



2023 AB 481 Annual Report: Community Meetings



On July 17, 2024, the San Francisco Police Department (“SFPD” or “Department”) presented the Ca. Assembly Bill (AB) 481 Annual Report to the Police Commission, as required by the approved AB 481 [Use Policy](#). During the commission meeting, commissioners directed the Department to provide additional opportunities to the general public to discuss and ask questions regarding the annual report and SFPD’s funding, acquisition, or use of the equipment. The following is a summary of the meetings held and the questions, concerns and statements discussed during those meetings.

MEETING DATES/TIMES

- Ingleside Station Captain’s Community Meeting: August 20, 2024
- Mission Station Captain’s Community Meeting: August 27, 2024
- Park Station Community Police Advisory Board (CPAB): August 28, 2024
- Park Station Captain’s Community Meeting: August 28, 2024
- Bayview Station Captain’s Community Meeting: September 3, 2024
- Richmond Station Captain's Community Meeting: September 24, 2024

QUESTION/ANSWERS

Q1. What was the impetus of AB 481 – how did it come about?

A1. Ca. Assembly Bill 481 arose from the numerous national police reforms after the George Floyd demonstrations in 2020. Several statewide reforms were signed into law in 2020 and 2021. On September 30, 2021, Governor Newsom signed eight policing reform bills with the goal of increasing transparency of peace officer misconduct records, improving policing responsibility and accountability guidelines, and creating a public forum for the funding, acquisition and use of military equipment.

Policing Reform Bills signed in 2021:

- SB 16: Peace officers: release of records
- AB 26: Peace officers: use of force
- AB 48: Law enforcement: use of force
- AB 89: Peace officers: minimum qualifications
- **AB 481: Law enforcement and state agencies: military equipment: funding, acquisition, and use**
- AB 490: Law enforcement agency policies: arrests: positional asphyxia.
- AB 958: Peace officers: law enforcement gangs.
- SB 2: Peace officers: certification: civil rights.



2023 AB 481 Annual Report: Community Meetings



Q2. When State bills become law, what is the Department process to determine the impact on policy?

A2. The Department has a legislative liaison who monitors state and local legislation and communicates with department subject matter experts to determine whether there is a policy impact, and the department receives guidance from the City Attorney's office.

Q3. Does the Board of Supervisor have the authority to change the Use policy, remove the use of the equipment or have they removed use of any equipment yet?

A3. AB 481 does give the Board of Supervisors (BOS) the authority to review the Use Policy ordinance on an annual basis and approve a renewal of the policy ordinance. The BOS may disapprove or amend a renewal of the Use policy if they find the Department did not comply with the standards set forth in CA. Gov Code 7071(d). As of September 3, 2024, the BOS has yet to schedule the annual report review hearing.

Q4. Why was the annual report late, and why was the report incomplete (questioner explained that they believed the report was incomplete because it did not include drones)?

A4. The Department does not have a compliance unit or a unit that primarily addresses weekly, quarterly, or annual reporting or compliance with other unfunded mandates. This was the inaugural annual report that required input from leadership in the Special Operations Bureau, Tactical Unit and Fiscal. The Tactical Unit Lieutenants primarily lead special operations including high-risk search warrant service in the middle of the night or respond to calls for barricaded subjects. Relying primarily on one Lieutenant that works in a specialized capacity, during a staffing shortage, to issue this report presented barriers to report issuance. In addition, our Fiscal Division had two separate CFOs and one new budget director who has since left the Department during the time of report preparation. This staffing turnover impacted the ability to standardize the fiscal reporting metrics. Going forward, and as noted in the approved AB 481 Use Policy's Annual Report section, the Assistant Chief over Operations should select a designee with the authority to direct the timelines of all units that contribute to the report.

This annual report only relates to the approved policy outlining authorized uses for equipment acquired prior to January 1, 2022. Drones (UAS/UAV) were not acquired prior to January 1, 2022; thus, this report is not incomplete.



2023 AB 481 Annual Report: Community Meetings



Q5. The annual report states that the department intends to purchase 28 more rifles for the specialist teams. Why does the department need more guns if we didn't use them in 2023?

A5. The Department did use the current inventory of rifles in 2023. Long-guns are a type of equipment utilized on a regular basis, but not necessarily pointed at individuals or fired regularly. They are used for training on a weekly basis. The annual report states that the department intends to purchase 16 semi-automatic rifles and 12 full auto short barrel rifles for newly assigned officers to the Tactical-SWAT and Specialists Teams.

Q6. The annual report states that the department will buy a "robo dog". Why do we need a "robo dog"?

A6. The annual report noted in Section A (6) that the Department intends "to explore the use of Spot™-The Agile Mobile Robot from Boston Dynamics". The Department does not have a current plan to purchase this item. If the Department decides to move forward with procurement, a use policy will first be submitted to the BOS for review and approval. This type of remotely piloted ground vehicle is more agile than the tracked vehicles currently in inventory. Spot™-The Agile Mobile Robot has dynamic responses, can open doors without causing damage, and can maneuver terrain that tracked robots cannot. It is a superior tool and could be invaluable during many critical circumstances.

