

August 4, 2009

**Subject: Sub-Committee on Anonymous Complaints (Bob Shepard/Erica Cosgrove),
Suggestions for Revision to Resolution 72547**

**Ref; Sub-Committee Meeting with Lisa Herrick on 6/1/09 and prior sub-committee
meetings discussed in Election Commission meeting of 5/13/09**

The sub-committee recommends that Resolution 72547 be revised to eliminate the paper submission (or official filing) of anonymous complaints to be replaced with a "Telephone Tip Line" as the only venue for anonymous complaints to be submitted to the Elections Commission.

The primary objective of the "Telephone Tip Line" (or "Whistleblower Hotline") would be to provide a venue for citizens to submit an anonymous complaint in a way that allows the Elections Commission to first assess the issue of "good cause" for the complainant remaining anonymous. We also hope that the tip-line format will minimize frivolous complaints and help to protect the confidentiality of the complaint procedures.

Section E6 of Resolution 72547 would be revised as follows:

The section of the Resolution that mentions "good cause" would be elaborated upon to state that the **complainant** (not their representative) must provide specific and convincing information about why they wish to remain anonymous when they submit an anonymous complaint via the Telephone Tip Line. This should include stating their relationship to subject of complaint (e.g. the subject of the complaint is my boss) in order to justify remaining anonymous.

Good cause would have to be established **prior to** the complaint being forwarded to Evaluator. A sub-committee made up of the City Clerk and the Chair of Election Commission would meet to consider anonymous tips received on the Tip Line and determine whether they had satisfied the good cause requirement for anonymity. The independent evaluator would not participate in determining whether there was good cause for anonymous complaint.

If good cause for anonymous complaint is not established, then the anonymous complaint will not be forwarded to evaluator for further review.

Complainants would be permitted to submit formal complaints using the standard procedure via the written Complaint Form but would be required to state their name.

The above changes may require additional revisions to other related sections of Resolution 72547.

If this proposal is accepted, the Sub-Committee on Anonymous Complaints would work with the City Clerk and City Attorney's office to help determine the wording of the

outgoing message on the Telephone Tip Line instructing callers as to what information is needed in order to consider an anonymous tip.

Bob Shepard/Erica Cosgrove