

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: William Scott, Chief, Police Department
Stacy Youngblood, Commission Secretary, Police Commission
Chesa Boudin, District Attorney
Manohar Raju, Public Defender
Shakirah Simley, Director, Office of Racial Equity
Sheryl Evans Davis, Director, Human Rights Commission
Micki Callahan, Director, Department of Human Resources
Adrienne Pon, Executive Director, Office of Civic Engagement & Immigrant Affairs

FROM: John Carroll, Assistant Clerk,
Public Safety and Neighborhood Services Committee,
Board of Supervisors

DATE: March 18, 2020

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following proposed legislation, introduced by Supervisor Haney on March 10, 2020:

File No. 200266

Ordinance amending the Administrative Code to require the Police Commission, in consultation with the Chief of Police, to establish a neighborhood safety unit in the Police Department and a community policing policy, and to require foot patrols in crime-impacted areas within the boundaries of each of the ten Police District Stations, with standards governing the operation of the foot patrols; and requiring the Department to submit biannual reports to the Board of Supervisors and Police Commission on the effectiveness of deploying foot patrols in those crime-impacted areas.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Rowena Carr, Police Department
Asja Steeves, Police Department
Mawuli Tugbenyoh, Department of Human Resources
Carol Isen, Department of Human Resources

1 [Administrative Code - Police Foot Patrols]

2

3 **Ordinance amending the Administrative Code to require the Police Commission, in**
 4 **consultation with the Chief of Police, to establish a neighborhood safety unit in the**
 5 **Police Department and a community policing policy, and to require foot patrols in**
 6 **crime-impacted areas within the boundaries of each of the ten Police District Stations,**
 7 **with standards governing the operation of the foot patrols; and requiring the**
 8 **Department to submit biannual reports to the Board of Supervisors and Police**
 9 **Commission on the effectiveness of deploying foot patrols in those crime-impacted**
 10 **areas.**

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

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

19 Section 1. The Administrative Code is hereby amended by adding Chapter 96D,
 20 consisting of Sections 96D.1, 96D.2, 96D.3, 96D.4, and 96D.5, to read as follows:

21 **CHAPTER 96D: FOOT PATROLS AND COMMUNITY POLICING**

22 **SEC. 96D.1. BACKGROUND; STATEMENT OF POLICY.**

23 (a) The San Francisco Police Department ("SFPD") is committed to community policing,
 24 which is defined as a philosophy and organizational strategy in which the police work collaboratively
 25 with community members, community-based organizations, other City agencies, and community

1 stakeholders, in order to reduce violent crime, create safer communities, and enhance the health and
2 vibrancy of neighborhoods in San Francisco.

3 (b) Community policing requires that the SFPD have an understanding of the traditions,
4 culture, and history of the neighborhoods in which police officers serve. Likewise, Community policing
5 requires that the SFPD provide information to the community, so that community members gain an
6 understanding of police practices and procedures, and of the traditions and culture of the law
7 enforcement profession.

8 (c) The report of the President's Task Force on 21st Century Policing, United States
9 Department of Justice, found that community policing and police interventions must be implemented
10 with strong policies and training in place, rooted in an understanding of procedural justice. Without
11 this foundation, the report cautioned that police interventions can easily devolve into racial profiling,
12 excessive use of force, and other practices that disregard civil rights, causing negative reactions from
13 people living in already challenged communities.

14 (d) To be most effective, community policing requires collaborative partnerships with agencies
15 beyond law enforcement, including leaders of key institutions in the community, such as businesses,
16 non-profit organizations, churches, schools, and neighborhood organizations.

17 (e) Law enforcement's obligation is not only to reduce crime but also to do so fairly while
18 protecting the rights of citizens. Any crime prevention strategy that violates civil rights, even
19 unintentionally, compromises police legitimacy in the eyes of the community, and is counterproductive.
20 Ignoring these considerations can result in serious financial costs to the City (e.g., stemming from
21 lawsuits) and other less tangible costs that are just as serious (e.g., loss of public support for and trust
22 in the SFPD).

