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21 SUPERIOR COURT OF THE STATE OF CALIFORNIA
22 COUNTY OF ALAMEDA

23 SCOTT MORRIS; SARAH BELLE
24 LIN; BRIAN KRANS; MICHAEL
25 KATZ; and OAKLAND PRIVACY,

26 Plaintiffs/Petitioners,

27 v.

28 CITY OF OAKLAND; OAKLAND
POLICE DEPARTMENT; SUSAN
MANHEIMER, in her official capacity;
and ED REISKIN, in his official
capacity,

Defendants/Respondents.

Case No.

**VERIFIED CLASS ACTION PETITION
FOR WRIT OF MANDATE AND CLASS
ACTION COMPLAINT FOR
DECLARATORY AND INJUNCTIVE
RELIEF TO ENFORCE CALIFORNIA
PUBLIC RECORDS ACT**

Plaintiffs/Petitioners Scott Morris, Sarah Belle Lin, Brian Krans, Michael Katz and Oakland Privacy (collectively, "Plaintiffs") individually, as citizens, as associations and/or as taxpayers, and on behalf of a putative Class, petition this Court for a writ of mandate and plead for injunctive and declaratory relief requiring Defendants/Respondents the City of Oakland, the

1 Oakland Police Department (“OPD”), Susan Manheimer, OPD’s interim chief of police, and Ed
2 Reiskin, Oakland’s City Administrator (collectively, “Defendants”), to comply with the
3 timeframes required for a records disclosure determination under the California Public Records
4 Act (“PRA”), Government Code sections 6250 *et seq.* and the Oakland Sunshine Ordinance,
5 Oakland Mun. Code sections 2.20.010 *et seq.*, and to promptly produce records where OPD has
6 determined it is in possession of disclosable records.

7 INTRODUCTION

8 1. In the wake of the police killing of George Floyd in Minneapolis, Minnesota, the
9 United States has commenced a long-overdue national reckoning regarding the role of the police
10 in our society. Yet during this historic moment, OPD is thwarting transparency. OPD has
11 thousands of open PRA requests, including requests for documents related to police shootings,
12 use-of-force incidents, electronic surveillance, hate crimes data, budget allocation and more. OPD
13 must not be allowed to flout transparency and civilian oversight.

14 2. The PRA and the Oakland Sunshine Ordinance mandate strict deadlines for local
15 agencies like OPD to respond to requests for public records. After requesters submit document
16 requests, an agency must provide a determination whether it possesses disclosable records within
17 ten days, unless a statutory extension is invoked, in which case it may extend the deadline by
18 fourteen days.

19 3. The determination must state (1) whether responsive records exist, (2) whether the
20 agency will be withholding records on the basis of a statutory exemption to disclosure, including
21 the applicable statute, and (3) an estimated date when records will be released.

22 4. Once a determination is made, records must be promptly disclosed.

23 5. The PRA thus contemplates that determinations are individualized: agencies must
24 evaluate and provide a reasoned response to each request.

25 6. Despite these clear mandates, OPD routinely and systematically ignores the law.

26 7. In the last two years alone, OPD has not provided a sufficient determination in
27 response to approximately half of its PRA requests. Instead, it either provides no response or
28 sends out a legally-deficient boilerplate response that fails to disclose (1) whether responsive

1 records exist and (2) whether OPD will be withholding documents based on a specific statutory
2 exemption. The boilerplate response typically states:

3 Our agency is in the process of reviewing your requested records to determine
4 what information can be released in accordance with the California Public
5 Records Act. All records must be reviewed and in some cases redaction may be
6 necessary. Due to the Department’s limited staffing resources and numerous
public records requests received, our agency needs additional time to respond to
your request. All records that are not exempt will be provided within 30 days.

7 8. While OPD’s boilerplate language commits to providing records within thirty
8 days, it is a hollow promise. OPD has not met its self-imposed thirty-day deadline in thousands of
9 cases, and routinely extends its “deadline” every thirty days.

10 9. OPD thus lulls requesters into a false sense that it is actively compiling records
11 when in fact it is not. In many cases, including some requests submitted by Plaintiffs, OPD has
12 invoked thirty-day extensions — found nowhere in the PRA or the Oakland Sunshine
13 Ordinance— dozens of times, thus extending its “deadline” by years. One PRA request with OPD
14 dates back to 2014 and has thirty-three separate deadline changes, the last of which was
15 communicated in 2016.¹

16 10. OPD refuses to implement policies and procedures to ensure PRA and Oakland
17 Sunshine Ordinance compliance. By forcing persistent inquiries and threats of litigation, OPD
18 discourages the public from submitting and following up on requests for information, including
19 the Plaintiffs named herein.

20 11. Plaintiffs, the Class, and residents of Oakland are thus denied timely and important
21 information about OPD’s operations.

22 12. OPD’s failure is not for lack of resources. OPD receives over \$300 million from
23 the City’s general fund, over 40% of the City’s general fund budget.

24 13. OPD’s disregard for the PRA and the Oakland Sunshine Ordinance is an affront to
25 government transparency, police accountability and the rights of public access enshrined in the
26 California Constitution.

27 _____
28 ¹ “You will receive an update by December 31, 2016” notes the latest entry. *See*
<https://oaklandca.nextrequest.com/requests/RT-6059> (last checked August 10, 2020).

1 14. Plaintiffs seek relief to compel OPD's compliance with the PRA for all requestors.
2 Their experiences are exemplary of OPD's disregard for transparency.

3 15. Plaintiffs Scott Morris, Sarah Belle Lin and Brian Krans are all East Bay
4 journalists who regularly cover OPD. Collectively, OPD has ignored dozens of their PRA
5 requests.

6 16. Plaintiff Oakland Privacy is a regional citizens coalition that works to defend the
7 right to privacy and enhance public transparency regarding government surveillance. Plaintiff
8 Michael Katz is its Director of Research. OPD has frustrated their efforts to understand police
9 operations by failing to respond to a number Katz's PRA requests.

10 17. OPD must do better. OPD cannot disregard the PRA during this moment of
11 national reflection on the role of police in our society. Plaintiffs bring this action to compel OPD
12 to clear its PRA backlog and to ensure that OPD provides timely determinations going forward.

13 **PARTIES**

14 18. Plaintiff/Petitioner Scott Morris has been a journalist in Oakland since 2011. His
15 work on criminal justice and civil rights has appeared in the *East Bay Express*, *Oakland*
16 *Magazine*, the *Appeal* and *Berkeleyside*. He is currently a member of the ProPublica Local
17 Reporting Network. He regularly writes about OPD as part of his reporting. Past stories include
18 coverage of OPD's staff shortages and its desperate recruitment of officers later involved in
19 serious incidents of misconduct,² an analysis of a drop in officer-involved shootings from 2009 to
20 2016,³ and a profile of decorated officer Ersie Joyner.⁴ Morris is an Oakland resident and pays
21 sales and other taxes to the City, and has done so within the last year. Morris routinely submits
22 PRA requests to OPD and will continue to do so in the future.

23 _____
24 ² Scott Morris, "OPD's Lost Office Class," *East Bay Express*, November 9, 2017, available at
25 <https://www.eastbayexpress.com/oakland/opds-lost-officer-class/Content?oid=10666155> (last
checked August 4, 2020).

26 ³ Scott Morris, "The Year of No Police Shootings," *Oakland Magazine*, April 3, 2017, available
at <http://www.oaklandmagazine.com/April-2017/The-Year-of-No-Shootings/> (last checked
27 August 4, 2020).

28 ⁴ Scott Morris, "Ersie Joyner Fights for Rome," *Oakland Magazine*, July 3, 2019, available at
<http://www.oaklandmagazine.com/July-2019/Ersie-Joyner-Fights-for-Rome/> (last checked
August 4, 2020).

1 19. Plaintiff Sarah Belle Lin has been a journalist in the East Bay since 2018. She has
2 reported for local news outlets in Berkeley, Emeryville, Oakland and Piedmont. She covers crime,
3 police, and movements advocating for civil and human rights. She recently investigated OPD's
4 use of force at a protest in Oakland on June 1, 2020 for *The Oaklandside*. Lin is a member of the
5 Freelance Journalists Union and the Asian American Journalists Association. Lin is an Oakland
6 resident and pays sales and other taxes to the City, and has done so within the last year. Lin
7 routinely submits PRA requests to OPD and will continue to do so in the future.

8 20. Plaintiff Brian Krans is an award-winning investigative reporter and audio
9 producer who reports on criminal justice, government, and public health in the East Bay. His
10 work about police and first responders has appeared in *Oakland North*, the *East Bay Express*,
11 *Oakland Magazine*, KQED, The California Report, The Appeal, and *Berkeleyside*. Krans is an
12 Oakland resident who pays sales and other taxes to the City, and has done so within the last year.
13 Krans routinely submits PRA requests to OPD and will continue to do so in the future.

14 21. Plaintiff Oakland Privacy is a citizens coalition that works regionally to defend the
15 right to privacy, and enhance public transparency and oversight regarding government
16 surveillance. Oakland Privacy was instrumental in the creation of the first standing municipal
17 citizens' privacy advisory commission in the City of Oakland. Oakland Privacy's members are
18 experts on municipal privacy reform, and have written use policies and impact reports for a
19 variety of surveillance technologies. Oakland Privacy's members routinely submit PRA requests
20 to OPD and will continue to do so in the future.

21 22. Plaintiff Michael Katz is the Director of Research for Oakland Privacy. Katz has
22 worked on issues of law enforcement and surveillance since 2010. His work has involved filing
23 hundreds of public records requests and has been featured in the *Wall Street Journal*, *San*
24 *Francisco Chronicle*, *Forbes*, and the Intercept. Katz is a San Leandro resident. Katz routinely
25 submits PRA requests and will continue to do so in the future.

26 23. Defendant/Respondent City of Oakland is a California Charter City pursuant to
27 California Constitution Article XI, section 3. It is a local agency under Government Code §
28 6252(a).

1 that statutes must be “broadly construed” if they “furthe[r] the people’s right of access” and
2 “narrowly construed if [they] limi[t] the right of access.” *See also National Lawyers Guild v. City*
3 *of Hayward*, 9 Cal.5th 488, 507 (2020).

4 31. Second, the PRA provides that “access to information concerning the conduct of
5 the people’s business is a fundamental and necessary right of every person in this state.” Gov’t
6 Code § 6250. Subject to certain exemptions, *see id.* at §§ 6254, 6255, the PRA broadly provides
7 that “every person has a right to inspect any public record.” *Id.* at 6253(a). “Public records”
8 include “any writing containing information relating to the conduct of the public’s business
9 prepared, owned, used, or retained by any state or local agency regardless of physical form or
10 characteristics.” *Id.* at 6252(e). “Writing” is defined broadly and means “any handwriting,
11 typewriting, printing, photostating, photographing, photocopying, transmitting or electronic mail
12 or facsimile, and every other means of recording upon any tangible thing any form of
13 communication or representation, including letters, words, pictures, sounds, or symbols, or
14 combinations thereof, and any record thereby created, regardless of the manner in which the
15 record has been stored.” *Id.* at § 6252(g).

