

**SUNSHINE ORDINANCE
TASK FORCE**



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ORDER OF DETERMINATION

DATE DECISION ISSUED
July 25, 2023

CASE TITLE

File No. 22080: Complaint filed by Mukund Rathi and the Electronic Frontier Foundation against Lieutenant Lynn Reilly and the Police Department for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.21(b)(e), 67.25(a)(b)(d), and 67.34, by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

HEARING AND ACTION ON THE COMPLAINT

On July 26, 2022, the Education, Outreach and Training Committee, acting in its capacity to hear petitions/complaints, heard the matter.

Action: Moved by Member Hill, seconded by Member Padmanabhan, to find that the SOTF has jurisdiction, that the records are public, and referred the matter to the SOTF with recommended violations of Administrative Code, (Sunshine Ordinance) Section(s) 67.21(b) by failing to identify components that are within our jurisdiction; 67.25(a) and (d) for tardiness in responding to an Immediate Disclosure Request; and 67.21(e) and requests that a more knowledgeable Police Department representative with an account that can access the repository data persons within the Automatic License Plate Reader (ALPR) system, that the administrator of that system, and anyone compiling the ALPR report be present for the hearing.

The motion PASSED by the following vote:

Ayes: 3 - Hill, Padmanabhan, Hyland
Noes: 0 - None

HEARING AND ACTION ON THE COMPLAINT

On July 25, 2023, the SOTF held a hearing to review the recommendation from committee and/or to review the merits of the petition/complaint.

Action: Moved by Chair Yankee, seconded by Member Wolfe, to find that the Police Department violated Administrative Code (Sunshine Ordinance), Section(s) 67.25(a) by failing to respond to an Immediate Disclosure Request by the end of the next business day and failing to state that the annual report does not exist. The SOTF orders the Police Department to provide the requested data sets not yet provided within 5 business days or provide a statement that the requested records do not exist. The SOTF referred the matter to the Compliance and Amendments Committee for monitoring.

The motion PASSED by the following vote:

Aye: 7 - LaHood, Stein, Wolfe, Schmidt, Wong, Yankee, Hill

Noes: 0 - None

Absent: 1 - Hyland

The Order of Determinations was approved
by the Sunshine Ordinance Task Force
on: August 22, 2023

cc. Petitioner
Respondent