

Recommendation 92.2

Gabriel Martinez [REDACTED]

Mon 5/11/2020 10:56 AM

To: Bailey, Una (POL) [REDACTED]

Cc: McGuire, Catherine (POL) [REDACTED] Scott, William (POL) [REDACTED]
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Dear Captain Bailey,

Our office has completed its review of the materials related to Recommendation 92.2 that have been submitted to us as part of the collaborative reform process. This package focused on requiring SFPD personnel to read the Final Report of the President's Task Force on 21st Century Policing (DOJ Final Report) for all promotions. After reviewing the package and information provided by the Department, the California Department of Justice finds as follows:

Recommendation 92.2: The SFPD needs to require [the DOJ Final Report] as reading for all promotions.

Response to 92.2: On December 27, 2016, SFPD issued Department Bulletin 16-216, "Mandatory Reading Revised." The bulletin required all Department members to read and have working knowledge of both the DOJ Final Report and the Collaborative Reform Initiative assessment of San Francisco (CRI report). The Bulletin was re-issued on June 25, 2019 as Department Bulletin 19-135, "Mandatory Reading Reminder." Department members are mandated to electronically acknowledge having read the required materials.

San Francisco's Department of Human Resources (DHR) Public Safety Team creates and administers SFPD's promotional exams. Separating SFPD from the exams is intended to minimize potential bias in the testing process. However, SFPD provides DHR with subject matter experts and has channels to communicate with DHR. SFPD has ensured that its subject matter experts are well versed in the Final Report and many are actively working on the collaborative reform initiative recommended reforms. SFPD has had numerous communications and meetings with DHR advocating for the the inclusion of 21st Century Policing concepts from the DOJ Final Report in promotional testing.

DHR is unable to provide the specific exam questions based on the DOJ Final Report due to the confidentiality of the tests. However, DHR responded to SFPD with a memorandum explaining that its exams include testing on knowledge of the DOJ Final Report for all promotions to sergeant, lieutenant, and captain. DHR added that the promotional exams also include assessing officers' application of CRI report principles through job task simulation, such as tactical exercises and situational judgement scenarios. Additionally, the 2019 promotional announcement included the DOJ Final Report on the reading list (meaning that questions on the exams will be based on the report) and

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the 2020 promotional announcements are also expected to have the DOJ Final Report on the reading list.

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. Thank you.

[REDACTED]
[REDACTED]
[REDACTED]

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Finding #92 The SFPD does not require the Final Report of the President's Task Force on 21st Century Policing as required reading for the promotional exam.

Recommendation # 92.2 The SFPD needs to require this assessment report as reading for all promotions.

RFI Response Date: 4/1/20

Executive Summary:

Executive Summary: The San Francisco Police Department is committed to establishing the knowledge and understanding of the Department of Justice Collaborative Reform Initiative (DOJ CRI) report and the President's Task Force on 21st Century Policing Report as necessary components of all promotional exams. Department Bulletin 16-216 issued on December 27, 2016 required all Department members to read the DOJ CRI Assessment as well as the President's Task Force on 21st Century Policing Report.

This Department Bulletin was re-issued again 06/25/19 DB 19-135 requiring all Department members to read the DOJ CRI assessment as well as the President's Task Force on 21st Century Policing Report (see attachment#1 copies of DB 16-216 and 19-135). Department members are mandated to electronically acknowledge the required and recommended reading materials (see attachment # 2 DB 19-70 & DB15-141).

Further, the Department has prioritized the DOJ CRI and the President's Task Force on 21st Century Policing Report by advocating with the City's Department of Human Resources (DHR) to incorporate the assessment report reform goals into the promotional testing process. The Department has minimal direct input into the police promotional exams, which are created and administered by the DHR Public Safety Team and their contracted consultant(s). This process was adopted, in part, to eliminate or minimize potential bias from the testing process by using an independent party and focusing on essential and core job functions.

The SFPD members with direct input in the creation of these exams is a small group (usually 8-10 members) of sworn members, who serve as subject matter experts (SME's). The SMEs for each test are assigned to participate in a series of meetings with the DHR Public Safety Team to provide input and feedback about the essential job functions of the position to be tested. (see attachment #3 DB 19-170 -exam announcement, DB 19-190 SMEs for Lieutenant exam, DB 20-005 SME's for the Sergeant's exam, DB20-031- SMEs for Captain's exam). Since these members have direct input into the development of a promotional exam, the Department ensures the SMEs chosen have a strong understanding of the issues and challenges facing the Department as described in the DOJ CRI. SMEs with a strong working knowledge of the DOJ CRI assessment can directly present these concepts as core knowledge and as a Department priority for consideration in promotional exams. Many of the SMEs chosen have been directly involved in the DOJ CRI either as project managers, finding managers, or as



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members of the Professional Standards & Principled Policing Unit who are responsible for overseeing the CRI project. All SMES sign a confidentiality form prior to participating in the process.

