

**From:** [Board of Supervisors, \(BOS\)](#)  
**To:** [BOS-Supervisors](#)  
**Cc:** [Calvillo, Angela \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Laxamana, Junko \(BOS\)](#); [BOS Legislation, \(BOS\)](#)  
**Subject:** FW: SFPD's persistently extreme racial enforcement disparities - Item #30, Meeting of March 22, 2022 (file #200777)  
**Date:** Wednesday, March 30, 2022 12:50:51 PM

---

Hello,

Please see below for communication from John Crew regarding File No. 200777.

**File No. 200777** – Hearing – Committee of the Whole – Update on Findings and Recommendations Regarding Law Enforcement Practices.

Sincerely,

**Joe Adkins**  
**Office of the Clerk of the Board**  
**San Francisco Board of Supervisors**  
**1 Dr. Carlton B. Goodlett Place, Room 244**  
**San Francisco, CA 94102**  
**Phone: (415) 554-5184 | Fax: (415) 554-5163**  
[board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org) | [www.sfbos.org](http://www.sfbos.org)

---

**From:** John Crew <johnmikecrew@gmail.com>  
**Sent:** Tuesday, March 22, 2022 12:59 PM  
**To:** Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; MelgarStaff (BOS) <MelgarStaff@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; ChanStaff (BOS) <ChanStaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Haney, Matt (BOS) <matt.haney@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>  
**Cc:** Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; SFPD, Chief (POL) <sfpdchief@sfgov.org>; Elias, Cindy (POL) <cindy.elias@sfgov.org>; Carter-Oberstone, Max (POL) <max.carter-oberstone@sfgov.org>; J.Gabriel Yanez <elxchui@gmail.com>; John Hamasaki <john@hamasakilaw.com>; James Byrne <jbyrne@byrne-law.net>; Henderson, Paul (DPA) <paul.henderson@sfgov.org>; SFPD, Commission (POL) <sfpd.commission@sfgov.org>; nancy.beninati@doj.ca.gov; Debra Kirby <debra.kirby@hillardheintze.com>  
**Subject:** SFPD's persistently extreme racial enforcement disparities - Item #30, Meeting of March 22, 2022 (file #200777)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Supervisors,

It is no mystery why the SFPD continues to produce some of the worst racial enforcement disparities -- in stops, searches, uses of force and arrests -- among all big city police departments nationwide and comparable jurisdictions in California. It's because they have repeatedly refused to act on various best practices recommendations -- from law enforcement experts, from community representatives and even from the state's Racial and Identity Profiling Advisory (RIPA) Board -- that would drive them down.

And, in turn, it's no mystery why SFPD has failed to act on these recommendations. It's because, to date, neither the Police Commission nor the Board of Supervisors have required them to act on them even as City Hall has continued to increase funding for a police department -- and for a significantly expanded and very highly-compensated command staff -- that has failed to make SFPD more equitable and more effective.

Last week, the well-respected Center for Juvenile and Criminal Justice (CJCJ) released a study concluding that the SFPD was both less effective at solving crimes and less equitable in its policing than comparable California agencies. ( <http://www.cjcj.org/news/13268> .) It is no accident that SFPD's peer agencies that have higher clearance / arrest rates for crimes also produce significantly smaller racial disparities. Agencies that are less likely to use discredited tactics inevitably infected by implicit biases and that make sustained commitments to proactively rooting out explicit bias are more likely to consistently rely upon evidence and sound investigative techniques in solving crimes -- rather than racial stereotypes -- and are more likely to generate and maintain the sort of strong relationships with the communities they serve that are key to more effective policing. Rather than engage constructively with the CJCJ study, the SFPD simply dismissed it as a "politically-motivated hit job."

In its presentation slides for today's Board of Supervisors meeting, the SFPD offers **no new strategies** and promises **no new approaches** for addressing the extreme racial disparities they continue to generate. They attach no urgency whatsoever to addressing this problem because they have normalized the disparities as "acceptable" just like they have come to accept and rationalize their alarmingly low crime clearance rates. They are likely to tell you -- as they have told others -- that they are continuing to study the very long-standing and extremely well-documented racial disparity problem and, along with their academic partners, will continue to seek more detailed data. Yet, none of those partners publicly support further delays in acting upon the various recommendations that have repeatedly been made to address these disparities.

For example, the Department of Police Accountability (DPA) solicited and coordinated a series of presentations to the Police Commission **nine months ago detailing specific proposals that would drive down the disparities**. As part of that process, I called for a three-part approach based on reforms implemented by other agencies to address the explicit bias, tactics infected by implicit bias and internal culture aspects of the problem that, collectively, are driving the SFPD's disparities. (See pg. 9 - 13 - [https://sfgov.org/policecommission/sites/default/files/Documents/PoliceCommission/PoliceCommission060921-DPA\\_CommunityPerspectivesonPolicingDisparities.pdf](https://sfgov.org/policecommission/sites/default/files/Documents/PoliceCommission/PoliceCommission060921-DPA_CommunityPerspectivesonPolicingDisparities.pdf) .) The consensus recommendation among all presenters -- including the DPA -- was to **ban pretextual stops**. SFPD

showed little to no interest in the recommendations and has still not acted on any of them. (<https://missionlocal.org/2021/06/community-presents-ideas-to-improve-racist-policing-police-chief-appears-distracted/> . )B

