

SUNSHINE ORDINANCE TASK FORCE AGENDA PACKET CONTENTS LIST

Sunshine Ordinance Task Force

Date: February 7, 2018

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OTHER

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Completed by: V. Young Date 2/2/18

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

From: Patrick Roddie patrick.rodzie@gmail.com
Subject: SF Sunshine Ordinance violation.complaint - mortality data
Date: September 8, 2017 at 4:59 PM
To: soft@sfgov.org
Cc: Patrick Roddie patrick.rodzie@gmail.com, publicrecords.dph@sfdph.org



To the San Francisco Sunshine Ordinance Task Force,

I am writing to file a Sunshine Ordinance complaint against the San Francisco Department of Public Health.

On August 22, 2017 - 18 days ago - I requested public records from the Department of Public Health, as outlined in the forwarded message below and have not been contacted them by telephone, email, mail or any other way. This is a clear violation of the ten day rule (San Francisco Administrative Code, § 67.21(b))

I look forward to hearing from you,

Patrick Roddie
1935 Franklin Street #603
San Francisco, CA 94109
415-336-4728
patrick.rodzie@gmail.com

Begin forwarded message:

From: Patrick Roddie <patrick.rodzie@gmail.com>
Subject: Sunshine ordinance public records request - mortality data
Date: August 22, 2017 at 1:47:05 PM PDT
To: publicrecords.dph@sfdph.org

Hi,

I am writing to request mortality data as is my right under the San Francisco Sunshine Ordinance.

Specifically, I would like to know how many people died within the City and County of San Francisco on each day starting October 1, 2013 through March 31, 2016. I understand there is no fee, other than the cost of the electronic media, which I will provide and mail to you.

Thank you for your help,

Patrick Roddie

—
Patrick Roddie
patrick.rodzie@gmail.com
415-336-4728
1935 Franklin Street #603
San Francisco, CA 94109

Young, Victor

From: Patrick Roddie <patrick@webbery.com>
Sent: Thursday, December 14, 2017 1:42 PM
To: SOTF, (BOS)
Subject: Most recent DPH email to be included with SOTF compliant file 17129
Attachments: Fw San Francisco mortality data new Sunshine Ordinance request .pdf

Victor,

Apologies again, but I realized the packet you sent out yesterday was missing the most recent email from the Department of Public Health. In it, DPH flatly states "we have no records to produce in response to your request and consider your request closed." I've attached it to this message.

All the best,

Patrick

Patrick Roddie
1935 Franklin Street #603
San Francisco, CA 94109
415-336-4728
patrick@webbery.com

From: DPH, PublicRecords (DPH) publicrecords.dph@sfdph.org
Subject: Fw: San Francisco mortality data - new Sunshine Ordinance request
Date: December 11, 2017 at 9:54 AM
To: patrick@webbery.com

Hi Patrick,

Per the Health and Safety Code 102230 section 2. "The birth, death, and marriage record indices prepared pursuant to paragraph (1) and all comprehensive birth, death, and marriage record indices prepared or maintained by local registrars and country recorders shall be kept confidential and shall be exempt from disclosure under the California Public Records Act." Accordingly, we have no records to produce in response to your request and consider your request closed.

Please find the link to apply for death data files through the California Department of Public Health below for your convenience:

<https://www.cdph.ca.gov/Programs/CHSI/Pages/Data-and-Statistics-.aspx>

Thank you,

Veronica Vien
Public Records Officer
San Francisco Department of Public Health
415.554.2716

From: DPH, PublicRecords (DPH)
Sent: Monday, November 27, 2017 3:30 PM
To: Patrick Roddie
Subject: RE: San Francisco mortality data - new Sunshine Ordinance request

Hi Patrick,

Pursuant to California Government Code Section 6253(c), we are invoking an extension of up to 14 days (until December 11, 2017) because of the voluminous nature of the request. We will endeavor to complete our response before that date.