The Department did request that the DHR Public Safety Team take into consideration the tenets in the DOJ CRI assessment and the Presidents Task Force on 21st Century Policing Report, without directly interfering with the promotional testing process.

The Commanding Officer of the Staff Services Division, Captain Paul Yep, requested input from DHR on how to incorporate the concepts of the DOJ CRI into the promotional process including leadership, accountability and professionalism (see attachment #4 email from Captain Paul Yep #95 to Jen Lo, Senior Human Resource Analyst (DHR), dated on September 13, 2019).

Captain Paul Yep subsequently spoke with Jen Lo, who acknowledged that DHR was already familiar with the DOJ CRI report and this request has already been taken into consideration since 2017. She stated many of the DOJ CRI concepts had already been incorporated in the promotional exams including the 2017 Lieutenant promotional examination.

On 08/09/19 the Department issued a Department Bulletin announcing a tentative schedule for Q-50, Q60 and Q80 Promotional Exams (see attachment #5 DB 19-170)

On October 2nd 2019 the Quarterly SFPD/DHR Hiring Meeting (an on-going, regular, and institutionalized meeting) was held and the incorporation of the DOJ CRI as a testing measure was an agenda item for this meeting as evidenced by meeting minutes (attachment#6 highlighted section). In addition there have been meetings between SFPD Administration Command and the DHR Public Safety Team to prioritize the DOJ CRI report into promotional exams. As a result of these meetings DHR has included policing principles from 21st Century Policing and the Collaborative Reform Initiative in all SFPD promotional exams as evidenced by attachment # 7 DHR Document where Manager Dave Johnson confirms that 21st Century Policing principles and Collaborative Reform Initiatives have been and are "being measured in assessment center type exercises" for all three promotional ranks.

The 2019 Lieutenant promotional examination has also included DOJ CRI concepts as evidenced by attachment #8 Lieutenant promotional examination Preparation guide pg. 24 where the reading list includes "the Final report of the President's Task Force on 21st Century Policing, collaborative Reform initiative- An assessment of the San Francisco Police Department".

There are numerous examples of the DOJ CRI concepts regarding leadership, accountability and professionalism" highlighted in the Lieutenant promotional examination job announcement. The 'Abilities" section (pg. 17-20) of this announcement included substantial and comprehensive categories such as Leadership, Personal Maturity and Judgement, Supervision, Analysis and



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2) Evidence of requirements included in promotional announcements.

In 2019 we had one promotional exam the Q60 Lieutenant's exam where the reading list included "the Final report of the President's Task Force on 21st Century Policing, collaborative Reform initiative- An assessment of the San Francisco Police Department" (See attachment #8 2019 Lieutenant promotional examination Preparation Guide pg. 24). A Q50 Sergeant promotional exam is scheduled for 2020 and the preparation guide for this exam also includes the President's Task Force on 21st Century Policing and the Department of Justice SFPD Collaborative Reform Initiative as reading materials upon which the multiple choice questions will be based (See attachment# 9 pg. 8 and 10 highlighted sections). The Q80 Captains Promotional exam is also scheduled for 2020 however the preparation guide has not been released. Based on the document provided by Manager Dave Johnson that test will also have both the President's Task Force on 21st Century Policing and the Department of Justice SFPD Collaborative Reform Initiative included in the Q80 Captains Preparation Guide (attachment # 7 DHR Document). In this document Manager Dave Johnson confirms that 21st Century Policing principles and Collaborative Reform Initiatives have been and are "being measured in assessment center type exercises" for all three promotional ranks.

3) Evidence of assessment report question(s) included in promotional exams.

DHR has included policing principles from 21st Century Policing in all SFPD promotional exams as evidenced by attachment # 7 DHR Document where Manager Dave Johnson confirms that 21st Century Policing principles and Collaborative Reform Initiatives have been and are "being measured in assessment center type exercises" for all three promotional ranks.

This inclusion was as a result of numerous discussions with the department leaders at different levels.