrs requests a copy of the audio recording of termination hearing
5. 9/13/2019 – Kohrs given a copy of audio recording as a former employee
6. 1/06/2020 – Commission receives an email from Kohrs in which he states he received the audio recording but believes it to be altered.
7. 1/17/2020 – Commission Office receives email from SOTF regarding complaint 19145
8. 9/15/2020 – SOTF Appearance
9. 10/7/2020 – SOTF Appearance
10. 11/4/2020 – SOTF Compliance and Amendments Committee Appearance

On 11/4/20 I advised the members that the Commission Office sent Kohrs the audio recording of his termination hearing, but we were unable to locate the recorded deliberations from the closed session on 3/6/19. The following work day, I conducted another search of the audio and was able to locate the deliberations audio, which took place on 3/6/19.

The Kohrs termination hearing was recorded in 3 parts (3 different tracks). The 1st track begins when the attorneys present their case and Mr. Kohrs is present. Both parties as well as the court reporter were then excused from the room for commencement of the Commission deliberations. The 2nd track records the audio from the deliberations. After deliberations, both parties and the court reporter come back in the room and the 3rd track begins recording the final portion of the termination hearing.

Mr. Kohrs was provided a copy of track 1 and track 3 from his termination hearing. Mr. Kohrs was not given track 2 because he was only entitled to receive the portions of the hearing in which he was present. Those recordings were given to him not as a public record but as part of his personnel file. Those recordings are not subject to release absent a court order or waiver.

Track 2 is not subject to release because the Police Commission has the right to invoke a privilege to go into closed session under Cal. Government Code sections 54963, 54957, 6254(k) and S.F. Admin Code 67.10. The purpose of closed session is not only to protect employees from public embarrassment but to permit free and candid discussions of personnel matters. *Morrow v. LA Unified School Dist.*, 149 Cal. App.4th 1424 (2007). The Commission excluded Mr. Kohrs from the deliberations in order to allow frank conversations among the Police Commission members. Upon conclusion of the closed session, the Commission voted not disclose the information contained in closed session. Thus, the Commission office is unable to release Track 2.

Please see Admin Code 67.10, Government Code 54963, Government Code 54957 and Government Code 6254(k).

Thank you

Sergeant Stacy Youngblood #1211

San Francisco Police Department
Police Commission Office
1245 3rd Street

San Francisco, CA 94158
stacy.a.youngblood@sfgov.org
415-837-7071 – Desk

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From: SOTF, (BOS)

Sent: Friday, November 20, 2020 11:54 AM

To: Cisneros, Jose (TTX) <jose.cisneros@sfgov.org>; Fried, Amanda (TTX) <amanda.fried@sfgov.org>;
ckkohrs <ckkohrs@gmail.com>; Youngblood, Stacy (POL) <Stacy.A.Youngblood@sfgov.org>; 84162-
44435865@requests.muckrock.com; pmonette-shaw <pmonette-shaw@earthlink.net>; COTE, JOHN
(CAT) <John.Cote@sfcityatty.org>; COOLBRITH, ELIZABETH (CAT) <Elizabeth.Coolbrith@sfcityatty.org>;
DIETTERLE, COLLEEN (CAT) <Colleen.Dietterle@sfcityatty.org>; Cityattorney
<Cityattorney@sfcityatty.org>

Subject: SOTF - Compliance and Amendments Committee November 24, 2020 Agenda

Good Afternoon:

The agenda and packet for the Compliance and Amendments Committee of the Sunshine Ordinance Task Force November 24, 2020, 4:30 p.m. meeting is online at the following link:

https://sfgov.org/sunshine/sites/default/files/cac112420_agenda.pdf

The packet material is linked to each item listed on the agenda marked 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

Cheryl.Leger@sfgov.org

Tel: 415-554-7724

Fax: 415-554-5163

www.sfbos.org

<image001.png>

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Leger, Cheryl (BOS)

From: SOTF, (BOS)
To: 72056-97339218@requests.muckrock.com; COTE, JOHN (CAT); Cityattorney; Heckel, Hank (MYR); 72902-46637773@requests.muckrock.com; cjkohrs; Youngblood, Stacy (POL); S; McHale, Maggie (HRD); Callahan, Micki (HRD); Vu, Tyler (PDR); sanderies@andgolaw.com; Nicole Mitchell
Subject: SOTF - Notice of Appearance - Compliance and Amendments Committee; January 26, 2021 4:30 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 Compliance and Amendments Committee to: 1) hear the merits of the complaint; 2) issue a determination; and/or 3) consider referrals from a Task Force Committee.