16 32. Third, the Oakland Sunshine Ordinance declares that “A government’s duty is to
17 serve the public and in reaching its decisions to accommodate those who wish to obtain
18 information.” Oakland Mun. Code § 2.20.010(A). It continues that “the city’s operations are open
19 to the public.” *Id.* at (B).

20 33. The PRA and the Oakland Sunshine Ordinance (which incorporates the PRA by
21 reference) contain strict deadlines for an agency to make a determination whether responsive
22 documents exist. An agency must “within 10 days from receipt of the request, determine whether
23 the request, in whole or in part, seeks copies of disclosable public records in the possession of the
24 agency.” Gov’t Code § 6253(c). An agency is required to “promptly notify the person making the
25 request of the determination and the reasons therefor.” *Id.* Only in “unusual circumstances,” as
26 defined by the statute, may an agency extend this deadline — and in no event beyond 14 days. *Id.*

27 34. The Oakland Sunshine Ordinance goes further. It requires that determinations be
28 communicated in writing, including a citation to all relevant legal authority justifying any

1 redaction or withholding. Oakland Mun. Code § 2.20.050. If documents are redacted, the
2 Oakland Sunshine Ordinance requires that the redactions be “keyed by footnote or other clear
3 reference to the appropriate justification for withholding.” *Id.* at 2.20.240. The redaction must
4 be personally performed by the attorney or staff member conducting the exemption review. *Id.*

5 OAKLAND’S NEXT REQUEST PLATFORM

6 35. The City of Oakland uses the online vendor “NextRequest” as a portal for PRA
7 requests.

8 36. Requesters can submit PRA requests through the NextRequest Oakland website,
9 <https://oaklandca.nextrequest.com>.

10 37. The portal enables requesters to select the city agency to whom their request is
11 directed, including the OPD.

12 38. Each request submitted through NextRequest is given a number.

13 39. On information and belief, the overwhelming majority of PRA requests to OPD
14 are submitted through NextRequest.

15 40. NextRequest allows the public to view a list of prior requests, including the ability
16 to filter requests between “open” and “closed” requests; search the text of requests; review
17 documents produced by the city (where they have been uploaded to NextRequest); and sort
18 requests by City department.

19 41. As of this writing, over 42,000 public records act requests have been submitted to
20 the Oakland through Nextrequest and its preceding system RecordTrac since the City started
21 using an online portal for records requests in 2013, including over 26,000 requests to OPD.⁵

22 OPD ROUTINELY FAILS TO ADEQUATELY RESPOND TO PRA REQUESTS

23 42. A review of the NextRequest platform reveals numerous instances in which OPD
24 has not provided a timely PRA determination in response to significant inquiries regarding
25 matters of urgent public concern.

26 _____
27 ⁵ When the City of Oakland switched to the Nextrequest system in 2018, it said it would help
28 improve responsiveness to requests. “While we loved RecordTrac, we love transparency more,” a
city official wrote in a tweet. *See* <https://twitter.com/Oakland/status/976983497830092800> (last
checked August 7, 2020).

1 43. As of this writing, over 5,700 requests to OPD remain “open,” some dating back as
2 far as 2014.

3 44. In the vast majority of these cases, OPD has either ignored the request or provided
4 requesters with an inadequate boilerplate response. Worst of all, OPD has not collected or
5 produced documents in response to most open cases.

6 45. Plaintiffs’ experiences recounted below are emblematic of OPD’s disdain for
7 transparency.

8 **Scott Morris**

9 46. Plaintiff Scott Morris is an East Bay journalist who routinely covers OPD.

10 47. As part of his reporting, Morris routinely submits PRA requests to the City of
11 Oakland and the OPD.

12 48. OPD routinely fails to provide timely determinations in response to his requests.

13 49. For example, on April 15, 2020, Morris submitted request number 20-1900,
14 seeking “the full name and occupation of every individual arrested by the agency,” including
15 certain biographical information about the arrestees and information concerning the timing and
16 circumstances of the arrests which is specified as releasable under Gov’t Code § 6254(f)(1). A
17 true and correct copy of this request, including OPD’s responses thereto, is included herewith as
18 Exhibit 1.

19 50. He sought this information over a narrow ten-week period, from February 1, 2020
20 to April 15, 2020.

21 51. Morris received a boilerplate response from OPD on April 27, 2020, which stated:
22 “Our agency is in the process of reviewing your requested records to determine
23 what information can be released in accordance with the California Public Records
24 Act. All records must be reviewed and in some cases redaction may be necessary.
25 Due to the Department’s limited staffing resources and numerous public records
26 requests received, our agency needs additional time to respond to your request. All
27 records that are not exempt with be provided within 30 days.” *Id.*

28 52. That same day, Morris notified OPD that “the city needs to provide some kind of
reasoning for such a long delay on a simple request,” making clear that OPD’s boilerplate
response to his PRA request was deficient. *Id.*

1 53. Since that date, OPD has extended its deadline for production three times. To date,
2 Morris has not received a determination on whether responsive records exist or the specific
3 exemptions that might apply. *Id.*

4 54. Morris had requested the records to determine whether law enforcement agencies
5 had changed booking procedures in response to the COVID-19 pandemic. He simultaneously
6 filed identical requests with twelve other law enforcement agencies in Alameda County. By June
7 2, all but OPD and the Alameda County Sheriff's Office had provided records.

8 55. While Morris has received responses from OPD to other PRA requests, Morris
9 typically faces significant difficulty in obtaining records from OPD. For instance, in February
10 2019 Morris submitted a request for records related to the internal affairs investigations of
11 officers David McLaughlin or Ryan McLaughlin. He did not receive a determination from OPD
12 until October 2019.

13 56. Morris is typically required to follow up with OPD information officers multiple
14 times before he receives a records determination or responsive records. This process typically
15 takes months — far longer than the “prompt” disclosure requirements of the PRA.

16 **Sarah Belle Lin**

17 57. Lin is an East Bay journalist who routinely covers OPD.

18 58. As part of her reporting, Lin routinely submits PRA requests to the City of
19 Oakland and OPD.

20 59. OPD routinely fails to provide a timely determination.

21 60. On October 4, 2019, Lin filed a request number 19-4932, seeking all incident
22 reports from OPD regarding the Safeway grocery store and the adjacent parking lot at 3747 Grand
23 Ave. Lin requested this information as she heard reports from customers of robberies and vehicle
24 break-ins at the store. On October 14, 2019, OPD sent Lin its standard boilerplate response,
25 saying it needed an additional 30 days to fulfill her request. Since that time, OPD has extended its
26 “deadline” seven additional times, with a current deadline of August 24, 2020. No records have
27 been produced in response to this request. A true and correct copy of this request is included
28 herewith as Exhibit 2.

1 61. On May 27, 2020, Lin filed request number 20-2800, seeking records of
2 complaints to OPD via 911 and its 311 Hate Crimes Hotline categorized as anti-Asian hate
3 incidents, from January 2019 through May 1, 2020. Lin requested the records to determine if
4 there had been a rise in complaints to OPD regarding anti-Asian hate incidents in Oakland during
5 the COVID-19 pandemic. On June 8, 2020, OPD sent Lin its standard boilerplate response,
6 saying it needed an additional thirty days to fulfill her request. OPD changed the “due date” for
7 production to June 8, 2020. It has not provided any records or any additional response since that
8 time. No records have been produced in response to this request. A true and correct copy of this
9 request is included herewith as Exhibit 3.

10 62. On May 31, 2020, amidst anti-police protests in the wake of the George Floyd
11 killing, Lin submitted request number 20-2891, seeking all documents related to the mutual aid
12 agreements between OPD and the Contra Costa Sheriff’s Office, including any documents related
13 to protocols for how to treat members of the press at such demonstrations. OPD has not sent Lin
14 its standard boilerplate response; instead, it has merely noted a “due date change” three times,
15 saying its due date is now August 24, 2020. No records have been produced in response to this
16 request. A true and correct copy of this request is included herewith as Exhibit 4.

17 63. On June 8, 2020, amidst anti-police protests in the wake of the George Floyd
18 killing, Lin submitted request number 20-3113, seeking all documents related to complaints
19 and/or reports to OPD regarding use of force by OPD and other law enforcement agencies called
20 to Oakland under mutual aid agreements to provide backup during the George Floyd protests
21 from May 29, 2020 to June 8, 2020. OPD has not sent Lin its standard boilerplate response;
22 instead, it has merely noted a “due date change” two times, saying its due date is now July 24,
23 2020. (As of August 18, 2020, OPD has not updated its due date since July 24, 2020.) A true and
24 correct copy of this request is included herewith as Exhibit 5.

25 64. The same day, Lin also submitted request number 20-3116 for documents and
26 video footage related to “the discharge of non-lethal projectiles at individuals at the Oakland
27 protest on Telegraph Avenue between the intersections of 16th Street between 11:15 p.m [sic] and
28 11:30 p.m. on Saturday, May 30.” OPD has not sent Lin its standard boilerplate response; instead,

1 it has merely noted a “due date change” three times, saying its due date is now August 24, 2020.
2 No records have been produced in response to this request. A true and correct copy of this request
3 is included herewith as Exhibit 6.

4 65. On June 29, 2020, Lin submitted request number 20-3746 for reports regarding a
5 June 1, 2020 OPD’s allegation that protesters had made and/or thrown Molotov cocktails at the
6 protests in the wake of the George Floyd killing. Lin sought records of any arrests made by OPD
7 of individuals who were allegedly making Molotov cocktails to verify OPD’s so far
8 unsubstantiated claims. OPD has not sent Lin its standard boilerplate response; instead, it has
9 merely noted a “due date change” three times, saying its due date is now August 24, 2020. No
10 records have been produced in response to this request. A true and correct copy of this request is
11 included herewith as Exhibit 7.

12 66. On June 30, 2019, Lin submitted request number 20-3792 seeking text messages to
13 and from Defendant Manheimer on May 30, 2020, the height of anti-police violence protests in
14 the wake of the George Floyd killing. OPD has not sent Lin a response. No records have been
15 produced in response to this request. A true and correct copy of this request is included herewith
16 as Exhibit 8.

17 67. On the same day, Lin also submitted request number 20-3818 for records related to
18 a fire that broke out at 800 Broadway as a result of a tear gas canister that landed on its roof
19 during protests downtown. OPD has not sent Lin its standard boilerplate response; instead, it has
20 merely noted a “due date change” twice, saying its due date is now August 24, 2020. No records
21 have been produced in response to this request. A true and correct copy of this request is included
22 herewith as Exhibit 9.

23 **Brian Krans**

24 68. Krans is an East Bay journalist who regularly reports on crime, first responders,
25 and public health in Oakland.

26 69. On June 13, 2018, Krans submitted PRA request number 18-1454 for any police
27 reports that reference a stolen or missing “Fire Fyter” brand safe from 2013 to the present. Krans
28

1 has not received a response to this request. A true and correct copy of this request is included
2 herewith as Exhibit 10.

