

# DRAFT

## Worksheet of Common Alleged Violations

**INSTRUCTIONS:** This is an optional worksheet to help you submit your complaint. The most common types of complaints are listed first.

Check here if this right was violated	Summary of your rights and accompanying evidence requested in order to help the Open Government Commission make a determination
Sunshine Ordinance <b>2-92.2(b)</b> <b>2-92.1</b>	<p>The Department must give you a copy of records or allow you to see them in person without unreasonable delay.</p> <p>Check one:</p> <ul style="list-style-type: none"> <li>• I requested a copy.</li> <li>• I requested to inspect records in person.</li> </ul> <p>Did they reply within ten (10) working days of your request?    Yes    No</p> <p>Did they state they were using an up-to-14 working days extension?    Yes    No</p> <p>Have you received all the records that you requested?    Yes    No</p>
Sunshine Ordinance <b>2-92.10</b>	<p>The Department must provide an immediate response within one (1) business day, if you ask. An immediate disclosure request shall be satisfied no later than three (3) business days unless the requestor is advised in writing within two (2) business days that additional time is needed because of the volume of records sought.</p> <p>Did you label your request as an Immediate Disclosure Request?    Yes    No</p> <p>Did they give a first reply within the next business day?    Yes    No</p> <p>Did you receive the requested information no later than three (3) business days? Yes    No</p> <p>Were you advised in writing of a reason for the delay?    Yes    No</p>
Sunshine Ordinance <b>2-92.11 and 2-92.12</b>	<p>The Department must give you a valid written legal justification for all information that they withheld (refused to give you). By default, all records about the conduct of public business are disclosable, unless there is a specific legal exemption for each piece of information not given to you (withheld).</p> <p>Did they refuse to give you any records or information?    Yes    No</p> <p>Did they explain in writing why all of the information was withheld?    Yes    No</p> <p>Do you believe that the information withheld is actually disclosable?    Yes    No</p> <p>If so, explain why the Department's justification for withholding is wrong.</p> <p>_____</p>
Sunshine Ordinance <b>2-92.12</b>	<p>The Department can only redact the smallest parts of any record and can't withhold an entire record if only a part of it is exempt.</p> <p>Did the department refuse to provide you any record, when only a part of that record</p>

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	<p>was actually exempt?    Yes    No</p> <p>Did the department redact too much of any record?    Yes    No</p>
<p>Sunshine Ordinance <b>2-92.11</b></p>	<p>The Department must clearly indicate why each redaction was made. Did the department redact any part of any records?    Yes    No</p> <p>Is there a footnote or clear reference to justification for every redaction?    Yes    No</p>
<p>Sunshine Ordinance <b>2-92.17</b></p>	<p>The Department must provide records in electronic format, if you ask.</p> <p>The department must provide copies of records to you in any electronic format you request, if that format is either available to or easily generated by the Department.</p> <p>Electronic format(s) you requested:</p> <p>_____</p>
<p>Sunshine Ordinance <b>2-92.13</b></p>	<p>The Department cannot charge you any fees for the personnel costs of your request (such as for searching or redacting records).</p> <p>Did the Department demand or charge any fees other than the costs of copying the records?    Yes    No</p>
<p>Sunshine Ordinance <b>2-92.4</b></p>	<p>Required notices must be posted on the City's Website for a period of at least four (4) years.</p>
<p>Sunshine Ordinance <b>2-91.5</b></p>	<p>Agenda posting requires the City Council to post their Agenda twelve (12) days prior to meeting, and other policy bodies to post seven (7) days before a meeting. Does your complaint relate to Agenda posting?    Yes    No</p> <p>Agenda descriptions are required to be clear, concise and written in plain, easy to understand English. Was there an issue with the language on the Agenda? Yes    No</p> <p>Agenda meeting locations must be listed clearly and accessible to the public. Was there an issue with the posted time or location, or accessing a meeting? Yes    No</p> <p>Policy bodies may only discuss posted Agenda items. Did the policy body discuss an item that was not on the Agenda?    Yes    No</p>
<p>Sunshine Ordinance <b>2-91.3</b></p>	<p>The Department must comply, at minimum, with state-wide public records laws.</p> <p>Certain records must be disclosed due to state-wide laws or court rulings. If your complaint is related to any of the following, please check the box.</p> <p><input type="checkbox"/> CPRA Gov Code 6253(b) - The City must notify you within 10 days whether or not they have disclosable public records responsive to your request.</p> <p><input type="checkbox"/> City of San Jose v. Superior Court (2017) - City officials and employees must search for and provide records related to the conduct of public business that they store on personal property.</p> <p><input type="checkbox"/> SB 1421, Penal Code 832.7 - Certain police records must be disclosed.</p>

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	<b>OTHER:</b> Cite the specific violation of law violated.  Explain: _____

Reference: SOTF draft, source: [twitter.com/journo\\_anon](https://twitter.com/journo_anon)