Thank you for your patience,

Veronica Vien

From: DPH, PublicRecords (DPH)
Sent: Thursday, November 16, 2017 2:03 PM
To: Patrick Roddie <patrick@webbery.com>
Subject: RE: San Francisco mortality data - new Sunshine Ordinance request

Hi Patrick,

We received your public records request dated on November 14, 2017 on November

we received your public records request, dated on November 14, 2017, on November 15, 2017. Public records requests received after the close of business are considered received on the next business day.

Thank you,

Veronica Vien
Public Records Officer
San Francisco Department of Public Health
415.554.2716

From: Patrick Roddie [<mailto:patrick@webbery.com>]
Sent: Tuesday, November 14, 2017 8:29 PM
To: DPH, PublicRecords (DPH) <publicrecords.dph@sfdph.org>
Cc: SOTF, (BOS) <sotf@sfgov.org>
Subject: San Francisco mortality data - new Sunshine Ordinance request

To the custodian of record,

As is my right under the San Francisco Sunshine Ordinance, I request the following mortality data.

From each death record verified by San Francisco Department of Public Health on the California EDRS (Electronic Death Record System) between October 1, 2013 and April 30, 2016, I request the following.

1. State file number
2. Age of decedent
3. Sex of decedent
4. Race of decedent
5. Date of death
6. Cause of death
7. Manner of death
8. Other significant conditions contributing to death

I understand there is no fee, other than the cost of electronic media which I will provide and mail to you.

I look forward to hearing from you.

Patrick Roddie
1935 Franklin Street #603
San Francisco, CA 94109
Phone: 415-336-4728
[Email: patrick@webbery.com](mailto:patrick@webbery.com)

Acosta, Linda (DPH)

From: CDPH HIRS <HIRS@cdph.ca.gov>
Sent: Thursday, December 07, 2017 3:37 PM
To: Acosta, Linda (DPH)
Cc: CDPH HIRS
Subject: RE: SF death records

Good Afternoon Linda,

According to Health and Safety Code 102230 section 2. "The birth, death, and marriage record indices prepared pursuant to paragraph (1) and all comprehensive birth, death, and marriage record indices prepared or maintained by local registrars and county recorders shall be kept confidential and shall be exempt from disclosure under the California Public Records Act."

Please defer you your legal counsel regarding your response.

Please find the link to our applications below for your convenience:

<https://www.cdph.ca.gov/Programs/CHSI/Pages/Data-and-Statistics-.aspx>

Please let me know if I can assist any further.

Eric Neuhauser

Public Health Policy and Research Branch
Center for Health Statistics and Informatics
California Department of Public Health
Office (916) 552-8099
Fax (916) 650-6889

From: Acosta, Linda (DPH) [mailto:linda.acosta@sfdph.org]
Sent: Wednesday, November 29, 2017 2:25 PM
To: CDPH HIRS <HIRS@cdph.ca.gov>
Subject: SF death records

I am writing as the public records officer for the SF Dept of Public Health. Here in SF we have the "Sunshine Ordinance" which is more severe than the California public records act and makes most documents and data publically available to requestors. We currently have a requestor who wants SF death stats. We are telling him he must go through you for data requests, but under the sunshine ordinance, he feels like he should be able to get sf death data from SF. Can you give us guidance on this?

Linda Kathleen Acosta
Communications Specialist
San Francisco Department of Public Health

linda.acosta@sfdph.org
415-554-2928
Fax 415-759-2899
101 Grove, San Francisco, CA 94102



San Francisco
Health Network

San Francisco Department of Public Health

CONFIDENTIALITY NOTICE: This e-mail is intended for the recipient only. If you receive this e-mail in error, notify the sender and destroy the e-mail immediately. Disclosure of the PHI contained herein may subject the discloser to civil or criminal penalties under state and federal privacy laws.



DENNIS J. HERRERA
City Attorney

NICHOLAS COLLA
Deputy City Attorney

Direct Dial: (415) 554-3819
Email: nicholas.colla@sfgov.org

MEMORANDUM

TO: Sunshine Ordinance Task Force
FROM: Nicholas Colla
Deputy City Attorney
DATE: January 18, 2018
RE: Complaint No. 17129 – Roddie v. the San Francisco Department of Public Health

COMPLAINT

Complainant Patrick Roddie ("Complainant") alleges the San Francisco Department of Public Health ("DPH") violated public records laws by failing to timely/adequately respond to his August 22, 2017 request for public records.