3 70. On January 1, 2019, Krans fell victim to an armed robbery and assault in Oakland.
4 On January 10, 2019, Krans submitted request number 19-180 for the police report associated
5 with the robbery in order to process an insurance claim. On January 22, 2019, Krans received
6 OPD's boilerplate standard response, indicating OPD would extend its deadline thirty days until
7 February 21, 2019 to respond to his request. Since that time, Krans has not received any further
8 communication from OPD nor has he received a copy of the police report. A true and correct
9 copy of this request is included herewith as Exhibit 11.

10 71. On January 10, 2019, Krans submitted PRA request number 19-178 for the files
11 used to compile Oakland's crime rate data in 2016, 2017 and 2018. Krans has not received a
12 response to this request. A true and correct copy of this request is included herewith as Exhibit
13 12.

14 72. The same day, Krans submitted PRA request number 19-179 for all reports of
15 robberies that OPD responded to in or around the Fruitvale Bart station. Krans has not received a
16 response to this request. A true and correct copy of this request is included herewith as Exhibit
17 13.

18 73. On September 17, 2019, Krans submitted request number 19-4637 for all records
19 related to street closures on account of "sideshows" from September 1, 2019 and onward (a
20 sixteen day range at the time of the request). The request was originally assigned to the
21 Department of Transportation. Within one day, both the Department of Transportation and the
22 Department of Public Works responded and said they had no responsive documents. The request
23 was reassigned to OPD, which the City of Oakland informed Krans was responsible for the
24 various closures responsive to his records request. On September 27, 2019, OPD sent Krans its
25 boilerplate response and extended its deadline to October 28, 2019. Since that time, Krans has not
26 received any further communication from OPD nor has he received any responsive documents. A
27 true and correct copy of this request is included herewith as Exhibit 14.

28

1 74. On May 18, 2020, Krans submitted request number 20-2576 for the dispatch logs
2 of the OPD helicopter. These records would help illuminate when OPD deems it necessary to
3 dispatch its helicopter, whose cacophonous presence is distressing to many residents within its
4 flight path. OPD has not sent Krans its standard boilerplate response; instead, it has merely noted
5 a “due date change” three times, saying its due date is now August 24, 2020. No records have
6 been produced in response to this request. A true and correct copy of this request is included
7 herewith as Exhibit 15.

8 **Michael Katz and Oakland Privacy**

9 75. As part of their efforts to understand government surveillance practices in
10 Oakland, Katz routinely submits PRA requests to OPD on behalf of himself and Oakland Privacy.
11 OPD has failed to provide a proper determination to a number of these requests.

12 76. On March 18, 2019, Katz submitted request number 19-1386, seeking records
13 related to the police shooting of skyline high school student Alan Blueford. OPD has changed its
14 due date fourteen times in response to this request. While OPD purported to produce documents
15 on May 3, 2019, none of those documents were responsive to Katz’s request, but were instead
16 responsive to another police shooting. A true and correct copy of this request is included herewith
17 as Exhibit 16.

18 77. On June 12, 2019, Katz submitted request number 19-3007, seeking the detailed
19 forensic reports from ShotSpotter for four officer-involved shootings. OPD has changed its due
20 date to respond to this request thirteen times. Katz has never received any other communication
21 from OPD concerning this request and has not received any documents. A true and correct copy
22 of this request is included herewith as Exhibit 17.

23 78. On June 25, 2019, Katz submitted request number 19-3171, seeking copies of
24 Human Trafficking Monthly Reports from 2014 to 2019. OPD has changed its due date to
25 respond to this request twelve times. Katz has never received any other communication from
26 OPD concerning this request and has not received any documents. A true and correct copy of this
27 request is included herewith as Exhibit 18.

28

1 79. On November 6, 2019, Katz submitted request number 19-5488, seeking records
2 regarding Airspace Systems and Dedrone, Inc., and the monitoring of Golden State Warrior
3 victory parades in 2017 and 2018. OPD has changed its due date to respond to this request eight
4 times. Katz has never received any other communication from OPD concerning this request and
5 has not received any documents. A true and correct copy of this request is included herewith as
6 Exhibit 19.

7 80. On May 29, 2020, Katz submitted request number 20-2869, seeking flight logs for
8 OPD helicopter number N220PD from January 1, 2020 onward. OPD has changed its due date to
9 respond to this request three times. Katz has never received any other communication from OPD
10 concerning this request and has not received any documents. A true and correct copy of this
11 request is included herewith as Exhibit 20.

12 **OPD ROUTINELY IGNORES REQUESTS FROM THE PUBLIC AT LARGE**

13 81. Plaintiffs' experiences are commonplace, as OPD routinely thwarts requests from
14 members of the public at large for documents on topics of urgent public concern.

15 82. For instance, OPD has ignored the following requests from news organizations on
16 timely topics:

- 17 a. Request number RT-25568, filed on February 19, 2018, from *Ars*
18 *Technica*, seeking documents concerning OPD's efforts to unlock digital devices with the
19 assistance of the FBI's National Domestic Communications Assistance Center;
- 20 b. Request number 18-947, filed May 11, 2018, from *Mother Jones*, seeking
21 call for services logs over a one-week period in 2018;
- 22 c. Request number 18-2590, filed on August 20, 2018, from Long Beach's
23 *Beachcomber News*, seeking records related to OPD's use of *TigerText* and *TigerConnect*, a
24 secure messaging platform;
- 25 d. Request number 18-3111, filed on September 19, 2018, from Brian
26 Perlman at Oakland North, a reporting program affiliated with U.C. Berkeley's journalism school,
27 seeking records related to OPD's response time to priority one 911 calls;
- 28

1 e. Request number 18-4110, filed on November 21, 2018, from Investigative
2 Studios, a reporting program affiliated with U.C. Berkeley's journalism school, seeking records
3 related to the number of arrests in Oakland from 2012 onwards for resisting arrest or resisting
4 arrest by means of threat or violence;

5 f. Request number 19-995, filed on February 26, 2019, from NBC news,
6 seeking documents related to ZetX, which assists police departments in writing geofence or
7 reverse location warrants to internet providers such as Google to determine individual location
8 from cell phone data;

9 g. Request number 19-4242, filed on August 22, 2019, from the *East Bay*
10 *Express*, requesting records about the number of sexual assault cases closed by exception;

11 h. Request number 19-6272, filed on December 24, 2019, from the *San*
12 *Francisco Chronicle*, seeking documents related to OPD's approval of all outside employment
13 permits granted, approved or renewed for OPD officers for secondary employment in 2019;

14 i. Request number 20-3133, filed on June 8, 2020, from the *Wall Street*
15 *Journal*, requesting records related to complaints of police use of force incidents connected to
16 protests in the wake of the George Floyd killing.

17 83. OPD has also ignored requests from academics, including but not limited to (1) a
18 college student seeking statistics on the ethnicity of arrestees in Oakland (request number 18-
19 468), (2) a University of Michigan researcher seeking data on arrest records (request number 18-
20 873), and (3) a Texas A&M researcher seeking data related to 911 calls and police use of force
21 incidents (request number 19-552).

22 84. OPD has also ignored a number of requests from (publicly)⁶ anonymous requesters
23 on a number of important policy issues concerning the department. These include requests for (1)
24 information on officer involved shootings and use of force incidents (request number 18-317), (2)
25 data on juvenile arrests and arrest rates (request number 18-404), (3) data concerning animal

26 _____
27 ⁶ The NextRequest platform does not reveal the identity of the requester, but OPD is in possession
28 of the identities of all requesters. The exhibits attached hereto display the identity of the requester
because they have been taken from the individual accounts of each requester, which is a non-
public display.

1 related 911 calls (request number 18-474), (4) data on the number of 911 calls and the percentage
2 of such calls deemed non-emergencies (request number 18-2013), (5) data on bicycle thefts and
3 registrations in the city (request number 19-174), (6) cumulative monthly homicide reports
4 (request number 19-592), (7) requests for documents related to Palantir technologies (request
5 number 19-3334), (8) information concerning the department's missing firearms (request number
6 19-3521), and (9) documents related to the affordable housing group Moms4Housing (request
7 number 19-6075).

8 85. OPD also fails to provide simple requests for incident reports, many of which are
9 requested in order to file and verify insurance claims, as is the case with Plaintiff Krans's January
10 10, 2019 request. OPD's failure to respond to these requests compounds the injury of being
11 victimized by crime in Oakland as it frustrates crime victims' ability to collect insurance money
12 for stolen property.

13 86. OPD has also failed to respond to requests from activists, including but not limited
14 to a request from Jewish Voices for Peace asking for documents concerning a taxpayer funded-
15 trip by Oakland's then-police chief to Israel to attend a counterterrorism seminar (request number
16 19-1741) and a request from the California Immigrant Policy Center regarding Lexipol
17 documents (request number 19-1527).

18 CLASS ACTION ALLEGATIONS

19 87. This action is brought on behalf of Plaintiffs individually, as citizens, as taxpayers
20 and, pursuant to Code of Civil Procedure section 382, on behalf of all individuals who have
21 submitted PRA requests to OPD and not yet received a determination (the "Class"). For purposes
22 of clarity, this includes all individuals who have not received a determination from OPD as well
23 as those who have received only a boilerplate response from OPD.

24 88. The Class period begins three years before the date of the filing of this Complaint
25 and Petition and continues to the present. Excluded from the Class are the claims at issue in
26 *BondGraham, et al. v. City of Oakland, et al.* (case number not yet assigned), Alameda Superior
27 Court, August 17, 2020.

28

1 89. This action is properly brought against Defendants as a class action for the
2 following reasons: the Class is composed of thousands of individuals and entities that are
3 geographically and widely disbursed; the Class is so numerous that joinder of all members is
4 impracticable; the disposition of Plaintiffs' and Class members' claims in a class action will
5 provide substantial benefits to both the parties and the Court; the Class is readily ascertainable
6 from Defendants' own records and the NextRequest platform; and there are well-defined common
7 questions of law and fact because the rights of each Class member were infringed or violated in
8 the same fashion based on Defendants' failure to provide timely PRA determinations.

9 90. Defendants breaches arise from a common core of conduct, namely OPD's pattern,
10 practice or policy of failing to provide timely determinations in response to PRA requests.

11 91. Notice to the Class, if necessary, can be provided through the records of
12 Defendants, who maintain a list of all PRA requests and PRA requesters, including contact
13 information of all PRA requesters.

14 92. Questions of law or fact common to the Class predominate over questions that may
15 affect a particular Class member. Some common questions include:

- 16 a. Whether OPD as a matter of practice or policy fails to timely provide a
17 determination in response to PRA requests.
- 18 b. Whether OPD as a matter of practice or policy fails to promptly provide
19 records after it has determined that responsive records exist.
- 20 c. Whether OPD's boilerplate PRA response is inadequate under the PRA and
21 the Oakland Sunshine Ordinance.

22 93. Plaintiffs' claims are typical of the claims of the members of the Class in that both
23 Plaintiffs and Class members submitted PRA requests to OPD that required a determination
24 within 10 days, or within 24 days in unusual circumstances as provided by statute. Plaintiffs have
25 not received a timely determination from OPD regarding their requests, including whether OPD
26 has responsive records, when such records may be disclosed, and whether OPD will invoke any
27 specific exemptions to disclosure. Plaintiffs have also not promptly received documents in
28 response to their requests.

