

From: [Tanva Koshy](#)
To: [REDACTED]
Subject: Recommendation 25.3
Date: Thursday, August 5, 2021 2:23:07 PM

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Dear Acting Captain Altorfer:

Our office has completed its review of the materials related to Recommendation 25.3 that have been submitted to us as part of the collaborative reform process. After reviewing the package and information provided by the Department, the California Department of Justice finds as follows:

Recommendation 25.3: The SFPD should develop and publish a comprehensive strategy to address bias. The strategy should create a framework for the SFPD to

- be informed by the preliminary action planning that was initiated during the command level training in Fair and Impartial Policing, which addressed policy, recruitment, and hiring; training; leadership, supervision, and accountability; operations; measurement; and outreach to diverse communities;
- update policies prohibiting biased policing to include specific discipline outcomes for failure to follow policy;
- continue to expand recruitment and hiring from diverse communities (see recommendation 84.2);
- partner with the communities and stakeholders in San Francisco on anti-bias outreach (see recommendation 26.1);
- improve data collection and analysis to facilitate greater knowledge and transparency around policing practices in the SFPD;
- expand its focus on initiatives relating to anti-bias and fully implement existing programs as part of the overall bias strategy, including the existing Not on My Watch program aimed at engaging officers and the community on addressing issues of bias.

Response to Recommendation 25.3: SFPD established a working group to address bias-related issues, including revising existing bias policies and drafting a comprehensive strategic plan on bias. The working group is facilitated by a Commander and comprised of both internal and external stakeholders, including community members, staff from the Public Defender's Office, staff from the Department of Police Accountability, and Police Commission members.

In the fall of 2019, the working group began the process of drafting the strategic plan. The first step was to work collaboratively as a larger group to define bias and to identify "dimensions" of bias that impact policing in SFPD. The group identified four dimensions of bias that impact

policing: Community Perceptions of the Police, Police Perceptions of the Community, and Bias within the Workforce, and Bias by Proxy. The working group determined that each dimension required different approaches that needed to be incorporated in the strategic plan. The working group then divided up into four subgroups to develop strategies related to each dimension.

From November 2019 through July 2020, the subgroups met several times, and then would come together as a larger group to workshop each subgroup's findings and proposed strategies. From there, SFPD worked on synthesizing each subgroup's portions into a larger strategic plan, which was submitted to the Chief for his initial review. The approved draft then went back to the working group, which provided recommendations and feedback using a recommendation grid, so that SFPD could keep track of those recommendations and the Department's responses. The Chief made the final decisions on the working group's recommendations and used the grid to explain the rationales behind each decision.

The final strategic plan was published on June 14, 2021 and SFPD members were notified of this plan via a Department Notice. The plan covers all of the issue areas listed in this recommendation. For example, the recommendation states that the strategic plan should include a framework for how the Department would "update policies prohibiting biased policing to include specific discipline outcomes for failure to follow policy." Consistent with this recommendation, the strategic plan recommends as a first step that the Department conduct ongoing review of its Disciplinary Penalty and Referral Guidelines for Sworn Members to revise disciplinary measures related to bias.

Based upon all of the above, the Department of Justice finds that SFPD is in substantial compliance with this recommendation.

Please let us know if you have any questions or would like to discuss these further.

Tanya

Tanya S. Koshy (she/her)
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Finding # 25	The SFPD’s General Orders prohibiting biased policing, discrimination, harassment, and retaliation are outdated and do not reflect current practices surrounding these key areas.
Recommendation # 25.3	<p>The SFPD should develop and publish a comprehensive strategy to address bias. The strategy should create a framework for the SFPD to</p> <ul style="list-style-type: none"> • be informed by the preliminary action planning that was initiated during the command-level training in Fair and Impartial Policing, which addressed policy, recruitment, and hiring; training; leadership, supervision, and accountability; operations; measurement; and outreach to diverse communities; • update policies prohibiting biased policing to include specific discipline outcomes for failure to follow policy; • continue to expand recruitment and hiring from diverse communities (see recommendation 84.2); • partner with the communities and stakeholders in San Francisco on anti-bias outreach (see recommendation 26.1); • improve data collection and analysis to facilitate greater knowledge and transparency around policing practices in the SFPD; • expand its focus on initiatives relating to anti-bias and fully implement existing programs as part of the overall bias strategy, including the existing Not on My Watch program aimed at engaging officers and the community on addressing issues of bias.