COMPLAINANT FILES COMPLAINT

On November 14, 2017, Complainant filed this complaint with the Task Force alleging that DPH failed to timely/adequately respond to his public records request.

JURISDICTION

DPH is a City department subject to the provisions of the Sunshine Ordinance governing public records. DPH does not contest jurisdiction to hear this complaint.

APPLICABLE STATUTORY SECTION(S)

Section 67 of the San Francisco Administrative Code:

- Section 67.21 governs responses to a public records request.

APPLICABLE CASE LAW

- *none*

BACKGROUND

On November 14, 2017, Complainant sent an email to publicrecords.dph@sfdph.org in which he requesting the following:

As is my right under the San Francisco Sunshine Ordinance, I request the following mortality data.

From each death record verified by San Francisco Department of Public Health on the California EDRS (Electronic Death Record System) between October 1, 2013 and April 30, 2016, I request the following.

1. State file number
2. Age of decedent

MEMORANDUM

TO: Sunshine Ordinance Task Force
DATE: January 18, 2018
PAGE: 2
RE: Complaint No. 17129 – Roddie v. the San Francisco Department of Public Health

3. Sex of decedent
4. Race of decedent
5. Date of death
6. Cause of death
7. Manner of death
8. Other significant conditions contributing to death

On November 16, 2017, DPH public records officer Veronica Vien (“Ms. Vien”) emailed Complainant to inform him that his records request had been received but that since it was sent after the close of business hours, November 15, 2017 would be the date it was considered received.

On November 27, 2017, Ms. Vien emailed Complainant again in which she stated the following:

Pursuant to California Government Code Section 6253(c), we are invoking an extension of up to 14 days (until December 11, 2017) because of the voluminous nature of the request. We will endeavor to complete our response before that date.

On November 29, 2017, Complainant filed this complaint with the Task Force.

On December 11, 2017, Ms. Vien sent Complainant an email containing a link that allegedly provided records responsive to his request.

QUESTIONS THAT MIGHT ASSIST IN DETERMINING FACTS

- Can DPH describe why an additional extension was warranted to satisfy this request?
- Is Complainant satisfied with the records that were provided?

LEGAL ISSUES/LEGAL DETERMINATIONS

- Did DPH violate Administrative Code Section 67.21(b) by failing to provide Complainant with records responsive to his request in a timely manner?

MEMORANDUM

TO: Sunshine Ordinance Task Force
DATE: January 18, 2018
PAGE: 3
RE: Complaint No. 17129 – Roddie v. the San Francisco Department of Public Health

CONCLUSION

THE TASK FORCE FINDS THE FOLLOWING FACTS TO BE TRUE:

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

* * *

MEMORANDUM

TO: Sunshine Ordinance Task Force
DATE: January 18, 2018
PAGE: 4
RE: Complaint No. 17129 – Roddie v. the San Francisco Department of Public Health

CHAPTER 67, SAN FRANCISCO ADMINISTRATIVE CODE (SUNSHINE ORDINANCE)**SEC. 67.21. PROCESS FOR GAINING ACCESS TO PUBLIC RECORDS; ADMINISTRATIVE APPEALS**

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

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

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

**Sunshine Ordinance Task Force
Complaint Summary**

File No. 17129

Patrick Roddie V, Department of Public Health

Date filed with SOTF: 11/29/17

Contacts information (Complainant information listed first):

patrick@webbery.com (Petitioner/Complainant)

Barbara Garcia, Linda Acosta, and Colene Chawla, Department of Public Health (Respondent)

File No. 17129: Complaint filed by Patrick Roddie against the Department of Public Health 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.

Administrative Summary if applicable:

Request for records submitted on August 22, 2017 to publicrecords.dph@sfdph.org

The complainant previously filed Complaint No. 17117 and withdrew the complaint as it appeared the matter was settled. Mr. Roddie now believes that the Department of Public Health has not complied with the public records request and requested that the matter be reopened.

