



# DEPARTMENT NOTICE

24-160

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## Department General Order 5.03 “Investigative Detentions” Update Packet #116 (Amended)

*This amended Notice has the correct version of DGO 5.03 which states that an incident report IS NOT required when members conduct a detention or a detention involving pat searches. Instead officers are required to articulate the reasonable suspicion for the detention and justification for the pat search on their BWC.*

The purpose of this directive is to announce the revision of Department General Order 5.03 *Investigative Detentions*, adopted by the Police Commission on September 18, 2024. Members will be held accountable for this policy starting Saturday, October 19, 2024.

The major updates in this policy include, but are not limited to the following:

**5.03.04, Procedures**, revisions are as follows:

- Rewrite of section C.1, *Certificate of Release Requirement*, citing Cal. Penal Code section 849(b) and outlining that a Certificate of Release is required **only** when a person is arrested without a warrant and released from custody and not taken before a magistrate because: (1) the member is satisfied there are insufficient grounds for making a criminal complaint against the person; (2) the person was arrested only for being under the influence of a controlled substance or drug, and the person is delivered to a facility or hospital, and no further proceedings are desirable; or (3) the person was arrested and delivered to a hospital or urgent care facility and no further proceedings are desirable. All other detentions or arrests do not require a Certificate of Release.
- Replacement of C.2 with *Documenting Detentions and Searches Using Body Worn Camera*. This section clarifies that members shall use their body worn camera to document the reason for the detention in all instances when a person(s) is detained; articulate all facts as relating to the detention and any pat search conducted; include “investigative detention” in the comments of their CAD and note whether the detention was captured on BWC, and list the names of all persons detained. If a member determines that officer or public safety would be compromised by activating their BWC during an incident requiring its use, the member shall document the reason in CAD.
  - Section C.2. also clarifies that a member may submit a report but are not required to unless directed by a supervisor.

Members are expected to have a working knowledge of all directives applicable to their respective assignment and comply with their provisions, per DGO 3.01, *Department Written Directives*.

Members shall obey all written orders, policies, and procedures of the Department, per DGO 2.01, *General Rules of Conduct*.

Department General Order update packet #116 is attached to this Notice and is available to members on the PowerDMS site. Further training to supplement DGO 5.03 will be forthcoming.

  
WILLIAM SCOTT  
Chief of Police

*Per DN 23-152, all sworn & non-sworn members shall electronically acknowledge this Department document in PowerDMS within (30) thirty calendar days of issuance. Members whose duties are relevant to this document shall be held responsible for compliance. Any questions regarding this policy should be sent to [sfpd.writtendirectives@sfgov.org](mailto:sfpd.writtendirectives@sfgov.org) who will provide additional information.*