Purnell, Daniel

From: Marleen Sacks [redacted]
Sent: Sunday, October 18, 2009 11:58 AM
To: Abney, Michelle; Morodomi, Mark
Cc: Purnell, Daniel
Subject: Public Records Request - Assignment of PSOs outside PSO duties

Dear Ms. Abney:

This is a request for public records pursuant to the California Public Records Act.

At last month's Measure Y Oversight Committee Meeting, one or more members of the committee inquired about officers assigned to PSO positions who were not performing Measure Y duties. In particular, there was a reference to one or more officers who were assigned to the equivalent of desk duty, but weres or likely were still being paid for out of Measure Y funds. I believe that this is a clear violation of Measure Y. Any officer paid out of Measure Y funds must be assigned solely to Measure Y duties. The only exception is as outlined by Judge Roesch's order, i.e. to occasionally lend assistance to another officer. However, paying an officer assigned to desk duty would clearly be in violation of Measure Y and the Court's order in Sacks v. Oakland. With this context, I am requesting the following documents:

1. Any documents that indicate that Measure Y officers assigned to non-Measure Y duties (e.g. desk duty) are paid out of non-Measure Y funds for the period of time they were not performing Measure Y duties, since January, 2007.
2. Any documents that refer or relate to the assignment/deployment of officers Gregory Loud, Alan Leal and Karla Rush, following allegations that they had included false information on search warrants, which subsequently resulted in their recommended discipline.
3. Any documents that refer or relate to the funding source for the salaries and benefits of officers Gregory Loud, Alan Leal and Karla Rush, following the allegations referenced above;
4. Any documents that refer or relate to directives or instructions on the appropriate funding source for officers technically assigned to PSO positions but not performing PSO duties.
5. Any documents that refer or relate to the funding source for the salaries and benefits of other officers assigned to non-PSO duties (e.g. desk duty, light duty) since January, 2007.

Please transmit responsive documents electronically to this address, and contact me if you have any questions.

Marleen L. Sacks
[redacted]

Attachment 13A
12/9/2009

Purnell, Daniel

From: Marleen Sacks [[redacted]
Sent: Wednesday, October 28, 2009 7:33 PM
To: Abney, Michelle; Morodomi, Mark
Cc: Purnell, Daniel
Subject: Re: Public Records Request/PRR-090244/Officers Loud/Leal/Rush

Mark:

Of course I'm not going to pay for that information. Please just give me whatever records exist that do not require "extraction." My request related to Officers Leal, Rush and Loud is modified as follows:

1. Leal: Any document (as opposed to all documents) that reflect the funding source (Measure Y or otherwise) and assigment on the following dates: July 30, 2008; September 30, 2008; January 30, 2009; May 30, 2009
2. Rush: Any document (as opposed to all documents) that reflect the funding source (Measure Y or otherwise) and assigment on the following dates: September 15, 2008; September 30, 2008; January 30, 2009; May 30, 2009
3. Loud: Any document (as opposed to all documents) that reflect the funding source (Measure Y or otherwise) and assigment on the following dates: July 30, 2008; September 30, 2008; January 30, 2009; March 31, 2009; May 30, 2009

Please let me know an approximate date that I might expect this information. Thanks.
Marleen

From: "Abney, Michelle" <MAbney@oaklandcityattorney.org>
To: Marleen Sacks <[redacted]
Sent: Wednesday, October 28, 2009 4:53:01 PM
Subject: Public Records Request/PRR-090244/Officers Loud/Leal/Rush

This is to request additional time to respond to Items 1, 3 , 4 and 5 of your requested dated October 18, 2009. Staff has indicated that it will take an additional 3-4 weeks to provide the requested records. Records in response

Additional time is needed to search records related to light duty and perform data extractions of electronic time cards. Costs for data extraction of time cards is as follows:

52 pay periods x 3 officers= 156. Each transactions will take 10 minutes. 156 times 10 minutes = 1560 minutes. 1560 divided by 60 minutes = 26 hours. 26 hours times the staff rate $40.00 per hour for data extraction = $1040.00.

Costs quoted above are pursuant to California Government Code Section 6253.9(b) (Public Records Act).

Please advise if you approve the cost and want staff to begin the data extraction.

Mark Morodomi
Supervising Deputy City Attorney
(510) 238-6101

Attachment 13A