Complaint Attached.

Young, Victor

From: Patrick Roddie <patrick@webbery.com>
Sent: Thursday, February 01, 2018 10:45 AM
To: SOTF, (BOS)
Subject: Re: SOTF - Notice of Hearing - Sunshine Ordinance Task Force: February 7, 2018, 4:00 p.m.

Victor,

The original and most egregious violation by DPH is the refusal to release how many deaths occurred. When I asked you to reopen the complaint you told me December 12 that "I am in the process of opening a new complaint file regarding the matter as it is the fastest way to reopen the matter."

The Administrative Summary of the SOTF Complaint Summary for file 17129 reads: "The complainant previously filed Complaint No. 17117 and withdrew the complaint as it appeared the matter was settled. Mr. Roddie now believes that the Department of Public Health has not complied with the public records request and requested that the matter be reopened." (Page 16 of the complaint packet for agenda item 4.)

I appears to me that since the original violation is part of the published supporting documentation for complaint 17129, as is my request for it to be reopened, the full task force will be able to rule on it (DPH's refusal to release numbers of deaths) at the meeting February 7.

If this is not the case, please advise.

Thank you in advance,

Patrick Roddie

On Feb 1, 2018, at 9:27 AM, SOTF, (BOS) <sotf@sfgov.org> wrote:

Dear Mr. Roddie:

There is only one active complaint (attached). Information from your previously filing (17117) was included into the packet for informational purposes.

Victor Young 415-554-7724
Administrator, Sunshine Ordinance Task Force

From: Patrick Roddie [<mailto:patrick@webbery.com>]
Sent: Wednesday, January 31, 2018 12:57 PM
To: SOTF, (BOS) <sotf@sfgov.org>
Subject: Re: SOTF - Notice of Hearing - Sunshine Ordinance Task Force: February 7, 2018, 4:00 p.m.

Victor,

I am writing to double check that both of my complaints will be heard at the February 7 task force meeting. Since the information packet for complaint 17129 includes the original complaint

(17117 - the one where I asked for the numbers of deaths per day), does that mean both complaints will be ruled on?

Thank you,

Patrick Roddie

On Jan 25, 2018, at 3:24 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 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: February 7, 2018

Location: City Hall, Room 408

Time: 4:00 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 17094: Complaint filed by Michael Petrelis 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.

(On September 26, 2017, the Complaint Committee, determined that the SOTF has jurisdiction and referred the matter to the SOTF for hearing.)

File No. 17089: Complaint filed by Ann Treboux against Kate Patterson and the Arts Commission, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

(On August 22, 2017, the Complaint Committee, determined that the SOTF has jurisdiction and referred the matter to the SOTF for hearing.)

File No. 17028: Complaint filed by Ann Treboux against Kate Patterson and the Arts Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.25, 67.26 and 67.27, by failing to respond to an Immediate Disclosure Request in a complete manner.

(On September 26, 2017, the Complaint Committee, determined that the SOTF has jurisdiction and referred the matter to the SOTF for hearing.)

SPECIAL ORDER

The hearings on File Nos. 17122 and 17129 will not begin earlier than 5:00 p.m.

File No. 17122: Complaint filed by the La Playa Park Neighborhood Association against Supervisor Katy Tang (Board of Supervisors) for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a complete manner.

(On January 23, 2018, the Complaint Committee, determined that the SOTF has jurisdiction and referred the matter to the SOTF for hearing.)

File No. 17129: Complaint filed by Patrick Roddie against the Department of Public Health 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.

(On January 23, 2018, the Complaint Committee, determined that the SOTF has jurisdiction and referred the matter to the SOTF for hearing.)

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure).

For inclusion in the agenda packet, supplemental/supporting documents must be received by **5:00 pm, January 31, 2018.**

Victor Young

Assistant Clerk

Board of Supervisors

1 Dr. Carlton B. Goodlett Place, City Hall., Room 244

San Francisco CA 94102

phone 415-554-7724 | fax 415-554-5163

victor.young@sfgov.org | www.sfbos.org

<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.