Recommendation Status	Complete	Partially Complete	In Progress
Summary	Not Started	No Assessment	

Compliance Measures 1, 2 and 3 have been completed – when you take into account practices the department has implemented already.

Prior to forwarding to Cal DOJ for external validation, please review the following explanation of how other recommendations contribute to an overall strategic approach to eliminating or reducing bias. Include these in the Bias Strategic Plan.

The department is developing a Bias Strategic Plan that will address the requirements of this recommendation. When completed the plan will be published to internal and external stakeholders. However, the evidence necessary to demonstrate compliance with this recommendation has been completed and published internal and externally as part of the department’s response to other recommendations. The leadership of the department has instituted practices consistent with the principles of fair and impartial policing, including creation of the Professional Standards and Principled Policing Unit. Other improvements include:

- revising Department General Order 5.01 Use of Force; instituting practices which improve the investigating and tracking of Internal Affairs complaints, including relationships with external partners who are responsible for the investigation of complaints of police officer misconduct that originate from members of the public;
- increasing transparency relating to officer-involved shooting incidents, including commitment to a Town Hall meeting to advise the public regarding the incident and executing an agreement with an external partner to investigate officer involved shooting incidents;
- improved operations of the department which include developing a technology strategic plan and improving audit and review practices, partnering with a researcher to examine stop data for evidence of bias and developing strategies to eliminate or reduce biased policing;

- revising Department General Orders 5.17 Bias Free Policing and 11.07 Discrimination and Harassment, including educating and training members regarding their duties and responsibilities to prevent or stop the occurrence of incidents of biased policing;
- issuing policy that advises members of the penalty for engaging in bias incidents and that bias related complaints will be investigated on a priority basis;
- improved data collection of applicants which has allowed the department to make important changes to practices related to recruitment, background investigation, and field training (see also Recruiting Strategic Plan); and
- demonstrated a stronger commitment to community engagement by developing a Community Policing Strategic Plan and creating the Community Engagement Division. These changes will assist the department to provide tailored services to aggrieved communities who question the quality of the police services they receive.

Compliance Measures		Status/Measure Met
1	Develop, in consultation with the relevant stakeholders, a comprehensive strategy to address bias.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2	Evidence that strategy created framework for SFPD to <ul style="list-style-type: none"> • be informed by the preliminary action planning which addressed policy, recruitment, and hiring; training; leadership, supervision, and accountability; operations; measurement; and outreach to diverse communities; • update policies prohibiting biased policing to include specific discipline outcomes for failure to follow policy; • continue to expand recruitment and hiring from diverse communities (see recommendation 84.2); • partner with the communities and stakeholders in San Francisco on anti-bias outreach (see recommendation 26.1); • improve data collection and analysis to facilitate greater knowledge and transparency around policing practices in the SFPD; • expand its focus on initiatives relating to anti-bias and fully implement existing programs as part of the overall bias strategy, including the existing Not on My Watch program aimed at engaging officers and the community on addressing issues of bias. 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3	Strategy was published internally and externally.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Administrative Issues

Compliance Issues



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Finding # 25: The SFPD's General Orders prohibiting biased policing, discrimination, harassment, and retaliation are outdated and do not reflect current practices surrounding these key areas.

Recommendation # 25.3

The SFPD should develop and publish a comprehensive strategy to address bias. The strategy should create a framework for the SFPD to:

- be informed by the preliminary action planning that was initiated during the command-level training in Fair and Impartial Policing, which addressed policy, recruitment, and hiring; training; leadership, supervision, and accountability; operations; measurement; and outreach to diverse communities;
- update policies prohibiting biased policing to include specific discipline outcomes for failure to follow policy;
- continue to expand recruitment and hiring from diverse communities (see recommendation 84.2);
- partner with the communities and stakeholders in San Francisco on anti-bias outreach (see recommendation 26.1);
- improve data collection and analysis to facilitate greater knowledge and transparency around policing practices in the SFPD;
- expand its focus on initiatives relating to anti-bias and fully implement existing programs as part of the overall bias strategy, including the existing Not on My Watch program aimed at engaging officers and the community on addressing issues of bias.

