

DGO 10.11 -SFPD Policy Working Group Recommendation and Discussion Tracking as of 7/10/2023

#	Working Group Recommendations	pg. number	Meeting Date	SFPD response	SFPD explanation	Open/Closed
R1	DPA stated that the Department is required to seek DPA input on the WG codes of conduct before working group activity began.		4/6/23	Administrative Question and Answer-not for inclusion in DGO	DGO 3.01.04 (G) does ask for the Chief to seek input from DPA before issuing a new WG Directive, however, the Chief's WG Directive was issued in 2020 and again in 2021, before DGO 3.01 was issued. When the Chief issues a new Directive, DPA's feedback will be sought and the Police Commission will review and adopt at a public hearing. The codes of conduct currently fall under SF Admin Code Sec 67.3 which is the city's passive meeting rules and is outside of the scope of DPA or SFPD authority.	closed
R2	A working group member suggested that the Executive Sponsor invite a panel of officers to the next meeting to discuss the current DGO, pain points, training issues and to discuss what they would like to see changed in the policy. The WG also asked for the Department to provide a demonstration of the BWC equipment.		4/6/23	Administrative Question and Answer-not for inclusion in DGO	The Department agreed and invited three officers (Central Station Officer Daniel TayLiong, Academy/Field Tactics Force Options Officer Patrick Woods, and Ingleside Sergeant Eric Lau) to attend the 4/20/23 meeting. The WG will invite the same officers to a future meeting as well. This suggestion will be folded into the format of all working groups moving forward.	closed
R3	A working group member would like to know why the Department chose the magnetized BWC mount option vs. the "V-mount"		4/20/23	Administrative Question and Answer-not for inclusion in DGO	The Executive Sponsor and/or facilitator will look into this and respond to the working group at a future meeting.	open
R4	A working group member would like to know if the Axon 3(AB 3) has a different buffering and activation time than the Axon 2 (AB2).		4/20/23	Administrative Question and Answer-not for inclusion in DGO	AB2 took roughly 4 seconds to reboot, whereas the AB3 takes ~14 seconds. The AB3 employs a secure Linux system, unlike the AB2 which employs a small Real Time Operating System (RTOS) that lacked boot protection, and protection of services from each other. The biggest driver of a longer startup time is related to security	closed
R5	The working group discussed Department Bulletin (DB)23-045 during the officer Q&A. The officers find this confusing as the DB tells the officers that they "shall" activate under certain circumstances, but the circumstances listed are discretionary. The working group suggested to change the "shall" to "may" or "shall activate if..."		4/20/23	Administrative Question and Answer-not for inclusion in DGO	The working group included language to clarify mandatory recording circumstances, making clear they are not discretionary. This DB can be rescinded onced this DGO is adopted.	closed
R6	During the officer panel Q&A, officer stated that they would like policy updates to focus on the work they should do rather than the prohibitions and for DGOs to remain "general orders". The officers stated that the DGOs have become too specific by adding multiple decision points to the workflow and they believe it would be more beneficial if DGOs were general and clear.		4/20/23	Administrative Question and Answer-not for inclusion in DGO		closed
R7	A working group member suggested documenting every time a BWC is knocked off of an officer.		4/20/23	Administrative Question and Answer-not for inclusion in DGO	Officers do document this in the narrative of their report, however there is no coded checkbox in Crime Data Where house (CDW)	closed
R8	DPA provided recommended language for 10.11.01 PURPOSE: "The purpose of this General Order is to establish the policies and procedures governing the San Francisco Police Department's ("Department's") Body Worn Camera ("BWC") program.	p. 1	4/20/23	Recommendation will be modified and included in the draft DGO	The WG crafted the following language for SEC 10.11.01 PURPOSE: "The purpose of this General Order is to establish the policies and procedures governing the San Francisco Police Department's ("Department's") Body Worn Camera ("BWC") program. BWC is an effective tool the Department uses to demonstrate its commitment to transparency, to ensure the accountability of its members, increase the public's trust in officers, and protect its members from unjustified complaints of misconduct. The Department is also committed to using BWC because the footage is important in investigations, litigation, and for training purposes."	closed

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#	Working Group Recommendations	pg. number	Meeting Date	SFPD response	SFPD explanation	Open/Closed
R9	DPA provided recommended language for 10.11.02 POLICY: "BWC is an effective tool the Department uses to demonstrate its commitment to transparency, to ensure the accountability of its members, increase the public's trust in officers, and protect its members from unjustified complaints of misconduct. The Department is also committed to using BWC because the footage is important evidence in criminal, civil and administrative investigations"	p. 1	5/4/23	Recommendation will be modified and included in the draft DGO	During the May 23rd WG meeting, the WG crafted the following policy statement: "BWC is an effective tool the Department uses to demonstrate its commitment to transparency, to ensure the accountability of its members, increase the public's trust in officers, and protect its members from unjustified complaints of misconduct. The Department is also committed to using BWC because the footage is important in investigations, litigation, and for training purposes. Department members assigned a body-worn camera (BWC) are required to wear and utilize the BWC consistent with this policy. Members will prior to the assignment of and deployment with a BWC, be trained on the use of the BWC equipment and this policy"	closed
