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Supervisors,

The SFPD is an agency that routinely claims to be committed to transparency. But transparency isn't a slogan. Transparency is a state defined by a maximum degree of candor and a minimum degree of spin and obfuscation.

Candor requires freely volunteering and releasing factual information even when -- especially when -- that information might temporarily tend to put the agency in a less positive light. Candor requires avoiding unnecessarily selective releases of information in the hope of shaping public perceptions rather than trusting the public to form their own conclusions by providing **all** the relevant information. And, candor requires a deep and consistent commitment to factual accuracy and a willingness to promptly correct mistakes when they occur.

Law enforcement agencies that consistently require candor in their communications and media operations are agencies that recognize that the long-term need to develop and maintain the trust of the public, press and other parts of government is always more important than any short-term embarrassment that might result from the timely release of factual information perceived to be negative.

**That's** the degree of transparency that's required of law enforcement agencies to be effective in serving and being accountable to the public. And, unfortunately, it's this candor-based transparency that SFPD has, in recent times, far too frequently actively avoided in its communications efforts.

Official police communications consistently designed to prioritize an internally-preferred narrative about an event, controversy or issue over candor and full transparency with the press and public will be fairly and accurately understood to be **propaganda**. If the goal of being less than candid.. of being misleading or inaccurate.. of selectively releasing or withholding information.. is to influence coverage so that it might shape and skew public opinion in certain ways.. by definition, **that's propaganda**. And if certain misleading or inaccurate messages are repeated over and over, that's a well-recognized and often effective **propaganda technique**.

**THE ILLEGITIMACY AND CORROSIVENESS OF POLICE PROPAGANDA**

The SFPD has branded itself as a "safety with respect" agency. But it's fundamentally disrespectful for the SFPD to so frequently and actively mislead the public. The public mistrust that results makes safety far more difficult to achieve. The [SFPD's Statement of Values](#) includes an aspirational goal to "maintain the highest levels of integrity and professionalism in all actions." The SFPD's consistently less than candid and fully transparent communications efforts are falling well short of that standard.

For the last two years, the SFPD's Director of Strategic Communications has been someone with an extensive background in political and campaign communications and who touts on his [Linkedin page](#) that the *Examiner* called him a "powerhouse consultant" with deep political connections and a particular ideological reputation. I respect political consultants and have relied on their advice and help in the few issue-based electoral campaigns I've helped lead. But most of my 35 years of experience both locally and nationally has been as a police practices expert for the ACLU and now as a local activist retiree. I have never before come across a police department that has put a "powerhouse (political) consultant" or a political communications specialist in charge of all of its official communications. To the best of my recollection, whenever the SFPD has employed a civilian in this or any other media relations capacity in the past, they have always been former journalists trained and rooted in the primacy of factual accuracy -- former reporters who've been on the other side of the police-media relationship. They've not been former "spin doctors" for politicians and campaigns.

Strategic **political** communications should be entirely different in nature and emphasis than strategic **law enforcement** communications. The former is inherently and legitimately political. The latter must be scrupulously **apolitical**. Rule-of-law policing in a democratic society must steer clear of any political agenda. Communications for a politician -- for an elected official or for their campaign -- are understood both by the media and by most consumers of the news to be at least partly about the political interests of that politician. Matters of public interest **are** being addressed and there is still a need to be reasonably accurate but a certain amount of political spin and occasional strategic lack of candor and full transparency is "baked in," generally recognized and accepted.

In California we do not elect municipal police chiefs and the very legitimacy of municipal police departments depends on them acting and being perceived as acting in a non-political fashion. The strategic communications for a police department should serve only **institutional** goals but those should **never** be political in nature. **Police departments have no legitimate political goals** beyond effectively serving the public and improving public safety. The **SFPOA** can and does have political goals it pursues through its various communications strategies and products. But, the **SFPD** must never pursue political goals.

In fact, the institutional goals of a police department in a democratic society do not exist independently of the public they serve and, at all times, must be established, overseen and periodically modified by the public's representatives. So-called "police powers" -- the power to detain, search and arrest, the power to use force, injure and

kill -- are not powers that **belong** to the police. They are powers **delegated** to the police by the public to be used on its behalf only under the specific conditions set by the appointed and elected civilian bodies who oversee and control the police. In San Francisco, our charter has long-required a particularly strong form of civilian control of the SFPD with a civilian Police Commission appointed by our elected representatives with significant managerial responsibilities over the SFPD and the independent power to fire a chief of police for any reason. And, of course, the SFPD is also accountable to the elected Mayor and subject to the legislative, oversight and budgetary powers of the Board of Supervisors. In other words, the only legitimate institutional goals of the SFPD are those set or supported by the Police Commission and that respect the democratic primacy of executive and legislative branches.

That charter-mandated structure and context in which the SFPD and Chief of Police operate are very different than exists for city departments not directly controlled or overseen by commissions but that are instead run by independently-elected officials. The City Attorney's and District Attorney's Offices are independent agencies run by officials who must stand for election and re-election, with institutional goals set by those politicians. The communications strategies in support of their institutional goals will be aligned with the political interests and political visions of the elected office-holder. But the Chief of Police is not an elected official and the vision and institutional goals for the SFPD -- and any communications strategies that support them -- are always subject to the oversight and consent of the appointed Police Commission, a wholly non-political (in the electoral sense) body that the voters 20 years ago made even more independent and less beholden to any individual politician by giving the Board of Supervisors the power to approve or reject mayoral appointees and to directly appoint three of the commissioners.

## **KEY QUESTIONS**

As you consider the various examples of the SFPD's lack of candor and full transparency obfuscations, inaccuracies and crass attempts at spin and image management detailed below and others that may be discussed during the hearing, ask yourselves two sets of questions about the SFPD's communications strategies --

1. Whose interests are they designed to further, promote or defend? What is the goal behind the messaging? Is it an illegitimate **political** goal rather than a legitimately institutional one?
2. If a communication strategy just or primarily serves the narrow interests and goals of the SFPD -- independent from or in conflict with the role of the Police Commission or the broader public interest -- why would **that** be considered to be an appropriate use of taxpayers funding? What happens to the credibility, effectiveness and perceived legitimacy of a law enforcement agency when its elaborate and expensive communications strategies and various products appear to be political and propagandistic?

In recent months, the Police Commission has begun to ask a few questions about the timing and content of some of the SFPD's press releases and about the SFPD's

approach to media relations. But the SFPD has not consulted the Commission about its communications strategies to any significant degree. At times, the Police Commission itself has been targeted by SFPD messaging and communications approaches that seemed designed to undermine or minimize their role and to politically pressure them into not exercising their authority over the Chief and SFPD.

This was particularly apparent in the SFPD's messaging surrounding the [extraordinary controversy](#) sparked by the Chief's sudden, unilateral attempt to cancel the MOU requiring and facilitating independent investigations by the District Attorney's Office into the most severe and consequential police uses of force -- an MOU whose creation the Police Commission had overseen and that had taken years of discussion, negotiation and public consideration to finalize and ultimately approve. The nature and degree of the highly-political [messaging](#) by the SFPD -- labelling concerns articulated by all or nearly all of the Police Commissioners "unreasonable" and the product of "alarmist polemics" -- in support of their ultimately unsuccessful effort to win Commission and sufficient broader political support to bring an end to MOU-protected DA investigations into SFPD conduct was unprecedented in at least the last 40 years. In fact, I can think of no other commission-overseen City department whose public communications are so out of synch or in direct conflict with the role and goals of their commissions. Can you? With that in mind, here's a third set of questions to consider:

3. If those types of communications strategies are inappropriate and do not occur in any other City departments overseen by appointed commissions, why should they be tolerated when the SFPD engages in them and supported by significant public expenditures?

## **SELECTED EXAMPLES OF S.F.P.D. PROPAGANDA**

### **1. SFPD Claim -- The SFPD has been "hailed by the New York Times as a police department as a major city department where police reform has worked."**

This is false.

The *New York Times* did no such thing. Yet, this falsehood continues to be: included as part of the "about the SFPD" blurb at the bottom of every Department press release; is featured prominently on the SFPD's website's "police reform" section touted on the homepage; Is promoted on SFPD-produced videos the department has used to encourage members of the public to [lobby the Board of Supervisors](#) (at 1:11 mark) in support of their budget requests; and, routinely used to [create a false impression](#) (on homepage and at 3:53 mark of video) about the scope and impact of the reform process while positioning the SFPD as allegedly a nationally-recognized "role model on reform" generally rather than only on certain selected policies.