<SOTF Complaint 17129.pdf>

Young, Victor

From: Patrick Roddie <patrick@webbery.com>
Sent: Wednesday, November 29, 2017 2:26 AM
To: SOTF, (BOS)
Cc: Acosta, Linda (DPH); DPH, PublicRecords (DPH)
Subject: Mortality data - new Sunshine Ordinance complaint against the Department of Public Health.
Attachments: Records request Roddie-DPH.pdf; Records extension request DPH-Roddie.pdf

To the San Francisco Sunshine Ordinance Task Force,

I am writing to file a new Sunshine Ordinance complaint against the San Francisco Department of Public Health (DPH) for violation of SF Administrative Code, § 67.21; failing to respond to a public records request in a timely and/or complete manner.

On November 14, 2017 I requested public records from the Department of Public Health, as outlined in the first attached email "Records request Roddie-DPH". On November 16, DPH acknowledged my request. On November 27th, DPH requested a 14 day extension to complete the request by December 11th. (Attached email, "Records extension request DPH-Roddie").

Since I had DPH's written assurance they would "endeavor to complete (the) request" by December 11th, when I addressed the Sunshine Ordinance Task Force Complaint Committee November 28th, I withdrew my previous complaint (File 17117).

But when I spoke to DPH Custodian of Record, Linda Acosta, immediately after withdrawing the complaint, she told me DPH was in fact unable to provide the records I requested and instead I should try getting them from State of California myself. She then gave me a blank "Application For California's Public Use Birth and Death Files" to complete, notarize and file with CA DPH - subject to "cost recovery" and outside the jurisdiction of SOTF.

Therefore DPH has not only failed, but refused to respond to a public records request in a timely and/or complete manner - a violation of SF Administrative Code, § 67.21.

Sincerely,

Patrick Roddie

—

Patrick Roddie
1935 Franklin Street #603
San Francisco, CA 94109
415-336-4728
patrick@webbery.com

From: Patrick Roddie patrick@webbery.com
Subject: San Francisco mortality data - new Sunshine Ordinance request
Date: November 14, 2017 at 8:29 PM
To: DPH, PublicRecords (DPH) publicrecords.dph@sfdph.org
Cc: (BOS) SOTF sotf@sfgov.org



To the custodian of record,

As is my right under the San Francisco Sunshine Ordinance, I request the following mortality data.

From each death record verified by San Francisco Department of Public Health on the California EDRS (Electronic Death Record System) between October 1, 2013 and April 30, 2016, I request the following.

1. State file number
2. Age of decedent
3. Sex of decedent
4. Race of decedent
5. Date of death
6. Cause of death
7. Manner of death
8. Other significant conditions contributing to death

I understand there is no fee, other than the cost of electronic media which I will provide and mail to you.

I look forward to hearing from you.

Patrick Roddie
1935 Franklin Street #603
San Francisco, CA 94109
Phone: 415-336-4728
Email: patrick@webbery.com

From: DPH, PublicRecords (DPH) publicrecords.dph@sfdph.org
Subject: RE: San Francisco mortality data - new Sunshine Ordinance request
Date: November 27, 2017 at 3:30 PM
To: Patrick Roddie patrick@webbery.com



Hi Patrick,

Pursuant to California Government Code Section 6253(c), we are invoking an extension of up to 14 days (until December 11, 2017) because of the voluminous nature of the request. We will endeavor to complete our response before that date.

Thank you for your patience,

Veronica Vien

From: DPH, PublicRecords (DPH)
Sent: Thursday, November 16, 2017 2:03 PM
To: Patrick Roddie <patrick@webbery.com>
Subject: RE: San Francisco mortality data - new Sunshine Ordinance request

Hi Patrick,

We received your public records request, dated on November 14, 2017, on November 15, 2017. Public records requests received after the close of business are considered received on the next business day.