23 (f) According to the Department of Justice report referenced in subsection (c), the absence of
24 crime is not the only or final goal of law enforcement. Rather, the ultimate goal of law enforcement is
25 the promotion and protection of public safety while respecting the dignity and rights of all. And public

1 safety and well-being cannot be attained without the community's belief that its well-being is at the
2 heart of all law enforcement activities.

3 (g) In 2007, the City established a one-year foot patrol pilot program that demonstrated the
4 effectiveness of foot beat officers. The City commissioned an outside consulting group, the Public
5 Safety Strategies Group (PSSG), to evaluate the pilot program. PSSG released a report in April 2008
6 which found that 90% of community members who responded to the survey believed that foot patrols
7 were a necessary tool for the SFPD to use in addressing crime, public safety, and quality of life issues,
8 while 79% of SFPD respondents believed that foot patrols were a viable strategy for the Department.
9 However, the PSSG Report also found that the SFPD was not able to fully implement the pilot foot
10 patrol program and recommended that it develop a comprehensive plan that includes community
11 outreach and input before a full plan is rolled out.

12 (h) In 2017, California Policy Lab and researchers at University of California at Berkeley
13 conducted a study that found that after the SFPD doubled its foot patrols, a significant reduction in
14 larceny theft and assaults resulted across San Francisco and within the ten police station districts in
15 the City. The study suggests that a greater visible police presence helped reduce thefts and assaults in
16 San Francisco.

17 (i) A March 2020 report from the California Department of Justice criticized the SFPD for its
18 slow progress in fulfilling only 18% (48 of 272) of the U.S. Department of Justice's collaborative
19 reform recommendations announced in 2016.

20 (j) The U.S. Department of Justice collaborative reform recommendations urged the SFPD to
21 develop a strategic community policing plan that identifies goals, objectives, and measurable outcomes
22 for community policing practices. The March 2020 report referenced in subsection (i) revealed that the
23 SFPD had not fully evaluated the use of foot patrols.

24 (k) As of 2020, the SFPD staffed a certain number of foot patrol officers throughout the City.
25 This Chapter 96D will facilitate the review and assessment of staffing levels dedicated to foot patrol

1 assignments, to maximize the public safety benefits and the building of trust between police officers and
2 the community that is fostered by the use of foot patrols and implementation of a community policing
3 policy.

4 **SEC. 96D.2. NEIGHBORHOOD SAFETY UNIT; COMMUNITY POLICING POLICY;**
5 **FOOT PATROLS.**

6 (a) **Creation of NSU.** There shall be a Neighborhood Safety Unit (“NSU”) within each
7 District Station of the SFPD. The NSU shall reinforce the importance of community engagement in
8 deploying foot patrol officers. The NSU shall use the Community Policing Policy referenced in
9 subsection (c) to guide its operations.

10 (b) **Guiding Principle of NSU.** The purpose of the NSU is to ensure opportunities for
11 patrol officers to regularly interact with neighborhood residents and faith leaders, business leaders,
12 and others in the community. In accordance with the Community Policing Policy, foot patrol officers
13 will (1) support a culture and practice of policing that reflects the values of protection and promotion
14 of the dignity of all, especially the most vulnerable in the community, and (2) collaborate with members
15 of the community to identify problems as well as solutions that will produce meaningful results for the
16 community.

17 (c) **Community Policing Policy.** The Police Commission shall adopt a Department General
18 Order that sets forth a comprehensive “Community Policing Policy” that shall implement the following
19 principles and goals:

20 (1) **Foster collaboration and open communication between police officers and**
21 community members, including neighborhood groups, merchants, non-profits, faith-based groups,
22 schools, and neighborhood leaders.

23 (2) **Encourage residents’ involvement in activities that contribute to crime**
24 prevention, including neighborhood public safety meetings, community activities, neighborhood clean-
25 up and beautification, and crime prevention educational programs.

1 (3) Direct foot patrol officers to identify and address crime and nuisance problems
2 that impact the quality of life and the level of fear of neighborhood residents.