Yet, ***no New York Times editorial, column or reported story makes that claim about SFPD.*** It stems ***entirely*** from a headline placed on *New York Times* [morning](#)

[news summary](#) for June 5, 2020 -- 11 days after the murder of George Floyd and with massive protests continuing across the country. That morning summary newsletter contained only an abbreviated, overview description of the state of police reform at that point. The actual subheadline for that Friday morning *New York Times* newsletter was "And what else you need to know today" but the screenshot or photograph routinely used by SFPD in videos and in various public presentations includes only the main headline. ***It has apparently been altered by SFPD communications staff to remove the subheadline that would betray the actual context of what's being shown and to make it appear as though it's an actual New York Times reported story rather than an emailed morning news summary*** which, in fact, briefly summarized many topics that day and ***was not about the SFPD's overall reform efforts at all!***

That morning news summary relied entirely on linked stories ***from other publications*** to make the limited point that certain policy reforms belatedly enacted in a number of major cities -- usually after avoidable police killings and significant protests and public pressure not just in San Francisco -- had begun to help reduce the number of police shootings in those jurisdictions. Relying on and quoting an ABC News [Five Thirty Eight story](#) by nationally-recognized police reform data scientist and activist Sam Sinyangwe, founder of the Mapping Police Violence and Police Scorecard projects (and a key architect of Campaign Zero and the 8 Can't Wait / #8CantWait campaign), the summary mentions San Francisco along with Chicago, Philadelphia, Baltimore and Phoenix as examples of cities where these particular policy changes had been made. ***None were described as agencies "where police reform has worked." None were singled out as national models for police reform overall -- not San Francisco and certainly not other deeply- and historically-flawed police departments in Philadelphia, Chicago and Baltimore.*** In other words, if that *New York Times* morning news summary can be accurately cited for anything it's only for the very limited proposition that San Francisco was one of several major American cities whose police departments, under great public pressure, finally enacted certain "best practices" deadly force policy reforms that predictably helped drive down shootings.

***Neither the New York Times itself nor the linked primary source material authored by Mr. Sinyangwe ever hailed SFPD or any other of the named agencies as places "where police reform works" overall*** much less held them up as national models for anything other than the need to pressure agencies to finally enact certain best practices policy reforms long-promoted by groups like the Police Executives Research Forum that have long been known to help to reduce the frequency of police shootings. In fact, when Mr. Sinyangwe ***has*** singled out the SFPD, it's been because the Department continues to produce very extreme, outlier levels of racial disparities in arrests, stops, searches, shootings and uses of force -- notwithstanding all their various claims of progress on police reform overall. If SFPD was candid in its public communications and wanted to accurately represent the actual content and source behind their *New York Times* claim, they would include images of the headline for Mr. Sinyangwe's subsequent February 2021 *Five Thirty Eight* piece, because, in fact , ***SFPD remains among "The Police Departments with the Biggest Racial Disparities in Arrests and Killings"***. In that piece, Mr.

Sinyangwe singled out San Francisco as one of four major cities with --

".... some of the largest disparities in policing outcomes between Black and white residents. In these cities, Black residents were policed at high rates while white residents were policed at relatively low rates. Police *arrested* Black people at several times the rate of white people, even for offenses like drug possession which have been found to be [committed at similar rates by Black and white communities](#). And police in these cities also killed Black people at substantially higher rates than white people, even after accounting for racial differences in arrest rates."

***In San Francisco's case, these damning disparities have not eased five years after the voluntary reform process started during the Obama administration.*** As Mr. Sinyangwe emphasizes in an updated statement prepared yesterday in advance today's GAO Committee hearing--

"According to the [most recent report](#) by SFPD, in Q3 2021 San Francisco police arrested Black people at 9x higher rate and used force against Black people at 12x higher rate than white people per population. Latino communities in San Francisco experienced 3-4x higher rates of arrest and police use of force than white people. ***Despite attempts by SFPD to claim the limited reforms they've implemented to date are working, San Francisco continues to have among the worst policing outcomes in the nation, with more [extreme racial disparities](#) in policing and [higher use of force rates](#) than most other major cities. The data demonstrates that these efforts have not been sufficient to end the longstanding practice of violent and discriminatory policing in San Francisco.***"

(Emphasis added.)

The SFPD has repeatedly been informed it is misrepresenting both the *New York Times* morning news summary and, in turn, Mr. Sinyangwe's actual conclusions about SFPD. They are aware of Mr. Sinyangwe's work as they regularly [tout](#) (at 04:45 mark of video) the fact that the SFPD has already enacted the policy reforms called for in the "8 Can't Wait" (#8CantWait) campaign Mr. Sinyangwe helped design and lead (even though some SFPD officers too frequently continue to openly violate or ignore those reformed policies without consequence). ***Making claims that have been shown to be factually false is a form of propaganda. Repeating those falsehoods - over and over to shape public opinion - is a tried and true propaganda technique. If there is a single Biggest Lie in the SFPD's communications strategy, it's that their overall reform efforts have been "hailed by the New York Times."***

***2. SFPD Claim -- "Uses of force by San Francisco police officers have declined significantly" and "have dropped steadily and substantially"***

These are deeply misleading and wildly exaggerated claims carefully presented and depicted with graphs cynically designed to justify sweeping conclusions unsupported



by the actual data and ***directly inconsistent with the SFPD's own prior explanations of use of force data trends.***

First, in its [videos](#) (at 04:05) and other public communications, the SFPD always presents graphic representations of use of force data trends that are careful to start with the 2016 data. Why? Because 2016 was a unique, complete outlier year with uses of force far higher than they'd ever been or ever will be again because of a critical and important change in what was logged and counted as a use of force. ***By starting with the data from 2016 -- and omitting the data from earlier years -- the SFPD is able to graphically depict what appears to be sharp, across the board drops in uses of force. That's not what's actually happened. SFPD knows it -- and used to properly acknowledge and explain it -- but not any longer, at least not in their public-facing communications materials.***

The [USDOJ COPS report](#) confirms (at pg. 30) that reported uses of force were far lower in 2014 and 2015 and suddenly skyrocketed up in 2016. ***If the 2014 and 2015 data was included in the SFPD's public relations graphs it would depict, roughly-speaking, a bell-shaped curve where uses of force went up in 2016 and then started to come down in subsequent years to levels that are roughly comparable to 2014 and 2015 levels.*** Instead, by omitting the 2014 and 2015 data, the SFPD's graph depicts only a downward sloping decline starting from the year 2016 while hiding the longer term trend and failing to contextualize the 2016 data.

***Why did SFPD's reported uses of force skyrocket in 2016?*** Because that's the year SFPD finally joined many other major city police departments in requiring officers to log the drawing and pointing of a firearm as a use of force -- because it most definitely *is* experienced as a serious use of force by members of the public who have an officer pointing a gun at them and because any reasonably-managed police department needs to track and understand how often and in what circumstances officers may be inappropriately and needlessly pointing their firearms at people.

SFPD had never done that before. The first year of data after this reform showed and the press coverage reflected that SFPD had been drawing and [pointing their guns at people with alarming frequency](#) and in situations where it was clearly not justified. The reported use of force data suddenly skyrocketed. At the time, SFPD was very proactive and careful to always publicly explain that this did not represent an actual increase in uses of force but instead was attributable only to this major change in how uses of force were reported and counted. Now that it serves their public relations purposes, they pretend 2016 is an appropriate base year to use for data comparisons and never explain that it was -- and always will be -- a uniquely high data point for SFPD uses of force.

Why did reported uses of force start to decline in 2017? First, because the revised SFPD Use of Force policy first went into effect in December 2016 and contained new, detailed and more restrictive standards on when officers could draw, exhibit and point their firearms. The press coverage over how frequently officers were pointing their guns created pressure on SFPD management to more carefully manage the problem. And, over time -- year by year -- and consistent with the data trends shown by other major police departments in the years after adopting this same reform, the a

laudable "slow down and think" effect was triggered (no pun intended) by requiring officers to report the pointing of a firearm as a use of force. Officers themselves began to realize they were pointing their guns too frequently and in circumstances that were unnecessary when they may have had difficulty explaining what they did so in the required use of force reports. The deterrent effect of the reporting requirement began to kick in and within a few years guns were being pointed far less frequently.

This was an important reform that SFPD should take and get credit for finally adopting it -- (even though they were more of a follower among big city law enforcement agencies in doing so rather than a leader). Along with other things -- such as the new mandatory de-escalation requirement, a new state law narrowing the standard for when police officers can lawfully use deadly force, and eventually the election of a DA who had promised during his campaign he would hold SFPD officers to that law and file criminal charges against officers when the evidence demanded it (and who has kept that promise) -- that reform played a major role in sharply reducing the number of SFPD shootings in recent years. That's great but ***it's no excuse for using the data wholly attributable to that "pointing a firearm" reform to mislead the public with claims that uses of force generally have declined. They have not.***

In a broader 50-page [report for the Police Commission covering data through 2019](#) presented in 2020, ***the SFPD candidly and clearly explained that --***

"In 2016, Pointing of a Firearm became a reportable Use of Force. This created a substantial increase in the total number of reportable Use of Force incidents. The chart and graph show that ***non-firearm Use of Force incidents have remained constant over time. Incidents involving pointing of a firearm have steadily decreased*** "

(At pg. 48, emphasis added.)

And, discussing the 2019 data specifically - "Remove the 'Pointing of a Firearm' as a reportable UOF and there was only ... ***a 2.7% decrease compared to 2016***" in reported uses of force.

(At pg. 49, emphasis added.)

