

Recommendation 35.1

GM

Gabriel Martinez [REDACTED]

Fri 4/2/2021 4:58 PM

To:

- Tanya Koshy [REDACTED]
- McGuire, Catherine (POL);
- Scott, William (POL)

+8 others

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Dear Acting Captain Altorfer,

Our office has completed its review of the materials related to Recommendation 35.1 that were submitted to us as part of the collaborative reform process. This package focused on SFPD adopting policies and procedures to accurately collect certain data in accordance with best practices. After reviewing the package and information provided by the Department, the California Department of Justice finds as follows:

Recommendation 35.1: The SFPD should adopt new policies and procedures for collecting traffic and pedestrian stop data, public complaints, and enforcement actions. Information for these events should be recorded accurately.

Response to 35.1: In July of 2018 SFPD implemented the Stop Data Collection System (SDCS), a web-based application to collect stop data. SDCS complies with the required collection data under the Racial and Identity Profiling Act (RIPA). SFPD supported the rollout of SDCS with training and guidance, such as the SDCS Web Application Manual. On May 31, 2018, SFPD issued Department Bulletin 18-105, "Stop Data Collection System Implementation," requiring officers to complete the training and review the guidance. In response to errors discovered during audits, on December 4, 2018, SFPD issued Department Bulletin 18-247, "SDCS Implementation," reminding officers of various data collection requirements. On October 7, 2020, SFPD re-issued Department Bulletin 18-247 as Department Notice 20-141.

The collection and review of stop data have been integrated as part of SFPD's strategic planning. On February 8, 2018, SFPD released its "Department Strategy 1.0." The report identified data collection as a strategic area ("Measure Performance: Focus on Outcomes - collect, store and analyze data to better serve our community and increase

accountability and transparency"). Additionally, the SFPD Business Analyst Team (BAT) analyzes the stop data and provides thorough quarterly reports known as "96A" reports. The 96A reports also include data provided by the Department of Police Accountability (DPA) on the number, type, and disposition of complaints. The 96A reports also include enforcement data from SFPD's Crime Data Warehouse, such as dispositions of stops, arrests, citations, and bookings. Additionally, SFPD has formed a partnership with the Center for Policing Equity to analyze stop data and provide recommended reforms.

SFPD has also worked to align its complaint collection policies and procedures with the Racial and Identity Profiling Advisory (RIPA) Board best practices, such as making complaint data available to the public and having complaint forms in multiple languages. On September 4, 2019, SFPD issued Department Bulletin 19-185, "DPA Complaint Log." The Bulletin established a procedure for creating a Computer Aided Dispatch record of complaints received by officers. The Bulletin also required district stations to record all complaints they receive in a complaint log that is emailed to DPA on a daily basis to ensure that complaints are tracked and that complaint data for reporting is accurate. On December 20, 2017, SFPD issued Department Bulletin 17-255, "Revised SFPD/DPA Complaint Form 293," translating the SFPD/DPA complaint form into additional languages for Limited English Proficiency individuals.

The BAT also conducts a review of the individual SDCS entries to ensure personal identifying information is not entered, and SFPD has begun an annual audit on other data entry fields. The BAT review was codified in Bureau Order 21-01, "Stop Data Collection System – PII Removal & Geocoding Procedures (January 5, 2021). The Order requires the BAT to review SDCS entries on a quarterly basis to remove personal identifying information, geocode, and geo-anonymize geographic locations. The annual audit reviews SDCS data for (1) personal identifying information, (2) failure to enter information in the narrative field, (3) the consistency of narrative fields with the reason for the stop and search, and (4) errors in geocoding.

Cal DOJ had recommended that SFPD institute supervisory review of stop entries—such as having sergeants review a randomized sample of completed stop forms of their officers—as this would provide for timely corrections for errors and aid in sergeants' discussions with their officers regarding the elimination of biased policing and correcting other actions warranting corrective action. This recommendation would also ensure consistent data is produced within all precincts within San Francisco. SFPD has resisted this recommendation out of concern for sergeants' time and has created the above noted alternative auditing approach. While this is not Cal DOJ's preferred approach—it does not provide direct supervisors with additional insights into their officer's day-to-day policing and does not ensure timely corrections or feedback for individual officers that would provide consistent generation of data within SFPD—it is substantially compliant with the recommendation.