Thank you,

Veronica Vien
Public Records Officer
San Francisco Department of Public Health
415.554.2716

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San Francisco, CA 94109
Phone: 415-336-4728
Email: patrick@webbery.com

Young, Victor

From: Patrick Roddie <patrick@webbery.com>
Sent: Monday, December 11, 2017 11:16 AM
To: SOTF, (BOS)
Subject: Retraction of withdrawal of Sunshine Ordinance complaint file 17117
Attachments: Fw San Francisco mortality data new Sunshine Ordinance request .pdf; SF Sunshine Ordinance violation complaint mortality data.pdf

To whom it may concern,

The Department of Public Health continues to stonewall me on my request for mortality data - see attached email. I only withdrew my previous complaint (file number 17117) at the previous Sunshine Ordinance Task Force Complaint Committee November 28th because DPH said they would "endeavor to complete (the) request" by December 11th.

Since they now refuse to provide any data whatsoever, I now request that the the Sunshine Ordinance Task Force reinstate my original complaint (file 17117) in which I asked for many people died within the City and County of San Francisco on each day starting October 1, 2013 through March 31, 2016. In other words, I would like to revoke my withdrawal of that complaint.

You already have the previous correspondence on file - do you need me to sent it to you again?

Thank you for your time,

Patrick Roddie
1935 Franklin Street #603
San Francisco, CA 94109
415-336-4728
patrick@webbery.com

Young, Victor

From: Patrick Roddie <patrick@webbery.com>
Sent: Tuesday, November 14, 2017 8:29 PM
To: DPH, PublicRecords (DPH)
Cc: SOTF, (BOS)
Subject: San Francisco mortality data - new Sunshine Ordinance request

To the custodian of record,

As is my right under the San Francisco Sunshine Ordinance, I request the following mortality data.

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I understand there is no fee, other than the cost of electronic media which I will provide and mail to you.

I look forward to hearing from you.

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1935 Franklin Street #603
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Phone: 415-336-4728
Email: patrick@webbery.com

Young, Victor

From: Patrick Roddie <patrick@webbery.com>
Sent: Monday, December 11, 2017 11:16 AM
To: SOTF, (BOS)
Subject: Retraction of withdrawal of Sunshine Ordinance complaint file 17117
Attachments: Fw San Francisco mortality data new Sunshine Ordinance request .pdf; SF Sunshine Ordinance violation complaint mortality data.pdf

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From: DPH, PublicRecords (DPH) publicrecords.dph@sfdph.org
Subject: Fw: San Francisco mortality data - new Sunshine Ordinance request
Date: December 11, 2017 at 9:54 AM
To: patrick@webbery.com

Hi Patrick,

Per the Health and Safety Code 102230 section 2. "The birth, death, and marriage record indices prepared pursuant to paragraph (1) and all comprehensive birth, death, and marriage record indices prepared or maintained by local registrars and country recorders shall be kept confidential and shall be exempt from disclosure under the California Public Records Act." Accordingly, we have no records to produce in response to your request and consider your request closed.

Please find the link to apply for death data files through the California Department of Public Health below for your convenience:

<https://www.cdph.ca.gov/Programs/CHSI/Pages/Data-and-Statistics-.aspx>

Thank you,

Veronica Vien
Public Records Officer
San Francisco Department of Public Health
415.554.2716

From: DPH, PublicRecords (DPH)
Sent: Monday, November 27, 2017 3:30 PM
To: Patrick Roddie
Subject: RE: San Francisco mortality data - new Sunshine Ordinance request

Hi Patrick,

Pursuant to California Government Code Section 6253(c), we are invoking an extension of up to 14 days (until December 11, 2017) because of the voluminous nature of the request. We will endeavor to complete our response before that date.

Thank you for your patience,

Veronica Vien

From: DPH, PublicRecords (DPH)
Sent: Thursday, November 16, 2017 2:03 PM
To: Patrick Roddie <patrick@webbery.com>
Subject: RE: San Francisco mortality data - new Sunshine Ordinance request

Hi Patrick,

We received your public records request dated on November 14, 2017, on November

we received your public records request, dated on November 14, 2017, on November 15, 2017. Public records requests received after the close of business are considered received on the next business day.

