2017-2018 CIVIL GRAND JURY FINDINGS, RECOMMENDATIONS, AND RESPONSES TO FINDINGS AND RECOMMENDATIONS

Report Title [Publication Date]	F#	Finding (text may be duplicated due to spanning and multiple respondent effects)	Respondent Assigned by CGJ [Response Due Date]	Finding Response (Agree/Disagree)	Finding Response Text	R# [for F#]	Recommendation (text may be duplicated due to spanning and multiple respondent effects)	Respondent Assigned by CGJ [Response Due Date]	Recommendation Response (Implementation)	Recommendation Response Text
Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F1	The 2007 MOU providing for JTTF participation expired by operation of the CCSF Charter. The Chief of Police agreed the MOU must be revised for it to be approved by the PC. The Chief acknowledged the concern of civil liberties groups to include oversight that is more transparent.	President, San Francisco Police Commission [September 15, 2019]			R2	In the event that the Mayor and Chief of Police decide to re-join the JTTF, the Chief of Police should negotiate a revised MOU with the FBI and submit this to the PC for discussion and public comment at an open meeting. This should be done no later than July 1, 2020.	President, San Francisco Police Commission [September 15, 2019]		
Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F2	Communication and coordination between SFPD and federal authorities is less efficient and more cumbersome than when SFPD was part of the JTTF.	President, San Francisco Police Commission [September 15, 2019]			R2	In the event that the Mayor and Chief of Police decide to re-join the JTTF, the Chief of Police should negotiate a revised MOU with the FBI and submit this to the PC for discussion and public comment at an open meeting. This should be done no later than July 1, 2020.	President, San Francisco Police Commission [September 15, 2019]		
Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F3	In the period of 2002-2017 SFPD participated on the JTTF, few formal complaints were made against officers conducting JTTF activities.	President, San Francisco Police Commission [September 15, 2019]			R2	In the event that the Mayor and Chief of Police decide to re-join the JTTF, the Chief of Police should negotiate a revised MOU with the FBI and submit this to the PC for discussion and public comment at an open meeting. This should be done no later than July 1, 2020.	President, San Francisco Police Commission [September 15, 2019]		
Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F4	The Civil Grand Jury's investigation did not detect any instance of non-compliance with a DGO by SFPD officers that had been assigned to the JTTF. Likewise, this investigation did not find any evidence that SFPD officers assigned to the JTTF were engaged in any form of enforcement associated with federal immigration laws.	President, San Francisco Police Commission [September 15, 2019]			R2	In the event that the Mayor and Chief of Police decide to re-join the JTTF, the Chief of Police should negotiate a revised MOU with the FBI and submit this to the PC for discussion and public comment at an open meeting. This should be done no later than July 1, 2020.	President, San Francisco Police Commission [September 15, 2019]		
Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F5	The secrecy obligations of SFPD officers in the JTTF require officers not disclose the classified material to individuals without an appropriate level of clearance and a need to know. These secrecy obligations are necessary but allow or cause speculation and concern by parties without access to classified material.	President, San Francisco Police Commission [September 15, 2019]			R2	In the event that the Mayor and Chief of Police decide to re-join the JTTF, the Chief of Police should negotiate a revised MOU with the FBI and submit this to the PC for discussion and public comment at an open meeting. This should be done no later than July 1, 2020.	President, San Francisco Police Commission [September 15, 2019]		
Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F6	The PC is an essential party to SFPD's future participation in the JTTF. The PC has the authority to bring any proposed MOU and any related DGO up for discussion and public comment at an open meeting. In addition, the Chief of Police is required to provide them a public report every year with appropriate public information on the Police Department's work with the JTTF.	President, San Francisco Police Commission [September 15, 2019]			R3	The President of the PC should designate a commissioner as a point of contact for all JTTF interested parties. This appointment should be completed by April 3, 2020.	President, San Francisco Police Commission [September 15, 2019]		
Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F7	Presently, the PC does not have a representative for JTTF matters. It would be beneficial to have a designated commissioner as a point of contact for all parties interested in this issue.	President, San Francisco Police Commission [September 15, 2019]			R3	The President of the PC should designate a commissioner as a point of contact for all JTTF interested parties. This appointment should be completed by April 3, 2020.	President, San Francisco Police Commission [September 15, 2019]		
Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F8	SFPD DGO 8.10 was described as confusing and ambiguous by several law enforcement witnesses. It does not contain clear and concise wording and references are inaccurate. In order for SFPD officers to comply with DGO 8.10, it needs to be revised and updated.	President, San Francisco Police Commission [September 15, 2019]			R4	The Chief of Police should instruct the WDU to expedite the revision process of DGO 8.10 immediately but no later than the first week of January 2020. The WDU in considering the revisions to DGO 8.10 should include a review of the R4a-f recommendations before submitting the revisions to the Chief of Police. The revised DGO should be forwarded to the PC for approval no later than July 1, 2020.	President, San Francisco Police Commission [September 15, 2019]		
Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F8-a	General Order 8.10 does not contain clear and concise wording. Within Section I, the Statement of Principles, A. General Policy 8.10 indicates the First Amendment rights are protected by the United States Constitution. However, in Section II, Definitions, references both United States and California Constitutions causing confusion.	President, San Francisco Police Commission [September 15, 2019]			R4-a	DGO 8.10 should be revised to eliminate the conflict that exists between the statement of principles only referencing the First Amendment rights guaranteed by the United States Constitution, but the term First Amendment Activity being defined as rights guaranteed by both the Constitution of the United States and the Constitution of the State of California. It is recommended that the statement of principal incorporate wording to be reflective of the protections provided to First Amendment activities by both the state	President, San Francisco Police Commission [September 15, 2019]		

Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F8-b	General Order 8.10 contains a factually incorrect legal reference. In Section II, A DEFINITION, the order incorrectly identifies the provision of the California Constitution that should be applicable to the rights associated with assembly and petitioning the government. The Order incorrectly associates "Article 3" of the California Constitution, which, is generally related to governmental processes and functions of the state. It is believed that General Order 8.10 suffers from a scribing error and that instead of "Article 3" it was intended for the definition to encompass First Amendment protections of the United States Constitution and the California Constitution Article I, Section 2 and Article I Section 3.	President, San Francisco Police Commission [September 15, 2019]			R4-b	General Order 8.10 should be revised to correct the error in referencing "Article 3" of the Constitution of California within the definition section to Article I, Section 3.	President, San Francisco Police Commission [September 15, 2019]		
Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F8-c	General Order 8.10 fails to define the term "Criminal Investigation." Failing to define this phrase, allows the readers of the document to apply their own meaning to the term. What might be considered a "criminal investigation" by a law enforcement officer might differ considerably from how a member of the public or an advocacy group would define that term.	President, San Francisco Police Commission [September 15, 2019]			R4-c	General Order 8.10 should be revised to define the term "Criminal Investigation". The order should clearly define what is and what is not a criminal investigation.	President, San Francisco Police Commission [September 15, 2019]		
Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F8-d	General Order 8.10 contains obsolete agency information. The Office of Citizen Complaints (OCC) no longer exists. The OCC has been replaced by the Department of Police Accountability (DPA).	President, San Francisco Police Commission [September 15, 2019]			R4-d	General Order 8.10 should be updated to incorporate changes that have occurred since 2008. Obsolete agency names and titles should be corrected. All references to the OCC should be changed to DPA and the Director of OCC should be corrected to the Executive Director of DPA.	President, San Francisco Police Commission [September 15, 2019]		
Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F8-e	The use of Department or Department's presently used in the DGO's could cause confusion because both the SFPD and the DPA contain those terms.	President, San Francisco Police Commission [September 15, 2019]			R4-e	The use of 'department" should be specific to which one it is referencing (SFPD or DPA).	President, San Francisco Police Commission [September 15, 2019]		
Joint Terrorism Task Force: Balancing Public Safety with Civil Rights [July 17, 2019]	F8-f	At present, DGO 8.10 contains extraneous material regarding duties required of other than SFPD officers.	President, San Francisco Police Commission [September 15, 2019]			R4-f	DGO 8.10 should contain only material that is necessary and pertinent to the functions of SFPD. All material that is unrelated to the SFPD should be removed from DGO 8.10.	President, San Francisco Police Commission [September 15, 2019]		