Response Date: 4/13/21

Executive Summary:

In fall of 2019, the SFPD Executive Sponsor Working Group (ESWG) on Bias convened to develop a comprehensive strategy for the Department to address bias (**Attachment #1, SFPD Strategic Plan to Minimize Bias**). The group, which consisted of representatives from a wide range of professional affiliations and communities, broke into subgroups based on four identified dimensions of bias. These groups consisted of the following members:

Dimension: Community Perceptions of Police

- Community Member (group co-lead)
- Community Member
- Chaplain, San Francisco Police Department (group co-lead)
- , Deputy Public Defender, City and County of San Francisco
- , President, San Francisco Youth Commission

Dimension: Police Perceptions of the Community



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- Damali Taylor, Vice President, San Francisco Police Commission
- , League of Women Voters
- Teresa Ewins, Commander, San Francisco Police Department (group lead)
- , Deputy Public Defender, City and County of San Francisco
- Rachael Kilshaw, Staff, San Francisco Police Commission

Dimension: Bias Within the Workforce

- Cindy Elias, Member, San Francisco Police Commission
- Steven Betz, Attorney, San Francisco Police Department
- , Policy Director, San Francisco Department of Police
Accountability
- Special Assistant to the Chief of Police, San Francisco Police
Department (group lead)

Dimension: Bias by Proxy

- , League of Women Voters (group lead)
- , San Francisco Bar Association
- , Staff, San Francisco Police Commission

Each subgroup built off prior work revising Departmental policies to build a plan that would lay the foundation for a sustained and institutionalized approach to bias minimization. They considered each of the elements contained within recommendation 25.3 and also touched upon twenty other recommendations when compiling their report. From November 2019 through July 2020, working group members met in person and—following the citywide state of emergency due to COVID-19—remotely to devise and finalize their recommendations. Following each subgroup’s work submission, the Chief of Police reviewed an interim draft and allowed for an additional round of working group feedback specific to the implementation section. The draft was then shared with faculty at the University of San Francisco, who will provide an external assessment of the plan. Following Chief Scott’s final approval, the plan will be shared with the ESWG on Bias and published on the Department’s public web site.

The following feedback was provided by SFPD collaborative partners during a pre-screen call on 4/7/21:

“Cal DOJ and Hillard Heintze thought that this recommendation package looked good. SFPD will publish the strategic plan prior to formally submitting this recommendation and if it cannot to do so, it will provide a timeline for publication.”

This feedback is directly addressed in compliance measure #3.



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Compliance Measures:

1) Develop, in consultation with the relevant stakeholders, a comprehensive strategy to address bias

In November 2019, the Executive Sponsor Working Group on Bias began its work on a strategic plan by developing a mission statement that would help the Department move forward with its bias minimization efforts (Attachment #1, page 6). This mission statement, developed collaboratively with input from a wide variety of relevant stakeholders consisting of community members, advocates, and interagency partners, served as the foundation for what would eventually become the Department’s comprehensive strategy to minimize. At the next meeting, the group developed an outline to structure the work that would follow:

Bias Strategic Plan Outline

Mission Statement / Goals

Sections:

1. Dimensions of Bias

- A. Police perceptions of community
- B. Community perceptions of police
- C. Bias within the SFPD workforce
- D. Bias by Proxy

3. Implementation Plan

- A. How to address dimension A
- B. How to address dimension B
- C. How to address dimension C
- D. How to address dimension D

2. Tools to Build Trust

- A. Training
- B. Outreach/Communication
- C. Community Policing
- D. Best Practices (what are others doing?)
- E. Measure Bias/Data Collection and Analysis
- F. Hiring/Recruitment/Promotion
- G. Bias Investigations
- H. Identifying and reducing the risk of bias in high-discretion of crime-controlled focus activities

4. Conclusions and Way Forward

Next, the group endeavored to define what it meant by the term ‘bias.’ Group members recognized that bias takes many forms and directions and may be transmitted in different ways among various groups of people. After much discussion the group defined four ‘dimensions’ of bias that impacted policing: police perceptions of the community, community perceptions of police, bias within the workforce, and bias by proxy. It was observed that while each of these dimensions interact with each other, the existence of specific dynamics within each dimension demanded separate approaches in the strategic plan.



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A problem-solving orientation guided the group throughout these discussions, and members identified a number of tools that could be used to address bias across the four dimensions. The group determined that each tool deserved its own explanation, while also recognizing that some tools would have more value in addressing bias in one dimension over another. After breaking into subgroups tied to each dimension of bias, each group, guided by a working group lead, discussed how different tools might be applied to their dimension. The subgroups then met separately to develop action plans that would guide the Department's future bias minimization efforts.