The SFPD's use of force data graphs used in its public-facing communications products now show further declines in 2020 and 2021 and, by implication, try to attribute these declines to the alleged success of the reform process. That's utter nonsense. It's common knowledge that nearly all criminal justice data has been deeply skewed by the effect of the pandemic. For significant parts of both of those years, there were far fewer people out in public, far fewer contacts reported by SFPD with members of the public and far fewer circumstances where uses of force might occur. Yet, ***SFPD cynically fails to acknowledge the obvious effects of the pandemic in their various communications products addressing use of force data trends.*** (SFPD did the same thing -- ignored the obvious pandemic effect -- in its [slides](#) presented to the Board of Supervisors on March 22nd of this year reviewing the progress of the reform process by falsely attributing sharp declines in stops in



2020 and 2021 to "Bias Reform Outcomes" rather than to the pandemic, even though the racial disparities remained just as extreme regardless. See slide. #5.)

***This crass manipulation and de-contextualization of use of force data for public relations purposes -- the failure to be as candid with the public now about non-firearms related use force data trends as they were with the Police Commission in 2020 ("remained constant" or, if there have been any declines at all they've been only by a few percentage points) -- is hardly "transparent" and falls far short of acting in accordance with the SFPD's values requiring "high levels of integrity and professionalism." It's rank propaganda designed and being spread to mislead and serves no legitimate institutional purpose.***

***3. SFPD Claim -- "In October 2016, the USDOJ COPS Office -- for Community Oriented Police Services -- released the most comprehensive assessment of the San Francisco Police Department in City history."***

This is, at best, extremely misleading.

This claim made at the start of the SFPD's promotional [video](#) (at 00:46) about the current reform process tries to frame this now six-year long effort as ***the first time San Franciscans have been promised comprehensive reform of the SFPD. It is not.*** In fact, the 2016 USDOJ COPS review and report occurred just eight years after a strikingly similar process was used by the Police Executives Research Forum (PERF) to conduct a thorough assessment of the SFPD. Frustrated with various high-profile scandals involving SFPD, Mayor Newsom contracted with PERF to perform the review that led to a 353-page [Organizational Assessment of the San Francisco Police Department](#) report being released in December 2008 containing more than 200 recommendations addressing a wide variety of serious problems. ***Many of the problems that led Mayor Lee and others to request assistance from the USDOJ COPS office in 2016 were directly attributable to SFPD's failure to implement some of the most important recommendations in the 2008 PERF report.***

For example, even though PERF called on SFPD in **2008** to ban shooting at moving vehicles as other big city police agencies had already done and yet, notwithstanding avoidable losses of life and injuries in the intervening years, the Police Commission did not issue that ban -- (over the SFPOA's strenuous objections and with subsequent years of expensive SFPOA litigation funded by San Francisco rank and file police officers unsuccessfully seeking to overturn this quite common "best practice" reform) - - until **December 2016**, two months after the USDOJ COPS report was completed.

For example, PERF called on SFPD to actually.. finally... fully implement the critically-important Early Intervention System (EIS) first created in 1994 (!) and comprehensively revised in a 2007 [Department General Order](#) (DGO) . This basic, widely-implemented tool of modern police management allows agencies to track which officers are using force, are generating complaints or lawsuits or are engaged in other common markers of possibly problematic policing more frequently than their

similarly-situated peers so that non-disciplinary interventions can be tried before small performance issues become much more serious. Yet, because of an internal SFPD culture that resists the very notion that outlier levels of uses of force or complaints might be indicative of problematic behavior deserving of management attention, EIS has *still* not been fully implemented.

Mayor Newsom promised in **early 2006** to "[run roughshod](#)" over the SFPD to ensure the system was implemented by the end of that year. Almost three years later, the **2008 PERF report** called on the SFPD to "take steps to promptly implement the EIS System" and track all the required factors (pages 270-277), including a key and widely-recognized marker of officers possibly engaging in racial profiling or acts of brutality -- arrests for Penal Code Section 148, resisting or obstructing police officers. **Seven years later**, with the SFPD *still* failing to identify officers possibly misusing this charge, the *San Francisco Chronicle* used public records to expose that the SFPD was [targeting African Americans with PC 148 arrests](#) at extremely high and disparate rates. **In 2016**, the [USDOJ COPS report](#) (at pages 121-130) bluntly concluded that, at long last, "EIS needs to be an organizational priority" and "(a)t present, SFPD does not have a cohesive organizational approach to EIS." Yet, **by June 2020**, Mayor Breed channelled her predecessor Mayor Newsom's promise from **12 years earlier** by pledging to strengthen and finally, fully implement EIS in her "[Roadmap for New \(sic\) Police Reforms](#)" as part of her strategy to address bias and strengthen accountability. When asked about SFPD's persistent and extreme racial enforcement disparities during a full Board hearing on the status of the SFPD reform effort **on March 22nd of this year**, Chief Scott expressed hope that, once finally and fully implemented possibly before **2023**, that EIS system would help address the SFPD's racially skewed enforcement practices. He did not explain why or how it's reasonable for the public to accept, at best, a **delay of 14 years** (and counting) in finally implementing this critical bias-reducing, violence-reducing, misconduct-reducing reform emphasized in two separate comprehensive reviews of the SFPD, promised by two separate mayors, long-required by Police Commission policy and yet still not delivered.

The very long history of the SFPD failing to implement long-called for important reforms, like EIS, has been fully [documented](#) for the SFPD and Police Commission. It's not a secret that PERF called for EIS to be prioritized and implemented in 2008 only for USDOJ COPS to need to do the same in 2016. Nor is it a secret that Mayor Breed's 2020 promise simply echoes a promise unkept by SFPD that was made by her predecessor 14 years prior. ***For the SFPD promotional video touting their alleged commitment to reform to imply this is the very first time reform this comprehensive has been tried for SFPD is simply not true.*** Maybe that sort of "loose with the facts" spin is considered acceptable in political campaigns but it should be thoroughly **unacceptable** in the official communications produced and promoted by the SFPD.

***4. SFPD Claim -- "SFPD won praise from the California Racial and Identity Profiling Advisory Board (or RIPA) for being one the few agencies statewide to address bias by proxy in its policies."***

This is true but also a very misleading, selective characterization of that RIPA Board report (at 04:30 of SFPD [video](#)).

The SFPD was willing to support the Police Commission enacting a policy designed to prevent its officers from being used as indirect agents -- proxies -- for the biases of members of the public but ***SFPD has persistently refused to take the steps recommended by the RIPA Board in that very same report that would address the possible presence of expressions explicit biases on the part of SFPD officers themselves -- biases that may be playing a role in exacerbating the SFPD's extreme racial disparities..*** That very same [RIPA report](#) released in January 2021 cited the repeated rounds of scandals involving overtly racist, homophobic and misogynistic texts being freely sent ***by SFPD officers*** to one another (suggesting this had been a fairly open and acceptable practice within the department) in calling on all agencies statewide to conduct audits of their members's use of social media for signs of explicit bias --

***"These examples of explicit biases among law enforcement agencies – both nationwide and in this state – suggest that the problem is far more widespread than most people might believe. Critically, these examples trigger a deeper concern about affiliations with white supremacist and extremist groups.... These affiliations have a real world impact on the communities officers are tasked with serving and protecting....*** While the exact scale of explicit racism in law enforcement agencies is difficult to measure, there are numerous examples to suggest a significant problem that could negatively impact officers' interactions with the public. Indeed, these examples raise concerns about "[w]ho might be sitting in jail because what looked like an objective stop, what looked like a clean interaction, may actually have been driven by bigotry."

(Page 26-27.) Notwithstanding its own documented problem of explicit bias within the ranks... the RIPA Board's status as the legally-mandated body within the California Department of Justice with significant designated representation from law enforcement management and labor organizations charged with helping the state's police agencies address racial disparities through carefully-considered and thoroughly-considered expert recommendations... the repeated calls from community members to conduct the RIPA Board's recommended social media explicit bias audit... and a [Police Commission hearing](#) that, in part, highlighted the RIPA Board recommendation, the SFPD has persistently and inexplicably refused to conduct this explicit bias social audit. Perhaps as a result of failing to send the message internally that rooting out expressions of explicit bias would be a priority, the SFPD was recently embarrassed by yet another, preventable [explicit bias on social media scandal](#) . Other agencies have acted on this important RIPA Board recommendation. Results were released just last week from an audit of selected California law enforcement agencies conducted by the state legislature's Joint Legislative Audit Committee that strongly suggested "[bias, far-right sympathies among California law enforcement \(was\) going unchecked.](#)"

And yet **still**, 16-months after the RIPA Board report called on agencies to try to root out explicit bias with this sort of audit -- in the same report featured in the SFPD's promotional video -- the SFPD has failed to conduct or to even publicly consider conducting that audit.. an audit other agencies that are far more proactive about dealing with explicit bias have already done. Trying to create an impression with slickly-produced video images and words that is inconsistent with the larger actions and inaction of an agency is a form of propaganda. Maybe it's an acceptable communications strategy for a campaign commercial on behalf of a candidate for office seeking to emphasize the positive while hiding the flaws but what legitimate institutional goal of the SFPD is served by trying to mislead the public in this manner?

