

1 [Administrative Code - San Francisco Homicide Reward Fund]

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3 **Ordinance amending the Administrative Code to revise eligibility criteria for the San**
4 Francisco Homicide Reward Fund, including to allow the Chief of Police, in the Chief's
5 discretion, to approve payment of a reward when information leads to the filing of
6 criminal charges whether or not the charges result in conviction; to prohibit denial of a
7 reward on the basis of an information provider's request to remain anonymous; to
8 prohibit denial of a reward on the basis of an information provider's arrest or criminal
9 history; to require that a person seeking a reward provide information voluntarily and
10 not as part of a plea bargain; and to ensure that a reward is not paid to a person for the
11 provision of false information.

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

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

20 Section 1. General Findings.

21 (a) The City and County of San Francisco affirms its commitment to ensuring justice for
22 victims of violent crimes by maintaining and strengthening its ability to incentivize public
23 cooperation in homicide investigations. This ordinance seeks to build upon and modernize the
24 Homicide Reward Fund established by Ordinance No. 60-16 in 2016 (Administrative Code
25 §10.100-306), aligning the City's reward policy with evolving best practices and community
 needs.

(b) Pursuant to the City's police powers under Article XI, Section 7 of the California Constitution, San Francisco may enact ordinances to safeguard the health, safety, and welfare of its residents. Enhancing the homicide reward system serves the public interest by improving clearance rates for unsolved murders, promoting accountability, and encouraging community engagement in law enforcement efforts.

(c) In 2016, the Board of Supervisors established the San Francisco Homicide Reward Fund to provide discretionary financial incentives for information leading to arrests and convictions in homicide cases. However, despite this framework, no reward has been paid since 2013, due in part to restrictive eligibility criteria.

(d) Testimony presented during the Police Commission's May 8, 2024 public meeting revealed that limitations in the current policy and eligibility criteria—including the requirement of a conviction, exclusion of anonymous tipsters, and disqualification based solely on a tipster's criminal history—undermine the efficacy of the reward program. Law enforcement officials have publicly acknowledged that these constraints discourage cooperation from individuals with valuable information due to fear of retaliation or distrust of legal institutions.

(e) This ordinance aims to eliminate unnecessary procedural and eligibility barriers by allowing rewards where information leads to criminal charges, whether or not they ultimately result in convictions; permitting payouts to anonymous tipsters; and preventing automatic disqualification based on a tipster's prior misconduct, while still excluding individuals who knowingly submit false information for personal gain.

Section 2. Article XIII of the Administrative Code is hereby amended by revising Section 10.100-306, to read as follows:

SEC. 10.100-306. SAN FRANCISCO HOMICIDE REWARD FUND.

(a) **Establishment of Fund.** The San Francisco Homicide Reward Fund (the "Fund") is established as a category six fund to receive any monies appropriated or donated for the

1 purpose of providing rewards as set forth in this Section 10.100-306. Donations to the Fund
2 are deemed approved for acceptance and expenditure.

3 (b) **Use of Fund.** Monies in the *F*und shall be used exclusively by the Chief of Police
4 in the following manner:

5 (1) The Chief of Police may pay a reward to any person or persons providing
6 information that leads, in the judgment of the Chief after consultation with the District Attorney,
7 to the *filings of charges against arrest and conviction of* a person for the crimes of murder (Cal.
8 Penal Code Sec. 187, as *may be* amended *from time to time, or any successor legislation*) or
9 manslaughter (Cal. Penal Code Sec. 192, as *may be* amended *from time to time, or any*
10 *successor legislation*) committed within the City *and County of San Francisco*. If more than one
11 claimant is eligible for a reward under this Section 10.100-306, the Chief of Police may divide
12 the reward in a manner the Chief deems appropriate, but the total reward in connection with a
13 single incident, whether made to one person or divided among several persons, may not
14 exceed \$250,000.

15 (2) A person claiming a reward from the Fund may not have participated in the
16 planning, commission, or concealment of the crime *for which the reward is provided*, and the
17 information provided by the person must have been unknown to the Police Department or the
18 District Attorney at the time it was provided.

19 (3) *If a person claiming a reward from the Fund has engaged in any prior criminal*
20 *conduct or has a history of criminal arrests, charges, or convictions, that shall not be a basis for denial*
21 *of the reward.*

22 (4) *If a person that provides information does not disclose their identity and seeks to*
23 *maintain their anonymity, their request for anonymity shall not be a basis for denial of the reward. If a*
24 *person claiming a reward from the Fund requests anonymity, their identity shall be maintained as*

1 confidential to the fullest extent permitted by law, unless such person consents in writing to disclosure
2 of their identity.

3 (5) Rewards may only be paid to a person if the information is given voluntarily, at the
4 person's own initiative. Rewards may not be paid as part of any plea bargain.

5 (36) The Chief of Police shall pay a reward from the Fund only where the Chief
6 determines, in the Chief's~~his or her~~ judgment, that: (A) the Police Department has exhausted all
7 investigative leads; and (B) assistance from the public and a reward are necessary to achieve
8 an arrest and conviction~~the filing of criminal charges~~ for the crime.

9 (7) Notwithstanding any other provision of this Section 10.100-306, a reward shall not be
10 paid to a person for the provision of information that, in the judgment of the Chief of Police, is false.

11 (48) Except as provided herein, Rewards are entirely in the Chief of Police's
12 discretion and there is in no circumstance a right to an award~~reward~~. The amount of the reward
13 rests in the discretion of the Chief and shall be based on, among other considerations, the
14 nature of the crime, the length and difficulty of the investigation~~and prosecution~~, and the
15 usefulness of the information furnished by the person claiming the reward.

16 ~~(5) For the purposes of this Section 10.100-306, "conviction" shall mean a finding of~~
17 ~~guilty following a trial, a plea of guilty or nolo contendere, or a plea of guilty or nolo contendere by~~
18 ~~plea bargaining whether or not the guilty plea or nolo contendere plea is entered for violation of Penal~~
19 ~~Code Sections 187 or 192.~~

20 (c) **Administration of Fund.**

21 (1) Any reference to the Chief of Police in this Section 10.100-306 shall include
22 the Chief's designee.

23 (2) Any individual reward of \$100,000 or more shall require Board of Supervisors
24 approval by resolution.

(3) The Chief of Police shall submit an annual written report to the Board of Supervisors and the Controller within the first two weeks of July showing donations to the Fund received, the nature and amount of such donations, and the disposition thereof, together with a description of the individual rewards paid from the Fund.

(4) To the extent permitted by law, the Chief of Police may keep confidential information identifying individual reward recipients. This provision shall not be construed to require the Chief to disclose other information that by law may be kept confidential.

Section 3. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within 10 days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under the official title of the ordinance.

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