

DO 6.16 - SFPD Policy Working Group Recommendations and Discussion Tracking as of 10/11/2024

#	Working Group Recommendations	Page Number	Meeting Date	SFPD Response	SFPD Explanation	Open/Closed
R1	In response to the “San Francisco Police Department (SFPD) Community Policy Working Groups Overview,” the Police Commission representative made the following comments to all working group members: - Non-members who can provide useful information may be invited as guest speakers, but this must be arranged in advance through the working group facilitator. - "Replying all" to emails between working group members may constitute a meeting, potentially violating open meeting laws. If a working group member wants to share specific documents, they should do so in advance through the working group facilitator to ensure everyone receives them before the next meeting. - The 120-business day completion timeline for a given working group is flexible. An extension can be requested if more meetings are needed to complete the work and robust discussions are ongoing. - Working Group members, including officers, can influence policy outside the working group process. The commission takes public comments, and concerns regarding Department General Orders (DGOs) or recommendations made in the WG can be addressed at the commission level once the DGO is agendized for discussion.	N/A	9/17/24		The Department values the insights shared by the Police Commission representative during the meeting. Additionally, it is important to note that after the working group process concludes, the draft DGO is posted on the Department’s website for 30 business days, allowing the public, including working group members to provide additional feedback.	Closed
R2	A working group member asked if a redlined version of the Stage I draft for DO 6.16 could be provided.	N/A	9/17/24	Recommendation has been completely included in draft DGO	The Department will provide a redlined version of the Stage I draft for DO 6.16 before the next meeting on Thursday, October 3, 2024.	Closed
R3	A working group member asked if, in the event they cannot attend a meeting, another colleague from their organization could attend in their place.	N/A	9/17/24	Administrative Question and Answer not for inclusion in DGO	The working group facilitator stated that a member can send a designee in their absence, provided that each organization has only one vote on matters requiring a vote in the meeting.	Closed
R4	A working group member asked whether the Stage I draft includes procedures for officers working at the airport, given that trafficking, domestic violence, and sexual assaults are significant issues there, and officers at the airport are usually exempt from such procedures.	N/A	9/17/24	Recommendation has been completely included in draft DGO	The Department has reinstated the language from the currently active version into draft DO 6.16: “Airport Bureau members shall follow Airport Bureau General Orders and San Mateo County protocols.”	Closed
R5	During the Officer Panel Q/A, the following issues were identified for potential revisions of draft DO 6.16: 1. Ensuring timely notifications to the Special Victims Unit (SVU) by Patrol Officers initially responding to the scene. 2. Familiarizing Patrol Officers with the written call-out criteria to notify SVU, and clarifying how it differs from the criteria for SVU to respond. 3. Changing the wording in Draft DO Section 6.16.04 (A) from “Initial Response” to “Patrol Initial Response”. 4. Ensuring Patrol Officers ask detailed questions to establish the occurrence of sexual crimes before notifying SVU. 5. Changing the “2-day timeline” to “2-business day timeline” in Draft DO Section 6.16.04 (C) (3) for picking up Sexual Assault Evidence Kit (SAEK) from the Recovery/Rape Treatment Center after SVU notification. 6. Establishing protocols for Patrol Officers when outside law enforcement agencies completing a courtesy report for a sexual assault don’t wait for SVU to pick up the SAEK.	N/A	10/3/24	Recommendation requires further discussion/analysis	The issues identified in this recommendation will be addressed when corresponding sections of draft DO are discussed in the future working group meetings.	Open
R6	During Officer Panel Q/A, the working group discussed the following points: 1. The current notification process between patrol officers and SVU. 2. Whether patrol officers have a checklist of questions to identify crimes. 3. The possibility of using CA POST minimum facts interview questions as a guide for determining if a crime occurred. 4. Evaluating if the current training for patrol officers is sufficient for recognizing sexual crimes and/or appropriately notify SVU, or if additional training is necessary. 5. Improving collaboration between CPS and patrol officers to reduce repetitive minimal facts interview questions and minimize retraumatization of child victims while allowing for necessary clarifying questions. 6. Addressing public confusion, particularly among educators, about correct authorities to initially report child abuse, including sexual abuse. 7. Potential conflicts with Proposition 115 requirements that officers must hear information firsthand to testify in preliminary hearings.	N/A	10/3/24	Recommendation requires further discussion/analysis	For 1 and 2, the response was provided by the SME for DO 6.16 and other SFPD members participating in the working group and/or Officer Panel. For 3-7, they will be addressed during the discussion of corresponding sections of draft DO in the future working group meetings.	Open
R7	A working group member requested clarification on whether the primary audience for DO 6.16 is Patrol, SVU, or a combination of both.	N/A	10/3/24	Administrative Question and Answer not for inclusion in DGO	The Subject Matter Expert (SME) for DO 6.16 and other Department members in the working group explained that the primary audience for DO 6.16 includes SFPD members, particularly patrol officers and sergeants, to guide them in properly responding to sexual assault reports. However, certain sections are specifically targeted at SVU investigators handling these cases.	Open
R8	A working group member requested digital copies of the documents listed in the “References” section of Draft DO 6.16.	N/A	10/3/24	Administrative Question and Answer not for inclusion in DGO	The Community Working Group Facilitator provided digital copies of requested materials to all working group members on October 11, 2024. Additionally, the requested materials are posted on the "Policy Working Groups" webpage as supporting materials for the next meeting scheduled for Tuesday, October 15, 2024, under "DO 6.16 (Sexual Assault Investigations)".	Open
R9	A working group member asked a question regarding the need to include value statements in the “Purpose” section of Draft DO 6.16, arguing that DGOs should serve as practical tools for SFPD members rather than a means to capture organizational values. The subsequent discussion generated the following brainstorming ideas: 1. Keeping the “Purpose” section concise while ensuring policies and procedures reflect organizational values. 2. Dividing the “Purpose” section into two paragraphs: the first addressing the DGO’s purpose, and the second including value statements. 3. Considering moving the “Policy” section immediately after “Purpose” to emphasize SFPD values, particularly for readers such as victims of sexual assault. 4. Emphasizing the importance of DGOs as practical documents for SFPD members and as public statements of Department Policies.	1	10/3/24	Recommendation has been partially included in draft DGO	Previous Language: "The purpose of this order is to establish general policies and procedures for a trauma-informed approach to sexual assault investigations that prioritizes community values, the well-being of survivors, and ensures Safety with Respect".  New Proposed Language: "The purpose of this order is to establish general policies and procedures when responding to and investigating reports of sexual assault cases.  The San Francisco Police Department (SFPD) is committed to a victim-centered approach in sexual assault investigations: ensuring respectful and empathetic interactions, building trust, minimizing re-traumatization, and understanding victims’ varying life circumstances often requiring additional awareness and resources".	Open
R10	A working group member asked about the sources of the definitions in the draft DGO section, “Definitions,” particularly questioning if the definition of sexual assault is a legal one. The ensuing discussion considered changing “Sexual Assault” to “Sexual Crimes.”	1	10/3/24	Recommendation requires further discussion/analysis	This recommendation will be further discussed at the next working group meeting that's scheduled for Tuesday, October 15, 2024.	
R11	A working group member inquired whether sexual harassment could be included in the list of sex crimes under the definition of Sexual Assault.	1	10/3/24	Administrative Question and Answer not for inclusion in DGO	Sexual harassment is not classified as the type of sexual crime investigated under the guidelines of DO 6.16.	Open

