



# Memorandum

**TO:** RULES AND OPEN GOVERNMENT COMMITTEE      **FROM:** David Vossbrink

**SUBJECT:** Public Records Request      **DATE:** September 18, 2015  
Appeal of Denial – Josh Koehn  
Update

Approved

Date

9/24/15

## RECOMMENDATION

Accept report regarding the status of Josh Koehn's public records appeal.

## BACKGROUND

On August 19, 2015, Mr. Koehn appealed the denial of the release of emails from Assistant Police Chief Garcia that were determined to be personal and considered not related to the conduct of the public's business. The Rules and Open Government Committee reversed the denial and directed staff to proceed with a release of the requested documents upon further review and redaction of personal information.

## ANALYSIS

Staff gathered more than 400 emails previously identified as "personal" and sorted the contents of one month's worth as a sample of approximately 85 emails so that the requestor could gain a direct sense of their content before staff commenced redacting the entire collection. The one-month sample of the personal emails consisted primarily of incoming messages and involved youth football, school notices, and other miscellaneous personal subjects. This sample was redacted for personal identifying information, such as personal email addresses and phone numbers. The effort for preparing the one-month sample took approximately two hours of staff time. This did not include the time it took to initially research and print these records.

Mr. Koehn reviewed the redacted sample and then narrowed the scope of his request to only those emails created by the Assistant Chief, not those received. He requested copies of nine emails: six were related to the Assistant Chief's role as a Pop Warner youth football coach; one was about one his children's athletic activities; and two included the name of a school where one of his children is enrolled. Among these previously withheld emails staff found two that did involve City-related business: one had notified the Assistant Chief of damage to fiber optic cable

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and the steps taken to investigate the matter; the other included a request for a contact related to the reporting of a possible embezzlement. These were also shared with Mr. Koehn.

### **CONCLUSION**

At this time, this public records request has been fulfilled, and Mr. Koehn has received all the documents that he has asked for. Staff appreciates his willingness work with staff to narrow the scope to reduce the amount of time that would be been required to process and redact all the emails.

### **COORDINATION**

This memorandum was coordinated with the City Attorney's Office



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David Vossbrink  
Director of Communications

For questions please contact Tamara Becker, Open Government Manager, at (408) 535-8120.