1 94. A class action is superior to other available methods for the fair and efficient
2 adjudication of this controversy for the following reasons (among others):

- 3 a. This action will promote an orderly and expeditious administration and
4 adjudication of the Class, economies of time and effort and resources will
5 be fostered, and uniformity of decisions will be ensured; and
6 b. Without a class action, Class members will likely continue to suffer harm,
7 and Defendants' violations of law will go without remedy.

8 95. Given the expense of litigating PRA claims, not all Class members could afford to
9 or would seek legal redress individually for the wrongs Defendants have committed.

10 96. Absent Class members have no substantial interest in individually controlling the
11 prosecution of this action, which merely seeks to compel OPD to provide a determination on the
12 underlying requests and to promptly disclose documents where OPD determines disclosure is
13 warranted.

14 **ADDITIONAL STANDING ALLEGATIONS**

15 97. Morris, Lin, Krans, Katz and Oakland Privacy all have a beneficial interest in
16 disclosure of records from OPD in response to their separate PRA request. Morris, Lin and Krans
17 need these records in order to report on OPD for local publications. Katz and Oakland Privacy
18 need their requested records in order to monitor OPD's surveillance and privacy practices.

19 98. Oakland Privacy also and in the alternative petitions for this writ on behalf of its
20 members who have individually submitted PRA requests and not received a timely response.

21 99. Plaintiffs also and in the alternative bring this petition to enforce a public duty,
22 namely the execution of the PRA's requirement that OPD provide timely determinations to PRA
23 requests and promptly provide documents thereafter. Issuance of the writ would confer a
24 substantial benefit on a large number of people, including providing better transparency at OPD.
25 Issuance of the writ would also ensure OPD's compliance with the PRA and the Oakland
26 Sunshine Ordinance moving forward.

27 100. None of the Plaintiffs has a plain, speedy and adequate remedy in the ordinary
28 course of law.

1 **FIRST CAUSE OF ACTION**

2 **Writ of Mandate Under California Public Records Act**

3 101. Plaintiffs and the Class incorporate by reference the allegations contained in the
4 preceding and subsequent paragraphs as if fully set forth herein.

5 102. The PRA creates mandatory, non-discretionary duties that OPD must adhere to
6 when responding to PRA request.

7 103. The PRA requires OPD to provide a determination in response to PRA requests
8 within 10 days of receiving such a request, unless a statutory exemption is invoked which enables
9 OPD to extend the deadline 14 days. The determination must include a determination whether
10 OPD is in possession of disclosable records, whether any statutory exemption to disclosure exists,
11 and an estimate of when records will be produced.

12 104. OPD must also “promptly” produce records when it has determined it is in
13 possession of responsive records not subject to a disclosure exemption.

14 105. OPD has failed to do so in thousands of cases. It routinely provides only a
15 boilerplate response that does not specify what exemptions apply, whether documents will be
16 produced and the estimated date for doing so. Oftentimes, it provides no response at all.

17 106. Issuance of a peremptory writ compelling Defendants to perform their duties under
18 the PRA is required because there exists no plain, speedy, and adequate remedy in the ordinary
19 course of law would protect Plaintiffs’ and the Class’ interests.

20 107. OPD must clear its backlog of outstanding PRA requests and timely respond to
21 PRA requests moving forward.

22 108. Plaintiffs seek entry of a peremptory writ compelling OPD to (1) respond to its
23 backlog of requests that have not received a proper determination, (2) promptly produce
24 responsive records in response to these requests where non-exempt records exist, and (3) timely
25 provide lawful records determinations moving forward.

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1 **SECOND CAUSE OF ACTION**

2 **Writ of Mandate Under Oakland Sunshine Ordinance**

3 109. Plaintiffs and the Class incorporate by reference the allegations contained in the
4 preceding and subsequent paragraphs as if fully set forth herein.

5 110. The Oakland Sunshine Ordinance creates mandatory, non-discretionary duties that
6 OPD must adhere to when responding to PRA or Oakland Sunshine Ordinance request.

7 111. The Oakland Sunshine Ordinance requires OPD to provide a determination in
8 response to PRA or Oakland Sunshine Ordinance requests within 10 days of receiving such a
9 request, unless a statutory exemption is invoked which enables OPD to extend the deadline 14
10 days. The determination must include a determination whether OPD is in possession of
11 disclosable records, a written explanation of any statutory exemption to disclosure that exists, and
12 an estimate of when records will be produced.

13 112. OPD must also “promptly” produce records when it has determined it is in
14 possession of responsive records not subject to a disclosure exemption.

15 113. OPD has failed to do so in thousands of cases. It routinely provides only a
16 boilerplate response that does not specify what exemptions apply, whether documents will be
17 produced and the estimated date for doing so. Oftentimes, it provides no response at all.

18 114. Issuance of a peremptory writ compelling Defendants to perform their duties under
19 the PRA is required because there exists no plain, speedy, and adequate remedy in the ordinary
20 course of law would protect Plaintiffs’ and the Class’ interests.

21 115. OPD must clear its backlog of outstanding PRA requests and timely respond to
22 PRA requests moving forward.

23 116. Plaintiffs seek entry of a peremptory writ compelling OPD to (1) respond to its
24 backlog of requests that have not received a proper determination, (2) promptly produce
25 responsive records in response to these requests where non-exempt records exist, and (3) timely
26 provide lawful records determinations moving forward.

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1 **THIRD CAUSE OF ACTION**

2 **Taxpayer Suit — Declaratory and Injunctive Relief Under C.C.P. § 526A**

3 **(Morris, Lin and Krans Against all Defendants)**

4 117. Plaintiffs incorporate by reference the allegations contained in the preceding and
5 subsequent paragraphs as if fully set forth herein.

6 118. Any person who pays taxes to the City of Oakland may seek a judgment to restrain
7 and/or prevent any illegal expenditure of, waste of, or injury to, the funds or other property of a
8 local agency.

9 119. Morris, Lin and Krans all pay taxes to the City of Oakland and have paid such
10 taxes within the last year, including sales and use taxes.

11 120. The City of Oakland, OPD, Chief Manheimer and Reiskin are wasting public
12 funds by failing to timely provide PRA determinations within the statutorily-prescribed
13 timeframes under both the PRA and Oakland Sunshine Ordinance, and by failing to promptly
14 produce documents where they have determined that responsive documents exist.

15 121. Plaintiffs Morris, Lin and Krans pray for an injunction to compel Defendants to
16 provide a determination on all outstanding PRA requests over the last three years; to promptly
17 produce records in response to these requests where Defendants determine that responsive records
18 exist; and to require OPD to meet the statutory deadlines for providing records determinations
19 going forward.

20 **FOURTH CAUSE OF ACTION**

21 **Declaratory Relief under the PRA**

22 122. Plaintiffs and the Class incorporate by reference the allegations contained in the
23 preceding and subsequent paragraphs as if fully set forth herein.

24 123. OPD has acted and continues to act in violation of the PRA by maintaining
25 policies and practices that violate the mandatory statutory deadlines and notice requirements
26 under the PRA, Gov't Code § 6253(c).

1 124. An actual controversy exists between the parties concerning whether OPD has
2 engaged in conduct or established policies that violate the statutory deadline and notice
3 requirements of the PRA.

4 125. A judicial determination to resolve this controversy is necessary and appropriate.

5 **FIFTH CAUSE OF ACTION**

6 **Injunctive Relief under the PRA**

7 126. Plaintiffs and the Class incorporate by reference the allegations contained in the
8 preceding and subsequent paragraphs as if fully set forth herein.

9 127. If not enjoined by this Court, OPD will continue to ignore PRA requests, disregard
10 the statutory deadlines under the PRA and arbitrarily prevent parties from obtaining documents
11 under the PRA.

12 **PRAYER FOR RELIEF**

13 WHEREFORE, Plaintiffs pray as follows:


- 14 1. That the Court certify the Class;
- 15 2. That the Court issue an alternative and/or peremptory writ of mandate directing
16 Defendants to issue determinations on OPD’s backlog of outstanding PRA request,
17 to promptly provide documents where they determine that OPD is in possession of
18 responsive documents, and to comply with the PRA’s statutory deadlines moving
19 forward;
- 20 3. That the Court declare Defendants out of compliance with the PRA and to enjoin
21 the Defendants requiring them to provide determinations in response to OPD’s
22 backlog of outstanding PRA requests, to promptly provide documents where
23 responsive documents exist, and to require Defendants to meet the PRA’s statutory
24 deadlines moving forward;
- 25 4. That Plaintiff be awarded attorneys’ fees pursuant to Code of Civil Procedure
26 section 1021.5 and Government Code § 6259 and any other applicable statutes or
27 basis;
- 28 5. That Plaintiffs be awarded costs of suit; and

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6. For all other and further relief that this Court deems proper and just.

Dated: August 19, 2020

THE MEADE FIRM p.c.
REISER LAW, p.c.

By: 

Sam Ferguson
Attorneys for Plaintiffs Scott Morris, Sarah
Belle Lin, Brian Krans, Michael Katz and
Oakland Privacy

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Verification

I, Scott Morris, have read this VERIFIED CLASS ACTION PETITION FOR WRIT OF MANDATE AND CLASS ACTION COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF TO ENFORCE CALIFORNIA PUBLIC RECORDS ACT in *Morris et al. v. City of Oakland, et al.* I am informed, and do believe, that the matters herein are true. On that ground I allege that the matters stated herein are true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this August 18, 2020 in Oakland, California.


Scott Morris

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Verification

I, Sarah Belle Lin, have read this VERIFIED CLASS ACTION PETITION FOR WRIT OF MANDATE AND CLASS ACTION COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF TO ENFORCE CALIFORNIA PUBLIC RECORDS ACT in *Morris et al. v. City of Oakland, et al.* I am informed, and do believe, that the matters herein are true. On that ground I allege that the matters stated herein are true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this August 19, 2020 in Oakland, California.




Sarah Belle Lin

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Verification

I, Brian Krans, have read this VERIFIED CLASS ACTION PETITION FOR WRIT OF MANDATE AND CLASS ACTION COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF TO ENFORCE CALIFORNIA PUBLIC RECORDS ACT in *Morris et al. v. City of Oakland, et al.* I am informed, and do believe, that the matters herein are true. On that ground I allege that the matters stated herein are true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this August 10, 2020 in Oakland, California.

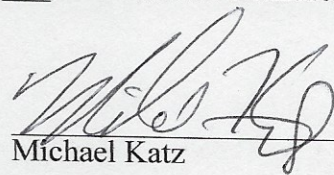

Brian Krans

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Verification

I, Michael Katz, have read this VERIFIED CLASS ACTION PETITION FOR WRIT OF MANDATE AND CLASS ACTION COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF TO ENFORCE CALIFORNIA PUBLIC RECORDS ACT in *Morris et al. v. City of Oakland, et al.* I am informed, and do believe, that the matters herein are true. On that ground I allege that the matters stated herein are true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this August 19, 2020 in San Leandro, California.


