

Recommendation 72.3

Tanya Koshy [REDACTED]

Tue 10/22/2019 2:24 PM

[REDACTED]

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Dear Acting Captain Dorantes:

Our office has completed its review of the Recommendation 72.3 package that SFPD submitted as part of the collaborative reform process. Recommendation 72.3 is that SFPD should limit the use of Department Bulletins and eliminate the authority to continue a Department Bulletin after two years.

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

Response to 72.3 package: SFPD is in substantial compliance with this Recommendation. Under DGO 3.01.06(E), a Department Bulletin expires after two years and will not renew. An expired Department Bulletin may be incorporated into an existing or a new DGO. The Written Directives Unit is responsible for ongoing review of Department Bulletins, which includes the responsibility of shepherding the process of amending a DGO when a Department Bulletin modifies it. The Written Directives Unit tracks the expiration of Department Bulletins through PowerDMS and it will annually review which Department Bulletins have been incorporated into DGOs, and note the reasons why a Department Bulletin is not incorporated into a DGO.

In order to remain in substantial compliance, SFPD will need to show at a later basis that it has a robust continual review and improvement loop, where the Written Directives Unit is indeed (1) tracking the expiration of Department Bulletins, (2) shepherding the process of incorporating expired Department Bulletins into an existing or a new DGO, where necessary, and (3) noting the reasons why an expired Department Bulletin is not incorporated into a DGO.

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

Tanya

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Hillard Heintze File Review Recommendation # 72.3

Finding # 72	Department Bulletins are used as a workaround for the Department General Order approval process.
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Recommendation # 72.3 The SFPD should limit the use of Department Bulletins to short-term direction and eliminate the authority to continue a Department Bulletin after two years.

Recommendation Status	Complete	Partially Complete	In Progress
	Not Started	No Assessment	

Summary

The SFPD has developed a policy under the newly enacted DGO 3.01, wherein 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. This will eliminate the need for Department Bulletins that seek to address overall SFPD policies and practices. Further, the new policy requires that Draft bulletin(s) developed pursuant to this section shall not be issued by the Department until adopted by the Police Commission. Finally, the SFPD has a policy provision that Bulletins shall either expire after two years or be incorporated into an existing or new General Order under 3.01.06(D). Finally, the SFPD has identified a plan for tasking the Written Directives Unit with quarterly review of bulletins and tasking and tracking through the use of the PowerDMS.

The only challenge is that this order has been newly enacted as of August 2019. As a result, while the recommendation is now found to be in substantial compliance, the review team will check the Review Unit activity as it relates to quarterly review in January 2020 to affirm this practice is in place.

Compliance Measures		Status/Measure Met
1	Develop a policy that sunsets any DB after two years.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2	Track and ensure DBs identified in Rec 72.2 as modifying an existing DB to be incorporated into the DGO within the two year time frame.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3	Continuous review and audit loop.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Administrative Issues

The department has established a policy the supports the compliance measures for this recommendation. It is important for the department to review those recommendations that have been awarded substantial compliance to ensure that the audit and review loop is functioning.

Compliance Issues



Collaborative Reform Completion Memorandum

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

Recommendation # 72.3: The SFPD should limit the use of Department Bulletins to short-term direction and eliminate the authority to continue a Department Bulletin after two years.

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) Develop a policy that sunsets any DB after two years.

- 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) **Track and ensure DBs identified in Rec 72.2 as modifying an existing DB to be incorporated into the DGO within the two year time frame.**
 - 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.

- 3) **Continuous review and audit loop.**
 - The Written Directives Unit will be responsible for the continuous review and audit loop. This will be accomplished using an electronic system (PowerDMS) that accounts for all edits and recommended changes thereby maintaining accountability and integrity. The method by which Written Directives tracks the expiration of department bulletins is within PowerDMS. Department bulletins are organized by quarter. Written directives will annually review which bulletins were incorporated into DGO's and which ones were not. Written Directives will also note why the bulletin was not amended into a DGO in the archive section within PowerDMS.