3 (d) Foot Patrol Strategy. The Police Commission, in consultation with the Chief of Police,
4 shall adopt a foot patrol strategy that will identify the areas where foot patrol officers are most needed
5 to effectively reduce crime and strengthen the SFPD's partnership and trust with the community. The
6 Police Commission, in consultation with the Chief of Police, shall develop a map that will outline the
7 footprint of the foot beats within the boundaries of each of the ten District Stations, that will dictate the
8 street locations foot patrol officers may travel as described in subsection (e). The Police Commission,
9 in consultation with the Chief of Police, shall develop a formula for designating the foot patrol streets
10 and boundaries based on the reporting of the location of violent crimes and high volume foot traffic,
11 and other factors they deem appropriate to meet the needs of the community.

12 (e) Foot Patrols Assignments. The Chief of Police shall assign foot patrol officers to each
13 of the ten District Stations, in the geographic locations identified as described in subsection (d). Foot
14 patrol officers shall have undergone the specific training outlined in subsection (f) and shall have the
15 knowledge and skills required of a foot patrol officer, and ties to the community the District Station
16 serves.

17 (1) Each budget cycle for the SFPD, the Chief of Police shall propose to the Police
18 Commission a budget and level of staffing for each NSU.

19 (2) To the extent permitted by law and binding agreements, the Chief of Police shall
20 make efforts to minimize the reassignment of foot patrol officers, to promote continuity between the
21 officers and community members with the goal of strengthening SFPD's relationships with the
22 community.

23 (3) The Chief of Police may increase staffing foot beats beyond the minimum
24 standards established by this Chapter 96D for purposes of increasing officer safety or enhancing the
25 effectiveness of the foot patrols.

1 (f) Training. *The SFPD shall offer on-going training and professional development in the*
2 *following areas: (1) community policing and problem-solving principles; (2) implicit and explicit bias;*
3 *(3) history and current issues surrounding policing as it relates to LGBTQ individuals and communities*
4 *in San Francisco; (4) ethnic studies, (5) interpersonal and communication skills, including the ability*
5 *to effectively communicate with non-English-speaking or bilingual communities; (6) scenario-based,*
6 *situational decision making; (7) procedural justice and impartial policing; (8) culturally competent and*
7 *trauma-informed services; and (9) mental health challenges and crisis intervention on the streets.*

8 **SEC. 96D.3. REPORTING REQUIREMENTS.**

9 (a) The SFPD shall compile data regarding all reported crime within the foot beats created
10 by this Chapter 96D. The data shall be organized and reported by each District Station, detailing the
11 type of crimes reported and police response times for calls of service, within the district. This
12 information shall be reported at each community meeting held in the District Station.

13 (b) The Chief of Police shall, on a quarterly basis, report crime and crime trends within the
14 areas covered by the foot patrols to the Police Commission, and in addition shall report on the
15 coordination across all of the NSUs at the District Stations, and the effectiveness of the foot patrols.

16 (c) The SFPD shall keep detailed records of staffing levels for the foot beats, including time,
17 date, and officer or officers assigned. The SFPD shall compile and maintain records of (1)
18 redeployment or reassignment of foot patrol officers between stations, or from patrol cars to foot
19 patrols within a station, and (2) response times to priority calls for service (“A” and “B” calls) at each
20 of the District Stations.

21 (d) Six months and one year from the effective date of this Chapter 96D, and twice a year
22 thereafter, the SFPD shall submit to the Board of Supervisors and the Police Commission a
23 comprehensive report analyzing the effectiveness of foot patrols in reducing crime within each of the
24 District Station boundaries. The report shall include (1) all reported incidents of crime, by type, within
25 those foot beats, during the reporting period, compared to the prior two years, (2) an analysis of the

1 actual staffing of the foot beats during the reporting period, and (3) an analysis of response times to
2 priority calls for service (“A” and “B” calls) during the reporting period, compared to the prior two
3 years.

4 (e) The SFPD shall develop or use a tracking instrument that measures outcomes of
5 community policing practices and activities in the context of the Community Policing Policy referenced
6 in subsection (c) of Section 96D.2.

