

Updated February 10, 2017

**Public Records Requests
For records and information related to the
December 2, 2016 Fire at
1315 31st Avenue, Oakland, CA.**

Following are responses to public records requests for records pertaining to properties at 1301, 1305, 1307, 1309, 1311, 1313 and 1315 31st Avenue, 3071 and 3073 International Avenue, 4701 San Leandro St., incl. unit #15C, 3735 McGee Ave, Oakland, CA, 757 Lombard St., San Francisco, CA, 425 8th Street, Oakland, CA, 411 2nd Street, Oakland, CA, and any that have been submitted for fire, code enforcement and other building inspection records.

The search for responsive records is ongoing. Records/information subject to disclosure for which the City does not assert an exemption is and will be disclosed as the records are located, reviewed and redacted, if necessary.

Records released to date are posted and can be viewed and downloaded at:
<http://www2.oaklandnet.com/OAK061753>

- **Inspection records – code enforcement, building & planning, fire, police & public works**
 1. Pre-fire – City will disclose records with complainant names, addresses and identifying information redacted that are not related to an ongoing criminal investigation. Gov. Code §6255, San Jose Mercury News (1999) 74 Cal.App.4th 1008. Disclosure of such complainant information could chill citizens from reporting problems to the City. The City will continue to gather and disclose such records as they are located and review and redaction is completed.
 2. City will withhold records that are relative to an ongoing criminal investigation. Gov. Code §6254(f), Haynie v. Superior Court (2001) 26 Cal.4th 1061.
- **Complaints – code enforcement, building & planning, fire, police & public works**

City will disclose records with complainant names, addresses and other identifying information redacted that are not related to an ongoing criminal investigation. Gov. Code § 6255, San Jose Mercury News (1999) 74 Cal.App.4th 1008. Disclosure of such information could chill citizens from reporting problems to the City. The City will continue to gather and disclose such records as they are located and review and redaction is completed.

- **Calls for service/dispatch (fire & police)**

1. Pre-fire – City will disclose records with caller names, addresses and other identifying information redacted that are not related to an ongoing criminal investigation. Gov. Code §6255, San Jose Mercury News (1999) 74 Cal.App.4th 1008. Disclosure of such information could chill citizens from reporting problems to the City.

The City will continue to gather and disclose such records as they are located and review and redaction is completed at which time links to the posted records will be provided.

2. City will withhold records that are relative to an ongoing criminal investigation. Gov. Code §6254(f), Haynie v. Superior Court (2001) 26 Cal.4th 1061.

- **Video records and 911 calls – night of the fire**

City will withhold these records due to an ongoing criminal investigation. Gov. Code §6254(f), Haynie v. Superior Court (2001) 26 Cal.4th 1061.

- **Police incident reports for activities at 1305 and 1315 31st Ave.**

City will disclose these records, if any, or confirm that there are no responsive records. The City will redact from such records the names of juveniles, victims of sexual assault, and witnesses and victims when it is determined that “disclosure would danger the safety of a witness or other person involved in [an] investigation, or . . . would endanger the successful completion of [an] investigation or a related investigation.” Gov. Code §6254(f).

- **Police arrest information for 1305 and 1315 31st Ave., including records of arrest for specific individuals**

City will disclose name and occupation of individuals arrested, times and dates of arrest and booking the factual circumstances surrounding the arrest, dates and times of release, the charges and other information for which disclosure is required under Gov. Code §6254(f), if any information exists, or confirm that there are no responsive records/information. The City will redact from such records the names of juveniles, victims of sexual assault, and witnesses and victims when it is determined that “disclosure would danger the safety of a witness or other person involved in [an] investigation, or . . . would endanger the successful completion of [an] investigation or a related investigation.” Gov. Code §6254(f).

- **Citations/Notices of Violation/Notices to Abate**

City will disclose notices to property owners, including notices of violation, notices to abate, etc., with complainant names redacted. Gov. Code § 6255, San Jose Mercury News (1999) 74 Cal.App.4th 1008. City will continue to gather and disclose such records as they are located and review and redaction is completed.