***5. SFPD Claim -- The allegedly lenient policies of District Attorney Boudin are responsible for sharp reductions in the average time-in-custody of individuals arrested by SFPD.***

This is a lie.

In a remarkable [memo](#) prepared by the SFPD's Director of Strategic Communications and sent to seven local and national media outlets on December 30, 2021, the SFPD linked the reduced post-arrest time-in-custody averages for "Tenderloin drug dealing repeat offenders" to the tenure of DA Boudin (at pg. 5 and 6). The memo includes a stark graph showing the average time-in-custody for these arrestees being 18 days prior to Boudin taking office and 5.5 days after he took office. ***But, the memo and graph fail to mention -- at all -- that for the bulk of the time period reflected in these averages after DA Boudin took office the jail was operating under the emergency public health necessity created by the covid pandemic leading the entirety of the San Francisco's criminal justice system -- from the courts, to the Sheriff's Department to the DA's Office -- to agree that as few individuals could remain in custody at the jail as possible and was reasonably safe.*** To the best of my knowledge, ***the SFPD never publicly disagreed with the obvious public health necessity requiring the new limits on whether and how long SFPD's arrestees should and could remain in jail during the worst parts of the pandemic.*** Doubling-down on this cynical misinformation, the SFPD's Director of Strategic Communications [tweeted](#) out to the public the misleading memo almost three months later allowing supporters of the attempted recall of the DA to excerpt and circulate widely the misleading graphic depiction of "time-in-custody" averages pre- and post-Boudin.

***There is no non-political, appropriate, legitimate, institutional purpose in a law enforcement agency so fundamentally misrepresenting the impact of an elected official's tenure.*** Not when they're running for re-election. Not when they're seeking higher office. Not when they are facing a recall vote ***Not ever.*** Maybe political "hits" against opposing candidates are considered acceptable practice by communications consultants during election campaigns. They should never be designed and carried out like this by the communications staff for a police agency.

## **CONCLUSION**

A police department that repeatedly fails to be candid and fully transparent with the public and other parts of City government... that repeatedly creates and uses communications products that contain falsehoods, misrepresentations, an apparently altered image, selective disclosures and wild exaggerations... that promotes propaganda to create the false impression that its reform efforts have had greater scope and impact and won greater acclaim than they actually have...is a police department that is not serious about reforming itself and not truly committed to engaging in more just and effective public safety strategies.

In turn, a City government that is aware that its police department is engaging in these deeply misleading and trust-destroying communication strategies that serve no legitimate public interest and yet allow them to continue and, in fact, subsidize them with significant public expenditures cannot be considered to be truly committed to either comprehensive police reform or to more racially-equitable policing.

Thank you for this important hearing and for carefully considering the implications of what you learn -- and then for taking the steps necessary to at least reduce if not prevent the SFPD's creating and promotion of propaganda.

John Crew  
(415) 793-4146

cc. John Carroll, Assistant Clerk for the GAO Committee  
Members, San Francisco Police Commission  
William Scott, Chief of Police  
Mr. Sam Sinyangwe



**From:** [Perkinson, Jessica \(BOS\)](#)  
**To:** [Nick Monti](#); [Preston, Dean \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)  
**Cc:** [Hernandez, Melissa G \(BOS\)](#); [Hsieh, Frances \(BOS\)](#); [Bintliff, Jacob \(BOS\)](#); [Board of Supervisors, \(BOS\)](#)  
**Subject:** GAO\_050522\_220307 || RE: Public comment on item 220307  
**Date:** Thursday, May 5, 2022 10:30:12 AM

---

Good morning Nick Monti,

Thank you for comments. I will send your comments to all Government Audit and Oversight Committee Members and a copy will be included in the official file. Please feel free to contact me should you have any further questions or concerns. Thank you.

Best Regards,

Jessica Perkinson  
Pronouns: she/her/hers  
Assistant Clerk  
Office of the Clerk of the Board | San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
[Jessica.Perkinson@sfgov.org](mailto:Jessica.Perkinson@sfgov.org) | (415) 554-7722

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-----Original Message-----

From: Nick Monti <[nickmax123@gmail.com](mailto:nickmax123@gmail.com)>  
Sent: Thursday, May 05, 2022 9:52 AM  
To: Perkinson, Jessica (BOS) <[jessica.perkinson@sfgov.org](mailto:jessica.perkinson@sfgov.org)>  
Subject: Public comment on item 220307

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

I live in District 17 and am commenting on agenda item 220307 - Taxpayer-Funded Communications Regarding Police and Public Safety.

The community should NOT use taxpayer money to fund propaganda for cops. There is a clear distrust of the SFPD within the community that cannot be fixed by brainwashing people into trusting the SFPD, who have continually proven to be disinterested in the safety of San Franciscans. From illegally destroying property (tents) to murdering San Franciscans like Alex Nieto, the SFPD should not use taxpayer money to launder their sins with propaganda aimed primarily at gentrifiers.

Nick Monti - District 17

**From:** [Perkinson, Jessica \(BOS\)](#)  
**To:** [anne richards](#); [Preston, Dean \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)  
**Cc:** [Hernandez, Melissa G \(BOS\)](#); [Hsieh, Frances \(BOS\)](#); [Bintliff, Jacob \(BOS\)](#); [Board of Supervisors, \(BOS\)](#)  
**Subject:** GAO\_050522\_220307 || RE: Public Comment for [Hearing - Taxpayer-Funded Communications Regarding Police and Public Safety]  
**Date:** Thursday, May 5, 2022 10:30:32 AM

---

Good morning Anne Richards,

Thank you for comments. I will send your comments to all Government Audit and Oversight Committee Members and a copy will be included in the official file. Please feel free to contact me should you have any further questions or concerns. Thank you.

Best Regards,

Jessica Perkinson  
Pronouns: she/her/hers  
Assistant Clerk  
Office of the Clerk of the Board | San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102  
[Jessica.Perkinson@sfgov.org](mailto:Jessica.Perkinson@sfgov.org) | (415) 554-7722

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---

**From:** anne richards <drwrchrds@gmail.com>

**Sent:** Thursday, May 05, 2022 9:27 AM

**To:** Perkinson, Jessica (BOS) <jessica.perkinson@sfgov.org>

**Cc:** Preston, Dean (BOS) <dean.preston@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>

**Subject:** Public Comment for [Hearing - Taxpayer-Funded Communications Regarding Police and Public Safety]

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is Anne Richards and I live in Duboce Triangle. I do not want public funds to be used to whitewash the violent history and purpose of the San Francisco police force. The police are incentivized to manipulate narratives around “crime” to make themselves seem necessary, and justify the harm they perpetrate in our community every day. For an organization that purports to keep the community safe, we should be asking: why do they need a PR department to convince people of this? Thank you.

Best,

Anne (She/They)

**From:** [Andrew Richards](#)  
**To:** [Perkinson, Jessica \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)  
**Cc:** [Hernandez, Melissa G \(BOS\)](#); [Hsieh, Frances \(BOS\)](#); [Bintliff, Jacob \(BOS\)](#); [Board of Supervisors, \(BOS\)](#)  
**Subject:** Re: GAO\_050522\_220307 || RE: Public Comment for [Hearing - Taxpayer-Funded Communications Regarding Police and Public Safety]  
**Date:** Thursday, May 5, 2022 10:32:07 AM

---

thank you!

Best,

Anne (She/They)

---

**From:** Perkinson, Jessica (BOS) <jessica.perkinson@sfgov.org>  
**Sent:** Thursday, May 5, 2022 10:30:31 AM  
**To:** anne richards <drwrchrds@gmail.com>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>  
**Cc:** Hernandez, Melissa G (BOS) <melissa.g.hernandez@sfgov.org>; Hsieh, Frances (BOS) <frances.hsieh@sfgov.org>; Bintliff, Jacob (BOS) <jacob.bintliff@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>  
**Subject:** GAO\_050522\_220307 || RE: Public Comment for [Hearing - Taxpayer-Funded Communications Regarding Police and Public Safety]

Good morning Anne Richards,

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Best Regards,

Jessica Perkinson  
Pronouns: she/her/hers  
Assistant Clerk  
Office of the Clerk of the Board | San Francisco Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, Room 244  
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**From:** anne richards <drwrchrds@gmail.com>

**Sent:** Thursday, May 05, 2022 9:27 AM

**To:** Perkinson, Jessica (BOS) <jessica.perkinson@sfgov.org>

**Cc:** Preston, Dean (BOS) <dean.preston@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>

**Subject:** Public Comment for [Hearing - Taxpayer-Funded Communications Regarding Police and Public Safety]

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My name is Anne Richards and I live in Duboce Triangle. I do not want public funds to be used to whitewash the violent history and purpose of the San Francisco police force. The police are incentivized to manipulate narratives around “crime” to make themselves seem necessary, and justify the harm they perpetrate in our community every day. For an organization that purports to keep the community safe, we should be asking: why do they need a PR department to convince people of this? Thank you.