7 **SEC. 96D.4. UNDERTAKING FOR THE GENERAL WELFARE.**

8 In enacting and implementing this Chapter 96D, the City is assuming an undertaking only to
9 promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an
10 obligation for breach of which it is liable in money damages to any person who claims that such breach
11 proximately caused injury.


12 **SEC. 96D.5. SEVERABILITY.**

13 If any section, subsection, sentence, clause, phrase, or word of this Chapter 96D, or any
14 application thereof to any person or circumstance, is held to be invalid or unconstitutional by a
15 decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining
16 portions or applications of the Chapter. The Board of Supervisors hereby declares that it would have
17 passed this Chapter and each and every section, subsection, sentence, clause, phrase, and word not
18 declared invalid or unconstitutional without regard to whether any other portion of this Chapter or
19 application thereof would be subsequently declared invalid or unconstitutional.

20
21 Section 2. Effective Date. This ordinance shall become effective 30 days after
22 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
23 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
24 of Supervisors overrides the Mayor’s veto of the ordinance.

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

By: 
JON GIVNER
Deputy City Attorney

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LEGISLATIVE DIGEST

[Administrative Code - Police Foot Patrols]

Ordinance amending the Administrative Code to require the Police Commission, in consultation with the Chief of Police, to establish a neighborhood safety unit in the Police Department and a community policing policy, and to require foot patrols in crime-impacted areas within the boundaries of each of the ten Police District Stations, with standards governing the operation of the foot patrols; and requiring the Department to submit biannual reports to the Board of Supervisors and Police Commission on the effectiveness of deploying foot patrols in those crime-impacted areas.

Existing Law

There is no existing law that requires foot patrol officers.

Amendments to Current Law

If this ordinance passes, there shall be a Neighborhood Safety Unit ("NSU") within each District Station of the San Francisco Police Department ("SFPD") focused on community engagement in deploying foot patrol officers. The purpose of the NSU is to ensure opportunities for patrol officers to regularly interact with neighborhood residents and faith leaders, business leaders, and others in the community.

The Police Commission is required to adopt and create a comprehensive "Community Policing Policy" that focuses on fostering collaboration and communication with the community.

The Police Commission in consultation with the Chief of Police, are required to develop a foot patrol strategy that will identify the areas where foot patrol officers are most needed. This includes, the development of a map that will outline the footprint of the foot beats within the boundaries of each of the ten District Stations. This map will delineate the street locations the foot patrol officers may travel based on the reporting of violent crimes and high volume foot traffic, and other factors they deem appropriate to meet the needs of the community.

The Chief of Police is required to assign foot patrol officers to each of the ten District Stations. Each budget cycle for the SFPD, the Chief of Police is required to submit a propose budget for staffing the NSU.

This ordinance outlines the minimum training requirements for foot patrol officers. SFPD is required to compile data regarding all reported crime within the foot beats and to issue quarterly reports to the Police Commission.

FILE NO. 200266

Six months and one year from the effective date of this ordinance, and twice a year thereafter, the SFPD shall submit to the Board of Supervisors and the Police Commission a comprehensive report analyzing the effectiveness of foot patrols in reducing crime within each of the District Station boundaries.

Lastly, SFPD shall develop or use a tracking instrument that measures outcomes of community policing practices and activities as specified in the ordinance.

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Introduction Form

By a Member of the Board of Supervisors or Mayor

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BOARD OF SUPERVISORS
SAN FRANCISCO

2020 MAR 10 PM 12:39

BY AK Time stamp or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor inquiries"
- 5. City Attorney Request.
- 6. Call File No. from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Haney, Walton *MAA*

Subject:

Administrative Code - Police Foot Patrols

The text is listed:

Ordinance amending the Administrative Code to require the Police Commission, in consultation with the Chief of Police, to establish a neighborhood safety unit in the Police Department and a community policing policy, and to require foot patrols in crime-impacted areas within the boundaries of each of the ten Police District Stations, with standards governing the operation of the foot patrols; and requiring the Department to submit biannual reports to the Board of Supervisors and Police Commission on the effectiveness of deploying foot patrols in those crime-impacted areas.

Signature of Sponsoring Supervisor:



For Clerk's Use Only