R10	10.11.03 A. and C. Combine the definition of "On" and "Buffering". 10.11.05 Section G	p. 1 & 2	5/4/23	Recommendation has been included in draft DGO		closed
R11	Consider moving the following sentence listed in section 10.11.02 to section 10.11.05: "This order is not intended to describe every possible circumstance"	p. 4	5/4/23	Recommendation requires further discussion	This section will be discussed at the June 6th WG meeting.	open
R12	WG Member suggests adding "BWC should not be used in lieu of a written report"		5/4/23	Recommendation requires further discussion		open
R13	SEC 10.11.02 POLICY: WG member recommends the following language : "The Police Department shall activate the BWC consistent with this order."	p. 1	5/4/23	Recommendation will be modified and included in the draft DGO	During the May 23rd WG meeting, the WG crafted the following policy statement: "BWC is an effective tool the Department uses to demonstrate its commitment to transparency, to ensure the accountability of its members, increase the public's trust in officers, and protect its members from unjustified complaints of misconduct. The Department is also committed to using BWC because the footage is important in investigations, litigation, and for training purposes. Department members assigned a body-worn camera (BWC) are required to wear and utilize the BWC consistent with this policy. Members will prior to the assignment of and deployment with a BWC, be trained on the use of the BWC equipment and this policy"	closed
R14	A WG suggests that the Department consider changing the DGO Policy Section's title to "Principles" as this would cover the overarching beliefs or desired behaviors needed to serve the Department's goals.	p. 1	5/23/23	Administrative Question and Answer-not for inclusion in DGO	The Department's Policy Development Division will consider this suggestion.	closed
R15	SEC 10.11.04 OFFICER RESPONSIBILITIES: A WG member suggests that any sworn member that carries a Department issued firearm should be equipped with a BWC. The only exemption should be the Chief of Police. 6/6/23 UPDATE- WG suggest a task based expansion of BWC issuance. 6/22/23 UPDATE: DPA maintains the recommendation that all sworn be issued BWC with the only exemption being the chief of police	p. 2	5/23/23	Recommendation will be modified and included in the draft DGO	Commanders, Deputy Chiefs and Assistant Chiefs are not in the Police Officers Union(POA). This new requirement would trigger a meet and confer with a separate bargaining unit. As members holding a Captain rank are in the POA, the inclusion of Captains would not require meet and confer with another bargaining unit. The Executive Sponsor is agreeable to explore the addition of Captains and will report back to the WG members at a future meeting. Department reps agreed to find out the typical rank ceiling at other law enforcement agencies. UPDATE: the Dept. surveyed 21 department polices, 15 of which did not mention a rank restriction but did note tasks/duties linked to BWC usage. 6 polices clearly noted Captain and below. The Dept. is agreeable to expanding this policy to include Captains. The Dept. opposes expanding BWC to command staff members because those personnel rarely, if ever, encounter a mandatory recording circumstance given the scope of their job duties.	closed
R16	A WG member suggests that we include language to direct officers to turn BWC off at command posts as well as in stations	p. 6	5/23/23	Recommendation requires further discussion	consider adding language to SEC 10.11.06(B)(6)(i) that includes command vans or command posts	open

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R17	SEC 10.11.04: A WG member suggested to streamline language in section 10.11.04 (C)	p. 3	5/23/23	Recommendation has been included in draft DGO	The WG agreed to language in 10.11.04 (C)1-2.	closed
R18	SEC 10.11.04 (D): Should the DGO require front desk or station keepers to keep BWC in buffer mode?	p. 3	5/23/23	Recommendation will be modified and included in the draft DGO	The Department added language to 10.11.04 (D) to clarify that front desk and station keeper staff are required to activate BWC in accordance with SEC 10.11.05(A).	closed
R19	SEC 10.11.04(E)(2): Include exceptions relating to training conducted by Training Division	3	5/23/23	Recommendation has been included in draft DGO		closed
R20	SEC 10.11.04(E)(2): Review the list of exceptions for officers whose primary duties are investigative. Should this list refer to DGO 5.08?	p. 3	5/23/23	Recommendation will be modified and included in the draft DGO	SEC 10.11.04(E)(2)(d) has been modified to only include members assigned to units whose primary duties are administrative and where they are required to wear a uniform.	closed
R21	SEC 10.11.05 - Consider using the following language (pulled from the first draft of the Policy Section): " Officers are expected to follow departmental policy and procedure, utilizing ethical and legal discretion as well as professional judgment when activating and deactivating the BWC."	p. 4	5/23/23	Recommendation will be modified and included in the draft DGO	This expectation is assumed for all officers and may not need to be spelled out in the DGO. Language was added throughout to ensure officers wear and use their BWC in accordance with policy.	closed
