



## **Joint Response to Public Comment Pursuant to DGO 3.01.04(D)**

### **DGO 6.10 Missing Persons**

SFPD Department General Order (DGO) 3.01 requires that all policies under development be posted publicly to provide members of the public thirty (30) business days to submit policy recommendations.

Pursuant to DGO 3.01.04 (D), the Department and the Department of Police Accountability (DPA) jointly prepare a public response, which shall be posted on the Department's website, outlining the recommendations included and not included in the DGO draft submitted to the Police Commission.

Joint responses are captured in the following recommendation grid which captures the original recommendation, whether the recommendation was included or not included in the draft DGO, and the explanation relating to the decision to include or not include the recommendation into the draft DGO.

The Department reserves the right to remove or not respond to comments if they are:

- Unrelated to the subject of the DGO
- Include private personal information (whether the commenter's or someone else's), including home address, home or cell phone number, personal e-mail address, or personal identification.
- Include profanity or obscene language.

The Department received six recommendations for DGO 6.10, *Missing Persons* from the public and reached a consensus with the DPA on each of the responses.

The Department and DPA extend gratitude to all who took the time to contribute recommendations to this policy.

## DGO 6.10 Missing Persons: Public Comment Joint Responses

Public Review Period: 10/09/24 - 11/22/24

| #         | Public Comment   | Date Received   | SFPD response   | SFPD Explanation  | DPA Explanation   |
|-----------|--|-----------------|---|---|---|
| <b>R1</b> | Members should utilize vinelink.com in addition to CJ to see if the MP is on custody out of county and also if there is a vehicle to put into svcs as a MP vehicle.  | <b>10/9/24</b>  | Administrative Question and Answer-not for inclusion in DGO   | This DGO provides guidance for the initial patrol response. SVU, the unit that takes over the investigation primarily utilizes MUPs which can include related vehicle information. SVU also currently utilizes vinelink.com as a resource.  | DPA appreciates the comment and that SFPD's SVU utilizes this resource.                                     |
| <b>R2</b> | At what point, IF EVER, does an SVU missing person sergeant become involved? They are not even mentioned at all throughout this policy. There are many responsibilities for the patrol Officer. Do Missing Person Sgts have ANY responsibilities?  | <b>10/10/24</b> | Administrative Question and Answer-not for inclusion in DGO   | The SVU Sergeant (Missing Persons Sergeant) is notified when a continuous search begins. SVU is a specialized unit whose procedures are outlined in a separate unit order. Missing persons reports are automatically sent to SVU. As noted in the purpose statement, the DGO provides guidance on the initial phase of a missing person incident.   | DPA agrees that DGO pertains to initial phase and that SVU unit order should cover specialized members.     |
| <b>R3</b> | The purpose says the DGO will talk about procedures for accepting missing persons reports but it doesn't, only for initial investigations.   | <b>11/21/24</b> | Administrative Question and Answer-not for inclusion in DGO   | The purpose section states that the DGO establishes policy concerning accepting reports, specifies when searches are required, and provides guidance for handling the initial missing person investigation. There is no statement in the current draft that supports this comment.  | DPA agrees w/ SFPD comment. The comment does not address the purpose statement.                             |
| <b>R4</b> | Why is at risk defined when the DGO is about missing persons? Also, at risk situations are later defined under the search section, so clarify.   | <b>11/21/24</b> | Recommendation will be modified and included in the draft DGO | "At risk" is a penal code definition that is part of the missing persons penal codes. The "at risk" definition was included based on a stakeholder recommendation in early drafting. Based on the commentor's feedback, the department reviewed the criteria outlined in the search section and recognizes similarities however, the definition on p. 1 is pulled directly from code while the search section expands criteria as a policy call. The department has since removed reference to "at risk" in the search section for clarity. | DPA agrees w/ SFPD comment. At risk language comes from penal code and CA Post guidance on missing persons. |
| <b>R5</b> | Remove penal code citations and move to references. The checklist should be in a Manual and remove citation of Penal checklist in this section as it is unnecessary. Why is the term juvenile used? Missing persons are not criminals necessarily. | <b>11/21/24</b> | Recommendation will be modified and included in the draft DGO | The penal code citations are intentional and are meant to assist patrol and supervisors. In balancing the readability of the DGO, we have removed some penal code references. The checklist is a legal requirement per Penal Code Section 13519.07. "Juvenile" has been replaced with "child" (persons under 18 years old) for consistency.   | Agree w/ comment to replace juvenile with child. No opinion on location of references.                      |
| <b>R6</b> | Remove the table. Remove all specific administrative steps that should be in a Manual (like alterations to reports, etc.)  | <b>11/21/24</b> | Recommendation will not be included in Draft DGO              | The table is a general guideline to delineate departmental responsibilities. While the goal of the department is to keep general orders as general as possible, there are certain procedures that impact the entire department. As there is no Manual relating to Missing Persons investigations, a DGO is the most appropriate written directive, at this time.  | Agree w/ SFPD decision to leave procedures in DGO as most appropriate directive.                            |