Q7. How is military equipment generally used and are we only using this equipment as a last resort?

A7. The equipment listed in the annual report is used primarily to support patrol units when faced with critical or other escalated incidents that require specialized equipment to ensure the public's safety and the safety of officers involved in the incident. The authorized use of each type of equipment is listed in the [use policy](#) which was approved by BOS ordinance.

Q8. Regarding drones, there is concern about acquisition and use without policy and not following AB 481.

A8. The Department submitted the drones (UAS/UAV) policy proposal to the BOS in June 2024.

Q9. Can any of this equipment be used for road bike street takeovers in the Mission/Valencia areas?

A9. The equipment noted in the annual report is limited to the authorized uses in the approved [Use Policy](#). Examples of authorized use include evolving critical incidents, high-risk warrant service on fortified locations, encounters with barricaded suspects, active shooter, and hostage rescue situations.



2023 AB 481 Annual Report: Community Meetings



Q10. What outreach has been done to the general public? “Might be good to have a handout for coffee with a cop”.

A10. The Department posted the report on the public website, reported out to the Police Commission during a public meeting and is discussing the annual report at Station Captain’s Community Meetings. This is just one of many mandated annual reports the Department must issue.

Q11. What was the reaction or feedback from the Board of Supervisors (BOS) or Police Commission about the report?

A11. The BOS has yet to hold a hearing (at the time of the captain’s meetings) to discuss the annual report. The Police Commission is not authorized by state law to vote for or against the report, but they did determine that more community meetings should be held to discuss the report.

Q12. Will the media get a copy (so they don’t sensationalize aspects from it)?

A12. The report was publicly posted in June 2024, which means it is available to members of the media and the general public.

Q13. How did you choose what district meeting you attended?

A13. The Department initially planned to present the annual report to the Police Commission, during the Mission Station Captain’s Community meeting and then the BOS Rules Committee. On July 17, 2024, the Police Commission directed the Department to attend additional community meetings before the commission meeting on September 4, 2024. The other stations were selected based on the timing and availability of station Captains.

Q14. What is the expectation for the timeline for the annual report moving forward?

A14. The 2024 Annual Report will be issued in early 2025.

Q15. Regarding Flash Bangs and Pepper Balls – we used like 40 times but are requesting thousands more. Why is that?

A15. The approved [Use Policy](#) noted that the department had 6,740 Pepper Ball Rounds in stock at the time of policy approval. The annual report notes that the department purchased 2,500 Pepper Ball Rounds which is only 37% of the previous years stock. Pepper Ball projectiles have a standard shelf life of two years, which means they must be re-ordered regularly to remain readily available. A single VKS magazine can hold 15 projectiles. Using fewer than 15 projectiles can cause misfeeding and breakage. The Department has eight launchers. If all eight are used during training or critical events, with only one magazine each, the result is 120 rounds used. The order of 2,500 rounds allows for 20 magazines to be available for the eight launchers throughout the year. This allows for at least 20 training or active incidents where Pepper Balls can be used. The unfortunate reality is



2023 AB 481 Annual Report: Community Meetings



that there is no way to guarantee that incidents will not arise where the Pepper Ball system could be utilized as an effective tool.

Q16. Will the AB 481 report roll up into a bigger context (like showing comparisons or giving context between agencies within the state)? Might want to show comparison with another metropolitan city on our website just for context

A16. For now, the Department does not plan to expand the report beyond the requirements of the ordinance.

Q17. Regarding the procurement of drones, does SFPD believe SF Prop E supersedes California Law AB 481?

A17. AB 481 states that the public has “a right to participate in any government agency’s decision to fund, acquire, or use such equipment.” The Prop E ballot measure sought the public’s participation in this process. The Department has followed the advice of general counsel and as such believes the voters’ approval of Prop E communicated their desire for the department to have drones (UAS/UAV). The Department submitted a drone use policy to the BOS for review and approval in June 2024.

Q18. What is the cost of deploying drones (training, man hours, OT, the drone cost)?

A18. The UAS policy proposal submitted to the BOS in June 2024 includes the fiscal impact of Phase One and Phase Two of the drone procurement.

The Department does not have a cost-tracking mechanism for man hours related to each use of drones (UAS/UAVs), or any other equipment listed in the annual report. The equipment is used during normal shifts or overtime hours for certain operations. However, now that drones (UAS/UAVs) are in use, the Department publicly reports the flight logs. The flights may range between three (3) minutes and 350 minutes.

Q19. All those guns you are collecting off the street, you could use for the SFPD and then use the money saved to pay more officers.

A19. It is not legal for the police department to reuse guns collected off the street or through buy back programs. Many of the guns collected have been involved in criminal activity.

Q20. Is there anything in the policy about machine guns or other automatic weapons that considers how they are used?

A20. Yes. The [Use Policy](#), effective January 22, 2023, includes the authorized use and purpose of the firearms listed.