Thank you,

Veronica Vien
Public Records Officer
San Francisco Department of Public Health
415.554.2716

From: Patrick Roddie [<mailto:patrick@webbery.com>]
Sent: Tuesday, November 14, 2017 8:29 PM
To: DPH, PublicRecords (DPH) <publicrecords.dph@sfdph.org>
Cc: SOTF, (BOS) <sotf@sfgov.org>
Subject: San Francisco mortality data - new Sunshine Ordinance request

To the custodian of record,

As is my right under the San Francisco Sunshine Ordinance, I request the following mortality data.

From each death record verified by San Francisco Department of Public Health on the California EDRS (Electronic Death Record System) between October 1, 2013 and April 30, 2016, I request the following.

1. State file number
2. Age of decedent
3. Sex of decedent
4. Race of decedent
5. Date of death
6. Cause of death
7. Manner of death
8. Other significant conditions contributing to death

I understand there is no fee, other than the cost of electronic media which I will provide and mail to you.

I look forward to hearing from you.

Patrick Roddie
1935 Franklin Street #603
San Francisco, CA 94109
Phone: 415-336-4728
[Email: patrick@webbery.com](mailto:patrick@webbery.com)

Acosta, Linda (DPH)

From: CDPH HIRS <HIRS@cdph.ca.gov>
Sent: Thursday, December 07, 2017 3:37 PM
To: Acosta, Linda (DPH)
Cc: CDPH HIRS
Subject: RE: SF death records

Good Afternoon Linda,

According to Health and Safety Code 102230 section 2. "The birth, death, and marriage record indices prepared pursuant to paragraph (1) and all comprehensive birth, death, and marriage record indices prepared or maintained by local registrars and country recorders shall be kept confidential and shall be exempt from disclosure under the California Public Records Act."

Please defer you your legal counsel regarding your response.

Please find the link to our applications below for your convenience:

<https://www.cdph.ca.gov/Programs/CHSI/Pages/Data-and-Statistics-.aspx>

Please let me know if I can assist any further.

Eric Neuhauser

Public Health Policy and Research Branch
Center for Health Statistics and Informatics
California Department of Public Health
Office (916) 552-8099
Fax (916) 650-6889

From: Acosta, Linda (DPH) [mailto:linda.acosta@sfdph.org]
Sent: Wednesday, November 29, 2017 2:25 PM
To: CDPH HIRS <HIRS@cdph.ca.gov>
Subject: SF death records

I am writing as the public records officer for the SF Dept of Public Health. Here in SF we have the "Sunshine Ordinance" which is more severe than the California public records act and makes most documents and data publically available to requestors. We currently have a requestor who wants SF death stats. We are telling him he must go through you for data requests, but under the sunshine ordinance, he feels like he should be able to get sf death data from SF. Can you give us guidance on this?

Linda Kathleen Acosta
Communications Specialist
San Francisco Department of Public Health

linda.acosta@sfdph.org
415-554-2928
Fax 415-759-2899
101 Grove, San Francisco, CA 94102



San Francisco
Health Network

SAN FRANCISCO DEPARTMENT OF PUBLIC HEALTH

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Young, Victor

From: SOTF, (BOS)
Sent: Thursday, January 11, 2018 1:50 PM
To: 'Patrick Roddie'; Garcia, Barbara (DPH); Acosta, Linda (DPH); Chawla, Colleen (DPH); 'Tim Murphy'; Tang, Katy (BOS); Summers, Ashley (BOS); 'd250'; Silva-Re, Pauline (JUV); 'William J Simpson'; FirePublicRecords, FIR (FIR); FireChief, Secretary; Frye, Tim (CPC); Silva, Christine (CPC); Ionin, Jonas (CPC); 'Patrick Mooney'; Ferguson, Shannon (CPC)
Cc: Calvillo, Angela (BOS)
Subject: SOTF - Notice of Hearing - Complaint Committee: January 23, 2018, 5:30 p.m.

