

1 [Administrative Code - Status Report on Production of Peace Officer Personnel Records]

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3 **Ordinance amending the Administrative Code to require the Police Commission, Police**  
4 **Department, and Department of Police Accountability to report quarterly on the number**  
5 **and status of requests for production of non-confidential peace officer personnel**  
6 **records.**

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
9 **Deletions to Codes** are in ~~*strikethrough italics Times New Roman font*~~.  
10 **Board amendment additions** are in double-underlined Arial font.  
11 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
12 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
13 subsections or parts of tables.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Findings and Purpose.

16 (a) San Franciscans and the public more broadly have a right to know about the  
17 conduct of peace officers, who have a duty to serve the public and enforce the law. In  
18 addition, people accused of criminal activity have a particularized need to review non-  
19 confidential peace officer personnel records in order to exercise their full constitutional rights.  
20 Similarly, those harmed by police violence, and victims of police misconduct, and their  
21 families, have a particularized need to review non-confidential peace officer personnel  
22 records.

23 (b) State law now requires that certain peace officer personnel records previously  
24 considered confidential under state law be made available to the public pursuant to the  
25 California Public Records Act. San Franciscans and the public more broadly benefit from

1 transparency regarding the City's compliance with public records requests for non-confidential  
2 peace officer personnel records.

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4 Section 2. The Administrative Code is hereby amended by adding Section 96E,  
5 consisting of Section 96E.1, to read as follows:

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7 **CHAPTER 96E: STATUS REPORT ON**  
8 **PRODUCTION OF PEACE OFFICER PERSONNEL RECORDS**

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10 **SEC. 96E.1. REPORTING OBLIGATION OF POLICE COMMISSION, POLICE**  
11 **DEPARTMENT, AND DEPARTMENT OF POLICE ACCOUNTABILITY.**

12 *(a) Reporting requirement. On a quarterly basis (the first Tuesday in February, May, August,*  
13 *and November), the Police Commission, Police Department, and Department of Police Accountability*  
14 *shall each submit a written report to the Board of Supervisors, covering the previous quarter (quarters*  
15 *commencing January 1, April 1, July 1, and October 1). The report shall contain the following*  
16 *information:*

17 *\_\_\_\_\_ (1) The total number of requests for non-confidential peace officer personnel records*  
18 *that were received by the Department on or after January 1, 2019 and for which all the responsive*  
19 *records requested have been produced;*

20 *\_\_\_\_\_ (2) The total number of requests for non-confidential peace officer personnel records*  
21 *that were received by the Department on or after January 1, 2019 and for which all the responsive*  
22 *records requested have not been produced;*

23 *\_\_\_\_\_ (3) The total number of requests for non-confidential peace officer personnel records*  
24 *received by the Department on or after January 1, 2019 for which the Department has identified but*  
25 *not yet produced responsive records because the responsive records require redactions;*

1           (4) The total number of requests for non-confidential peace officer personnel records  
2 the Department received during the reporting period;

3           (5) The total number of pages of records the Department produced in the reporting  
4 period in response to requests for non-confidential peace officer personnel records;

5           (6) The length of time each outstanding request for non-confidential peace officer  
6 personnel records received by the Department on or after January 1, 2019 has been pending;

7           (7) The total number of hours Departmental and other City employees have spent  
8 during the reporting period responding to requests for non-confidential peace officer personnel  
9 records; and

10           (8) The date on which the Department expects to fulfill all requests for non-confidential  
11 peace officer personnel records received on or after January 1, 2019.

12           (b) Definitions. For purposes of this Section 96E.1, the following definitions apply:

13           “Department” is a reference, individually, to each of the following: the Police Commission,  
14 Police Department, and Department of Police Accountability.

15           A “request for non-confidential peace officer personnel records” includes a request covering  
16 both confidential and non-confidential peace officer personnel records.

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18           Section 3. Effective Date. This ordinance shall become effective 30 days after  
19 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
20 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
21 of Supervisors overrides the Mayor’s veto of the ordinance.

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23           Section 4. Undertaking for the General Welfare. In enacting and implementing this  
24 Chapter, the City is assuming an undertaking only to promote the general welfare. It is not

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