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 further. Thank you.

Hillard Heintze File Review Recommendation # 35.1

Finding # 35	The SFPD does not have sufficient systems, tools, or resources needed to integrate and develop the appropriate data required to support a modern, professional police department.
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Recommendation # 35.1 The SFPD should adopt new policies and procedures for collecting traffic and pedestrian stop data, public complaints, and enforcement actions. Information for these events should be recorded accurately.

Recommendation Status	Complete	Partially Complete	In Progress
	Not Started	No Assessment	

Summary

The San Francisco Police Department has articulated its compliance with California Assembly Bill 953 Racial Identity Profiling Act (RIPA) Stop Data Regulations, which mandates procedures for the collection of pedestrian and traffic stop data. The law is informed by best practices in the profession and the Department’s compliance with AB 953 is required by California law. In addition, the City and County of San Francisco Administrative Code section 96A requires the Department to collect and report complaint and traffic data, which includes data from the Department of Police Accountability, to the Police Commission on a quarterly basis. The collection of complaint and traffic enforcement both are informed by best practices and is consistent recommended practices in the profession.

The Department’s Business Analysis Team (BAT) will conduct an audit of SDCS data to determine whether entered data was accurate; externally, a major university will complete analysis of department enforcement data. The Department has committed to the re-education of officers as a corrective measure when deficiencies as a result of audits are found.

Compliance Measures		Status/Measure Met
1	Establish policy for collecting accurate traffic and pedestrian stop data.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2	Establish policy and procedure that is informed by best practices for collecting public complaints data.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3	Establish policy and procedure that is informed by best practices for collecting data on enforcement actions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4	Evidence of continual audit/review/improvement loop.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
5	Evidence of remedial action if deficiencies are found.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Administrative Issues

Compliance Issues



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Finding # 35: The SFPD does not have sufficient systems, tools, or resources needed to integrate and develop the appropriate data required to support a modern, professional police department.

Recommendation # 35.1 The SFPD should adopt new policies and procedures for collecting traffic and pedestrian stop data, public complaints, and enforcement actions. Information for these events should be recorded accurately.

Response Date: August 31, 2020

Executive Summary: In July of 2018 the department implemented the Stop Data Collection System (SDCS) under State Assembly Bill AB953. The SDCS is a web based application developed by the Office of the Attorney General and California Department of Justice. The use of SDCS complies with AB953 which mandates a certain element of data to be collected as defined in appendix F. In addition, the SFPD Business Analyst Team (BAT) monitors and reviews the stop data on an on-going basis to ensure sufficiency and accuracy of the in-pu t data related to stops. Furthermore, the SFPD BAT compiles this data to create an accurate and robust quarterly report, as seen in **Attachment #1: Chapter 96A Q2 2020 Executive Summary**.

In 2016, the Office of Citizens Complaints (OCC), formerly under direct supervision of the San Francisco Police Commission and budgeted under the SFPD budget, was renamed the Department of Police Accountability(DPA). The DPA reports to the Police Commission on a quarterly basis, detailing the number of complaints received that DPA characterizes as allegations of bias based on race or ethnicity, gender or gender identity, as well as the number of each type of dispositions for such cases, as required by Administrative Code Sec 96A. **Attachment #02: San Francisco Administrative Code Chapter 96A**. The data provided by DPA is included in **Attachment#1: Chapter 96A Q2 2020 Executive Summary** and **Attachment #3: Chapter 96A Q2 2020 Report**.