Equipped with the knowledge of their respective dimensions and tools that could help minimize bias within them, each subgroup built out recommendations and metrics for assessing success. These discussions resulted in implementation plans containing specific action items that, when taken together, will help the Department build upon current successes and both institutionalize and sustain a commitment to bias minimization.

At each step of this process, subgroups subjected their findings to the review of the larger group. This process of peer review greatly enhanced the content and quality of each subgroup's work, and also ensured that each piece of the report was a truly collaborative product. New strategies, approaches, and ideas that reflected the wide variety of backgrounds that were present in the room emerged from these sessions.

Following each subgroup's final submission of material to Executive Sponsor Teresa Ewins, Department staff compiled inputs into a common narrative before submitting to the Chief of Police for an initial review. The Chief provided input, which staff incorporated into the plan. Next, staff circulated the approved draft with the ESWG on Bias to solicit recommendations. The group provided input via individual recommendation grids, which staff then aggregated into one document. (Attachment #2, working group recommendation and response grid). Working group recommendations were then reviewed by ESWG staff and the Chief of Police. The Chief of Police made final decisions regarding which edits would be incorporated into the final draft, and his decisions and rationales were then reported to the ESWG.

Individual group members contributed to the content produced by their own groups and to the material provided by other groups throughout this process. While the Executive Sponsor and Department staff processed this content for accuracy and feasibility, the ESWG provided final checks to ensure that its intentions were met, and the Chief of Police remained in the loop at critical decision points to ensure that the plan aligned with the Department's



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overall strategic plan. Each working group member, Department member, and the Chief of Police thus share joint responsibility and credit for the product of this collaborative process.

2) Evidence that strategy created a framework for SFPD to:

- be informed by the preliminary action planning that was initiated during the command-level training in Fair and Impartial Policing, which addressed policy, recruitment, and hiring; training; leadership, supervision, and accountability; operations; measurement; and outreach to diverse communities;
- update policies prohibiting biased policing to include specific discipline outcomes for failure to follow policy;
- continue to expand recruitment and hiring from diverse communities (see recommendation 84.2);
- partner with the communities and stakeholders in San Francisco on anti-bias outreach (see recommendation 26.1);
- improve data collection and analysis to facilitate greater knowledge and transparency around policing practices in the SFPD;
- expand its focus on initiatives relating to anti-bias and fully implement existing programs as part of the overall bias strategy, including the existing Not on My Watch program aimed at engaging officers and the community on addressing issues of bias.

Prior to composing the strategic plan, staff provided the ESWG on Bias with the text of recommendation 25.3 to use as a guidepost for their implementation plans. The strategic plan addresses each of the requirements as follows:

- a) *...be informed by the preliminary action planning that was initiated during the command-level training in Fair and Impartial Policing, which addressed policy, recruitment, and hiring; training; leadership, supervision, and accountability; operations; measurement; and outreach to diverse communities;*

As members of the Command Staff, each Executive Sponsor, including Commander Teresa Ewins, participated in the above training. During preliminary discussions, the ESWG identified policy, recruitment, hiring, training, accountability, measurement and outreach as key issues for the plan to address. Having participated in Fair and Impartial Policing Training, Commander Ewins was able to ensure that the group also covered supervisory issues, operational concerns, and leadership. See the following page numbers in Attachment 1 for a sample of information relevant to these items:

- Policy:
 - Page 29 – Recommendation to consider a disengagement policy
 - Page 33 – Recommendation to use data to evaluate effectiveness of policy updates
 - Pages 28 & 35 – Recommendation to review best practices in the course of all bias-related policy updates