R22	SEC 10.11.10 Administrative Information: Consider moving the following language (pulled from the first draft of the Policy Section): "The Department recognizes that BWC images have a limited field of view. Video recordings captured by a BWC provide a limited perspective and do not necessarily reflect the experience or state of mind of the individual member wearing the BWC in a given incident."	p. 9	5/23/23	Recommendation requires further discussion		open
R23	10.11.05(A) WG member suggested deleting "must make a reasonable effort to" and replace with all members must activate" and suggested using language similar to the Albuquerque PD BWC policy section 2-8-5	p.4	6/6/23	Recommendation will be modified and included in the draft DGO	The Department wants to ensure there is a safety concern/safety exception in this language. The Department added the following language: "All members (not just the primary unit) dispatched, present, or otherwise participating in any of the below listed incidents must activate their BWC except during emergency encounters that require immediate action to preserve life or safety. " This language was pulled from Albuquerque PD Procedural Order, SOP 2-8 , Section 2-8-5(B)	closed
R24	10.11.05A. Add "issuing citation when driver is not present"	p. 4	6/6/23	Recommendation has been included in draft DGO	Dept added to the list	closed
R25	10.11.05A12. Remove 12."Any time members determine it would be beneficial to capture a law enforcement incident or activity" as this is discretionary	p. 5	6/6/23	Recommendation has been included in draft DGO	The WG agreed to delete this section	closed
R26	10.11.05C- remove this section as this is discretionary	p. 5	6/6/23	Recommendation has been included in draft DGO	The WG agreed to delete this section	closed
R27	Remove 10.11.05E:"Members must ensure the BWC is in the On Position and in Buffering Mode after leaving a police, detention, or medical facility." and move to first sentence of 10.11.05(A).	p. 4 & p. 5	6/6/23	Recommendation has been included in draft DGO	10.11.05(A) now reads: "Members must ensure the BWC is in the On Position and in Buffering Mode after leaving a police, detention, or medical facility. All members (not just the primary unit) dispatched, present, or otherwise participating in any of the below listed incidents must make a reasonable effort to activate their BWC except during emergency encounters that require immediate action to preserve life or safety: "	closed
R28	10.11.06(A)(5)- change the language to "Members on a guard assignment at a police, medical, psychiatric, jail or detention facility unless a mandatory recording circumstance occurs. "	p. 5	6/6/23	Recommendation has been included in draft DGO		closed

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R29	Delete 10.11.06(A)(7) "Member to member training (e.g., when a Field Training Officer or Field Training Supervisor wishes to speak to a member enrolled in the Field Training Program about a training issue);"	p. 6	6/6/23	Recommendation has been included in draft DGO	deleted	closed
R30	Revise 10.11.06(B)(4) to read more clearly.	p. 6	6/6/23	Recommendation has been included in draft DGO	10.11.06(B)(4) now reads as follows: "When directed by a supervisor, members shall document the supervisor's order and reason in an incident report and/or CAD update."	closed
R31	Delete 10.11.06(A)(8) "Personnel or supervisor discussion that involve police tactics or strategy, provided that the strategy discussion is not conducted in the immediate presence of a member of the public, and further provided that the BWC equipped officer is not actively engaged in the collection of physical evidence (e.g., conducting a search)."	p. 6	6/6/23	Recommendation has been included in draft DGO	deleted	closed
R32	Delete "public safety statements" from 10.11.06(B)(2) so it reads as follows" "the BWC shall not be activated....."During compelled statements such as administrative interviews (e.g. Internal Affairs (IA) or Department of Police Accountability (DPA) related interviews)"	p. 6	6/6/23	Recommendation will not be included in Draft DGO	The Department takes public safety statements. Revisit this topic for further discussion. 7/5/2023 UPDATE: The Department prefers to leave public statements in the list of situations where BWC shall not be activated. IA has the authority to compel public safety statements, but these statements, if recorded by BWC, can contaminate a criminal investigation. Additionally, the Department does not believe public safety statements can be used in administrative investigations due to POBAR compliance.	closed
R33	SEC 10.11.07(A), para 1	p. 7	6/22/23	Recommendation has been included in draft DGO	The working group agreed to include the following revised language: "Members shall begin uploading all media prior to the end of their shift unless a supervisor approves an alternative"	closed
R34	SEC 10.11.07(C)(1): the working group would like the language revised to be more succinct.	p. 7	6/22/23	Recommendation requires further discussion	The Department proposes the following language: "During incidents that require a large-scale activation of the Department's members, (such as large protests, natural disasters, mutual aide, etc.), the incident commander may approve delayed information entry. Such approval shall be documented in the Incident Commander's After Action Report." However, there may be instances where the IC is not the one to complete an After Action Report. Can/should this approval be noted into a CAD entry?	open
