

1 [Providing staff assistance to the Community Oversight Committee that advises the Board
2 regarding the Policy Making Marijuana Offenses the Lowest Law Enforcement Priority.]

3 **Ordinance amending the San Francisco Administrative Code by amending Section**
4 **12X.6, to require the City Administrator to provide staff assistance to the Community**
5 **Oversight Committee established under Administrative Code Chapter 12X, Policy**
6 **Making Marijuana Offenses the Lowest Law Enforcement Priority.**

7 Note: Additions are *single-underline italics Times New Roman*;
8 deletions are *strikethrough italics Times New Roman*.
9 Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

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

11 Section 1. The San Francisco Administrative Code is hereby amended by amending
12 Section 12X.6, to read as follows:

13 **Sec. 12X.6. COMMUNITY OVERSIGHT.**

14 (a) An advisory Community Oversight Committee shall monitor the implementation of
15 section 12X of the Administrative Code. The Community Oversight Committee shall consist of
16 seven voting members appointed by the Board of Supervisors. Members shall serve at the
17 pleasure of the Board of Supervisors, for a term of two years. The Board shall appoint one
18 member with each of the following qualifications or backgrounds:

- 19 (1) One medical cannabis patient;
- 20 (2) One member of the public defender's office;
- 21 (3) One representative of a medical cannabis dispensary operating in San Francisco;
- 22 (4) One civil liberties advocate;
- 23 (5) One harm reduction practitioner;
- 24 (6) One representative of a drug policy reform organization; and

25

1 (7) One representative from any of the following categories: juvenile justice advocate,
2 advocate for homeless persons, resident of public housing, or representative of an
3 organization providing services to or advocating on behalf of residents of public housing in
4 San Francisco.

5 (b) The Police Department, the Department of Public Health and the District Attorney
6 are encouraged to send one representative as a non-voting liaison to the advisory committee.

7 (c) At the initial meeting of the advisory committee, and annually thereafter, the
8 committee shall select a chairperson, and any other officers deemed necessary by the
9 committee. Consistent with the requirements of state and local law, the committee shall
10 establish rules for its own organization. All meetings shall be open to the public, except as
11 provided by law. The City Administrator shall provide reasonable and appropriate staff assistance to
12 the committee.

13 (d) The Community Oversight Committee shall:

14 (1) Monitor the implementation of this Ordinance by gathering information, with the
15 cooperation of the San Francisco Police Department and other law enforcement agencies.

16 (2) Receive statements from individuals who believe they were subjected to law
17 enforcement activity contrary to the lowest law enforcement priority policy.

18 (3) Design a supplemental report form for San Francisco law enforcement officers to
19 use to report all adult marijuana arrests, citation, and property seizures, and all instances of
20 officers assisting in federal arrests, citations, and property seizures for any marijuana offenses
21 by adults within the City and County of San Francisco. The Community Oversight Committee
22 shall design the supplemental report with the goal of allowing the Committee to ascertain
23 whether San Francisco law enforcement officers followed the lowest law enforcement priority
24 policy.

1 (4) Request additional information from any San Francisco Law Enforcement Officer
2 who engaged in law enforcement activity relating to one or more marijuana offenses under
3 circumstances that appear to violate the lowest law enforcement priority policy. An officer's
4 decision not to provide additional information shall not be grounds for discipline.

5 (5) Submit written reports semi-annually to the San Francisco Board of Supervisors
6 on the implementation of this Ordinance. The Community Oversight Committee shall submit
7 the first report no later than nine months after the effective date of this ordinance. The report
8 shall include but not necessarily be limited to: the number of arrests, citations, property
9 seizures, and prosecutions of adults for marijuana offenses in the City and County of San
10 Francisco; the breakdown of marijuana arrests and citations of adults by race, age, specific
11 charge, and classification as infraction, misdemeanor, or felony; any instances of law
12 enforcement activity that the Committee believes violated the lowest law enforcement priority
13 policy; and the estimated time and money spent by the City and County on law enforcement
14 and punishment of adults for marijuana offenses. The report shall comply with all state and
15 local confidentiality laws.

16 (6) Within one year of the effective date of this Ordinance, make recommendations to
17 the Police Department and Police Commission regarding regulations for implementing this
18 Ordinance.

19 (7) Recommend to the Board of Supervisors policy changes that would further the
20 purposes of this Chapter.

21
22 APPROVED AS TO FORM:
23 DENNIS J. HERRERA, City Attorney

24 By: _____
25 Molly S. Stump
Deputy City Attorney