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- Page 38 – Recommendation to provide policy guidance for investigations into bias by proxy investigations
- Recruitment & Hiring
 - Pages 16, 17 – Identification of recruitment and hiring as a tool to decrease bias
 - Page 19 - 21 – Police Perceptions of Community recommendations on recruitment and hiring and metrics to evaluate success
 - Page 25 – Community survey results indicating that 66.67% of respondents viewed recruitment and hiring as a "very important" tool for addressing bias
 - Page 27 – Community Perceptions of Police recommendations for recruitment and hiring and metrics for evaluating success
 - Pages 31-33, 35 – Bias within the Workforce recommendations for recruitment and hiring and metrics for evaluating success
- Training
 - Page 14 – Identification of training as a tool to decrease bias
 - Pages 19-20, 21-22 - Police Perceptions of Community recommendations on training/education and metrics to evaluate success
 - Page 25 – Community survey results indicating that 80.56% of respondents viewed training as a "very important" tool for addressing bias
 - Pages 25-26 - Community Perceptions of Police recommendations for training and metrics for evaluating success
 - Pages 30, 34 – Bias within the Workforce recommendations for training
 - Pages 36-38 – Bias by Proxy recommendations for training
- Leadership and Supervision
 - Page 22 – Recommendations to develop supervisorial trainings
 - Page 30 – Additional recommendations focused on supervisorial trainings
 - Page 32 – Recommendations about the use of supervisorial evaluations in the promotional process
 - Page 33 – Recognition of the importance of leadership and supervisors in setting the tone related to zero tolerance of bias
 - Page 38 – Recommendation for supervisor and Command-level review of bias by proxy incidents
- Accountability
 - Page 9 – Recognition that a desire for accountability is a key driver behind public frustration with police treatment of African Americans
 - Page 11 – Recognition that the people of San Francisco viewed police accountability as a key priority when selecting a new Chief of Police in 2016.
 - Page 20 – Recommendation to reaffirm the Department's commitment to public accountability measures such as the "Not on My Watch Pledge"
 - Page 25 – Recommendation related to training for accountability



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- Page 29 – Recommendation calling for increased cooperation with the Department of Police Accountability to find a common understanding of officer disengagement in instances of minor infractions and non-criminal call incidents
- Page 37 – Identification of accountability as a key factor for the Department to consider when developing policies and procedures related to bias by proxy
- Operations
 - Pages 15-16 – Recognition that procedures, not just policies, should incorporate best practices and be to subject of discussion at listening sessions
 - Pages 37-38 – Bias by proxy prioritization scheme created in order to allow for consideration of operational feasibility and timelines required to accomplish each recommendation
 - Page 38 – Recognition of the importance of operational and procedural considerations when developing strategies to counter bias by proxy
- Metrics
 - Page 15 – Identification of metrics as a key tool for countering bias
 - Pages 20-22 – Police Perceptions of Community metrics for evaluating success
 - Pages 26-29– Community Perceptions of Police metrics for evaluating success
 - Pages 33-36 – Bias within the Workforce metrics for evaluating success
 - Pages 37-38 – Bias by proxy metrics for evaluating success

b) *...update policies prohibiting biased policing to include specific discipline outcomes for failure to follow policy;*

Although the foundational policy work related to bias and discipline occurred prior to the composition of this strategic plan (via updates to DGOs 5.17, 11.07, and 5.03 and the Department's Disciplinary Penalty & Referral Guidelines), the group recognized that these updates were a first, not final, step toward improving the Department's reaction to incidents of bias within its ranks. The "Bias within the Workforce" subgroup contemplates this issue on page 33 of the strategic plan:

Bias Investigations: Misconduct investigations and disciplinary action strengthen performance by ensuring that organizational rules and standards of conduct are upheld. Holding staff accountable through disciplinary investigations and action is necessary to provide a highly functioning public service. Administrative investigations and discipline are thus central to creating a workforce that minimizes instances of biased policing.

Recommendations:



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- Compare statistics from the 2016 DOJ-COPS report with current data and determine whether disciplinary actions have continued to be applied unevenly across officer demographic groups, particularly when segmented by race, gender, and sexual orientation.
- Compare data before and after recent bias-related policy updates, such as those made to DGO 5.17; adjust policies as changing circumstances warrant.
- Publicly report the findings from the above two recommendations.
- Take proactive approaches to intervention when Bias is alleged or suspected. SFPD should not simply wait for allegations of biased policing before taking action. Agencies should routinely review incidents for evidence of bias.
- Promptly, seriously, and thoroughly investigate all allegations of bias. This should be done internally or, depending on the nature of the allegations, externally or by a City partner.
- Take appropriate action. When investigations determine that bias misconduct has occurred, SFPD must take appropriate remedial action in the form of disciplinary action up to and including termination. Recent updates to Department General Order 5.17, "Bias-Free Policing," and an ongoing review of the Disciplinary Penalty & Referral Guidelines for Sworn Members that covers instances of biased policing are an important first step in what should become regular reviews policies and disciplinary measures related to bias.