Michael Katz

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Verification

I, Michael Katz, sign this verification on behalf of Oakland Privacy. I am [insert title] of Oakland Privacy and am authorized to execute this verification on the organization's behalf. I have read this VERIFIED CLASS ACTION PETITION FOR WRIT OF MANDATE AND CLASS ACTION COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF TO ENFORCE CALIFORNIA PUBLIC RECORDS ACT in *Morris et al. v. City of Oakland, et al.* I am informed, and do believe, that the matters herein are true. On that ground I allege that the matters stated herein are true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this August 19, 2020 in San Leandro, California.

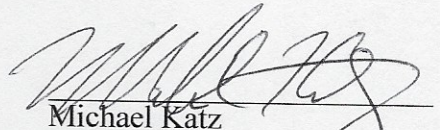

Michael Katz
On Behalf of Oakland Privacy

Exhibit 1

< Request #20-1900

OPEN

53 of 53 filtered by: Keyword search: 20-1900

Please provide the following information from Feb. 1, 2020, through the date of this request, April 15, 2020:
 The full name and occupation of every individual arrested by the agency, the individual's physical description including date of birth, color of eyes and hair, sex, height and weight, the time and date of arrest, the time and date of booking, the location of the arrest, the factual circumstances surrounding the arrest, the amount of bail set, the time and manner of release or the location where the individual is currently being held, and all charges the individual is being held upon, including any outstanding warrants from other jurisdictions and parole or probation holds.

Received April 15, 2020 via web
Due August 24, 2020
Departments Police Department
Requester Scott Morris
 ✉ scott.morris@gmail.com
 📞 (845) 264-0507

Documents

Public (none)
Requester (none)

Staff

Point of Contact Alisha Banda



- Due Date Changed** Public
 08/24/2020 (was 07/24/2020).
July 27, 2020, 11:13am

- External Message** Requester + Staff
 Request extended: Additional time is required to answer your public records request.
July 27, 2020, 11:13am by Kim Hillenbrand (Staff)

- Due Date Changed** Public
 07/24/2020 (was 05/27/2020).
June 25, 2020, 12:28pm

- External Message** [Hide](#) Requester + Staff
 Request extended: Additional time is required to answer your public records request. We need to search for, collect, or examine a large number of records (Government Code Section 6253(c)(2)).
June 25, 2020, 12:28pm by Kim Hillenbrand (Staff)

- External Message** [Hide](#) Requester + Staff
 We are sorry for the delay, unfortunately, everyone does not have the capability to run such queries in our Records Management System. The Records Manager will pull the data and submit the findings, once it is completed.
May 4, 2020, 11:16am by Alisha Banda (Staff)

- External Message** Requester + Staff
 You are saying that OPD does not have records of people arrested by the department readily available and needs to collect this information?
April 28, 2020, 10:35am by the requester

- External Message** [Hide](#) Requester + Staff
 Request extended: Additional time is required to answer your public records request. We need to search for, collect, or examine a large number of records (Government Code Section 6253(c)(2)).
April 28, 2020, 10:34am by Selina K Jones (Staff)

- External Message** [Hide](#) Requester + Staff
 We apologize for the delay. Unfortunately this information is not readily available. Your Request is being extended: Additional time is required to answer your public records request. We need to search for, collect, or examine a large number of records (Government Code Section 6253(c)(2)).
April 28, 2020, 10:34am by Alisha Banda (Staff)

- External Message** Requester + Staff
 The city needs to provide some kind of reasoning for such a long delay on a simple request.
April 27, 2020, 3:52pm by the requester

- Due Date Changed** [Hide](#) Public
 05/27/2020 (was 04/27/2020). Our agency is in the process of reviewing your requested records to determine what information can be released in accordance with the California Public Records Act. All records must be reviewed and in some cases redaction may be necessary. Due to the Department's limited staffing resources and the numerous public records requests received, our agency needs additional time to respond to your request. All records that are not exempt will be provided within 30 days. Please contact the undersigned if you need the records sooner or can identify a shorter list of records (for voluminous requests) that can be provided to you. We will do our best to work with you. We appreciate your patience.
April 27, 2020, 3:49pm

- External Message** [Hide](#) Requester + Staff
 Thank you for submitting a request for public records through the City of Oakland's NextRequest system. Your request will be delivered to the appropriate City Departments or Officials.
 The City of Oakland is committed to transparency and to providing you with a full and timely response to your request. If we need to clarify your request in order to provide a complete response, we will contact you directly or post a reply in NextRequest. If you have any questions, you may contact the department liaison assigned to your request.
April 15, 2020, 3:44pm by Selina K Jones (Staff)

- Department Assignment** Public
 Police Department
April 15, 2020, 12:16pm

- Request Opened** Public
 Request received via web
April 15, 2020, 12:16pm

Exhibit 2

< Request #19-4932

 OPEN

21 of 21 filtered by: Keyword search: 19-4932

Pursuant to the California Public Records Act, Government Code §§6250 - 6270 and §§6275 - 6277, I hereby request records of all incidents and incident descriptions Oakland Police Department responded to at the Safeway and adjacent parking lot located at 3747 Grand Avenue, Oakland, CA 94610 from January 1, 2016 to October 4, 2019. As a journalist acting in the public interest, I request a fee waiver (under 5 U.S.C. 552(a)(4)(A)(iii)). Further, in the interests of saving taxpayer funds, I request that all data and documents be communicated electronically. If specific portions of any documents are exempt from disclosure, please provide the non-exempt portions and please provide a statutory request as to why those records are exempt.

Thank you,
Sarah Belle Lin

[Read less](#)

Received October 4, 2019 via web

Due August 24, 2020

Departments Police Department

Documents

(none)

Staff

Point of Contact Alisha Banda











-  **Due Date Changed** Public
08/24/2020 (was 07/24/2020).
July 27, 2020, 10:13am
-  **Due Date Changed** Public
07/24/2020 (was 05/28/2020).
June 25, 2020, 11:35am
-  **Due Date Changed** Public
05/28/2020 (was 04/24/2020).
May 1, 2020, 8:59am
-  **Due Date Changed** Public
04/24/2020 (was 03/26/2020).
March 27, 2020, 9:48am
-  **Due Date Changed** Public
03/26/2020 (was 02/28/2020).
February 28, 2020, 2:13pm
-  **Due Date Changed** Public
02/28/2020 (was 01/31/2020).
January 24, 2020, 9:34am
-  **Due Date Changed** Public
01/31/2020 (was 11/13/2019).
December 17, 2019, 2:41pm
-  **Due Date Changed** [Details](#) Public
October 14, 2019, 12:46pm
-  **Department Assignment** Public
Police Department
October 4, 2019, 8:29pm
-  **Request Opened** Public
Request received via web
October 4, 2019, 8:29pm

Exhibit 3

< Request #20-2800 >

 OPEN

Reports: I hereby request all complaints, offense reports and crimes reported through OPD's 911, 311 and Hate Crime Hotline and categorized as Anti-Asian hate incidents in the City of Oakland from January 1, 2019 to December 1, 2019, and from January 1, 2020 to May 1, 2020. Please include:

- 1) Date of incident
- 2) Location where incident occurred and/or reported from
- 3) Description of report and/or incident
- 4) Age, gender and race of victim(s)
- 5) Age, gender and race of suspect(s)

As a journalist acting in the public interest, I request a fee waiver (under 5 U.S.C. 552(a)(4)(A)(iii)). Further, in the interests of saving taxpayer funds, I request that all data and documents be communicated electronically and in a standard, machine-readable data format (such as delimited or fixed text, Excel or other spreadsheet). If specific portions of any documents are exempt from disclosure, please provide the non-exempt portions and please provide a statutory request as to why those records are exempt. I would like to request expedited service.

[— Read less](#)

Received May 27, 2020 via email

Due July 8, 2020

Departments Police Department

Requester sbellejourn@gmail.com
 sbellejourn@gmail.com

Documents


Public (none)

Requester (none)


Staff


Point of Contact Alisha Banda



 **External Message** [Hide](#) Requester + Staff
Request extended: Additional time is required to answer your public records request. We need to search for, collect, or examine a large number of records (Government Code Section 6253(c)(2)).
June 8, 2020, 2:02pm by Selina K Jones (Staff)

 **Due Date Changed** [Details](#) Public
June 8, 2020, 2:02pm

 **External Message** [Hide](#) Requester + Staff
Thank you for submitting a request for public records through the City of Oakland's NextRequest system. Your request will be delivered to the appropriate City Departments or Officials. The City of Oakland is committed to transparency and to providing you with a full and timely response to your request. If we need to clarify your request in order to provide a complete response, we will contact you directly or post a reply in NextRequest. If you have any questions, you may contact the department liaison assigned to your request.
May 27, 2020, 9:51am by Selina K Jones (Staff)

 **Department Assignment** Public
Police Department
May 27, 2020, 9:50am

 **Request Opened** Public
Request received via email
May 27, 2020, 9:50am

Exhibit 4

< Request #20-2891 >

 OPEN

Pursuant to the California Public Records Act, Government Code §§6250 - 6270 and §§6275 - 6277, I hereby request all internal and external documentation regarding the mutual aid agreement between Oakland Police Department and Contra Costa County Sheriff Department, including agreements set forth for the George Floyd protests and information on treating members of the press during unlawful assemblies and/or protests, marches, demonstrations and riots. As a journalist acting in the public interest, I request a fee waiver (under 5 U.S.C. 552(a)(4)(A)(iii)). Further, in the interests of saving taxpayer funds, I request that all data and documents be communicated electronically. If specific portions of any documents are exempt from disclosure, please provide the non-exempt portions and please provide a statutory request as to why those records are exempt.

[Read less](#)

Received	May 31, 2020 via web
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Due	August 24, 2020
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Departments	Police Department
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Requester	sbellejourno@gmail.com  sbellejourno@gmail.com
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Documents

Public	(none)
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Requester	(none)
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Staff

Point of Contact	Alisha Banda
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 **Due Date Changed** Public

08/24/2020 (was 07/24/2020).

July 27, 2020, 12:01pm

 **External Message** Requester + Staff

Request extended: Additional time is required to answer your public records request.

July 27, 2020, 12:01pm by Kim Hillenbrand (Staff)

 **Due Date Changed** Public

07/24/2020 (was 06/26/2020).

June 25, 2020, 1:00pm

 **External Message** Requester + Staff

Request extended: Additional time is required to answer your public records request.

June 25, 2020, 1:00pm by Kim Hillenbrand (Staff)

 **Due Date Changed** Public

06/26/2020 (was 06/10/2020).

June 3, 2020, 3:18pm

 **External Message** [Hide](#) Requester + Staff

Request extended: Additional time is required to answer your public records request. We need to search for, collect, or examine a large number of records (Government Code Section 6253(c)(2)).

June 3, 2020, 3:18pm by Alisha Banda (Staff)

 **External Message** [Hide](#) Requester + Staff

Thank you for submitting a request for public records through the City of Oakland's NextRequest system. Your request will be delivered to the appropriate City Departments or Officials.

The City of Oakland is committed to transparency and to providing you with a full and timely response to your request. If we need to clarify your request in order to provide a complete response, we will contact you directly or post a reply in NextRequest.

If you have any questions, you may contact the department liaison assigned to your request.

