

City Hall snubs key findings of 2 civil grand juries

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board or commission shall be deemed to be official misconduct and any violation of the provisions of this Section on the part of any employee shall be deemed to be inattention to duties and considered cause for suspension or dismissal from service.”

Central City Extra’s investigation shows that 14 city agencies are current on their annual reports but have not sent their link to the library. According to Section 8.16, this is a fireable offense.

The library certainly has no enforcement power, said Greg Kelly, a documents librarian at the Government Information Center, which maintains a too-short list of the annual reports it receives. Kelly says he occasionally chases after city officials if he learns an annual report has been produced, but he’s not required to. “Our responsibility is to put their URLs on our site when they send them, not beg for them to send them.”

Former library Director Susan Hildreth says San Francisco’s problem with delinquent annual reports is longstanding — and adds that it’s just the tip of the iceberg. Hildreth, who was director of San Francisco’s library from 2001-04 and until recently headed the state’s library, says bureaucratic and technical issues in the digital age make it difficult to compel agencies to deposit required documents, where they can be accessed by the public in perpetuity.

“When reports were printed on paper, people sent a copy and that was it,” she says. “Obtaining those documents

when they are digital is a problem. We have a hard time [getting] state departments to do that. It’s a challenging matter on all levels.”

Without leadership from the mayor, mandates like those covering annual reports come to nothing, said Charles Davis, executive director of the National Freedom of Information Coalition, a nonprofit alliance that also includes journalistic societies and attorneys. “Government can make all sorts of laws and proclamations, but if no one’s in charge of making sure they take place, they won’t take place. Or they may take place for a few years and then drop off.”

S.F.’S LAPSE A SURPRISE

Ironically, Davis noted, San Francisco is considered a pioneer in the open government movement, so its failure to ensure annual reports are produced and made accessible to the public is surprising. “The city is not doing what’s necessary to make sure the information flow is guaranteed,” he said. “If they’re going to talk the talk, they need to walk the walk.”

Venise Wagner, Journalism School chair at San Francisco State University, also believes annual reports are essential. “They serve as a vehicle so that people can act as a watchdog,” she said. “You can’t trust [gov-

CENTRAL CITY EXTRA RECOMMENDS:

- That the mayor designate someone to track the production of departmental annual reports and ensure that they are posted on time on the required Websites.
- That guidelines on what to include in annual reports be issued, including goals and outcomes and budget information that reveals cost-effectiveness of the agency’s efforts.
- That agencies be reminded annually of their reporting requirements.
- That the Board of Supervisors pass an ordinance that holds heads of agencies liable for suspension or dismissal if no annual report is produced within 12 months of the end of the year to be reported.
- Requiring an agency’s annual report be posted on the home page of its Website.

ernment officials] to do what they say they are going to do. You can’t just take them at their word.”

Historians, too, have a stake in the city’s annual reports. From 1860 until 1919, they were bound each year into volumes, which now reside in the documents section on the fifth floor of the Public Library; they are also available online.

‘FOUNTAIN OF INFORMATION’

The reports are of inestimable historical value, says Charles Fracchia, founder and president emeritus of the San Francisco Museum and Historical Society. “As a historian, for me they are a fountain of information. If these departments hadn’t put out annual reports, we’d have a real historical gap,” he says. “If that’s not followed on, [future historians] are going to be in a heap of trouble.”

Peter Field, a tour guide whose specialty is the history of the Tenderloin, noted that the minutiae likely to be found in an annual report are particularly important. Details about when a city project or program is high-profile, but those surrounding the city’s everyday inner workings are harder to unearth. “[Annual] reports are important because they’re likely to flesh out historical events,” he said. “If reports don’t exist, it closes the books for historians, especially if no one’s alive who witnessed the events.”

For Francis Yanak, adjunct professor in Golden Gate University’s public administration masters program, the issue boils down to respect for the law. “When we enact legislation, there’s a purpose for it. We want our public officials to carry out the laws,” he said.

Two civil grand juries in the last 10 years have waved red flags to alert the mayor about problems with annual reporting procedures, and provided recommendations for fixing them. So why has nothing been done?

Perhaps in part because the reports garnered little attention from the mass media, which lessened the pressure on public officials to take action.

“It’s really hard to get someone interested, even though it’s really important stuff,” said jury member Nick Gaffney. “Unless you nail subjects of these reports right between

the eyes and there’s no wiggle room, people tend to ignore them.”

Gaffney noted that other reports issued by the jury — particularly one that explored homelessness in the wake of Newsom’s Care Not Cash program — got more media attention than the one that raised concerns about annual reports. He believes the jury’s accountability report was shrugged off by the media partly because the topic “is too obtuse — it’s too hard a story to tell. It’s not dramatic enough — it’s all been reported before ... it shows a systemic problem, which is basically that government doesn’t work.”

“Not much came of it, because that’s typically what happens to the Civil Grand Jury report,” admitted Supervisor Sean Elsbernd, who presided over the Government Oversight and Audit Committee hearing on the 2007-08 jury’s report. “It generates about one press story after it comes out, and one public hearing, and that’s it.”

But accountability and performance management are precisely the focus of the current Civil Grand Jury’s report, titled “The Numbers Have Something to Say, Is Anybody Listening?” Although it doesn’t specifically address annual reports, it does explore methods used in lieu of them that Newsom referred to in his response to the 2007-08 jury. Among the current jury’s conclusions: “The variety of measurement systems used by the City are not easily found or understood by the public. The Jury finds that Citizens cannot easily discover what strategic goals the City is pursuing, nor what progress is being made in reaching them.”

Ironically, Newsom might have less to defend this year had he followed up the concerns of last year’s jury and ensured that agencies reporting to him issue concise, informative annual reports the public can use to ascertain for themselves what city agencies are doing with taxpayers’ money.

The mayor’s office response to the current grand jury’s report speaks volumes. Spokesman Nathan Ballard told a reporter at another San Francisco newspaper, “The grand jury doesn’t know what it’s talking about.”

The mayor, evidently, knows better. Just trust him on that. ■

WHAT’S NEXT FOR CIVIL GRAND JURY

On June 4, the Board of Supervisors’ Government Audit and Oversight Committee holds a hearing on the current Civil Grand Jury report, “The Numbers Have Something to Say, Is Anybody Listening?” The hearing, set for 11 a.m. in Room 250 at City Hall, is open to the public.

VIOLATORS CAN BE FIRED

Any violation of the provisions of this Section ... shall be deemed to be official misconduct and any violation ... on the part of any employee shall be deemed to be inattention to duties and considered cause for suspension or dismissal from service.

ADMINISTRATIVE CODE, SEC. 8.16

Resources

- List of city agencies and their Websites: www.sfgov.org
- List of the Public Library’s links to annual reports: <http://sfpl.org/librarylocations/main/gic/annualreports.htm>
- Civil Grand Jury reports and official responses to them: http://www.sfgov.org/site/courts_page.asp?id=3680
- San Francisco City Charter and Administrative Code: http://www.municode.com/Resources/ClientCode_List.asp?cn=San%20Francisco&sid=5&cid=4201
- Gavin Newsom’s campaign for governor Website: www.gavinnewsom.com/home/