

March 13, 2018

Mayor Mark Farrell
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
Sent via email: Mark.Farrell@sfgov.org

Mayor Farrell:

We are writing to follow up on our letter dated February 7, 2018, regarding the #NoJusticeNoDeal campaign and the ongoing negotiations over a new police contract between the City and County of San Francisco and the San Francisco Police Officers Association (POA).

We appreciate the time that your Senior Advisor, Diana Oliva-Aroche, and Department of Human Resources Director Micki Callahan took to meet with campaign representatives on February 22. It was an informative meeting and we are now prioritizing what was the second demand in our February 7 letter, urging a provision in the new MOU ensuring that the POA will not invoke—or claim the right of—meet-and-confer or interest arbitration regarding any policy enacted or issued to implement the US DOJ COPS recommendations.

Every major city official and stakeholder has welcomed and promised to implement the US DOJ COPS recommendations, including the late Mayor Edwin Lee, Police Chief William Scott, and the Police Commission. Police and community leaders have devoted vast amounts of time and resources to implement these recommendations.

POA leadership claims that they support these reforms. But given the POA's actions contradicting the US DOJ COPS recommendations—including litigating the use-of-force policy and putting a TASER measure on the ballot, thereby subverting the Police Commission's process and authority—the city must ask the POA to explicitly commit to support for the recommendations in the new police contract. The POA has consistently used labor law (and claimed labor rights they don't have) to undermine public safety by blocking, weakening, or delaying common-sense policies that would make San Francisco safer. We can't let that happen with the US DOJ COPS reforms.

We are also concerned that decisions you've made during your short tenure as Mayor demonstrate that you care more about your relationship with the POA than critically-needed police reform or community priorities. For instance, we are appalled by your endorsement of the POA's TASER ballot measure. As you know, SFPD Chief Scott opposes the measure and listed its critical weaknesses in his departmental analysis. Significantly, he called the ballot measure "the antithesis of the spirit of many of the US DOJ COPS recommendations." The TASER ballot initiative also enshrines a policy in the city charter that directly contradicts de-escalation, a

centerpiece of the US DOJ COPS report. Therefore, your subsequent support for the measure amounts to a rejection of the US DOJ COPS recommendations.

Finally, we are concerned about your retention of Nathan Ballard, a political consultant who has worked with the POA for many years. Tellingly, Mr. Ballard—skilled in political communications strategy—has shared only one of your communiques through his Twitter account: the one supporting the TASER ballot initiative. This is emblematic of a clear conflict of interest when it comes to the negotiation of the new police contract. Hundreds of millions of taxpayer dollars are at stake. Mr. Ballard taking a short break from the POA does not remotely remove the threat that he will personally profit, and retaining him to advise you on this topic smacks of corruption.

As a result of your support for the POA's ballot measure in direct contravention of the US DOJ COPS recommendations and the conflict of interest presented by your retention of Mr. Ballard's consulting services, we demand that you cede direction of DHR to the Board of Supervisors for the limited purpose of negotiating the new police contract.

In sum, we demand a Memorandum of Understanding between the City and POA that prioritizes public safety and police accountability and represents the needs of communities most impacted by over-policing, racial profiling, and police violence. Specifically, we demand:

- 1) a provision in the new MOU ensuring that the POA will not invoke—or claim the right of—meet-and-confer or interest arbitration regarding any policy enacted or issued to implement the US DOJ COPS recommendations; and
- 2) your recusal from MOU negotiations by ceding direction of DHR to the Board of Supervisors for this limited purpose.

We look forward to your response.

Sincerely,

The #NoJusticeNoDeal Coalition

Supporters include:

Anti Police-Terror Project
Arab Resource and Organizing Center
Asian Law Caucus
Axis of Love
CAIR-SFBA
CARECEN
Coalition on Homelessness
CODEPINK SF
Critical Resistance Bay Area

Do No Harm Coalition
John Crew
Judge LaDoris Cordell (ret.)
Justice for Amilcar Coalition
Ella Baker Center for Human Rights
Faith in Action Bay Area
Free SF Coalition
Haiti Action Committee
HOMEY
La Raza Centro Legal
Justice for Amilcar Coalition
Justice for Luis Góngora Pat
Justice Teams Network
The Rev. John Kirkley, Rector, St. James Episcopal Church
Mission Nightwalks
National Lawyers Guild, SF/Bay Area Chapter
Pangea Legal Services
PICO CA
PolicyLink
San Franciscans for Police Accountability
San Francisco Bay View Newspaper
Senior and Disability Action
SF Education Not Incarceration
SF Tenants Union
Showing Up for Racial Justice SF
St. John the Evangelist Episcopal Church
United Native Americans
White Coats for Black Lives

Cc (via email):

San Francisco Board of Supervisors
San Francisco Police Commission
San Francisco Police Chief William Scott
San Francisco Department of Human Resources Director Micki Callahan
San Francisco DPA Interim Director Paul Henderson
San Francisco District Attorney George Gascón
San Francisco Public Defender Jeff Adachi