Good Afternoon:

Notice is hereby given that the Complaint Committee of the Sunshine Ordinance 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: January 23, 2018

Location: City Hall, Room 408

Time: 5:30 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 17129: Complaint filed by Patrick Roddie against the Department of Public Health 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. 17122: Complaint filed by the La Playa Park Neighborhood Association against Supervisor Katy Tang (Board of Supervisors for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a complete manner.

File No. 17123: Complaint filed by the Anonymous against the Juvenile Probation Commission 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. 17124 Complaint filed by the William Simpson against the Fire Department 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. 17130: Complaint filed by Patrick Mooney and Steve Tom against Tim Frye and the Planning Department 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. 17133: Complaint filed by Patrick Mooney and Steve Tom against Shannon Ferguson, Tim Frye and the Planning Department for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.7-1, by failing to provide adequate notice of hearing.

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing. For inclusion into the agenda packet, supplemental/supporting documents must be received by 5:00 pm, **January 16, 2018.**

Victor Young

Administrator, Sunshine Ordinance Task Force
1 Dr. Carlton B. Goodlett Place, City Hall., Room 244
San Francisco CA 94102
phone 415-554-7724 | fax 415-554-5163
victor.young@sfgov.org | www.sfbos.org



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The [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.

Young, Victor

From: SOTF, (BOS)
Sent: Thursday, January 25, 2018 3:25 PM
To: 'mpetrelis@aol.com'; Breed, London (BOS); 'Ann'; Patterson, Kate (ART); 'Tim Murphy'; Tang, Katy (BOS); 'Patrick Roddie'; Garcia, Barbara (DPH); Acosta, Linda (DPH); Chawla, Colleen (DPH)
Cc: Lloyd, Kayleigh (BOS); Summers, Ashley (BOS); Calvillo, Angela (BOS)
Subject: SOTF - Notice of Hearing - Sunshine Ordinance Task Force: February 7, 2018, 4:00 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 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: February 7, 2018

Location: City Hall, Room 408

Time: 4:00 p.m.

Complainants: Your attendance is required for this meeting/hearing.

Respondents/Departments: Pursuant to Section 67.21 (e) of the Ordinance, the custodian of records or a representative of your department, who can speak to the matter, is required at the meeting/hearing.

Complaints:

File No. 17094: Complaint filed by Michael Petrelis 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.

(On September 26, 2017, the Complaint Committee, determined that the SOTF has jurisdiction and referred the matter to the SOTF for hearing.)

File No. 17089: Complaint filed by Ann Treboux against Kate Patterson and the Arts Commission, for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.25, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

(On August 22, 2017, the Complaint Committee, determined that the SOTF has jurisdiction and referred the matter to the SOTF for hearing.)

File No. 17028: Complaint filed by Ann Treboux against Kate Patterson and the Arts Commission for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.25, 67.26 and 67.27, by failing to respond to an Immediate Disclosure Request in a complete manner.

(On September 26, 2017, the Complaint Committee, determined that the SOTF has jurisdiction and referred the matter to the SOTF for hearing.)

SPECIAL ORDER

The hearings on File Nos. 17122 and 17129 will not begin earlier than 5:00 p.m.

File No. 17122: Complaint filed by the La Playa Park Neighborhood Association against Supervisor Katy Tang (Board of Supervisors) for allegedly violating Administrative Code (Sunshine Ordinance), Section 67.21, by failing to respond to a public records request in a complete manner.

(On January 23, 2018, the Complaint Committee, determined that the SOTF has jurisdiction and referred the matter to the SOTF for hearing.)

File No. 17129: Complaint filed by Patrick Roddie against the Department of Public Health 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.

(On January 23, 2018, the Complaint Committee, determined that the SOTF has jurisdiction and referred the matter to the SOTF for hearing.)

Documentation (evidence supporting/disputing complaint)

For a document to be considered, it must be received at least five (5) working days before the hearing (see attached Public Complaint Procedure).

For inclusion in the agenda packet, supplemental/supporting documents must be received by **5:00 pm, January 31, 2018.**

Victor Young
Assistant Clerk
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, City Hall., Room 244
San Francisco CA 94102
phone 415-554-7724 | fax 415-554-5163
victor.young@sfgov.org | www.sfbos.org



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