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R12	A working group member proposed adding the Children Advocacy Center and Human Services Agency to the Sexual Assault Response Team (SART). The discussion that followed then considered substituting the Children Advocacy Center with the Children Advocacy, Support, and Resources Center (CASARC), as it is more familiar to members. They also debated whether the SART definition should specify the names of participating agencies or focus on their roles, considering that agency names might change in the future. Ultimately, the working group recommended including "Human Services Agency Protective Services Workers" in the list of SART members.	1	10/3/24	Recommendation has been completely included in draft DGO	The definition of SART was updated to include the "Human Services Agency Protective Service Workers".	Open
R13	A working group member recommended to update the definition of SART Examination with the suggested language, "A forensic-medical examination conducted by a Sexual Assault Forensic Examiner (SAFE). During a SART Examination, the victim will be offered: 1. Forensic documentation of injuries and collection of evidentiary products for purposes of a law enforcement investigation, and 2. Medical evaluation and treatment".	1	10/3/24	Recommendation has been completely included in draft DGO	Previous Language: "A forensic, medical examination conducted by a SANE. Injuries, wounds, evidence, and the survivor's statement are documented during the examination. Post-exposure prophylaxis and therapeutic medications may be provided at the examination".  New Proposed Language: "A multidisciplinary team working collaboratively to meet the medical and emotional needs of the sexual assault victim and the forensic needs of the criminal justice system. This team includes, but is not limited to advocates, law enforcement officers (including prosecutors), forensic interviewers, Human Services Agency (HSA) protective services workers, and Sexual Assault Forensic Examiners (SAFEs)".	Open
R14	A working group member asked if the definition of the SVU should include other areas of investigation beyond sexual assault that fall under SVU's purview, considering the intersectionality between sexual assault and these other areas. During the discussion on this recommendation, a working group member suggested including the description of SVU in draft DGO 1.01, which is currently in the final stage of an update.	1	10/3/24	Recommendation has been partially included in draft DGO	The definition of SVU was updated to read as follows: "A unit in the Investigations Bureau responsible for the investigation of sensitive crimes including all reported cases of sexual assault regardless of the age of the victim". Additionally, draft DGO 1.01 doesn't include the descriptions of individual units falling under a given bureau. To remain consistent, the description of SVU is not added to draft DGO 1.01. This also provides flexibility for the Chief of Police to adjust the scope of investigations for Departmental units as needed.	Open
R15	A working group member suggested replacing the definition of "Advocate" in draft DGO 6.16 with the definition of "Victim Advocate" from the "International Association of Chiefs of Police (IACP) Model Policy for Investigating Sexual Assaults (2017)". The ensuing discussion considered the need to include information about privileged communication between some community-based or rape crisis victim advocates and sexual assault victims; ultimately deciding to address potentially in the "Victim Interviews" section of draft DGO 6.16.	1	10/3/24	Recommendation has been partially included in draft DGO	The Department updated the language of "Advocate" with slight modification from what was proposed to be inclusive of advocates from governmental and non-governmental agencies.  Previous Language: "Advocate: A civilian representative of a non-government agency, included in the SART via a Memorandum of Understanding (MOU) or contract with the City and/or participating City agencies, that has undergone specialized training in the SART process, laws, and procedures".  New Proposed Language: "Victim Advocate. A service provider, rape crisis counselor, social worker, victim witness provider within a governmental or non-governmental agency, who is trained to assess and address the needs of the victim as well as to provide counseling, advocacy, resources, information, and support".	Open
R16	A working group member suggested replacing "victim" with "survivor" to ensure consistency throughout the DGO.	1	10/3/24	Recommendation has been partially included in draft DGO	To maintain consistency, the Department decided to replace "survivor" with "victim," as the latter term is more commonly used and legally precise for law enforcement investigations.	Open