June 2, 2020, 3:06pm by Selina K Jones (Staff)

 **Department Assignment** Public

Police Department

May 31, 2020, 12:28pm

 **Request Opened** Public

Request received via web

May 31, 2020, 12:28pm

Exhibit 5

< Request #20-3113 >

 OPEN

Pursuant to the California Public Records Act, Government Code §§6250 - 6270 and §§6275 - 6277, I hereby request all internal and external documentation regarding complaints and reports from citizens and journalists of use of force by Oakland Police Department and/or law enforcement agencies used as part of the mutual aid agreement from May 29, 2020 to June 8, 2020. As a journalist acting in the public interest, I request a fee waiver (under 5 U.S.C. 552(a)(4)(A) (iii)). Further, in the interests of saving taxpayer funds, I request that all data and documents be communicated electronically. If specific portions of any documents are exempt from disclosure, please provide the non-exempt portions and please provide a statutory request as to why those records are exempt. I can be reached by email for any clarification questions regarding this request

[Read less](#)

Received June 8, 2020 via web

Due July 24, 2020

Departments Police Department

Requester sbellejourno@gmail.com
 sbellejourno@gmail.com

Documents

Public (none)

Requester (none)

Staff

Point of Contact Alisha Banda



 **Due Date Changed** Public

07/24/2020 (was 06/26/2020).

June 25, 2020, 1:20pm

 **External Message** Requester + Staff

Request extended: Additional time is required to answer your public records request.

June 25, 2020, 1:20pm by Kim Hillenbrand (Staff)

 **Due Date Changed** Public

06/26/2020 (was 06/18/2020).

June 17, 2020, 2:08pm

 **External Message** [Hide](#) Requester + Staff

Request extended: Additional time is required to answer your public records request. We need to search for, collect, or examine a large number of records (Government Code Section 6253(c)(2)).

June 17, 2020, 2:07pm by Alisha Banda (Staff)

 **External Message** [Hide](#) Requester + Staff

Thank you for submitting a request for public records through the City of Oakland's NextRequest system. Your request will be delivered to the appropriate City Departments or Officials.

The City of Oakland is committed to transparency and to providing you with a full and timely response to your request. If we need to clarify your request in order to provide a complete response, we will contact you directly or post a reply in NextRequest. If you have any questions, you may contact the department liaison assigned to your request.

June 9, 2020, 1:56pm by Alisha Banda (Staff)

 **Department Assignment** Public

Police Department

June 8, 2020, 12:01pm

 **Request Opened** Public

Request received via web

June 8, 2020, 12:01pm

Exhibit 6

< Request #20-3116 >

 OPEN

Pursuant to the California Public Records Act, Government Code §§6250 - 6270 and §§6275 - 6277, I hereby request all documentation of this incident including but not limited to: memos, emails, incident reports, bodycam footage and dashcam footage regarding the discharge of non-lethal projectiles at individuals at the Oakland protest on Telegraph Avenue between the intersections of 16th Street between 11:15 p.m and 11:30 p.m. on Saturday, May 30. I request the following information: name of officer who discharged their weapons, agency(s) of the officer who discharged their weapons, the type of bullets used in the incident and the type of weapons used in the incident. As a journalist acting in the public interest, I request a fee waiver (under 5 U.S.C. 552(a)(4)(A)(iii)). Further, in the interests of saving taxpayer funds, I request that all data and documents be communicated electronically. If specific portions of any documents are exempt from disclosure, please provide the non-exempt portions and please provide a statutory request as to why those records are exempt. I can be reached by email for any clarification questions regarding this request.

[Read less](#)

Received June 8, 2020 via web

Due August 24, 2020

Departments Police Department

Requester sbellejourno@gmail.com
✉ sbellejourno@gmail.com

Documents

Public (none)

Requester (none)

Staff

Point of Contact Alisha Banda



 Due Date Changed Public

08/24/2020 (was 07/24/2020).

July 27, 2020, 12:29pm

 External Message Requester + Staff

Request extended: Additional time is required to answer your public records request.

July 27, 2020, 12:29pm by Kim Hillenbrand (Staff)

 Due Date Changed Public

07/24/2020 (was 06/26/2020).

June 25, 2020, 1:24pm

 External Message Requester + Staff

Request extended: Additional time is required to answer your public records request.

June 25, 2020, 1:24pm by Kim Hillenbrand (Staff)

 Due Date Changed Public

06/26/2020 (was 06/18/2020).

June 17, 2020, 3:04pm

 External Message [Hide](#) Requester + Staff

Request extended: Additional time is required to answer your public records request.

We need to search for, collect, or examine a large number of records (Government Code Section 6253(c)(2)).

June 17, 2020, 3:04pm by Alisha Banda (Staff)

 External Message [Hide](#) Requester + Staff

Thank you for submitting a request for public records through the City of Oakland's NextRequest system. Your request will be delivered to the appropriate City Departments or Officials.

The City of Oakland is committed to transparency and to providing you with a full and timely response to your request. If we need to clarify your request in order to provide a complete response, we will contact you directly or post a reply in NextRequest.

If you have any questions, you may contact the department liaison assigned to your request.

June 9, 2020, 1:59pm by Alisha Banda (Staff)

 Department Assignment Public

Police Department

June 8, 2020, 12:07pm

 Request Opened Public

Request received via web

June 8, 2020, 12:07pm

Exhibit 7

< Request #20-3746 >

 OPEN

Requesting Report regarding June 1st incident involving making and throwing molotov cocktails, and the names of persons arrested and number of molotovs thrown at police.

Received June 29, 2020 via email

Due August 24, 2020

Departments Police Department

Requester sbellejourno@gmail.com
 sbellejourno@gmail.com

Documents

Public (none)

Requester (none)


Staff

Point of Contact Alisha Banda



 **External Message** Requester + Staff
Request extended: Additional time is required to answer your public records request.
July 27, 2020, 1:04pm by Kim Hillenbrand (Staff)

 **Due Date Changed** Public
08/24/2020 (was 07/31/2020).
July 27, 2020, 1:03pm

 **External Message** [Hide](#) Requester + Staff
Thank you for submitting a request for public records through the City of Oakland's NextRequest system. Your request will be delivered to the appropriate City Departments or Officials.
The City of Oakland is committed to transparency and to providing you with a full and timely response to your request. If we need to clarify your request in order to provide a complete response, we will contact you directly or post a reply in NextRequest. If you have any questions, you may contact the department liaison assigned to your request.
June 29, 2020, 9:16am by Alisha Banda (Staff)

 **Due Date Changed** Public
07/31/2020 (was 07/09/2020).
June 29, 2020, 9:15am

 **Department Assignment** Public
Police Department
June 29, 2020, 9:03am

 **Request Opened** Public
Request received via email
June 29, 2020, 9:03am

Exhibit 8

< Request #20-3792 >

 OPEN

Pursuant to the California Public Records Act, Government Code §§6250 - 6270 and §§6275 - 6277, I hereby request all text messages to and from Oakland Interim Chief of Police Susan Manheimer during the 24-hour period beginning midnight of Friday, May 29, 2020 to midnight of Saturday, May 30, 2020. As a journalist acting in the public interest, I request a fee waiver (under 5 U.S.C. 552(a)(4)(A)(iii)). Further, in the interests of saving taxpayer funds, I request that all data and documents be communicated electronically. If specific portions of any documents are exempt from disclosure, please provide the non-exempt portions and please provide a statutory request as to why those records are exempt. I can be reached by email for any clarification questions regarding this request.

Received June 30, 2020 via web

Due July 10, 2020

Departments Police Department

Requester sbellejourno@gmail.com
 sbellejourno@gmail.com

Documents

Public (none)

Requester (none)

Staff

Point of Contact Alisha Banda



 **Department Assignment** Public
Police Department
June 30, 2020, 1:24am

 **Request Opened** Public
Request received via web
June 30, 2020, 1:24am

Exhibit 9

< Request #20-3818 >

OPEN

Pursuant to the California Public Records Act, Government Code §§6250 - 6270 and §§6275 - 6277, I hereby request all internal and external documentation and reports regarding the fire on top of the building located at 800 Broadway Avenue, Oakland on Monday, June 1, 2020, as a result of a tear gas canister(s) landing after police deployed them. As a journalist acting in the public interest, I request a fee waiver (under 5 U.S.C. 552(a)(4)(A)(iii)). Further, in the interests of saving taxpayer funds, I request that all data and documents be communicated electronically. If specific portions of any documents are exempt from disclosure, please provide the non-exempt portions and please provide a statutory request as to why those records are exempt. I can be reached by email for any clarification questions regarding this request.

[Read less](#)

Received June 30, 2020 via web

Due August 24, 2020

Departments Police Department

Requester sbellejourno@gmail.com
 sbellejourno@gmail.com

Documents

Public (none)

Requester (none)

Staff

Point of Contact Alisha Banda



Due Date Changed Public
08/24/2020 (was 07/31/2020).

July 24, 2020, 2:08pm

External Message [Hide](#) Requester + Staff

Good Morning, I was able to obtain a report number associated to your request. The report number is 20-027034. We will do our due diligence to see what is releasable. Please be patient as this may take some time.

July 6, 2020, 9:22am by Alisha Banda (Staff)

Due Date Changed Public
07/31/2020 (was 07/10/2020).

June 30, 2020, 11:36am

External Message [Hide](#) Requester + Staff

Thank you for submitting a request for public records through the City of Oakland's NextRequest system. Your request will be delivered to the appropriate City Departments or Officials. The City of Oakland is committed to transparency and to providing you with a full and timely response to your request. If we need to clarify your request in order to provide a complete response, we will contact you directly or post a reply in NextRequest. If you have any questions, you may contact the department liaison assigned to your request.

June 30, 2020, 11:31am by Alisha Banda (Staff)

Department Assignment Public
Police Department

June 30, 2020, 2:17am

Request Opened Public
Request received via web

June 30, 2020, 2:17am

Exhibit 10

< Request #18-1454 >

 OPEN

This request is for any police reports that reference a stolen or mission "Fire Fyter" brand safe from Jan. 1, 2013 to the date of this request.

Received June 13, 2018 via web

Due June 25, 2018

Departments Police Department

Requester Brian
 briankrans@gmail.com
 415-828-1293

Documents


Public (none)

Requester (none)


Staff

Point of Contact Amber Fuller



 **Department Assignment**
Police Department
June 13, 2018, 1:29pm

Public

 **Request Opened**
Request received via web
June 13, 2018, 1:29pm

Public

Exhibit 11

< Request #19-180 >

 OPEN

I am requesting a copy of the police report of an armed robbery taken by Officer C. Rossi (Serial number 9784) on January 1, 2019. The report number is 19-000498. I am the victim in this matter.

Received January 10, 2019 via web

Due February 21, 2019

Departments Police Department

Requester Brian
 briankrans@gmail.com
 415-828-1293

Documents

Public (none)

Requester (none)



External Message

It's now been more than 7 months from the original request and nearly 5 months since the requested delay. What is the reasoning behind withholding a police report from an armed robbery victim?
July 18, 2019, 9:53pm by the requester

Requester + Staff

Due Date Changed [Details](#)

January 22, 2019, 1:13pm

Public

Department Assignment

Police Department
January 10, 2019, 8:44am

Public

Request Opened

Request received via web
January 10, 2019, 8:44am



Public

Exhibit 12

< Request #19-178 >

 OPEN

I am the data sets used to compile Oakland's crime rates for the years of 2018, 2017, and 2016. This includes all relevant fields, such as they type of offense and location, in XLR or whatever formats are available.
I'm requesting the actual files themselves, not PDFs of the data set.

