



## **Joint Response to Public Comment Pursuant to DGO 3.01.04 (D)**

### **DGO 5.25 Foot Pursuits**

August 24, 2023

SFPD Department General Order (DGO) 3.01 requires that all policies under development be posted publicly to provide members of the public thirty (30) business days to submit policy recommendations.

Pursuant to DGO 3.01.04 (D), the Department and the Department of Police Accountability (DPA) jointly prepare a public response, which shall be posted on the Department's website, outlining the recommendations included and not included in the DGO draft submitted to the Police Commission.

Joint responses are captured in the following recommendation grid which captures the original recommendation, whether the recommendation was included or not included in the draft DGO, and the SFPD/DPA joint explanation relating to the decision to include or not include the recommendation into the draft DGO.

The Department reserves the right to remove or not respond to comments if they are:

- Unrelated to the subject of the DGO
- Include private personal information (whether the commenter's or someone else's), including home address, home or cell phone number, personal e-mail address, or personal identification.
- Include profanity or obscene language.

The Department received ten (10) recommendations for DGO 5.25 Foot Pursuits from the public and reached a consensus with the DPA on each of the ten responses.

The Department and DPA extend gratitude to all who took the time to contribute recommendations to this policy.

DO 5.25 Foot Pursuits- Public Comment Joint Responses

#	Public Comment	Date Received	Joint response	Explanation
R1	"Any changes to SFPD policy regarding foot pursuits should focus on the need to apprehend and arrest suspects, rather than call off the pursuit for other reasons. Letting suspects go free if they attempt to flee is just not acceptable."	4/10/23	Recommendation will not be included in Draft DGO	This policy does not permit officers to let suspects go free if they attempt to flee. Rather, it requires officers to balance the need to apprehend the suspect with officer and public safety.
R2	"Ego is too restrictive for the officer. I.e.. Just transmit while running then repeat I go if not heard Cleo. Why even bother then."	4/10/23	Recommendation will not be included in Draft DGO	Thank you for your comment. Unfortunately, the Department and DPA are unable to interpret this comment in order to respond substantively.
R3	"DO YOUR JOB."	4/15/23	Recommendation will not be included in Draft DGO	This comment is too broad to incorporate as direct feedback relating to this specific policy.
R4	"Where is it covered when the police are chasing a person on a bike or skateboard. Are the considered a person or vehicle? Depending on the answer the policy would need to reflect it."	4/19/23	Recommendation will not be included in Draft DGO	This foot pursuit policy applies when an officer is on foot. The suspect's mode of transportation is not relevant for purposes of deciding whether the foot pursuit policy applies.
R5	"I'm an SFPD Sgt. There's a lot of good stuff here that was written by intelligent people, which is not always the case with our DGOs. My fear is that there is not enough grey area here that it will be used to burn good cops if a foot pursuit goes wrong."	4/19/23	Recommendation will not be included in Draft DGO	The purpose of this policy is to emphasize tactic guidelines rather than create rigid rules that will not allow for flexibility during dynamic, rapidly evolving encounters. The DPA and SFPD do not anticipate that this policy will be used for discipline so long as the pursuing officers' decisions are reasonable under the totality of circumstances.
R6	"'Initiating or continuing a foot pursuit is a decision that an officer must make quickly under unpredictable and dynamic circumstances', yet you expect an officer to remember to Code 33 (Emergency – clear channel); Unit identifier; Location and d."	4/19/23	Recommendation will not be included in Draft DGO	Communication is a critical component in the coordination of efforts to apprehend a fleeing suspect (on foot or in a vehicle). The foot pursuit policy, like DO 5.05 Vehicle Pursuits, provides bullet points of important information for officers to broadcast, <i>when feasible</i> . It is consistent with best practices and current training.
R7	"THIS DGO IS RIDICULOUS. IT'S CLEAR THE WRITERS HAVE NEVER BEEN IN A FOOT PURSUIT NOR HAVE THEY ASKED ANY CURRENT PATROL OFFICERS FOR INPUT. AT THIS POINT YOU MAY AS WELL TELL US TO ONLY ARREST PEOPLE WHO ARE WILLING TO BE ARRESTED WITHOUT INCIDENT."	4/20/23	Recommendation will not be included in Draft DGO	The SFPD FTFO Unit, who helped draft this DGO, has been involved in many foot pursuits. The policy describes tactics but does not limit an officer's ability to arrest a fleeing suspect so long as the officer's decision to pursue is reasonable.
R8	"This DGO provides no further authority or restrictions regarding foot pursuits and is merely an excuse for the Police Commission to remain relevant by putting useless words together in a document. It literally just repeats what we already know and do."	4/27/23	Recommendation will not be included in Draft DGO	This DGO was drafted by SFPD and DPA. The Police Commission was not included in the drafting process. The DGO codifies processes so all officers, including officers not as familiar with these principles and tactics, can have consistent guidance.
R9	"This policy is unneeded and unwarranted. Trying to prescribe everything an officer does when split seconds count, is unnecessary and overreaching. This will embolden criminals and lead to de-policing. This policy should be scrapped as it makes us all unsafe."	5/12/23	Recommendation will not be included in Draft DGO	This policy describes the appropriate tactics for foot pursuits so that incidents can safely conclude by attempting to mitigate harm to officers, the suspect, and the public. The policy outlines steps prior to foot pursuits so that when a split-second decision must be made, the officer(s) can do so with minimal distractions.
R10	"I do not understand the need for this policy and I believe the department's time and energy could be better spent on another DGO."	5/18/23	Recommendation will not be included in Draft DGO	We believe this policy is necessary because it describes sound tactics and important safety considerations.