Best,

Anne (She/They)

**From:** [Jim Bertana](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [info@stopcrimesf.com](mailto:info@stopcrimesf.com)  
**Subject:** Support for Public Safety Resources hearing  
**Date:** Tuesday, May 3, 2022 11:19:34 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is Jim Bertana and I have lived in San Francisco for 69 years. I live in the Mission Bay neighborhood. I join Stop Crime SF in asking that you provide the resources needed for our police department to recruit new officers and increase staffing.

San Francisco is currently down 500 police officers. We need more officers to keep our residents, workers, and visitors safe. A fully staffed SFPD is also important for the recovery of our city's economy. Tourists will visit if they feel safe.

We need police officers on the street engaging in community policing and addressing crime. SFPD is a leader in police reform. If it is headed in the right direction, please give SFPD the funding it needs to hire a new generation of diverse officers from the community they will serve.

**From:** [Victor Emmanuel Villagomez](#)  
**To:** [Board of Supervisors, \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [info@stopcrimesf.com](mailto:info@stopcrimesf.com)  
**Subject:** Support for Public Safety Resources hearing  
**Date:** Monday, May 2, 2022 9:57:56 PM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is Victor Villagomez and I have lived in San Francisco for 2 years. I live in the mid-market neighborhood. I join Stop Crime SF in asking that you provide the resources needed for our police department to recruit new officers and increase staffing.

San Francisco is currently down 500 police officers. We need more officers to keep our residents, workers, and visitors safe. A fully staffed SFPD is also important for the recovery of our city's economy. Tourists will visit if they feel safe.

We need police officers on the street engaging in community policing and addressing crime. SFPD is a leader in police reform. If it is headed in the right direction, please give SFPD the funding it needs to hire a new generation of diverse officers from the community they will serve.

**From:** [Perkinson, Jessica \(BOS\)](#)  
**To:** [anne richards](#); [Preston, Dean \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)  
**Cc:** [Hernandez, Melissa G \(BOS\)](#); [Hsieh, Frances \(BOS\)](#); [Bintliff, Jacob \(BOS\)](#); [Board of Supervisors, \(BOS\)](#)  
**Subject:** GAO\_050522\_220307 || RE: Public Comment for [Hearing - Taxpayer-Funded Communications Regarding Police and Public Safety]  
**Date:** Thursday, May 05, 2022 10:30:00 AM

---

Good morning Anne Richards,

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Best Regards,

Jessica Perkinson  
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Assistant Clerk  
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**From:** anne richards <drwrchrds@gmail.com>

**Sent:** Thursday, May 05, 2022 9:27 AM

**To:** Perkinson, Jessica (BOS) <jessica.perkinson@sfgov.org>

**Cc:** Preston, Dean (BOS) <dean.preston@sfgov.org>; Chan, Connie (BOS) <connie.chan@sfgov.org>; Mandelman, Rafael (BOS) <rafael.mandelman@sfgov.org>

**Subject:** Public Comment for [Hearing - Taxpayer-Funded Communications Regarding Police and Public Safety]

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Best,

Anne (She/They)



**From:** [John Crew](#)  
**To:** [Perkinson, Jessica \(BOS\)](#)  
**Subject:** Fwd: SFPD Propaganda -- Item #6, GAO Committee Meeting of May 5, 2022 (File #220307)  
**Date:** Thursday, May 05, 2022 10:11:08 AM

---

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Forwarding here what I sent earlier to John Carroll (your GAO predecessor) and directly to Committee members.

Thanks!

John Crew  
(415) 793-4146

----- Forwarded message -----

**From:** **John Crew** <[johnmikecrew@gmail.com](mailto:johnmikecrew@gmail.com)>  
**Date:** Thu, May 5, 2022 at 9:06 AM  
**Subject:** SFPD Propaganda -- Item #6, GAO Committee Meeting of May 5, 2022 (File #220307)  
**To:** Preston, Dean (BOS) <[Dean.preston@sfgov.org](mailto:Dean.preston@sfgov.org)>, <[chanstaff@sfgov.org](mailto:chanstaff@sfgov.org)>, <[rafael.mandelman@sfgov.org](mailto:rafael.mandelman@sfgov.org)>, <[MandelmanStaff@sfgov.org](mailto:MandelmanStaff@sfgov.org)>  
**Cc:** <[Board.of.Supervisors@sfgov.org](mailto:Board.of.Supervisors@sfgov.org)>, <[John.Carroll@sfgov.org](mailto:John.Carroll@sfgov.org)>, Elias, Cindy (POL) <[cindy.elias@sfgov.org](mailto:cindy.elias@sfgov.org)>, Carter-Oberstone, Max (POL) <[max.carter-oberstone@sfgov.org](mailto:max.carter-oberstone@sfgov.org)>, J.Gabriel Yanez <[elxchui@gmail.com](mailto:elxchui@gmail.com)>, Benedicto, Kevin M. <[kevin.benedicto@morganlewis.com](mailto:kevin.benedicto@morganlewis.com)>, <[jbyrne@byrne-law.net](mailto:jbyrne@byrne-law.net)>, SFPD, Commission (POL) <[sfpd.commission@sfgov.org](mailto:sfpd.commission@sfgov.org)>, <[SFPDChief@sfgov.org](mailto:SFPDChief@sfgov.org)>, Samuel Sinyangwe <[samswey1@gmail.com](mailto:samswey1@gmail.com)>

Supervisors,

The SFPD is an agency that routinely claims to be committed to transparency. But transparency isn't a slogan. Transparency is a state defined by a maximum degree of candor and a minimum degree of spin and obfuscation.

Candor requires freely volunteering and releasing factual information even when -- especially when -- that information might temporarily tend to put the agency in a less positive light. Candor requires avoiding unnecessarily selective releases of information in the hope of shaping public perceptions rather than trusting the public to form their own conclusions by providing **all** the relevant information. And, candor requires a deep and consistent commitment to factual accuracy and a willingness to promptly correct mistakes when they occur.

Law enforcement agencies that consistently require candor in their communications and media operations are agencies that recognize that the long-term need to develop

and maintain the trust of the public, press and other parts of government is always more important than any short-term embarrassment that might result from the timely release of factual information perceived to be negative.

***That's*** the degree of transparency that's required of law enforcement agencies to be effective in serving and being accountable to the public. And, unfortunately, it's this candor-based transparency that SFPD has, in recent times, far too frequently actively avoided in its communications efforts.

Official police communications consistently designed to prioritize an internally-preferred narrative about an event, controversy or issue over candor and full transparency with the press and public will be fairly and accurately understood to be ***propaganda***. If the goal of being less than candid.. of being misleading or inaccurate.. of selectively releasing or withholding information.. is to influence coverage so that it might shape and skew public opinion in certain ways.. by definition, ***that's propaganda***. And if certain misleading or inaccurate messages are repeated over and over, that's a well-recognized and often effective ***propaganda technique***.

### **THE ILLEGITIMACY AND CORROSIVENESS OF POLICE PROPAGANDA**

The SFPD has branded itself as a "safety with respect" agency. But it's fundamentally disrespectful for the SFPD to so frequently and actively mislead the public. The public mistrust that results makes safety far more difficult to achieve. The [SFPD's Statement of Values](#) includes an aspirational goal to "maintain the highest levels of integrity and professionalism in all actions." The SFPD's consistently less than candid and fully transparent communications efforts are falling well short of that standard.

For the last two years, the SFPD's Director of Strategic Communications has been someone with an extensive background in political and campaign communications and who touts on his [Linkedin page](#) that the *Examiner* called him a "powerhouse consultant" with deep political connections and a particular ideological reputation. I respect political consultants and have relied on their advice and help in the few issue-based electoral campaigns I've helped lead. But most of my 35 years of experience both locally and nationally has been as a police practices expert for the ACLU and now as a local activist retiree. I have never before come across a police department that has put a "powerhouse (political) consultant" or a political communications specialist in charge of all of its official communications. To the best of my recollection, whenever the SFPD has employed a civilian in this or any other media relations capacity in the past, they have always been former journalists trained and rooted in the primacy of factual accuracy -- former reporters who've been on the other side of the police-media relationship. They've not been former "spin doctors" for politicians and campaigns.

Strategic ***political*** communications should be entirely different in nature and emphasis than strategic ***law enforcement*** communications. The former is inherently and legitimately political. The latter must be scrupulously ***apolitical***. Rule-of-law

policing in a democratic society must steer clear of any political agenda. Communications for a politician -- for an elected official or for their campaign -- are understood both by the media and by most consumers of the news to be at least partly about the political interests of that politician. Matters of public interest **are** being addressed and there is still a need to be reasonably accurate but a certain amount of political spin and occasional strategic lack of candor and full transparency is "baked in," generally recognized and accepted.

In California we do not elect municipal police chiefs and the very legitimacy of municipal police departments depends on them acting and being perceived as acting in a non-political fashion. The strategic communications for a police department should serve only **institutional** goals but those should **never** be political in nature. **Police departments have no legitimate political goals** beyond effectively serving the public and improving public safety. The **SFPOA** can and does have political goals it pursues through its various communications strategies and products. But, the **SFPD** must never pursue political goals.

