

1 [Board Response - Civil Grand Jury - Into the Open: Opportunities for More Timely and
2 Transparent Investigations of Fatal San Francisco Police Department Officer-Involved
3 Shootings]

4 **Motion responding to the Civil Grand Jury’s request to provide a status update on the**
5 **Board of Supervisors response to Recommendation No R.5.D contained in the 2015-**
6 **2016 Civil Grand Jury Report, entitled “Into the Open: Opportunities for More Timely**
7 **and Transparent Investigations of Fatal San Francisco Police Department Officer-**
8 **Involved Shootings;” and urging the Mayor to cause the implementation of accepted**
9 **findings and recommendations through his/her department heads and through the**
10 **development of the annual budget.**

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12 WHEREAS, The 2015-2016 San Francisco Civil Grand Jury published a report, entitled
13 “Into the Open: Opportunities for More Timely and Transparent Investigations of Fatal San
14 Francisco Police Department Officer-Involved Shootings” (Report) on July 6, 2016; and

15 WHEREAS, The Board of Supervisors’ Government Audit and Oversight Committee
16 (GAO) conducted a public hearing to hear and respond to the Report on September 15, 2016;
17 a copy of which is on file with the Clerk of the Board of Supervisors in File No. 160616; and

18 WHEREAS, Recommendation No. R.5.D states: “The Board of Supervisors should
19 approve these additional resources requested by the DA’s [District Attorney] Office and
20 included by the Mayor and the Mayor’s Office of Public Policy and Finance in the proposed
21 budget for FY2017-2018, and thereafter, to expedite OIS [Officer-Involved Shootings]
22 investigations. Approval of these additional resources again should be contingent upon
23 marked, measurable improvement by the DA’s Office in the time it takes to complete its
24 criminal investigations and issue its charging decision letters in OIS cases;” and
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1 WHEREAS, The Board of Supervisors on September 15, 2016, responded in
2 Resolution No. 160616 that Recommendation No. R.5.D requires further analysis for reasons
3 as follows: As reported by the Mayor's Office of Public Policy and Finance: "The DA's Office
4 budget for FYs 2016-2017 and 2017-2018 includes \$1.8 million in each year and additional
5 staffing of 14 positions to expedite Officer-Involved shooting investigations." However as
6 noted by the Budget and Legislative Analyst's Office for the Board of Supervisors, funds have
7 been placed on reserve and currently the Budget and Finance Committee will consider the
8 release of those funds by October 1, 2016. The Board of Supervisors agrees that future
9 funding decisions and department oversight should evaluate the DA's improvement in
10 promptly completing criminal investigations and issuing charging decision letters in Officer-
11 Involved shooting cases; and

12 WHEREAS, The GAO conducted an additional hearing on October 20, 2016, to receive
13 an update from City departments on Recommendation No. R.5.D; now, therefore, be it

14 MOVED, That the Board of Supervisors reports to the Presiding Judge of the Superior
15 Court that Recommendation No. R.5.D has been implemented for reasons as follows: The
16 Board of Supervisors appropriated and placed on Budget and Finance Committee Reserve
17 \$1.8 million in FY2016-2017 to add 14 positions in the District Attorney's Office to expedite
18 Officer-Involved Shooting investigations. On September 28, 2016 the Budget and Finance
19 Committee released \$1.5 million to hire these 14 positions in FY2016-2017 and retained \$0.3
20 million on Budget and Finance Committee Reserve. The Board of Supervisors agrees that
21 future funding decisions and department oversight should evaluate the DA's improvement in
22 promptly completing criminal investigations and issuing charging decision letters in Officer-
23 involved shooting cases; and, be it

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1 FURTHER MOVED, That the Board of Supervisors urges the Mayor to cause the
2 implementation of the accepted recommendation through his/her department heads and
3 through the development of the annual budget.

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