Date: January 26, 2021

Location: Remote meeting; participant information to be included on the Agenda

Time: 4:30 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:

1. **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.
2. **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 67.21 and 67.26 and 67.27 and Government Code (CPRA) 6253.9, 6253, and 6255, by failing to respond to a request for public records in a timely and/or complete manner.

3. **File No. 19145:** Complaint filed by Chris Kohrs against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 67.21, by failing to respond to a public records request in a timely and/or complete manner.
4. **File No. 19140:** Complaint filed by Stephen Malloy against the Department of Human Resources for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 and 67.25, by failing to respond to a request for public records in a timely and/or complete manner.
5. **File No. 19114:** Complaint filed by Shane Anderies against Tyler Vu and the Public Defender's Office for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.24, 67.25, 67.26, 67.27 and 67.29 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, January 20, 2021..***

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

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Leger, Cheryl (BOS)

From: SOTF, (BOS)
Sent: Thursday, March 25, 2021 2:55 PM
To: TanyaP@sfzoo.org; joef@sfzoo.org; Justin Barker; Ann Treboux; COTE, JOHN (CAT); Cityattorney; Ventre, Alyssa (ART); Axel, Rachelle (ART); Cox, Andrew (POL); Scott, William (POL); 81227-34819567@requests.muckrock.com; Rosenstein, Diana (DPA); Henderson, Paul (DPA); Wargo-Wilson, Stephanie (DPA); Polk, Mary (DPA); 83876-31149286@requests.muckrock.com; Youngblood, Stacy (POL); cjkohrs; Lin-Wilson, Tiffany (REC)
Subject: SOTF - Notice of Appearance, April 7, 2021 - Sunshine Ordinance Task Force; 4:00 PM; Remote Meeting
Attachments: SOTF - Complaint Procedure 2019-10-02 FINAL.pdf

Good Afternoon:

You are receiving this notice because you are named as a Complainant or Respondent in 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: April 7, 2021

Location: Remote Meeting

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:

1. **File No. 19048:** Complaint filed by Justin Barker against the San Francisco Zoo for violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a timely and/or complete manner.
2. **File No. 19092:** Complaint filed by Justin Barker against the San Francisco Zoo for violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.
3. **File No. 19115:** Complaint filed by Ann Treboux against Margaret Baumgartner for allegedly violating Administrative Code, (Sunshine Ordinance) Sections 67.25 by failing to respond to an Immediate Disclosure Request for public records in a timely and/or complete manner.

4. **File No. 19126:** Complaint filed by Ann Treboux against the San Francisco 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.
5. **File No. 19124:** Complaint filed by Anonymous against Chief William Scott and Lt. R. Andrew Cox and the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21, 67.25, 67.26, 67.27, by failing to by failing to assist in a timely or complete manner, by failing to provide a timely or complete response to a records request, by failing to provide rolling responses, by failing to withhold the minimal portion of public records, and by failing by provide written justification for withholding. (*attachments*)
6. **File No. 19144:** Complaint filed by Anonymous against the Department of Police Accountability, Paul Henderson, Diana Rosenstein, Stephanie Wargo-Wilson, and Mary Polk for allegedly violating Administrative Code (Sunshine Ordinance), Sections, 67.21, 67.24, 67.26 and 67.27, by failing to respond to a public records request in a timely and/or complete manner, failing to assist in a timely or complete manner, failing to cite lawful justification for exemption, failing to key redactions by footnotes or other clear references to justifications, and failing to withhold the minimal portion of records
7. **File No. 19145:** Complaint filed by Chris Kohrs against the Police Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.5 and 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 three (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, April 1, 2021.**

Cheryl Leger
Assistant Clerk, Board of Supervisors
Tel: 415-554-7724

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