The SFPD continues to use the Business Analyst Team (BAT) to monitor and review the stop data for accuracy on an on-going basis. The BAT team completes what is called a "data cleaning process" when they download stop data from the SDCS. Data cleaning refers to identifying incomplete, incorrect, inaccurate or irrelevant parts of the data and then replacing, modifying, or deleting the dirty or coarse data. For our purposes, this process ensures that data does not reveal Personally Identifiable Information(PII) or exact address data, and is explained in **Attachment #4: SDCS data cleaning process**. The BAT team also completes a quarterly report of the data collected from SDCS, as reflected in **Attachment #1: Chapter 96A Q2 2020 Executive Summary** and **Attachment #3: Chapter 96A Q2 2020 Report**. The attached reports were generated in July of 2020 and they contain summarized and detailed information related to stop data for the of the months of April, May and June



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2020. These reports are also submitted to the Police Commission and are available to the public on its website.

After roll out of the SDCS, some minor deficiencies in entries to the SDCS were discovered by the Business Analysis Team (BAT) at the SFPD Professional Standards Unit.

Attachment #5 Department-wide emails were utilized to communicate corrective action to be taken by members as well as communicate additional training specific to the common deficiencies that were seen after the initial rollout of SDCS. The emails touched on common errors found by the BAT, such as entering personally identifiable information; CAD, incident, or report numbers; exact addresses of occurrence; or information that reveals an investigative technique. Both officers and supervisors benefited from these corrective emails. These **Attachment #5 Department-wide emails** were an efficient and effective way to provide information to members since access to email via department cell phones is available to members 24/7 from anywhere, including in the field.

In the months following the roll-out of the SDCS, the Business Analysis Team continued to notice minor deficiencies in stop data entry in the SDCS. The Department took remedial action by creating formal instruction and updated training in **Attachment # 6: Department Bulletin 18-247: Stop Data Collection System (SDCS) Implementation**, which was distributed to all members five months after the roll-out, on December 4, 2018. **Attachment # 6: Department Bulletin 18-247: Stop Data Collection System (SDCS) Implementation** served to supplement **Attachment #7: Department Bulletin 18-105: Stop Data Collection System (SDCS) Implementation** by further clarifying the proper entry of data for the SDCS. A new Department Bulletin is currently in concurrence that will re-iterate the training information and be distributed on Power DMS, which is accessible to all members on their computers and cell phones.

SFPD officers are required to sign off on Department Bulletins/Department Notice via PowerDMS to ensure compliance. On 08/10/2020 the SFPD implemented the web-based software system PowerDMS as a replacement for HRMS. Power DMS is now used for signing off on all Department Bulletins (DB). Members now have access to Power DMS to search DGOs, DBs/DNs, Manuals, Bureau/Unit Orders, and forms. With Power DMS, members also have easy access to a keyword searchable database. The SFPD distributed training manuals for Power DMS in Department Notice 20-122, including a user guide that provided general instructions for logging in, completing training, signing policies, and navigating through Power DMS. (See **Attachment #8: Department Notice 20-122 Power DMS Live Announcement**, **Attachment #9, Audit Report for Department Bulletin 18-105 from 9/6/18 compared to 5/6/20**, and **Audit Report for Department Bulletin #18-247**).

The aforementioned audit reports show compliance related to bulletin sign off for each listed bulletin. Note that **Attachment #9, Audit Report for Department Bulletin 18-105 from 9/6/18 compared to 5/6/20** shows a significant improvement loop for sign-off and compliance. Sign-off for department bulletin 18-105 went from 322 non-compliant members (87%) in 2018 to just 22 non-compliant members (98%) in 2020.



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The SFPD BAT team also communicates with the California Department of Justice (DOJ) for assistance with use of the SDCS. The SFPD attended a meeting with the California DOJ and RIPA board after the rollout of the SDCS, in November of 2018. This meeting included the Race and Identity Profiling Act (RIPA) board, and discussed the SDCS rollout and issues related to the rollout of this system. While attending this meeting, the SFPD was able to share information as well as learn more about the SDCS in order to better train members in the field. **Attachment #10: RIPA meeting report** provides a summary of the meeting, including a discussion of the error rate around personal identification entry, which is being addressed through after-entry data cleaning and training officers on properly enter the information prior to their use of the SDCS.

