

[Administrative Code - San Francisco Homicide Reward Fund]

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

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

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

Section 1. General Findings.

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

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

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

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

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

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

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

24 (a) **Establishment of Fund.** The San Francisco Homicide Reward Fund (the "Fund")
25 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 filing 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
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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~~this 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.

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

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

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

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

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Section 5. Undertaking for the General Welfare. In enacting and implementing this ordinance, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

APPROVED AS TO FORM:
DAVID CHIU, City Attorney

By: /s/
JEN HUBER
Deputy City Attorney

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