In fact, the institutional goals of a police department in a democratic society do not exist independently of the public they serve and, at all times, must be established, overseen and periodically modified by the public's representatives. So-called "police powers" -- the power to detain, search and arrest, the power to use force, injure and kill -- are not powers that **belong** to the police. They are powers **delegated** to the police by the public to be used on its behalf only under the specific conditions set by the appointed and elected civilian bodies who oversee and control the police. In San Francisco, our charter has long-required a particularly strong form of civilian control of the SFPD with a civilian Police Commission appointed by our elected representatives with significant managerial responsibilities over the SFPD and the independent power to fire a chief of police for any reason. And, of course, the SFPD is also accountable to the elected Mayor and subject to the legislative, oversight and budgetary powers of the Board of Supervisors. In other words, the only legitimate institutional goals of the SFPD are those set or supported by the Police Commission and that respect the democratic primacy of executive and legislative branches.

That charter-mandated structure and context in which the SFPD and Chief of Police operate are very different than exists for city departments not directly controlled or overseen by commissions but that are instead run by independently-elected officials. The City Attorney's and District Attorney's Offices are independent agencies run by officials who must stand for election and re-election, with institutional goals set by those politicians. The communications strategies in support of their institutional goals will be aligned with the political interests and political visions of the elected office-holder. But the Chief of Police is not an elected official and the vision and institutional goals for the SFPD -- and any communications strategies that support them -- are always subject to the oversight and consent of the appointed Police Commission, a wholly non-political (in the electoral sense) body that the voters 20 years ago made even more independent and less beholden to any individual politician by giving the Board of Supervisors the power to approve or reject mayoral appointees and to directly appoint three of the commissioners.

## **KEY QUESTIONS**

As you consider the various examples of the SFPD's lack of candor and full transparency obfuscations, inaccuracies and crass attempts at spin and image management detailed below and others that may be discussed during the hearing, ask yourselves two sets of questions about the SFPD's communications strategies --

1. Whose interests are they designed to further, promote or defend? What is the goal behind the messaging? Is it an illegitimate **political** goal rather than a legitimately institutional one?
2. If a communication strategy just or primarily serves the narrow interests and goals of the SFPD -- independent from or in conflict with the role of the Police Commission or the broader public interest -- why would **that** be considered to be an appropriate use of taxpayers funding? What happens to the credibility, effectiveness and perceived legitimacy of a law enforcement agency when its elaborate and expensive communications strategies and various products appear to be political and propagandistic?

In recent months, the Police Commission has begun to ask a few questions about the timing and content of some of the SFPD's press releases and about the SFPD's approach to media relations. But the SFPD has not consulted the Commission about its communications strategies to any significant degree. At times, the Police Commission itself has been targeted by SFPD messaging and communications approaches that seemed designed to undermine or minimize their role and to politically pressure them into not exercising their authority over the Chief and SFPD.

This was particularly apparent in the SFPD's messaging surrounding the [extraordinary controversy](#) sparked by the Chief's sudden, unilateral attempt to cancel the MOU requiring and facilitating independent investigations by the District Attorney's Office into the most severe and consequential police uses of force -- an MOU whose creation the Police Commission had overseen and that had taken years of discussion, negotiation and public consideration to finalize and ultimately approve. The nature and degree of the highly-political [messaging](#) by the SFPD -- labelling concerns articulated by all or nearly all of the Police Commissioners "unreasonable" and the product of "alarmist polemics" -- in support of their ultimately unsuccessful effort to win Commission and sufficient broader political support to bring an end to MOU-protected DA investigations into SFPD conduct was unprecedented in at least the last 40 years. In fact, I can think of no other commission-overseen City department whose public communications are so out of synch or in direct conflict with the role and goals of their commissions. Can you? With that in mind, here's a third set of questions to consider:

3. If those types of communications strategies are inappropriate and do not occur in any other City departments overseen by appointed commissions, why should they be tolerated when the SFPD engages in them and supported by significant public expenditures?

## **SELECTED EXAMPLES OF S.F.P.D. PROPAGANDA**

***1. SFPD Claim -- The SFPD has been "hailed by the New York Times as a police department as a major city department `where police reform has worked.'"***

This is false.

The *New York Times* did no such thing. Yet, this falsehood continues to be: included as part of the "about the SFPD" blurb at the bottom of every Department press release; is featured prominently on the SFPD's website's "police reform" section touted on the homepage; Is promoted on SFPD-produced videos the department has used to encourage members of the public to [lobby the Board of Supervisors](#) (at 1:11 mark) in support of their budget requests; and, routinely used to [create a false impression](#) (on homepage and at 3:53 mark of video) about the scope and impact of the reform process while positioning the SFPD as allegedly a nationally-recognized "role model on reform" generally rather than only on certain selected policies.

Yet, ***no New York Times editorial, column or reported story makes that claim about SFPD.*** It stems ***entirely*** from a headline placed on *New York Times morning news summary* for June 5, 2020 -- 11 days after the murder of George Floyd and with massive protests continuing across the country. That morning summary newsletter contained only an abbreviated, overview description of the state of police reform at that point. The actual subheadline for that Friday morning *New York Times* newsletter was "And what else you need to know today" but the screenshot or photograph routinely used by SFPD in videos and in various public presentations includes only the main headline. ***It has apparently been altered by SFPD communications staff to remove the subheadline that would betray the actual context of what's being shown and to make it appear as though it's an actual New York Times reported story rather than an emailed morning news summary*** which, in fact, briefly summarized many topics that day and ***was not about the SFPD's overall reform efforts at all!***

That morning news summary relied entirely on linked stories ***from other publications*** to make the limited point that certain policy reforms belatedly enacted in a number of major cities -- usually after avoidable police killings and significant protests and public pressure not just in San Francisco -- had begun to help reduce the number of police shootings in those jurisdictions. Relying on and quoting an ABC News [Five Thirty Eight story](#) by nationally-recognized police reform data scientist and activist Sam Sinyangwe, founder of the Mapping Police Violence and Police Scorecard projects (and a key architect of Campaign Zero and the 8 Can't Wait / #8CantWait campaign), the summary mentions San Francisco along with Chicago, Philadelphia, Baltimore and Phoenix as examples of cities where these particular policy changes had been made. ***None were described as agencies "where police reform has worked." None were singled out as national models for police reform overall -- not San Francisco and certainly not other deeply- and historically-flawed police departments in Philadelphia, Chicago and Baltimore.***

In other words, if that *New York Times* morning news summary can be accurately cited for anything it's only for the very limited proposition that San Francisco was one of several major American cities whose police departments, under great public pressure, finally enacted certain "best practices" deadly force policy reforms that predictably helped drive down shootings.

***Neither the New York Times itself nor the linked primary source material authored by Mr. Sinyangwe ever hailed SFPD or any other of the named agencies as places "where police reform works" overall much less held them up as national models for anything other than the need to pressure agencies to finally enact certain best practices policy reforms long-promoted by groups like the Police Executives Research Forum that have long been known to help to reduce the frequency of police shootings. In fact, when Mr. Sinyangwe has singled out the SFPD, it's been because the Department continues to produce very extreme, outlier levels of racial disparities in arrests, stops, searches, shootings and uses of force -- notwithstanding all their various claims of progress on police reform overall. If SFPD was candid in its public communications and wanted to accurately represent the actual content and source behind their New York Times claim, they would include images of the headline for Mr. Sinyangwe's subsequent February 2021 Five Thirty Eight piece, because, in fact , SFPD remains among "The Police Departments with the Biggest Racial Disparities in Arrests and Killings". In that piece, Mr. Sinyangwe singled out San Francisco as one of four major cities with --***

".... some of the largest disparities in policing outcomes between Black and white residents. In these cities, Black residents were policed at high rates while white residents were policed at relatively low rates. Police arrested Black people at several times the rate of white people, even for offenses like drug possession which have been found to be [committed at similar rates by Black and white communities](#). And police in these cities also killed Black people at substantially higher rates than white people, even after accounting for racial differences in arrest rates."

***In San Francisco's case, these damning disparities have not eased five years after the voluntary reform process started during the Obama administration.*** As Mr. Sinyangwe emphasizes in an updated statement prepared yesterday in advance today's GAO Committee hearing--

"According to the [most recent report](#) by SFPD, in Q3 2021 San Francisco police arrested Black people at 9x higher rate and used force against Black people at 12x higher rate than white people per population. Latino communities in San Francisco experienced 3-4x higher rates of arrest and police use of force than white people. ***Despite attempts by SFPD to claim the limited reforms they've implemented to date are working, San Francisco continues to have among the worst policing outcomes in the nation, with more extreme racial disparities in policing and higher use of force rates than most other major cities. The data demonstrates that these efforts have not been sufficient to end the longstanding practice of violent and discriminatory policing in San Francisco.***"



(Emphasis added.)

