

**SUNSHINE ORDINANCE
TASK FORCE**



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**ORDER OF DETERMINATION
July 10, 2017**

DATE ISSUED

June 7, 2017 (Clerical Correction - 12/17/17*)

**CASE TITLE – Josh Wolf v. President London Breed, Board of Supervisors
(File No. 17018)**

FACTS OF THE CASE

On March 17, 2017, the following petition/complaint was filed with the Sunshine Ordinance Task Force (Task Force):

File No. 17018: Complaint filed by Josh Wolf against President London Breed, Board of Supervisors, 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.

HEARING ON THE COMPLAINT

On April 25, 2017, the Complaint Committee (Committee) acting in its capacity to hear petitions/complaints heard the matter and referred it to the Task Force for hearing.

Josh Wolf (Petitioner) disclosed that he is a member of the Sunshine Ordinance Task Force speaking as a petitioner and provided a summary of his complaint. Mr. Wolf stated that he has not receive a response to his request for a list of persons blocked on President Breed's Twitter account and subsequent follow-up on the request. There was no representatives from the office of President London Breed present at the meeting. Task Force Administrator Young noted that the Respondent has not provided a response to the complaint. A question and answer period followed.

Member Hinze, seconded by Member Wolfe, moved to refer the matter to the Sunshine Ordinance Task Force with recommendation to find that the Task Force has jurisdiction and to find that President London Breed violated Administrative Code (Sunshine Ordinance), Sections 67.21(a)(b)(e) and 67.25, by failing to respond to an Immediately Disclosure Request in a timely and complete manner and failing to attend the hearing and explain the basis for its decision to withhold the records requested.

On June 7, 2017, the SOTF held a hearing to review the recommendation from Committee and to review the merits of the petition/complaint.

Member Maass, seconded by Member Eldon, moved to recuse Member Josh Wolf from hearing File No. 17018.

The motion PASSED by the following vote:

Ayes: 8 - Eldon, Tesfai, Maass, Cannata, Fischer, Hinze, Hyland, B. Wolfe
Noes: 0 - None
Recused: 1 - J. Wolf
Absent: 1 - Chopra

Josh Wolf (Petitioner) provided an overview of the complaint and requested that the Task Force find violations. Mr. Wolf stated that his attempts to follow up with the Respondent were ignored. Mike Addario spoke on behalf of the Petitioner. The Respondent was not present and has not submitted a response. Task Force Administrator Victor Young noted that the Respondent was notified of the complaint and the hearing. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent and Petitioner were provided the opportunity for rebuttals.

FINDINGS OF FACT AND CONCLUSION OF LAW

*Based on the testimony and evidence presented the Task Force found that President London Breed, Board of Supervisors, violated Administrative Code (Sunshine Ordinance), Section 67.21(e) and 67.25.

ORDER OF DETERMINATION

Member Cannata, seconded by Member Tesfai, moved to find that President London Breed, Board of Supervisors, violated Administrative Code (Sunshine Ordinance), Sections 67.21(e) and 67.25, for failing to attend the hearing and explain the basis for its decision to withhold the records requested and failing to respond to an Immediate Disclosure Request.

The motion PASSED by the following vote:

Ayes: 8 - Eldon, Tesfai, Maass, Cannata, Fischer, Hinze, Hyland, B. Wolfe

Noes: 0 - None

Recused: 1 - J. Wolf

Absent: 1 - Chopra

Bruce Wolfe, Chair
Sunshine Ordinance Task Force

- c. Josh Wolf (Petitioner/Complainant)
President London Breed, Board of Supervisors (Respondent)