



LONDON N. BREED
MAYOR

CITY AND COUNTY OF SAN FRANCISCO
POLICE DEPARTMENT
HEADQUARTERS
1245 3RD Street
San Francisco, California 94158



WILLIAM SCOTT
CHIEF OF POLICE

May 9, 2023

Anonymous
c/o Muck Rock News DEPT MR 83843 411A Highland Ave
Somerville, MA 02144-2516

RE: Public Records Request, dated November 27, 2019, Reference # P009975-112719

Dear Anonymous:

SFPD has identified responsive records related to an incident involving the discharge of a firearm at a person by a peace officer, which occurred on November 6, 2014, involving member Eduard Ochoa.

The responsive records in this production include documents related to Incident Report #140941732 and Internal Affairs Report #14-007.

SB1421 records are regularly released via the Public Archive. SFPD will notify you when additional records responsive to your request become available.

[OIS 14-007 Public Archive](#)

Redactions have been made to these records pursuant to the following exemptions:

Redaction index:

Redaction #	Exemption
1	California Penal Code § 832.7(b)(5)(A) – personal data or information, such as a home address, telephone number, or identities of family members, other than the names and work-related information of peace and custodial officers.
2	California Penal Code § 832.7(b)(5)(B) – to preserve the anonymity of complainants and witnesses.
3	California Penal Code § 832.7(b)(5)(C) – to protect confidential medical, financial, or other information of which disclosure is specifically prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about misconduct and serious use of force by peace officers and custodial officers.
4	California Penal Code § 832.7(b)(5)(D) – disclosure of the record would pose a significant danger to the physical safety of the peace officer, custodial officer, or another person.
5	California Penal Code § 832.7(a) - except as provided in subdivision (b), the personnel records of peace officers and custodial officers and records maintained by any state or local agency pursuant to Section 832.5, or information obtained from these records, are confidential and shall not be disclosed in any criminal or civil proceeding except by discovery pursuant to Sections 1043 and 1046 of the Evidence Code.

6	California Penal Code § 832.7(b)(6) - personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosure of the information.
7	California Penal Code § 11105 et. seq. - CORI data (personal identifiable criminal history) and CLETS data (California Law Enforcement Telecommunications Systems).
8	California Government Code § 6254(f), which exempts from disclosure records of complaints to, investigations conducted by, intelligence information or security procedures of, and investigatory or security files compiled by local police agencies.
9	California Code of Civil Procedure § 129 – photographs of the body, or any portion of the body, of a deceased person, taken by or for the coroner at the scene of death or in the course of a post mortem examination or autopsy.
10	California Government Code § 6250, 6254(c) unwarranted invasion of personal privacy.
11	California Welfare & Institutions Code § 5328 - confidential mental health records.
12	California Welfare & Institutions Code § 827, California Government Code § 6254(k) - juvenile records.
13	California Government Code §§ 254(k), 6254.25, 6276.04, Evidence Code § 954 - attorney-client privilege.
14	California Evidence Code § 1040 (a) - As used in this section, official information means information acquired in confidence by a public employee in the course of his or her duty and not open, or officially disclosed, to the public prior to the time the claim of privilege is made.

Sincerely,

San Francisco Police Department
Legal Division