

Police Department

January 26, 2015

Andrea Pritchett  
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Berkeley, California, 94704

Dear Ms. Pritchett,

Thank you for your email of January 5, 2015 regarding your Public Records Act request of December 11, 2014, in which you requested the police department's Operational Plan and related documents for the December 6 and 7, 2014 protests, as well as any reports or evaluations of these operational plans.

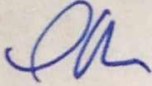
In my letter of December 29, 2014, I explained that the department's operational plans for the protests on December 6 and 7, 2014 are exempt from disclosure pursuant to Government Code section 6254(f) and 6255. In your email, you requested that we reconsider our decision to withhold these documents from disclosure and explain why they are exempt from disclosure. In doing so, we have determined that there are discrete portions of the operational plans for December 6 and 7, 2014 that can be disclosed. We are therefore providing them to you in redacted form.

We have redacted certain sections of the operations plans because they are records of "security procedures" and contain "intelligence information" that is exempt from disclosure under Government Code section 6254(f). The disclosure of such documents could endanger public and officer safety and impede the success of future operations. Additionally, the operational plans and related documents are exempt under the "deliberative process privilege" of Government Code section 6255 because disclosure could have a chilling effect on the ability of the department and its command staff to candidly discuss, plan for, and respond to events requiring crowd control that are often fluid in nature. For these reasons, the City's interest in not disclosing the department's tactics, strategies and planning in its operational plans outweighs the public interest in disclosure.

As of yet, there are no reports or evaluations of the events of December 6 and 7. However, the department is in the process of preparing a comprehensive report which will be made public upon completion.

If you have further questions, please call me directly at 981-5976 or email me, [lolesen@ci.berkeley.ca.us](mailto:lolesen@ci.berkeley.ca.us).

Thank you,



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