<i>Received</i>	January 10, 2019 via web
<i>Due</i>	January 22, 2019
<i>Departments</i>	Police Department
<i>Requester</i>	Brian  briankrans@gmail.com  415-828-1293


Documents

<i>Public</i>	(none)
<i>Requester</i>	(none)


Staff

<i>Point of Contact</i>	Amber Fuller
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 **Department Assignment**
Police Department
January 10, 2019, 8:40am

Public

 **Request Opened**
Request received via web
January 10, 2019, 8:40am

Public

Exhibit 13

< Request #19-179 >

 OPEN

I am requesting any and all reports of robberies — armed and otherwise — that occurred in or around Fruitvale BART station that Oakland Police responded to from Jan. 1, 2016, to the date of this request. This includes reports where the victims stated they were coming from or going to the Fruitvale BART station.

<i>Received</i>	January 10, 2019 via web
<i>Due</i>	January 22, 2019
<i>Departments</i>	Police Department
<i>Requester</i>	Brian ✉ briankrans@gmail.com ☎ 415-828-1293

Documents

<i>Public</i>	(none)
<i>Requester</i>	(none)

Staff

<i>Point of Contact</i>	Amber Fuller
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Department Assignment
Police Department
January 10, 2019, 8:43am

Public



Request Opened
Request received via web
January 10, 2019, 8:43am

Public

Exhibit 14

< Request #19-4637 >

 OPEN

I am requesting all emails, work orders and other documents created regarding the closing of any city streets or intersections — including 42nd Avenue at any High Street on- or off-ramps to Interstate 80 and Coliseum Way — related to "sideshow" enforcement from September 1st, 2019 to the date of this request.

Received September 17, 2019 via web

Due October 28, 2019

Departments Police Department

Requester Brian
✉ briankrans@gmail.com
📞 415-828-1293

Documents

Public (none)

Requester (none)

Staff

Point of Contact Alisha Banda



Due Date Changed [Details](#)
September 27, 2019, 10:32am



Department Assignment
Added: Police Department. Removed: Department of Transportation.
September 18, 2019, 10:23am



External Message

The Department of Transportation and Public Works have no responsive documents for this request. Adding OPD to provide the information. Thank you.
September 18, 2019, 10:22am by Erika Pacheco (Staff)



Department Assignment
Department of Transportation
September 17, 2019, 8:49pm



Request Opened
Request received via web
September 17, 2019, 8:49pm

Public

Public

Public

Public

Public

Exhibit 15

< Request #20-2576 >

 OPEN

To Whom It May Concern:
Pursuant to the California Public Records Act (Government Code Section 6250 et seq.) ("CPRA"), please disclose the following records.
- Dispatch records for the Oakland police helicopter, including day, time, and reason for deploying the helicopter from Jan. 1, 2019 to May, 1, 2019 and Jan. 1, 2020 to May 1, 2020.

This request includes records involving private as well as public accounts, accounts and infrastructure. See, e.g., San Jose v. Superior Court, 2 Cal.5th 608 (2017) (holding that when a city employee uses a personal account to communicate about the conduct of public business, the writings may be subject to disclosure under the California Public Records Act).

The fundamental rule of the CPRA is a presumption of public access. "In other words, [A]ll public records are subject to disclosure unless the Legislature has expressly provided to the contrary." Williams v. Superior Court, 5 Cal. 4th 337 (1993). This presumption finds further support in the California Constitution, as amended by Proposition 59 in 2004. "A statute, court rule, or other authority, including those in effect on the effective date of this subdivision, shall be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access." Cal. Const. Art. 1 § 3(b)(2).

Please provide a determination on this request within 10 days of your receipt of it, and an even prompter reply if you can make that determination without having to review the records in question. If you determine that any or all of the information qualifies for an exemption from disclosure, please note whether, as is normally the case, the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold the information. If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, please redact it for the time being and make the rest available as requested. In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any or all of the information is exempt and will not be disclosed.

Please apply a fee waiver to this request. If the request for a fee waiver is denied, please provide notification of any duplication costs exceeding \$20 before you duplicate the records. If the request for a fee waiver is denied, please further provide an index of all other requests since 2015 for which a fee waiver was denied, and the reason therefore.

Please disclose the records electronically. If you have any questions, please do not hesitate to be in touch.
Thank you.

[Read less](#)

Received	May 18, 2020 via web
Due	August 24, 2020
Departments	Police Department
Requester	Brian briankrans@gmail.com 415-828-1293

Documents

Public (none)

Requester (none)

Staff

Point of Contact Alisha Banda



Due Date Changed

08/24/2020 (was 07/24/2020).
July 27, 2020, 11:42am

External Message

Request extended: Additional time is required to answer your public records request.
July 27, 2020, 11:42am by Kim Hillenbrand (Staff)

Due Date Changed

07/24/2020 (was 06/29/2020).
June 25, 2020, 12:41pm

External Message

Request extended: Additional time is required to answer your public records request.
June 25, 2020, 12:40pm by Kim Hillenbrand (Staff)

Due Date Changed

May 28, 2020, 8:28am

External Message

[Hide](#)

Thank you for submitting a request for public records through the City of Oakland's NextRequest system. Your request will be delivered to the appropriate City Departments or Officials.
The City of Oakland is committed to transparency and to providing you with a full and timely response to your request. If we need to clarify your request in order to provide a complete response, we will contact you directly or post a reply in NextRequest. If you have any questions, you may contact the department liaison assigned to your request.

May 18, 2020, 10:26am by Selina K Jones (Staff)

Department Assignment

Police Department

May 18, 2020, 9:15am

Request Opened

Request received via web

May 18, 2020, 9:15am

Public

Requester + Staff

Public

Requester + Staff

Public

Requester + Staff

Public

Public

Exhibit 16

Request #19-1386

 OPEN

As of August 17, 2020, 8:26pm

Details

Dear Oakland Police Records Custodian,

This is a California Public Records Act request made pursuant to the newly amended Penal Code § 832.7 and 832.8 which states that “the public has a right to know all about serious police misconduct, as well as about officer-involved shootings and other serious uses of force.”

Current law requires agencies to disclose personnel records, investigative records, and findings including: (1) incidents involving the discharge of a firearm at a person by a peace officer or custodial officer, (2) incidents in which the use of force by a peace officer or custodial officer against a person resulted in death, or in great bodily injury, (3) any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in sexual assault involving a member of the public, (4) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency of dishonesty by a peace officer or custodial officer relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another peace officer or custodial officer, including, but not limited to, any sustained finding of perjury, false statements, filing false reports, destruction, falsifying, or concealing of evidence.

Per the law, your agency *shall* release the following types of records:

“all investigative reports; photographic, audio, and video evidence; transcripts or recordings of interviews; autopsy reports; all materials compiled and presented for review to the district attorney or to any person or body charged with determining whether to file criminal charges against an officer in connection with an incident, or whether the officer’s action was consistent with law and agency policy for purposes of discipline or administrative action, or what discipline to impose or corrective action to take; documents setting forth findings or recommended findings; and copies of disciplinary records relating to the incident, including any letters of intent to impose discipline, any documents reflecting modifications of discipline due to the Skelly or grievance process, and letters indicating final imposition of discipline or other documentation reflecting implementation of corrective action.”

Please provide me with copies of all of the above types of disclosable records in the officer-involved shooting of Alan Blueford

— [Read less](#)

on May 6, 2012 by Officers Miguel Masso and Joe Fesmire.

I am seeking both the Internal Affairs Division's records of the case and the Criminal Investigative Division's records, as well as any other records in possession of all other OPD offices or departments. These records *shall* be disclosed because they apply to incidents involving use of force by police.

In addition to all records fitting the general description provided above, please make sure to include the following specific types of records maintained by OPD.

1. All statements made by Oakland Police Officer Miguel Masso and Joe Fesmire pertaining to the officer-involved shooting of Alan Bleford.
2. All records of statements made by any other current or former Oakland Police Officer pertaining to the officer-involved shooting of Alan Blueford.
3. Copies of all other complaints made against Oakland Police Officers Miguel Masso and Joe Fesmire.
4. Any and all non-expect portions of former Oakland Police Officer Miguel Masso's and Joe Fesmire's personnel files, including but not limited to records of complaints, investigations, findings, disciplinary actions, statements, photos, videos, and other records which pertain to all use of force incidents, and also all sustained incidents of sexual assault, and all sustained incidents of dishonesty.

If you determine that any portions of the records I'm seeking are exempt from disclosure, I ask that you redact the exempt portion within the record and release the rest of the record. If you determine that a record is entirely exempt from disclosure under the California Public Records Act, or for any other reason, I ask that you identify the record and cite the legal justification for withholding it.

I ask that you provide me with a determination for this request within ten days of receiving it. If you require a 14 day extension to fulfill this request, please notify me.

If you decide to charge a fee for production of these records, I ask that you provide me with an estimate of the cost before completely fulfilling the request.

Received

March 18, 2019 via web

Due

August 24, 2020

Departments

Police Department

Requester

Mike Katz-Lacabe

✉ mkatz@mikesbytes.com

📞 510-207-7165

Documents

Public

(loading...)

Requester

(loading...)

Staff

Point of Contact

Alisha Banda

Timeline

Due Date Changed

Public

08/24/2020 (was 07/24/2020).

July 24, 2020, 12:41pm

Due Date Changed

Public

07/24/2020 (was 06/26/2020).

June 24, 2020, 9:13am

Due Date Changed

Public

06/26/2020 (was 06/05/2020).

May 29, 2020, 12:21pm

Due Date Changed

Public

06/05/2020 (was 04/23/2020).

May 8, 2020, 9:14am

Due Date Changed

Public

04/23/2020 (was 03/26/2020).

March 26, 2020, 11:17am

Due Date Changed

Public

03/26/2020 (was 02/27/2020).

February 27, 2020, 10:23am

Due Date Changed

Public

02/27/2020 (was 01/30/2020).

January 23, 2020, 9:14am

Due Date Changed

Public

01/30/2020 (was 12/30/2019).

December 30, 2019, 10:16am

Due Date Changed

Public

12/30/2019 (was 11/30/2019).

November 27, 2019, 10:04am

Due Date Changed

Public

11/30/2019 (was 10/31/2019).

November 6, 2019, 12:51pm

Due Date Changed

Public

10/31/2019 (was 08/30/2019).

September 5, 2019, 3:15pm

Due Date Changed

Public

08/30/2019 (was 07/04/2019).

July 17, 2019, 12:09pm

Due Date Changed

Public

07/04/2019 (was 05/31/2019).

June 21, 2019, 4:44pm

External Message

Public

Please see email link below for newly released responsive documents

<https://oaklandca.nextrequest.com/requests/19-1146#>

May 3, 2019, 4:25pm by Alisha Banda (Staff)

Due Date Changed

Public

05/31/2019 (was 05/08/2019).