c) *...continue to expand recruitment and hiring from diverse communities (see recommendation 84.2);*

The importance of recruitment and hiring in reducing bias was recognized by each member of the ESWG on bias, not only for increasing diversity but also for screening out recruits that do not share SFPD's values. In addition to the five sections on recruitment and training listed in a) above, the below examples from the Bias in the Workforce subgroup implementation plan (beginning on page 34) deserve specific mention:

- Recommendation to compare demographics of applicants responding to an un-edited job announcement with those of one revised to appeal to a wider audience.
- Recommendation to perform cost-benefit analysis on individual recruitment events, and adjust to focus on those events, locations, and mediums that yield the most diverse applicant pool.
- Recommendation to, over time, develop a granular understanding of referral success rates and offer escalating incentives for officers who establish a successful recruitment track record.
- Recommendation to track the trajectory of all interns sourced from community-based organizations. How many of these interns eventually become employees?



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- Recommendation to consider DOJ-COPS recommendation 81.3 and to track success rates of different demographic groups progressing through each stage of the recruitment cycle.
- Recommendation to conduct a demographic comparison of employees hired in the year prior to implementing recommendations above.

d) *...partner with the communities and stakeholders in San Francisco on anti-bias outreach (see recommendation 26.1);*

The ESWG recognized the essential nature of community input to SFPD anti-bias efforts. It also understood that it would need to break "community engagement" into specific, actionable components for its strategic plan. For example, the group identified interagency coordination and community communications as subcomponent tools of an overall outreach plan. It also differentiated focus groups, listening sessions, surveys, community events, and truth telling / reconciliation efforts as applicable in different ways across all dimensions of bias (see pages 16-17 in Attachment #1). Specific examples of how these tools might be applied include:

- Page 20 – Police Perceptions of Community recommendation to reinvigorate the Chief's Advisory Forum, in line with recommendation 26.1
- Pages 20-22 – Police Perceptions of Community recommendations on community engagement and metrics for assessing success
- Pages 26-27 – Community Perceptions of Police recommendations on community engagement and metrics for assessing success
- Page 29 – Additional discussion about community engagement related to reducing bias in encounters related to minor infractions and non-criminal situations
- Pages 36-39 – Bias by Proxy recommendations on community engagement and metrics for assessing success

e) *...improve data collection and analysis to facilitate greater knowledge and transparency around policing practices in the SFPD;*

The ESWG held in-depth discussions about data collection and analysis. While acknowledging the budgetary and human resource constraints faced by the Department, the group nonetheless recognized that improved data collection and analytic capabilities would be critical to judging the success of bias minimization efforts. Analyzing state, city, and Department-mandated data collection efforts would provide more insight into how bias manifests in a number of daily interactions both internally and with the community (see page 35 for an overview of these collection programs). In addition to underscoring the importance of collecting, managing and analyzing mandated data, the group found many other opportunities to lay the groundwork for future improvements in the strategic plan, including:



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- Page 25 – Community survey results indicating that 51.39% of respondents ranked "Data collection and Analysis" as a "very important" tool for minimizing bias.
- Page 29 – Community Perceptions of Police recommendations with data collection components
- Pages 33-36 – Bias within the Workforce recommendations with data collection components
- Pages 37-38 – Bias by proxy recommendations with data components, which includes augmenting SFPD data with analysis of data from other city agencies.

f) *...expand its focus on initiatives relating to anti-bias and fully implement existing programs as part of the overall bias strategy, including the existing Not on My Watch program aimed at engaging officers and the community on addressing issues of bias.*

The Strategic Plan to Minimize Bias includes 100 recommendations that will help the SFPD address bias across four 'dimensions:' Police Perceptions of Community, Community Perceptions of Police, the workforce, and Bias by Proxy. Recommendations for each dimension are provided in Section III, Implementation Plan (pages 18-40). Noteworthy examples of how the plan lays the ground work for SFPD to expand its focus on anti-bias initiatives and to expand existing programs include:

- Page 20 – Recommendation to reaffirm Departmental commitment to public accountability measures such as the "Not on My Watch Pledge," and to expand them to include professional staff.
- Page 20 – Recommendation to reinvigorate the Chief's Advisory Forum, with an emphasis on providing diverse communities with an outlet to provide input on bias training, policies, and other anti-bias programming
- Page 19 – Recommendations to to encourage community engagement activities as the course of normal work responsibilities.
- Page 19– Recommendation to consider adding a residency bonus to officers who live in San Francisco
- Page 22 – Recommendation to analyze community responses to community engagement events and ensure that anti-bias policies and practices are discussed and disseminated at community events (see also pages 37 and 38 for similar recommendations from the Bias by Proxy subgroup)
- Page 31 – Recommendation to develop a communications strategy that is tailorable to a number of different community types and intersections



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- Pages 37-38 – Recommendation to work with other components of the City and County of San Francisco to develop a city-wide strategy for educating the public about bias by proxy.

