



Office of the City Attorney

September 14, 2016

Via E-mail at [emraguso@gmail.com](mailto:emraguso@gmail.com)

**RE: Public Records Act Request Received September 6, 2016**

Dear Ms. Raguso:

This letter is in response to your Public Records Act request received by the City on September 6, 2016 requesting:

- “ - The 78 (approx.) pages of written feedback from Berkeley Police Department employees submitted as part of the anonymous survey conducted earlier this year, in approximately May. I would like to get this as a PDF, but will accept it in hard copy if that's the only option.*
- A PDF of the full survey results, if possible.”*

Please be advised that the survey feedback and survey results submitted by City employees are exempt from disclosure pursuant to the deliberative process privilege and Government Code section 6255 and will not be released. These documents were not prepared in anticipation that they would be subject to public scrutiny and disclosure and would reflect the deliberative process, which would impede the effective functioning of government. City employees would be reluctant to engage in open discussion and self-critical analysis and debate regarding pending matters if their communications regarding such matters would be subject to public scrutiny. The City must encourage employees to speak frankly and openly regarding pending matters. This is the only way to ensure that all possible views on an issue are considered before a final governmental decision is made. It is for these reasons, that under Government Code section 6255, the City's interest in not disclosing the documents outweighs the public interest in the documents.

With this response, we consider this request closed.

If you have any questions concerning your request, please feel free to contact me at (510) 981-6981, or by e-mail at [lbourgault@cityofberkeley.info](mailto:lbourgault@cityofberkeley.info).

Sincerely,

Lynne S. Bourgault,  
Deputy City Attorney