



San Francisco Sunshine Ordinance Immediate Disclosure Request

March 13, 2008

VIA FACSIMILE

Mayor Gavin Newsom
City Hall, Rom 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
By Fax: (415) 554-6160

Chief Heather J. Fong
San Francisco Police Department
850 Bryant St., #525
San Francisco, CA 94103
By Fax (415)553-1554

Kevin Ryan, Deputy Chief of Staff &
Director
Mayor's Office of Criminal Justice
City Hall, Room 496
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
By Fax (415) 554-6995

Dear Mayor Newsom, Chief Fong, and Mr. Ryan:

I am writing to request the following records and information under the San Francisco Sunshine Ordinance and the California Public Records Act:¹

All documents relating to San Francisco's plans, policies, or procedures for allowing, regulating, or restricting assemblies – including but not limited to protests, demonstrations, and parades -- on the date the Olympic torch is expected to pass through the City (April 9, 2008). This request includes but is not limited to documents relating to the following topics:

1. Communications between the City and any other public or private entity or person – including the Olympic Committee -- concerning demonstrations or protests.
2. Areas where assemblies will or will not be permitted.
3. Criteria for granting permits for parades or other assemblies, other than those specified in the San Francisco Police Code.
4. Applications for permits to parade, protest, or demonstrate, including whether these applications have been granted or denied.

¹ San Francisco Administrative Code Chapter 67 and California Government Code § 6250 *et seq.*, respectively. *See also* Cal. Const. Art. I §3(b).

5. Requests by any person or entity asking that CCSF restrict or prohibit protests, demonstrations, or other expression relating to the torch, the Olympics, or the Olympic host country.
6. The planned or expected route that the torch will take, or any areas reserved or set aside as possible torch routes.
7. Plans to restrict protestors to "areas set up for First Amendment rights issues" or "areas associated with the [torch] route," as reported in the San Francisco Chronicle, S.F. Restricts China Protests for torch Relay, March 12, 2008, page C-1 (quoting S.F. police spokesman Sgt. Neville Gittens).
8. Plans or guidelines to arrest or otherwise restrict the rights of individuals or groups of protestors that do not constitute a "parade" as defined in the Police Code.

This is an Immediate Disclosure Request under San Francisco Administrative Code § 67.25, which mandates that the documents be provided on the day following the request. However, in order to provide your office with additional time to locate and copy responsive documents, I am asking that the documents be provided to me at a later time: by Tuesday, March 18 if they are mailed to me, or by Thursday, March 20 if they are sent by email or fax.

Please notify me immediately if any of the materials will not be produced in this time frame and, if this is the case, send documents as they become available. § 67.25(b), (d). I ask that you treat this as a continuing request for any records that are generated or come into your office's possession at any time until and including April 15, 2008.

I am sending identical requests to the Office of the Mayor, the Mayor's Office of Criminal Justice, and the San Francisco Police Department only to ensure that each of these entities receives the request as soon as possible. I am not asking for multiple responses or multiple copies of any document. If the total cost of responding to this request will exceed \$50, please notify me before making copies. Otherwise, my office will promptly reimburse the City for the costs of complying with this request as provided by law.

Thank you for your anticipated response to this request. I can be reached at

Sincerely,



Michael T. Risher
Staff Attorney
ACLU of Northern California