In addition to addressing the specific requirements of this compliance measure, the group saw an opportunity to both create a roadmap for future bias minimization efforts at SFPD and to make connections with other CRI recommendations.. The group's final report touched on the following twenty recommendations, all of which are cited in the strategic plan:

- | | | |
|--------|--------|--------|
| • 25.3 | • 27.4 | • 29.2 |
| • 26.1 | • 27.7 | • 30.1 |
| • 26.2 | • 28.1 | • 43.4 |
| • 26.3 | • 28.2 | • 81.3 |
| • 27.1 | • 28.3 | • 85.1 |
| • 27.2 | • 28.4 | • 90.2 |
| • 27.3 | • 28.5 | • 93.1 |

3) Strategy was published internally and externally.

After staff compiled the input from each subgroup, the strategic plan was reviewed by the Chief of Police. Following this review, the ESWG was given the opportunity to provide recommendations to the final draft. The Chief reviewed these recommendations on 12 November, 2020 and then provided the ESWG with guidance for an additional round of feedback. Chief Scott reviewed this feedback (summarized in Attachment #2) in early March 2021 before sending the draft to faculty at the University of San Francisco for external review. Following this review, which should conclude within the next week, the Department will begin preparations for internal and external release of the report while awaiting final approval from the Chief of Police.

Internally, the strategic plan will be distributed via a Department Bulletin that gives context to the document. The Bulletin will be distributed to all members, who will then acknowledge receipt via PowerDMS. In addition to evaluating all of the recommendations contained within the strategic plan (and implementing them whenever possible), the Department will also use the document to inform future agency-wide strategic planning efforts. The plan will also be used to inform training, recruitment strategies, data collection and analysis priorities, and work with community and other City organizations. Internal distribution will take place within two weeks of the plan's final approval.



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Externally, the document will be e-mailed to members of the ESWG on Bias, who will also receive a copy of the recommendation response grid. The plan will then be made available to the public on the Department's web site alongside other materials related to bias minimization. Public release will take place within two weeks of internal release.



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Finding #25: The SFPD's General Orders prohibiting biased policing, discrimination, harassment, and retaliation are outdated and do not reflect current practices surrounding these key areas.

Recommendation #25.3: The SFPD should develop and publish a comprehensive strategy to address bias. The strategy should create a framework for the SFPD to:

- be informed by the preliminary action planning that was initiated during the command level training in Fair and Impartial Policing, which addressed policy, recruitment, and hiring; training; leadership, supervision, and accountability; operations; measurement; and outreach to diverse communities;
- update policies prohibiting biased policing to include specific discipline outcomes for failure to follow policy;
- continue to expand recruitment and hiring from diverse communities (see recommendation 84.2);
- partner with the communities and stakeholders in San Francisco on anti-bias outreach (see recommendation 26.1);
- improve data collection and analysis to facilitate greater knowledge and transparency around policing practices in the SFPD;
- expand its focus on initiatives relating to anti-bias and fully implement existing programs as part of the overall bias strategy, including the existing Not on My Watch program aimed at engaging officers and the community on addressing issues of bias

Response Date: 07/08/2021

ADDENDUM

The SFPD received notification that the review of Recommendation 25.3 was substantially compliant, however Hillard Heintze requested additional information that 25.3 be added to the recommendation.

Hillard Heintze noted: **Prior to forwarding to Cal DOJ for external validation, please review the following explanation of how other recommendations contribute to an overall strategic approach to eliminating or reducing bias. Include these in the Bias Strategic Plan.*

In response to this request for additional information, Hillard Heintze also requested that the below improvements be made to the Bias Strategic Plan. The Bias Strategic Plan was published and made available to the public on June 14th, 2021 through SFPD Department Notice 21-095. Already included in the Bias Strategic Plan were the improvement HH later suggested.