Compliance Measures:

1) Establish policy for collecting accurate traffic and pedestrian stop data.

At the time of the original submission for CRI Recommendation 35.1, dated November of 2016, the department had transitioned from the E585 data collection system to the E-Stop system. The E-Stop system provided a collection of data related to all stops by SFPD members involving motorists, bicycles and pedestrians. With the implementation of E-Stop, the E585 system was no longer used as a means for collection. This transition occurred when the City and County of San Francisco passed an ordinance establishing **Attachment #2 Administrative Code Sec. 96A, Law Enforcement Reporting Requirements**. The introduction of this legislation in January 2017 by, then Supervisor, Malia Cohen, involved a collaboration with the Supervisor and the SFPD which resulted in the implementation of the E-STOP system. The State of California then introduced AB953, Racial Identity Profiling Act, for stop data concurrent to SFPD's E-Stop data collection. For the full text document on this law, see **Attachment #11: AB953, Racial Identity Profiling Act (RIPA) Stop Data Regulations**.

On July 1st, 2018, the SFPD implemented a new system, the Stop Data Collection System (SDCS) which complies with AB953. The SDCS entry is completed for all stops, including but not limited to pedestrian, bicycle and vehicle stops. Furthermore, members are required to enter all stop data into the SDCS prior to the end of their shift. Department-wide training for the SDCS was distributed in **Attachment #7: Department Bulletin 18-105; Stop Data Collection System (SDCS) Implementation on May 31, 2018**.

Attachment #7: Department Bulletin 18-105; Stop Data Collection System (SDCS) Implementation included an additional training packet with **Attachment #12: The Stop Data Collection Form**, **Attachment #13: SDCS Web Application Manual**, **Attachment #5: SDCS data entry tips**, and the aforementioned **Attachment #11: AB953, RIPA Stop Data Regulations**. Per **Attachment #7: Department Bulletin 18-105; Stop Data Collection System (SDCS) Implementation**, members were to become familiar with the training materials in **Attachment #12: The Stop Data Collection Form #2000**, **Attachment #13:**



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SDCS Web Application Manual, Attachment #5: SDCS data entry tips and Attachment #11: AB953, RIPA Stop Data Regulations no later than June 30th, 2018.

2) Establish policy and procedure that is informed by best practices for collecting public complaints data.

In December of 2017, the department updated SFPD/DPA Complaint form 293 to not only reflect the name change from OCC to DPA but the form was also translated into additional languages to meet the needs of Limited English Proficiency(LEP) speakers. Attachment #14: DB 17-255 Revised SFPD/DPA Complaint Form 293. In September of 2019, the department issued Attachment #15: DB 19-185 DPA Complaint Log establishing procedures for creating a Computer Aided Dispatch(CAD) record of complaints received by officers and requiring that all complaints received at district stations are recorded in a complaint log. The complaint log is emailed to DPA on a daily basis. In compliance with San Francisco Administrative Code 96A, DPA forwards complaint data quarterly to the department. The data provided includes the number of complaints that allege bias, as well as the case closure and disposition status on cases from prior reporting periods. The data includes whether the complaint was on the basis of race, gender, or both race and gender. The data is published quarterly, by the department, in the Attachment #3 Chapter 96A Q2 2020 Report, which is available to the public through the department's website, and the data is also presented at the Police Commission, further ensuring transparency.

In addition to public complaints of bias, the department reports bias-related complaints received by the department and forward to the Department of Human Resources(DHR). These bias related complaints are referred to as Employment Equal Opportunity (EEO) cases by DHR. Data regarding complaints received and case closure and disposition data is reported in Attachment #3: Chapter 96A Q2 2020 Report.

Current complaint collection policies and procedures align with best practices published by the Racial and Identity Profiling Advisory (RIPA) Board in its Attachment# 16: 2019 RIPA Report Best Practices.

3) Establish policy and procedure that is informed by best practices for collecting data on enforcement actions.