The SFPD has repeatedly been informed it is misrepresenting both the *New York Times* morning news summary and, in turn, Mr. Sinyangwe's actual conclusions about SFPD. They are aware of Mr. Sinyangwe's work as they regularly [tout](#) (at 04:45 mark of video) the fact that the SFPD has already enacted the policy reforms called for in the "8 Can't Wait" (#8CantWait) campaign Mr. Sinyangwe helped design and lead (even though some SFPD officers too frequently continue to openly violate or ignore those reformed policies without consequence). ***Making claims that have been shown to be factually false is a form of propaganda. Repeating those falsehoods*** - over and over to shape public opinion - is a tried and true ***propaganda technique***. ***If there is a single Biggest Lie in the SFPD's communications strategy, it's that their overall reform efforts have been "hailed by the New York Times."***

## ***2. SFPD Claim -- "Uses of force by San Francisco police officers have declined significantly" and "have dropped steadily and substantially"***

These are deeply misleading and wildly exaggerated claims carefully presented and depicted with graphs cynically designed to justify sweeping conclusions unsupported by the actual data and ***directly inconsistent with the SFPD's own prior explanations of use of force data trends***.

First, in its [videos](#) (at 04:05) and other public communications, the SFPD always presents graphic representations of use of force data trends that are careful to start with the 2016 data. Why? Because 2016 was a unique, complete outlier year with uses of force far higher than they'd ever been or ever will be again because of a critical and important change in what was logged and counted as a use of force. ***By starting with the data from 2016 -- and omitting the data from earlier years -- the SFPD is able to graphically depict what appears to be sharp, across the board drops in uses of force. That's not what's actually happened. SFPD knows it -- and used to properly acknowledge and explain it -- but not any longer, at least not in their public-facing communications materials.***

The [USDOJ COPS report](#) confirms (at pg. 30) that reported uses of force were far lower in 2014 and 2015 and suddenly skyrocketed up in 2016. ***If the 2014 and 2015 data was included in the SFPD's public relations graphs it would depict, roughly-speaking, a bell-shaped curve where uses of force went up in 2016 and then started to come down in subsequent years to levels that are roughly comparable to 2014 and 2015 levels.*** Instead, by omitting the 2014 and 2015 data, the SFPD's graph depicts only a downward sloping decline starting from the year 2016 while hiding the longer term trend and failing to contextualize the 2016 data.

***Why did SFPD's reported uses of force skyrocket in 2016?*** Because that's the year SFPD finally joined many other major city police departments in requiring officers to log the drawing and pointing of a firearm as a use of force -- because it most definitely ***is*** experienced as a serious use of force by members of the public who

have an officer pointing a gun at them and because any reasonably-managed police department needs to track and understand how often and in what circumstances officers may be inappropriately and needlessly pointing their firearms at people.

SFPD had never done that before. The first year of data after this reform showed and the press coverage reflected that SFPD had been drawing and [pointing their guns at people with alarming frequency](#) and in situations where it was clearly not justified. The reported use of force data suddenly skyrocketed. At the time, SFPD was very proactive and careful to always publicly explain that this did not represent an actual increase in uses of force but instead was attributable only to this major change in how uses of force were reported and counted. Now that it serves their public relations purposes, they pretend 2016 is an appropriate base year to use for data comparisons and never explain that it was -- and always will be -- a uniquely high data point for SFPD uses of force.

Why did reported uses of force start to decline in 2017? First, because the revised SFPD Use of Force policy first went into effect in December 2016 and contained new, detailed and more restrictive standards on when officers could draw, exhibit and point their firearms. The press coverage over how frequently officers were pointing their guns created pressure on SFPD management to more carefully manage the problem. And, over time -- year by year -- and consistent with the data trends shown by other major police departments in the years after adopting this same reform, the a laudable "slow down and think" effect was triggered (no pun intended) by requiring officers to report the pointing of a firearm as a use of force. Officers themselves began to realize they were pointing their guns too frequently and in circumstances that were unnecessary when they may have had difficulty explaining what they did so in the required use of force reports. The deterrent effect of the reporting requirement began to kick in and within a few years guns were being pointed far less frequently.

This was an important reform that SFPD should take and get credit for finally adopting it -- (even though they were more of a follower among big city law enforcement agencies in doing so rather than a leader). Along with other things -- such as the new mandatory de-escalation requirement, a new state law narrowing the standard for when police officers can lawfully use deadly force, and eventually the election of a DA who had promised during his campaign he would hold SFPD officers to that law and file criminal charges against officers when the evidence demanded it (and who has kept that promise) -- that reform played a major role in sharply reducing the number of SFPD shootings in recent years. That's great but ***it's no excuse for using the data wholly attributable to that "pointing a firearm" reform to mislead the public with claims that uses of force generally have declined. They have not.***

In a broader 50-page [report for the Police Commission covering data through 2019](#) presented in 2020, ***the SFPD candidly and clearly explained that --***

"In 2016, Pointing of a Firearm became a reportable Use of Force. This created a substantial increase in the total number of reportable Use of Force incidents. The chart and graph show that ***non-firearm Use of Force incidents have remained constant over time. Incidents involving pointing of a firearm have steadily decreased*** "



(At pg. 48, emphasis added.)

And, discussing the 2019 data specifically - "Remove the 'Pointing of a Firearm' as a reportable UOF and there was only ... **a 2.7% decrease compared to 2016**" in reported uses of force.

(At pg. 49, emphasis added.)

The SFPD's use of force data graphs used in its public-facing communications products now show further declines in 2020 and 2021 and, by implication, try to attribute these declines to the alleged success of the reform process. That's utter nonsense. It's common knowledge that nearly all criminal justice data has been deeply skewed by the effect of the pandemic. For significant parts of both of those years, there were far fewer people out in public, far fewer contacts reported by SFPD with members of the public and far fewer circumstances where uses of force might occur. Yet, **SFPD cynically fails to acknowledge the obvious effects of the pandemic in their various communications products addressing use of force data trends.** (SFPD did the same thing -- ignored the obvious pandemic effect -- in its [slides](#) presented to the Board of Supervisors on March 22nd of this year reviewing the progress of the reform process by falsely attributing sharp declines in stops in 2020 and 2021 to "Bias Reform Outcomes" rather than to the pandemic, even though the racial disparities remained just as extreme regardless. See slide. #5.)

***This crass manipulation and de-contextualization of use of force data for public relations purposes*** -- the failure to be as candid with the public now about non-firearms related use force data trends as they were with the Police Commission in 2020 ("remained constant" or, if there have been any declines at all they've been only by a few percentage points) -- ***is hardly "transparent" and falls far short of acting in accordance with the SFPD's values requiring "high levels of integrity and professionalism."*** ***It's rank propaganda designed and being spread to mislead and serves no legitimate institutional purpose.***

***3. SFPD Claim -- "In October 2016, the USDOJ COPS Office -- for Community Oriented Police Services -- released the most comprehensive assessment of the San Francisco Police Department in City history."***

This is, at best, extremely misleading.

This claim made at the start of the SFPD's promotional [video](#) (at 00:46) about the current reform process tries to frame this now six-year long effort as ***the first time San Franciscans have been promised comprehensive reform of the SFPD. It is not.*** In fact, the 2016 USDOJ COPS review and report occurred just eight years after a strikingly similar process was used by the Police Executives Research Forum (PERF) to conduct a thorough assessment of the SFPD. Frustrated with various high-profile scandals involving SFPD, Mayor Newsom contracted with PERF to perform the review that led to a 353-page [Organizational Assessment of the San](#)

[Francisco Police Department](#) report being released in December 2008 containing more than 200 recommendations addressing a wide variety of serious problems. **Many of the problems that led Mayor Lee and others to request assistance from the USDOJ COPS office in 2016 were directly attributable to SFPD's failure to implement some of the most important recommendations in the 2008 PERF report.**

For example, even though PERF called on SFPD in **2008** to ban shooting at moving vehicles as other big city police agencies had already done and yet, notwithstanding avoidable losses of life and injuries in the intervening years, the Police Commission did not issue that ban -- (over the SFPOA's strenuous objections and with subsequent years of expensive SFPOA litigation funded by San Francisco rank and file police officers unsuccessfully seeking to overturn this quite common "best practice" reform) - until **December 2016**, two months after the USDOJ COPS report was completed.

For example, PERF called on SFPD to actually.. finally... fully implement the critically-important Early Intervention System (EIS) first created in 1994 (!) and comprehensively revised in a 2007 [Department General Order](#) (DGO) . This basic, widely-implemented tool of modern police management allows agencies to track which officers are using force, are generating complaints or lawsuits or are engaged in other common markers of possibly problematic policing more frequently than their similarly-situated peers so that non-disciplinary interventions can be tried before small performance issues become much more serious. Yet, because of an internal SFPD culture that resists the very notion that outlier levels of uses of force or complaints might be indicative of problematic behavior deserving of management attention, EIS has **still** not been fully implemented.