- **All correspondence between City and Ng Trust or Chor Ng for past five years**

The City will disclose these records. The City will continue to gather and disclose such records as they are located and review and redaction is completed.

- **Property liens**

The City will disclose these records, if any, or confirm that there are no responsive records.

- **Building & Planning permits – electrical, construction , plumbing – applications, permits issued, denials**

The City will disclose these records, if any, or confirm that there are no responsive records.

- **Legal actions taken/filed**

The City will disclose these records, if any, or confirm that there are no responsive records.

- **Notes and emails, texts, memos and other correspondence related to 1301, 1305, 1315 31st Avenue between December 2 to December 7, 2016**

1. The City will disclose records that are not related to an ongoing criminal investigation with complainant inspector names, addresses and other identifying information redacted. Gov. Code § 6255, San Jose Mercury News (1999) 74 Cal.App.4th 1008. Disclosure of such complainant information could chill citizens from reporting problems to the City.
2. The City will not disclose records related to an ongoing criminal investigation. Gov. Code §6254(f), Haynie v. Superior Court (2001) 26 Cal.4th 1061.

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3. City Attorney communications – the City will withhold records of attorney-client privileged communications and/or attorney work product. Gov. Code §6254(k), Evid. Code §950, et seq.
4. Deliberative process – the City will withhold records that are deemed to reflect the deliberative processes of City officials. Gov. Code §6255, Times Mirror Co. v. Superior Court (1991) 53 Cal.3rd 1325.
5. The City will withhold records deemed to have confidential personnel, medical or similar confidential content. Gov. Code §6254(c).

- **All warehouses – records of fire inspections**

1. The City will disclose records that are not related to an ongoing criminal investigation with complainant names, addresses and other identifying information redacted. Gov. Code § 6255, San Jose Mercury News (1999) 74 Cal.App.4th 1008. Disclosure of such complainant information could chill citizens from reporting problems to the City.
2. The City will withhold records related to an ongoing criminal investigation. Gov. Code §6254(f), Haynie v. Superior Court (2001) 26 Cal.4th 1061.

- **All buildings inspected 2/1/15 to 12/1/16 deemed unsafe/unfit for living or ordered vacated (#18507)**

1. The City will disclose records that are not related to an ongoing criminal investigation with complainant names, addresses and other identifying information redacted. Gov. Code § 6255, San Jose Mercury News (1999) 74 Cal.App.4th 1008. Disclosure of such complainant information could chill citizens from reporting problems to the City.
2. The City will withhold records relative to an ongoing criminal investigation. Gov. Code §6254(f), Haynie v. Superior Court (2001) 26 Cal.4th 1061.

- **Police, Fire, Building & Planning / Code Enforcement inspection and enforcement protocols and procedures to respond to building code complaints**

The City will disclose these records. The City will redact from the records intelligence information and/or security procedures, if any. Gov. Code §6254(f).

- **Fire Department commercial inspections – number inspections completed, number of inspections attempted, number of inspections not completed**

The City will disclose this information.

- **Fire Department – number of inspector positions in fire inspections unit, number of authorized positions**

The City will disclose this information.

- **List of commercial buildings the Fire Department is required to inspect**

The City will disclose this information.

- **Emergency Medical Service/Paramedic Services records**

The City will disclose general information regarding emergency medical services/paramedic that does not identify any individual that received emergency medical services/paramedic calls.

The City will not disclose any identifying information for individuals that received emergency medical services/paramedic services calls, and will not disclose medical records or information for any individuals that received visits, assessments, advice or other input from emergency medical services/paramedic personnel. Pursuant to the Confidentiality of Medical Information Act, such records and information are confidential and, with limited exceptions not applicable here, may not be disclosed without authorization from the patient treated. Gov. Code §6254(c) and (k), Civ. Code §§ 56 - 56.35.