The California RIPA Board was established by the Legislature to reduce racial profiling by the state's law enforcement agencies. Per Penal Code Section 13519.4.(j), the RIPA Board operates under the auspices of the California Attorney General and includes multiple designated representatives from law enforcement management and labor organizations. Yet, SFPD has consistently failed to act on the RIPA Board's important, official recommendations. For example, partly citing the SFPD's repeated scandals involving explicitly racist texts sent by officers, the RIPA Board called on all California agencies in January 2021 to "proactively conduct a review of their personnel's social media to identify problematic behavior" as a fundamental and necessary component of a proactive strategy to root out explicit bias among police officers. Notwithstanding repeated calls to act on this recommendation, SFPD failed to do so and, a year later, another scandal ensued when Twitter's algorithm (based on an account's prior activity and interests) delivered racist and deeply offensive material to SFPD Central Station's Twitter feed where it was "liked." (<https://missionlocal.org/2022/02/sfpd-under-fire-after-central-station-likes-racist-site/> .) In January of this year, the state RIPA Board called on agencies to ban pretext stops. Even though this was the top, consensus recommendation made last June, SFPD indicated to the Commission on February 2nd only that it would study the "feasibility and applicability" of this and other RIPA Board recommendations.

In addition to periodic "committee of the whole" update hearings on the SFPD's overall progress on reforms, ***the Board of Supervisors should consider enacting specific resolutions encouraging the Police Commission to act on the pending RIPA Board and other recommendations that would drive down the racial disparities.*** If the Commission fails to act, ***the Board should consider legislation that would mandate, for example, an end to pretext stops.*** To continue to fully fund the SFPD ***without*** requiring actions that would reduce avoidable racial disparities puts the Board in the position of, in effect, choosing to perpetuate a form of *de facto* racist policing in San Francisco that has existed for far too long and that has made SFPD far less effective and far less equitable than it should be.

The SFPD's presentation to the Board today again reflects ***a greater commitment to misleading public relations "spin" than to actually committing to solve the quite serious problems the agency still faces.*** For example, the graph presented at page 5 of its slide presentation today touts a reduction in overall stops under the heading of "Bias Reform Outcomes." (<https://sfgov.legistar.com/View.ashx?M=F&ID=10666028&GUID=D94CE55A-2DD6-482A-B8A0-14BC1949F04E> ) But the greatest reduction in stops took place suddenly in Q 2 of 2020 when the covid shutdown drastically reduced both public and police activity. ***The obvious covid effect is not acknowledged by SFPD in its presentation.*** (Why?) Plus the extreme disparities in stops have remained even as further reduction in stops took place in 2021 when widespread media and anecdotal reports very strongly suggest further reductions in SFPD enforcement activity that coincided with political efforts to recall an elected District Attorney the SFPOA and many officers hope will be ousted.

As I've pointed out previously, ***the SFPD continues to misrepresent the overall reduction in its uses of force*** by choosing 2016 rather than 2015 as the starting point for its various public relations comparative data presentations. (See page 10 of today's slides.) There was a sudden, very sharp and historically unique increase in reported uses of force in 2016 compared to 2015 because of the then-new and very important reform requiring drawing and pointing of a firearm to be logged and counted as a use of force. The "stop and think" impact of that reform has been important, has (as predicted) drastically reduced the frequency of officers needlessly pointing their guns at people and has helped reduce the number of shootings. That's great. ***But, the overall use of all other types of force -- like use of batons -- has, according to the SFPD, actually "remained constant"***. (See pg. 48

-  
49, [https://sfgov.org/policecommission/sites/default/files/Documents/PoliceCommission/PoliceCommission070820-4thQ2019EIS\\_Report.pdf](https://sfgov.org/policecommission/sites/default/files/Documents/PoliceCommission/PoliceCommission070820-4thQ2019EIS_Report.pdf) .)

And, the SFPD continues to very cynically display -- in its presentations to public bodies, on its website and in its promotional videos -- a *New York Times* "Where Police Reform Has Worked" headline (slide #15 today) to imply that San Francisco has been touted as an example of that. But, the short "news summary" article behind that headline doesn't actually say that and the primary quoted source for that story has, in fact, singled out the SFPD for needing a USDOJ "pattern and practice" enforcement consent decree because of its persistent failure to address its quite extreme racial enforcement disparities.

***Instead of candor, the Board of Supervisors and public continues to get public relations spin from SFPD -- especially on the problem of its persistent racial disparities.***

Thanks for considering my views. More details and supporting materials available upon request.

John Crew  
(415) 793-4146

cc. Clerk, Board of Supervisors  
Members, San Francisco Police Commission  
Chief William Scott, SFPD  
Director Paul Henderson, DPA  
Deputy Attorney General Nancy Beninati, California Department of Justice  
Ms. Debra Kirby, Hillard Heintze