With the evolution of stop data collection from E585 to SDCS, the department moved to collection of data for all stops: motor vehicle, pedestrian, and bicycle. This change expanded the amount of enforcement data we were collecting, ensuring not only compliance with this CRI, but also with the following additional CRI's:

- 34.1
- 34.2
- 34.3



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As part of the department's compliance with San Francisco Administrative Code 96A, the department includes enforcement data in its Attachment #1: Chapter 96A Q2 2020 Executive Summary and Attachment #3: Chapter 96A Q2 2020 Report. Attachment #3: Chapter 96A Q2 2020 Report includes data on the dispositions of all vehicle, bicycle and pedestrian stops entered in the SDCS. Arrest data for the report is obtained from Crime Data Warehouse, and includes data on all arrests including citation and booking.

Current department policies and procedures have been informed by best practices communicated by the Racial and Identity Profiling Advisory (RIPA) Board in its Attachment #17: RIPA Board 2018 Annual Report.

4) Establish audit/review/improvement loop.

An ongoing review by the SFPD BAT Team in the way that SDCS data was entered revealed some consistent issues and created the need for an improvement loop. Therefore, SFPD members received an update on Attachment #7: Department Bulletin # 18-105: Stop Data Collection System (SDCS) Implementation, by issuance of Attachment #6: Department Bulletin #18-247 Stop Data Collection System (SDCS) Implementation. This subsequent bulletin clarified the use of the SDCS. The SFPD continues monitor SDCS entry and train new members at the academy on the proper entry of data into the SDCS.

The SFPD Business Analyst Team (BAT) reviews SDCS entries and completes a data cleaning process prior to summarizing said data in quarterly reports, such as Attachment #3: Chapter 96A Q2 2020 Report. This data cleaning was in response to incorrect entry of Personal Identifiable Information, or PII. The BAT team discovered that exact addresses were being entered vs. the nearest intersection. The updated training in Attachment #6: Department Bulletin #18-247 Stop Data Collection System (SDCS) Implementation, in addition to the data cleaning process (as described in Attachment #4: Data Cleaning Process) created a significant improvement loop in ensuring sufficient and accurate data collection.

Immediately after roll out of the SDCS, some deficiencies in entries to the SDCS were discovered by the SFPD, as described in Attachment #5 Department Wide Emails. As an improvement loop for this, emails were sent to all members describing corrective measures for entering data in the SDCS, and reminding members of available resources and training materials available on the department intranet. Those resources have since been migrated to PowerDMS, which was rolled out as part of CRI recommendations 76.1 and 76.2. When the SDCS was first rolled out, it was only available on the department desktop computers. Shortly after rollout, however, a significant improvement loop was accomplished when the SFPD included the SDCS on department issued cell phones. This additional access point for SDCS was communicated to members through Attachment #5 Department Wide Emails. This improvement allowed data entry for the SDCS on the member's work cell phones as an



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app, while in the field via the MDT or on station computers for ease of access and submission of data prior to the end of a members shift.

To ensure accuracy in data collection, the BAT team has the ability to audit training records to make sure members are up to date on SDCS related policy and training. Attachment #9, Audit Report for Department Bulletin 18-105: Stop Data Collection System (SDCS) Implementation from 9/6/18 compared to 5/6/20 shows a significant improvement in the percentage of members who were trained on the SDCS. Sign-off for department bulletin 18-105 went from 87% in 2018 to 98% in 2020.

As part of the departments audit/review/improvement loop, the department conducted an audit of SDCS data, Attachment #18: Stop Data Collection System Inspection Report. This audit will be conducted on an annual basis as part of a continual audit/review/improvement loop.

This audit focused on review of the following SDCS fields:

- 1) Whether officers entered the subject's PII in the narrative portions of SDCS
- 2) Whether officers entered the identity of any officer, CAD number, citation number, incident number, or confidential investigative technique or source
- 3) Whether the descriptions entered by the officers in the narrative fields were consistent with the identified reason for the stop and/or search
- 4) Whether officers entered the correct format for the location of the stop

The following are the findings of that audit:

Finding #1 – 100% compliance. No PII information was identified from the 94 SDCS samples examined.

