

## Recommendation 72.1

Tanya Koshy [REDACTED]

Wed 10/23/2019 11:16 AM

[REDACTED]

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Dear Acting Captain Dorantes:

Our office has completed its review of the Recommendation 72.1 package that SFPD submitted as part of the collaborative reform process. Recommendation 72.1 is that SFPD should present all Department Bulletins that substantively change or countermand a Department General Order (DGO) to the Police Commission before implementation and publish them on their website after approval is received.

After reviewing the package and information provided by SFPD, the California Department of Justice finds as follows:

Response to 72.1 package: While the package of materials does not demonstrate that SFPD formally presents Department Bulletins that change or countermand a DGO to the Police Commission, Cal DOJ nonetheless finds that SFPD is in substantial compliance with this Recommendation. Under DGO 3.01.06(D), where a Department Bulletin modifies a DGO, the Written Directives Unit will identify the specific section in the DGO that requires amendment and will submit the amendment to the DGO itself to the Police Commission for approval. The related Department Bulletin will not go into effect until the Police Commission approves the amendment to the DGO. The Written Directives Unit is also responsible for ongoing review of Department Bulletins, which expire after 2 years, to see if they need to be incorporated into an existing DGO or require the drafting of a new DGO. Additionally, though not codified in DGO 3.01, it appears that in practice SFPD also presents the underlying Department Bulletin that amends a DGO to the Police Commission. Indeed, SFPD notes on its website that “[w] henever a Department Bulletin supplements or amends a substantive provision of a Department General Order, within two weeks of its issuance, the Department Bulletin and the Department General Order shall be calendared before the Police Commission for discussion and approval.”

The process SFPD has developed, and described above, is in line with the intent behind Recommendation 72.1. That is, it is reasonable for SFPD to seek approval of an amendment to a DGO to be consistent with the Department Bulletin that modifies it, and then to have the Department Bulletin issue only when the DGO amendment is approved by the Police Commission.

Finally, SFPD puts its Department Bulletins on its website and they are readily accessible to the public.

Based on the above, Cal DOJ finds that SFPD is substantially compliant with this Recommendation.

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

Tanya

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|------------------------------|---|
| <b>Finding # 72</b>          | <b>Department Bulletins are used as a workaround for the Department General Order approval process.</b>   |
| <b>Recommendation # 72.1</b> | The SFPD should present all Department Bulletins that substantively change or countermand a Department General Order to the Police Commission before implementation and publish them on their website after approval is received. |

|                              |                    |                           |                    |
|------------------------------|--------------------|---------------------------|--------------------|
| <b>Recommendation Status</b> | <b>Complete</b>    | <b>Partially Complete</b> | <b>In Progress</b> |
|                              | <b>Not Started</b> | <b>No Assessment</b>      |                    |

**Summary**

The enactment of DGO 3.01 establishes the process by which the DB will be processed through the Police Commission which supports Compliance Measure 1. Evidence of Compliance Measure 2 has been supplied and verified by the reviewer. See, <https://www.sanfranciscopolice.org/your-sfpd/policies/department-bulletins>.

| Compliance Measures |  | Status/Measure Met   |
|---------------------|--|--|
| <b>1</b>            | Concurrent with the recommendations in Finding 70, establish a nimble process for the introduction of planned Department Bulletins to the Police Commission. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| <b>2</b>            | Publish Department Bulletins on the SFPD website to support transparency in practices.   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |

**Administrative Issues**

This too would benefit from a tracking matrix.

**Compliance Issues**



## Collaborative Reform Completion Memorandum

**Finding # 72: Department Bulletins are used as a workaround for the Department General Order approval process.**

**Recommendation # 72.1:** The SFPD should present all Department Bulletins that substantively change or countermand a Department General Order to the Police Commission before implementation and publish them on their website after approval is received.

**Response Date: 8/09/2019**

**Executive Summary:** The mechanism by which this recommendation meets compliance is through the implantation of Department General Order 3.01- Written Communications. The process for updating is time consuming and inefficient. As such, it was proposed through recommendation 70.1 that we change the manner by which we update DGO's such that this can be accomplished through a General Change order that is calendared with the Police Commission as an action item thus substantially improving our workflow and the ability of the Police Commission to quickly and efficiently make decisions on these issues.

### **Compliance Measures:**

- 1) **Concurrent with the recommendations in Finding 70, establish a nimble process for the introduction of planned Department Bulletins to the Police Commission.**
  - When a Bulletin modifies a General Order, the Written Directives Unit will identify the specific section of the General Order that requires amendment. Within (15) fifteen calendar days, the Department will submit the amendment to the Police Commission through a General Order Change form (SFPD 581) for concurrence, as outlined in 3.01.10, and final adoption. The General Order Change form will identify the specific section of the General Order the proposed Department Bulletin will amend. Before the Department calendars the amendment with the Police Commission, the Written Directives Unit will notify and provide the General Order Change form to the Department of Police Accountability. Draft bulletin(s) developed pursuant to this section shall not be issued by the Department until adopted by the Police Commission. The Written Directives Unit shall be responsible for the ongoing review of all bulletins and notices. Bulletins shall either expire after two years or be incorporated into an existing or new General Order as outlined in 3.01.06(D). Bulletins shall expire two years after their date of issuance and will not be renewed.



## Collaborative Reform Completion Memorandum

**2) Publish Department Bulletins on the SFPD website to support transparency in practices.**

- The SFPD currently publish department bulletins on its website (see screen shot attached). The Written Directives Unit along with the SFPD Webmaster are committed and will continue to publish department bulletins on the SFPD website to support transparency.