April 26, 2019, 4:31pm

Due Date Changed

Public

05/08/2019 (was 03/28/2019). We are gathering and reviewing all records and will produce any responsive documents on a rolling basis, subject to applicable exemptions.

April 8, 2019, 1:42pm

Department Assignment

Public

Police Department

March 18, 2019, 8:27pm

Request Opened

Public

Request received via web

March 18, 2019, 8:27pm

Exhibit 17

Request #19-3007

 **OPEN**

As of August 17, 2020, 8:25pm

Details

Copies of Detailed Forensic Reports from ShotSpotter for the following officer-involved shootings:

Shooting of Joshua Pawlik on March 11, 2018

Shooting of Demouria Hogg on June 6, 2015

Shooting of Corey Pollard on February 13, 2015

Shooting of Shaleem Tindle on January 3, 2018

Received

June 12, 2019 via web

Due

August 24, 2020


Departments

Police Department

Requester

Mike Katz-Lacabe

 mkatz@mikesbytes.com

 510-207-7165

Documents

Public
(none)

Requester
(none)

Staff

Point of Contact
Alisha Banda

Timeline

Due Date Changed

08/24/2020 (was 07/24/2020).

July 24, 2020, 1:03pm

Public

Due Date Changed

07/24/2020 (was 06/26/2020).

June 24, 2020, 9:32am

Public

Due Date Changed

Public

06/26/2020 (was 06/05/2020).

May 29, 2020, 1:11pm

Due Date Changed

Public

06/05/2020 (was 04/23/2020).

May 8, 2020, 9:38am

Due Date Changed

Public

04/23/2020 (was 03/26/2020).

March 26, 2020, 11:39am

Due Date Changed

Public

03/26/2020 (was 02/27/2020).

February 27, 2020, 1:01pm

Due Date Changed

Public

02/27/2020 (was 01/30/2020).

January 23, 2020, 10:01am

Due Date Changed

Public

01/30/2020 (was 12/30/2019).

December 30, 2019, 10:32am

Due Date Changed

Public

12/30/2019 (was 11/30/2019).

November 27, 2019, 10:42am

Due Date Changed

Public

11/30/2019 (was 10/31/2019).

November 6, 2019, 1:08pm

Due Date Changed

Public

10/31/2019 (was 08/30/2019).

September 5, 2019, 3:32pm

External Message

Requester + Staff

Please see email link below for newly released responsive documents

<https://oaklandca.nextrequest.com/requests/19-1146>

July 18, 2019, 2:47pm by Alisha Banda (Staff)

Due Date Changed

Public

08/30/2019 (was 07/04/2019).

July 17, 2019, 12:27pm

Due Date Changed

Public

07/04/2019 (was 06/24/2019).

June 19, 2019, 11:17am

External Message

Requester + Staff

We are gathering and reviewing all records and will produce any responsive documents on a rolling basis, subject to applicable exemptions.

June 19, 2019, 11:17am by Alisha Banda (Staff)

External Message

Requester + Staff

Thank you for submitting a request for public records through the City of Oakland's NextRequest system. Your request will be delivered to the appropriate City Departments or Officials.

The City of Oakland is committed to transparency and to providing you with a full and timely response to your request. If we need to clarify your request in order to provide a complete response, we will contact you directly or post a reply in NextRequest.

If you have any questions, you may contact the department liaison assigned to your request.

June 19, 2019, 11:16am by Alisha Banda (Staff)

Department Assignment

Public

Police Department

June 12, 2019, 7:58pm

Request Opened

Public

Request received via web

June 12, 2019, 7:58pm

Exhibit 18

Request #19-3171

 **OPEN**

As of August 17, 2020, 8:27pm

Details

Copies of all Human Trafficking Monthly Reports from January 1, 2014 to June 1, 2019
(For reference, the March 2019 report was a memo from the Office of the Chief of Police on March 29, 2019)

Received

June 25, 2019 via web

Due

August 24, 2020


Departments

Police Department

Requester

Mike Katz-Lacabe

 mkatz@mikesbytes.com

 510-207-7165

Documents

Public

(none)

Requester

(none)

Staff

Point of Contact

Alisha Banda

Timeline

Due Date Changed

Public

08/24/2020 (was 07/24/2020).

July 27, 2020, 9:50am

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

July 27, 2020, 9:50am by Kim Hillenbrand (Staff)

Due Date Changed

Public

07/24/2020 (was 05/28/2020).

June 25, 2020, 10:10am

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

June 25, 2020, 10:09am by Kim Hillenbrand (Staff)

Due Date Changed

Public

05/28/2020 (was 04/24/2020).

April 30, 2020, 3:07pm

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

April 30, 2020, 3:07pm by Kim Hillenbrand (Staff)

Due Date Changed

Public

04/24/2020 (was 03/26/2020).

March 27, 2020, 10:52am

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

March 27, 2020, 10:52am by Kim Hillenbrand (Staff)

Due Date Changed

Public

03/26/2020 (was 02/28/2020).

February 28, 2020, 9:23am

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

February 28, 2020, 9:23am by Kim Hillenbrand (Staff)

Due Date Changed

Public

02/28/2020 (was 01/31/2020).

January 24, 2020, 8:24am

Due Date Changed

Public

01/31/2020 (was 12/20/2019).

December 17, 2019, 11:49am

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

December 17, 2019, 11:49am by Kim Hillenbrand (Staff)

Due Date Changed

Public

12/20/2019 (was 11/20/2019).

November 19, 2019, 9:39am

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

November 19, 2019, 9:39am by Kim Hillenbrand (Staff)

Due Date Changed

Public

11/20/2019 (was 10/18/2019).

October 19, 2019, 3:33pm

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

Your request is in the final review phase. Once this review is complete your documents will be uploaded.

October 15, 2019, 7:57am by Alisha Banda (Staff)

Due Date Changed

Public

10/18/2019 (was 10/14/2019).

October 15, 2019, 7:55am

Due Date Changed

Public

10/14/2019 (was 09/16/2019).

September 11, 2019, 1:15pm

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

September 11, 2019, 1:15pm by Kim Hillenbrand (Staff)

Due Date Changed

Public

09/16/2019 (was 07/05/2019).

August 15, 2019, 9:24am

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

August 15, 2019, 9:22am by Alisha Banda (Staff)

External Message

Requester + Staff

Thank you for submitting a request for public records through the City of Oakland's NextRequest system. Your request will be delivered to the appropriate City Departments or Officials.

The City of Oakland is committed to transparency and to providing you with a full and timely response to your request. If we need to clarify your request in order to provide a complete response, we will contact you directly or post a reply in NextRequest.

If you have any questions, you may contact the department liaison assigned to your request.

June 27, 2019, 11:26am by Alisha Banda (Staff)

Department Assignment

Public

Police Department

June 25, 2019, 9:40am

Request Opened

Public

Request received via web

June 25, 2019, 9:40am

Exhibit 19

✓ You are now signed in

×

Request #19-5488

 **OPEN**

As of August 17, 2020, 8:22pm

Details

Any proposals, project plans, reports, memos and work product from Airspace Systems related to monitoring of the Warriors parade in June 2018

Any proposals, project plans, reports, memos and work product from Dedrone Inc. related to monitoring of the Warriors parade in June 2017

Received

November 6, 2019 via web

Due

August 24, 2020


Departments

Police Department

Requester

Mike Katz-Lacabe

 mkatz@mikesbytes.com

 510-207-7165

Documents

Public
(none)

Requester
(none)

Staff

Point of Contact
Alisha Banda

Timeline

Due Date Changed

08/24/2020 (was 07/24/2020).

July 27, 2020, 10:16am

Public

External Message

Request extended: Additional time is required to answer your public records request.

July 27, 2020, 10:16am by Kim Hillenbrand (Staff)

Requester + Staff

Due Date Changed

07/24/2020 (was 05/28/2020).

Public

June 25, 2020, 11:40am

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

June 25, 2020, 11:40am by Kim Hillenbrand (Staff)

Due Date Changed

Public

05/28/2020 (was 04/24/2020).

May 1, 2020, 2:29pm

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

May 1, 2020, 2:29pm by Kim Hillenbrand (Staff)

Due Date Changed

Public

04/24/2020 (was 03/26/2020).

March 27, 2020, 9:08am

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

March 27, 2020, 9:07am by Kim Hillenbrand (Staff)

Due Date Changed

Public

03/26/2020 (was 02/28/2020).

February 28, 2020, 2:18pm

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

February 28, 2020, 2:18pm by Kim Hillenbrand (Staff)

Due Date Changed

Public

02/28/2020 (was 01/31/2020).

January 24, 2020, 9:45am

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

January 24, 2020, 9:44am by Kim Hillenbrand (Staff)

Due Date Changed

Public

01/31/2020 (was 12/18/2019).

December 17, 2019, 2:50pm

External Message

Requester + Staff

Request extended: Additional time is required to answer your public records request.

December 17, 2019, 2:50pm by Kim Hillenbrand (Staff)

Due Date Changed

Public

November 18, 2019, 10:36am

Department Assignment

Public

Police Department

November 6, 2019, 7:33pm

Request Opened

Public

Request received via web



November 6, 2019, 7:33pm

Exhibit 20

< Request #20-2869 >

  OPEN

Logs of flights and use of FLIR and video by Oakland Police helicopter N220PD since January 1, 2020.

Received	May 29, 2020 via web
Due	August 24, 2020
Departments	Police Department
Requester	Mike Katz-Lacabe  mkatz@mikesbytes.com  510-207-7165

Documents

Public	(none)
Requester	(none)

Staff

Point of Contact	Alisha Banda
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 **Due Date Changed**
08/24/2020 (was 07/24/2020).
July 27, 2020, 11:57am


 **External Message**
Request extended: Additional time is required to answer your public records request.
July 27, 2020, 11:57am by Kim Hillenbrand (Staff)

 **Due Date Changed**
07/24/2020 (was 06/26/2020).
June 25, 2020, 12:56pm


 **External Message**
Request extended: Additional time is required to answer your public records request
June 25, 2020, 12:56pm by Kim Hillenbrand (Staff)

 **Due Date Changed**
06/26/2020 (was 06/08/2020).
June 3, 2020, 2:59pm

 **External Message** [Hide](#)
Request extended: Additional time is required to answer your public records request. We need to search for, collect, or examine a large number of records (Government Code Section 6253(c)(2)).
June 3, 2020, 2:59pm by Alisha Banda (Staff)

 **External Message** [Hide](#)
Thank you for submitting a request for public records through the City of Oakland's NextRequest system. Your request will be delivered to the appropriate City Departments or Officials. The City of Oakland is committed to transparency and to providing you with a full and timely response to your request. If we need to clarify your request in order to provide a complete response, we will contact you directly or post a reply in NextRequest. If you have any questions, you may contact the department liaison assigned to your request.
May 29, 2020, 12:59pm by Kim Hillenbrand (Staff)

 **Department Assignment**
Police Department
May 29, 2020, 10:40am

 **Request Opened**
Request received via web
May 29, 2020, 10:40am

Public

Requester + Staff

Public

Requester + Staff

Public

Requester + Staff

Requester + Staff

Public

Public