



**San Francisco Police Department
Professional Standards & Principled Policing Bureau
Department of Justice Compliance**

<p>Individual Recommendation Report</p> <p>Bureau: Airport</p> <p>Rec. Number: 37.2</p> <p>Assigned To Project Manager: Captain Jerome DeFilippo</p> <p>Prepared by: Lt. F. Schiff</p> <p>Priority: Low</p>	<p>Reserved For PSPPB Only</p> <p><input checked="" type="checkbox"/> President’s Task Force</p> <p><input checked="" type="checkbox"/> Blue Ribbon Panel</p> <p><input checked="" type="checkbox"/> CJTF SF Bar Association</p> <p><input checked="" type="checkbox"/> Department of Police Accountability</p> <p><input checked="" type="checkbox"/> Civil Grand Jury:</p>
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DOJ Recommendation #: 37.2

The SFPD needs to reassess its use, storage, and collection of field interview cards to ensure data retention and collection are in accord with legal requirements. Annual audit of Field interview cards should be a part of data retention practice.

DOJ Objective: Bias

Executive Summary:

Initially upon reviewing this recommendation there was some overlap between this DOJ Recommendation 37.1 which states ***“The SFPD should establish policy that specifically governs when and how Field Interview Cards are completed,”*** and DOJ Recommendation 37.2, which states ***“The SFPD needs to reassess its use, storage, and collection of field interview cards to ensure data retention and collection are in accord with legal requirements. Annual audit of Field interview cards should be a part of data retention practice.”***

The SFPD currently has a Written Directive (DB 15-150), which specifies in when FI cards should be completed, and provides direction for accountability for data entry. DGO 5.01 provides further guidance regarding circumstances where an FI card would be appropriate. The SFPD currently has records retention policy sufficient to meet the requirement for Recommendation 37.2. Several issues have been address with FI cards with the implementation of eStop data collection.

Purpose:

The SFPD should establish policy that specifically governs when and how Field Interview Cards are completed.

Policy:

Department policy is documented in the SFPD Field Training Manual (June 2013), It is periodically clarified in department bulletins, and is supported with SFPD directives concerning detentions (i.e. DGO 5.03). Additionally case law allows for the use of FI cards during lawful detentions (*People v. Harness* (1983) 139 Cal.App.3d 226, 233. Also see *People v. Gale* (1973) 9 Cal.3d 788, 797).



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Department Bulletin 16-208: eStop-Contact Data Collection Program states "***In order to comply with the Racial and Identity Profiling Act of 2015, also known as Assembly Bill 953 (AB953), as well as legislation set forth by the San Francisco Board of Supervisors, the Department is implementing a new Contact Data Collection Program, eStop, which will replace the current E585 Traffic Data Collection Program***". The new eStop program will expand the criteria to include **all stops**, including but not limited to **pedestrian, bicycle and vehicle stops**.

Audit (if applicable):

DB 15-150 assigns responsibility for FI card procedures. With the implementation of eStop, Department Bulletin 16-208 clearly outlines the procedures for the collection of information from detained persons. Department training in which attendance is reflected in HRMS.

Written Directive: (D.G.O., Dept. Manual, Bureau Orders, Dept. Bulletins, etc.)

San Francisco Police Department General Order 5.03

San Francisco Police Department Bulletin A 16-208

San Francisco Police Department Bulletin B 15-150

Supporting Documentation: (Learning Domains, Power points, Lesson Plans, Policies)

San Francisco Police Department Field Training Manual

San Francisco Police Department Crime Data Warehouse eStop Data Collection Application

Implementation, training & records (How to prove we did what we said?)

HRMS audit of members trained in eStop data collection