Finding #2 – 100% compliance. No unique identifying information was identified from the 94 SDCS samples examined.

Finding #3 – 96% compliance. Of the 94 SDCS samples examined, SIU found that 96% or 93/96 were consistent. Consistency occurs when information in the open narrative field are consistent with identifiers chosen for the reason for stop and/or search.

Finding #4 – 75% compliance. Of the 94 SDCS samples examined, SIU found that 75% or 75/94 followed the proper location format, however, 25% or 19/94 entries failed to apply the same location format

Remedial action was taken to resolve these issues through the issuance of Attachment #19: Department Bulletin 20-141: Stop Data Collection System on 10/07/2020, which addressed deficiencies uncovered by the audit, and provided remedial training to correct those deficiencies.



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5) Evidence of remedial action if deficiencies are found.

The most significant remedial action by the SFPD regarding this recommendation was the transition from the E585 data collection system to the E-Stop system and finally to the Stop Data Collection System (SDCS) which complies with AB953: Racial Identity Profiling Act. For the full text document on this law, see [Attachment #11: AB953, Racial Identity Profiling Act \(RIPA\) Stop Data Regulations](#). The SDCS entry is completed for all stops, including but not limited to pedestrian, bicycle and vehicle stops. Prior to the move to SDCS, stop data was only collected for vehicle stops, and the move to SDCS corrected that deficiency. Furthermore, members are required to enter all stop data into the SDCS prior to the end of their shift.

When the SFPD was informed by the SFPD Business Analyst Team (BAT) and the California Department of Justice (DOJ) of deficiencies and errors found in the SDCS entries by members, additional supportive and remedial actions were taken. Training occurred via the issuance of [Attachment #6: Department Bulletin # 18-247: Stop Data Collection System \(SDCS\) Implementation](#), which served to supplement and clarify proper data in-put protocol, which was initially summarized in [Attachment # 7: Department Bulletin #18-105: Stop Data Collection System \(SDCS\) Implementation](#).

After members were retrained, as discussed above, the SFPD BAT team was able to correct prior entry errors by cleaning the data, as shown in [Attachment #4: SDCS data cleaning process](#). The BAT Team downloads the SDCS stop data and corrects the PII entry errors by geographic re-coding to the nearest intersection when address information is entered as an exact location.

As shown in the [Attachment #5 Department emails](#), it is also noted that when the SDCS was first rolled out, it was only available on the department desktop computers. Shortly after rollout, however, remedial action was accomplished when the SFPD included the SDCS on department issued cell phones. This action supported members with the ease of access and submission of data prior to the end of a members shift.

In October of 2020, further deficiencies were identified through an internal audit of SDCS data, [Attachment #18: Stop Data Collection System Inspection Report](#). Remedial action was taken to resolve these issues through the issuance of [Attachment #19: Department Bulletin 20-141](#) on 10/07/2020, which addressed deficiencies uncovered by the audit, and provided remedial training to correct those deficiencies.

Finally, as a key supportive and remedial action for all data related to SDCS entries, the SFPD entered into a Research Agreement with an external independent outside agency, CUNY-John Jay. The [Attachment #20: CUNY-John Jay Research Agreement](#) outlines the scope of the work.



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- Section 2iii of the research agreement states John Jay-CUNY will complete: “Analysis on SFPD data involving pedestrian and vehicle stops, use of force, and complaints using current data collection practices.”

As a neutral third party, CUNY-John Jay serves to document the ongoing review and analysis of data to ensure sufficiency and accuracy of data collection.

UPDATE 1.5.2020:

After completion of this recommendation, the SFPD Business Analysis Team (BAT) formalized the process of data cleaning for SDCS stop data with the issuance of a Bureau Order. This Bureau Order described how the BAT team is able to correct PII data entry errors through a process of data cleaning involving geographic re-coding to the nearest intersection when address information is entered incorrectly. (See Attachment #21: Unit Order for SDCS PII Removal & Geocoding Procedures).