

LEGISLATIVE DIGEST

[Police Code - Private Protection and Security Services]

Ordinance amending the Police Code to require the Police Department to perform an analysis for the implementation of Article 25, which, among other things, provides for registration of private protection and security services with the Police Department, to ensure that private security firms abide by all legal requirements and that they not engage in racial profiling or other discriminatory practices.

Existing Law

In November 1972, the Board of Supervisors added Article 25 of the Police Code to require all fixed patrols, street patrols, and private watchmen (sic) (collectively, “security services”), as defined in Article 25, operating within San Francisco to register with the Police Department (“SFPD”) and pay an annual registration fee to the Tax Collector. Under Article 25, SFPD is to set forth certain rules governing the operation of a security service that has registered, and is to receive information from the security service regarding its employees. Security services are required to carry certain types and amounts of insurance, and are prohibited from employing titles, clothing, insignia, or vehicles that could be mistaken for those of SFPD or the Sheriff’s Department. In 1981, Article 25 was amended to restrict the drawing of handguns by employees of security services.

The Police Department is not currently implementing Article 25. In a letter dated May 21, 2021 to Supervisor Stefani regarding the failure to implement Article 25, the Chief of Police indicated a need for a comprehensive assessment that would identify the number of security services that are operating in San Francisco, both corporate and small/local businesses, and the corresponding need to develop various processes to implement the provisions of Article 25.

Amendments to Current Law

This ordinance is intended to mandate a comprehensive analysis of what will be necessary and feasible to implement Article 25, as an important first step in reviving its provisions. It is also important to update Article 25 to address concerns about racial profiling by security services companies that have been reported by members of our Black, Indigenous, People of Color (“BIPOC”) community when walking in certain neighborhoods or shopping in certain stores. In the last couple of years, there have been reports of a security services company, without any justification, stopping youth from our BIPOC community for walking in one of our neighborhoods. Similarly, there have been recent reports of members of our BIPOC community being confronted in stores by security services companies, without any justification, and accused of stealing food or shoplifting. Incidents such as these are deeply humiliating to the individuals involved, may well be unlawful depending on the circumstances, and are just plain wrong. The public streets and walkways in San Francisco are for the use of

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all, as are stores that are open to the public. Every person who is accessing these public spaces should feel free to do so without risking being victimized and humiliated by security services engaging in discriminatory practices.

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