Mayor Newsom promised in **early 2006** to "[run roughshod](#)" over the SFPD to ensure the system was implemented by the end of that year. Almost three years later, the **2008 PERF report** called on the SFPD to "take steps to promptly implement the EIS System" and track all the required factors (pages 270-277), including a key and widely-recognized marker of officers possibly engaging in racial profiling or acts of brutality -- arrests for Penal Code Section 148, resisting or obstructing police officers. **Seven years later**, with the SFPD **still** failing to identify officers possibly misusing this charge, the *San Francisco Chronicle* used public records to expose that the SFPD was [targeting African Americans with PC 148 arrests](#) at extremely high and disparate rates. **In 2016**, the [USDOJ COPS report](#) (at pages 121-130) bluntly concluded that, at long last, "EIS needs to be an organizational priority" and "(a)t present, SFPD does not have a cohesive organizational approach to EIS." Yet, **by June 2020**, Mayor Breed channelled her predecessor Mayor Newsom's promise from **12 years earlier** by pledging to strengthen and finally, fully implement EIS in her "[Roadmap for New \(sic\) Police Reforms](#)" as part of her strategy to address bias and strengthen accountability. When asked about SFPD's persistent and extreme racial enforcement disparities during a full Board hearing on the status of the SFPD reform effort **on March 22nd of this year**, Chief Scott expressed hope that, once finally and fully implemented possibly before **2023**, that EIS system would help address the SFPD's racially skewed enforcement practices. He did not explain why or how it's reasonable for the public to accept, at best, a **delay of 14 years** (and counting) in

finally implementing this critical bias-reducing, violence-reducing, misconduct-reducing reform emphasized in two separate comprehensive reviews of the SFPD, promised by two separate mayors, long-required by Police Commission policy and yet still not delivered.

The very long history of the SFPD failing to implement long-called for important reforms, like EIS, has been fully [documented](#) for the SFPD and Police Commission. It's not a secret that PERF called for EIS to be prioritized and implemented in 2008 only for USDOJ COPS to need to do the same in 2016. Nor is it a secret that Mayor Breed's 2020 promise simply echoes a promise unkept by SFPD that was made by her predecessor 14 years prior. ***For the SFPD promotional video touting their alleged commitment to reform to imply this is the very first time reform this comprehensive has been tried for SFPD is simply not true.*** Maybe that sort of "loose with the facts" spin is considered acceptable in political campaigns but it should be thoroughly ***unacceptable*** in the official communications produced and promoted by the SFPD.

***4. SFPD Claim -- "SFPD won praise from the California Racial and Identity Profiling Advisory Board (or RIPA) for being one the few agencies statewide to address bias by proxy in its policies."***

This is true but also a very misleading, selective characterization of that RIPA Board report (at 04:30 of SFPD [video](#)).

The SFPD was willing to support the Police Commission enacting a policy designed to prevent its officers from being used as indirect agents -- proxies -- for the biases of members of the public but ***SFPD has persistently refused to take the steps recommended by the RIPA Board in that very same report that would address the possible presence of expressions explicit biases on the part of SFPD officers themselves -- biases that may be playing a role in exacerbating the SFPD's extreme racial disparities..*** That very same [RIPA report](#) released in January 2021 cited the repeated rounds of scandals involving overtly racist, homophobic and misogynistic texts being freely sent ***by SFPD officers*** to one another (suggesting this had been a fairly open and acceptable practice within the department) in calling on all agencies statewide to conduct audits of their members's use of social media for signs of explicit bias --

***"These examples of explicit biases among law enforcement agencies – both nationwide and in this state – suggest that the problem is far more widespread than most people might believe. Critically, these examples trigger a deeper concern about affiliations with white supremacist and extremist groups.... These affiliations have a real world impact on the communities officers are tasked with serving and protecting....*** While the exact scale of explicit racism in law enforcement agencies is difficult to measure, there are numerous examples to suggest a significant problem that could negatively impact officers' interactions with the public. Indeed, these examples raise concerns about "[w]ho might be sitting in jail because what

looked like an objective stop, what looked like a clean interaction, may actually have been driven by bigotry.”

(Page 26-27.) Notwithstanding its own documented problem of explicit bias within the ranks... the RIPA Board's status as the legally-mandated body within the California Department of Justice with significant designated representation from law enforcement management and labor organizations charged with helping the state's police agencies address racial disparities through carefully-considered and thoroughly-considered expert recommendations... the repeated calls from community members to conduct the RIPA Board's recommended social media explicit bias audit... and a [Police Commission hearing](#) that, in part, highlighted the RIPA Board recommendation, the SFPD has persistently and inexplicably refused to conduct this explicit bias social audit. Perhaps as a result of failing to send the message internally that rooting out expressions of explicit bias would be a priority, the SFPD was recently embarrassed by yet another, preventable [explicit bias on social media scandal](#). Other agencies have acted on this important RIPA Board recommendation. Results were released just last week from an audit of selected California law enforcement agencies conducted by the state legislature's Joint Legislative Audit Committee that strongly suggested "[bias, far-right sympathies among California law enforcement \(was\) going unchecked.](#)"

And yet **still**, 16-months after the RIPA Board report called on agencies to try to root out explicit bias with this sort of audit -- in the same report featured in the SFPD's promotional video -- the SFPD has failed to conduct or to even publicly consider conducting that audit.. an audit other agencies that are far more proactive about dealing with explicit bias have already done. Trying to create an impression with slickly-produced video images and words that is inconsistent with the larger actions and inaction of an agency is a form of propaganda. Maybe it's an acceptable communications strategy for a campaign commercial on behalf of a candidate for office seeking to emphasize the positive while hiding the flaws but what legitimate institutional goal of the SFPD is served by trying to mislead the public in this manner?

***5. SFPD Claim -- The allegedly lenient policies of District Attorney Boudin are responsible for sharp reductions in the average time-in-custody of individuals arrested by SFPD.***

This is a lie.

In a remarkable [memo](#) prepared by the SFPD's Director of Strategic Communications and sent to seven local and national media outlets on December 30, 2021, the SFPD linked the reduced post-arrest time-in-custody averages for "Tenderloin drug dealing repeat offenders" to the tenure of DA Boudin (at pg. 5 and 6). The memo includes a stark graph showing the average time-in-custody for these arrestees being 18 days prior to Boudin taking office and 5.5 days after he took office. ***But, the memo and graph fail to mention -- at all -- that for the bulk of the time period reflected in these averages after DA Boudin took office the jail was operating under the***

**emergency public health necessity created by the covid pandemic leading the entirety of the San Francisco's criminal justice system -- from the courts, to the Sheriff's Department to the DA's Office -- to agree that as few individuals could remain in custody at the jail as possible and was reasonably safe.** To the best of my knowledge, **the SFPD never publicly disagreed with the obvious public health necessity requiring the new limits on whether and how long SFPD's arrestees should and could remain in jail during the worst parts of the pandemic.** Doubling-down on this cynical misinformation, the SFPD's Director of Strategic Communications [tweeted](#) out to the public the misleading memo almost three months later allowing supporters of the attempted recall of the DA to excerpt and circulate widely the misleading graphic depiction of "time-in-custody" averages pre- and post-Boudin.

**There is no non-political, appropriate, legitimate, institutional purpose in a law enforcement agency so fundamentally misrepresenting the impact of an elected official's tenure.** Not when they're running for re-election. Not when they're seeking higher office. Not when they are facing a recall vote **Not ever.** Maybe political "hits" against opposing candidates are considered acceptable practice by communications consultants during election campaigns. They should never be designed and carried out like this by the communications staff for a police agency.

## **CONCLUSION**

A police department that repeatedly fails to be candid and fully transparent with the public and other parts of City government... that repeatedly creates and uses communications products that contain falsehoods, misrepresentations, an apparently altered image, selective disclosures and wild exaggerations... that promotes propaganda to create the false impression that its reform efforts have had greater scope and impact and won greater acclaim than they actually have...is a police department that is not serious about reforming itself and not truly committed to engaging in more just and effective public safety strategies.

In turn, a City government that is aware that its police department is engaging in these deeply misleading and trust-destroying communication strategies that serve no legitimate public interest and yet allow them to continue and, in fact, subsidize them with significant public expenditures cannot be considered to be truly committed to either comprehensive police reform or to more racially-equitable policing.

Thank you for this important hearing and for carefully considering the implications of what you learn -- and then for taking the steps necessary to at least reduce if not prevent the SFPD's creating and promotion of propaganda.

John Crew  
(415) 793-4146

cc. John Carroll, Assistant Clerk for the GAO Committee  
Members, San Francisco Police Commission

William Scott, Chief of Police  
Mr. Sam Sinyangwe

**From:** [Nick Monti](#)  
**To:** [Perkinson, Jessica \(BOS\)](#)  
**Subject:** Public comment on item 220307  
**Date:** Thursday, May 05, 2022 9:52:03 AM

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Hello,

I live in District 17 and am commenting on agenda item 220307 -  
Taxpayer-Funded Communications Regarding Police and Public Safety.

The community should NOT use taxpayer money to fund propaganda for cops. There is a clear distrust of the SFPD within the community that cannot be fixed by brainwashing people into trusting the SFPD, who have continually proven to be disinterested in the safety of San Franciscans. From illegally destroying property (tents) to murdering San Franciscans like Alex Nieto, the SFPD should not use taxpayer money to launder their sins with propaganda aimed primarily at gentrifiers.

Nick Monti - District 17