R35	SEC 10.11.07 (D) and (E): the working group would like there to be explanation or documentation of non-activation or delay in activation of BWC	p. 7	6/22/23	Recommendation has been included in draft DGO	The working group agreed to include the following language: D. Members authoring incident reports or statements shall document their use of the BWC or ensure that it is documented by another member. Members aware that there is no recording or a delay in recording are required to explain the reason for the delay or non-activation in their report or statement. E. For incidents that do not result in incident reports, members will document the reason for the delay or non-activation in a memorandum or in CAD.	closed
R36	SEC 10.11.08 (C): The working group suggested to combine subsection B & C	p. 8	6/22/23	Recommendation has been included in draft DGO	The working group agreed to include the following language: C. Members shall not: 1. Edit, alter, erase, duplicate, copy, record on a device such as a cell phone camera or secondary video camera. 2. Distribute in any manner body worn camera recordings without proper authorization, including posting recordings on social media for personal use. 3. Access, copy, release, or share BWC data on any computer or device not controlled or provided by the SFPD. 4. Convert for their personal use or for the unauthorized use of another person, any information from Department video files or the confidential files of any other agency.	closed

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R37	SEC 10.11.08 (B): Regarding Interviews of Involved Officers (covered incidents): DPA suggested using the language from the Santa Clara County Police Chiefs' Association Officer-Involved Incident Guidelines, Adopted August 10, 2017 (p. 9). The guideline states that the initial interview of an involved officer should occur before the officer has reviewed any audio/video recordings of the incident and provides guidance to the investigators on how to admonish the officer if the investigator decides to show video to the officer after the initial interview.	p. 8	6/22/23	Recommendation requires further discussion	SFPD is the one of the only agencies in the country that has an outside entity investigating a covered incident. SFPD has no jurisdiction over the District Attorney's office and cannot write policy that oversees how the DA's office conducts an interview. The suggested language addresses how the investigator can interview an officer which is outside of the scope of this policy. The Department proposes removing language relating to the initial statement and replacing it with language clarifying that covered incidents are investigated by outside agencies and noting that SFPD prefers that these agencies do not permit involved members to view BWC until after the initial interview. However, as this policy does not have the authority to direct the DA's office, the Department cannot direct the investigators actions. The Dept. agrees to language prohibiting involved officers from reviewing BWC footage until given permission by investigating agency.	open
R38	SEC 10.11.08: DPA asked that language for 10.11.08 to state specifically that involved officers should receive cognitive interviews before reviewing BWC.	p. 8	6/22/23	Recommendation requires further discussion	Please see response to R37. A cognitive interview is a specific technique which aids memory retrieval by reinstating the context of the event, recalling the event in a different sequence, and looking at the event from different perspectives. There are three psychological processes to a cognitive interview: cognition, social dynamics and communication. While some findings suggest that the cognitive interview is more effective (in terms of gathering higher levels of recall) than the standard interview, this technique would require specific training and may require specifically tailored scripts for investigators. As outside agencies investigate covered incidents, this policy cannot direct the methods they use to interview the involved officers.	open
R39	SEC 10.11.09 Supervisor Responsibilities: The working group worked together to submit revisions to this section	p. 9	6/22/23	Recommendation has been included in draft DGO		closed
R40	SEC 10.11.10 Administrative Information: The working group worked together to submit revisions to this section	p. 10	6/22/23	Recommendation has been included in draft DGO		closed
R41	DPA recommends including a section relating to BWC issued to officers assigned to the Airport		6/22/23	Recommendation requires further discussion	Airport officers have been issued BWC for the purposes of activating when working in the city. Currently, Airport officers are not permitted to record at the airport due to security concerns at various locations. This discussion is outside of the scope of this working group as it will depend on agreements with the Airport approving bodies and governing statutes.	open
R42	The working group suggests adding a reference list at the end of the DGO to refer to other DGOs like 8.01 or 5.01	p. 11	6/22/23	Recommendation has been included in draft DGO	The Written Directives Unit will make sure to include these references at the end of the DGO.	closed
R43	DPA recommends that their agency have access to evidence.com in order to search, pull or share BWC footage		6/22/23	Administrative Question and Answer-not for inclusion in DGO	Lt. Beauchamp stated that he would request information from Axon relating to the cost of licensing, access restrictions, rules and regulations that may preclude non-law enforcement agencies from having direct access to evidence.com and will reach out to Dept. leadership to discuss further.	open