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1. Revising Department General Order 5.01 Use of Force; instituting practices which improve the investigating and tracking of Internal Affairs complaints, including relationships with external partners who are responsible for the investigation of complaints of police officer misconduct that originate from members of the public

DGO 5.01 is discussed on pages 22 and 35 of the Bias Strategic Plan (BSP). This section discusses the addition of improved data collection and supervisory actions in the collection, analysis and reporting of use of force incidents. Included in the BSP (pg 45) is the training grid which shows the new DGO 5.01 training for members which included the training modification to include a portion on "FAIR AND UNBIASED POLICING." On pages 38 and 39 of the BSP, the SFPD provided a grid which shows the relationship between SFPD, the community, the Department of Police Accountability and the Internal Affairs Division, as it related to complaints alleging bias or bias-by-proxy.

2. Increasing transparency relating to officer-involved shooting incidents, including commitment to a Town Hall meeting to advise the public regarding the incident and executing an agreement with an external partner to investigate officer involved shooting incidents.

Efforts for increased transparency in officer-involved shooting (OIS) incidents and Town Hall meetings are discussed in Use of Force Recommendations 13.1 and the 14 and 15 series. OIS incidents are not specifically referenced in the BSP, however the Department has included a recommendation regarding [virtual] Bias by Proxy Town Hall meetings, including interagency partners, on the subject of bias-by-proxy. Various town hall mechanisms are discussed throughout the BSP, as the Department has identified listening as a key tool to use in anti-bias work.

3. Improved operations of the department which include developing a technology strategic plan and improving audit and review practices, partnering with a researcher to examine stop data for evidence of bias and developing strategies to eliminate or reduce biased policing.

Included in the BSP (pg 40) is the Department's continued commitment to data collection and review. "The Department now submits quarterly reports which analyze stop data for patterns that may indicate biases towards specific demographic groups, and provides similar analysis for data related to uses of force." Page 29 of the BSP provides the recommendation that the Department "partner with informed stakeholders from the academic and legal communities to gain broad understanding of bias-reduction tools and techniques."



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4. Revising Department General Orders 5.17 Bias Free Policing and 11.07 Discrimination and Harassment, including educating and training members regarding their duties and responsibilities to prevent or stop the occurrence of incidents of biased policing.

Page 40 of the BSP discusses the revisions to DGO 5.17 and 11.07. Both DGO's were approved by the Police Commission and enacted in to policy. Training for both DGO's, and the compliance for such training, was discussed in Recommendation 25.2. The BSP references the training that is already included within DGO 5.17 on page 37.

5. Issuing policy that advises members of the penalty for engaging in bias incidents and that bias related complaints will be investigated on a priority basis.

Page 34 of the BSP discusses the investigations process for bias-related complaints. The BSP recommends that the Department "promptly, seriously, and thoroughly investigate all allegations of bias. This should be done internally or, depending on the nature of the allegations, externally or by a City partner. [And the Department], take appropriate action. When investigations determine that bias misconduct has occurred, SFPD must take appropriate remedial action in the form of disciplinary action up to and including termination. Recent updates to Department General Order 5.17, "Bias-Free Policing," and an ongoing review of the Disciplinary Penalty & Referral Guidelines for Sworn Members that covers instances of biased policing are an important first step in what should become regular reviews policies and disciplinary measures related to bias."

6. Improved data collection of applicants which has allowed the department to make important changes to practices related to recruitment, background investigation, and field training (see also Recruiting Strategic Plan).

Page 12 of the BSP discusses the Departments efforts to increase data collection on demographics of applicants as they relate to potential bias. However, the Recruiting Strategic Plan is more appropriate to focus on the best practices for recruitment and hiring than the BSP. Page 36 of the BSP also makes reference to Recommendation 81.3 which tracks the success rates of different demographic groups progressing through each stage of the recruitment cycle.

7. Demonstrated a stronger commitment to community engagement by developing a Community Policing Strategic Plan and creating the Community Engagement Division. These changes will assist the department to provide tailored services to aggrieved communities who question the quality of the police services they receive.

Community policing initiatives are discussed throughout the BSP and are identified as a core tool for bias reduction efforts on page 16. The Community Policing Strategic Plan is the main source for a stronger commitment to community engagement. The BSP also identifies multiple



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bias-related recommendations as being the responsibility of the Community Engagement Division. These are further outlined in the Community Policing Strategic Plan.

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