

1 [Administrative Code - Domestic Violence Data Reporting]

2

3 **Ordinance amending the Administrative Code to require the Police Department and the**  
4 **District Attorney to submit quarterly ~~monthly~~ reports to the Board of Supervisors, the**  
5 **Mayor, and various City departments regarding the number of cases of domestic**  
6 **violence.**

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

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

15

16 Section 1. The Administrative Code is hereby amended by adding Chapter 96D,  
17 consisting of Sections 96D.1 through 96D.5, to read as follows:

18

19 **SEC. 96D.1. DEFINITIONS.**

20 *For purposes of this Chapter 96D:*

21 *“Domestic Violence” means the crime defined in Section 273.5 and the crimes punishable*  
22 *under Section 243(e)(1), of the California Penal Code.*

23 *“Personal Identifying Information” means any information that can, on its own or in*  
24 *combination with other information, be used to contact, track, locate, identify, or reasonably infer the*  
25 *identity of, a specific individual.*

/ / /

1 **SEC. 96D.2. QUARTERLY MONTHLY DOMESTIC VIOLENCE DATA REPORTING.**

2 (a) On a quarterly basis (the first Tuesday in February, May, August, and November),  
3 On the third Friday of each month, the Police Department and the District Attorney shall each  
4 transmit a written report to the Board of Supervisors, the Mayor, the Office of Racial Equity, the  
5 Human Rights Commission, the Department on the Status of Women, and the Police  
6 Commission. The Police Department and District Attorney shall post their reports on their  
7 respective department websites. The reports shall contain the following information:

8 (1) The Police Department shall report:

9 (A) The number of calls for service for Domestic Violence that the Police  
10 Department received from the Department of Emergency Management in the prior quarter (quarters  
11 commencing January 1, April 1, July 1, and October 1) month; and

12 (B) The number of Domestic Violence cases that the Police Department  
13 presented to the District Attorney for investigation and/or prosecution in the prior quarter month, and  
14 of those cases, the number in which a child or children were present and/or a firearm or firearms were  
15 present.

16 (2) The District Attorney shall report:

17 (A) The number of Domestic Violence cases that the District Attorney charged in  
18 the prior quarter month, and what charges were filed in those cases; and

19 (B) The number of Domestic Violence cases resolved in the prior quarter  
20 month, and the outcome of those cases, including disposition by dismissal, diversion, acquittal,  
21 conviction, release to another court or agency, or other means.

22 (b) In addition to the reports required by subsection (a), above, the Police Department and the  
23 District Attorney shall report the same information for the period September 1, 2019 to September 1,  
24 2021 to the Board of Supervisors, the Mayor, the Office of Racial Equity, the Human Rights  
25

1 Commission, the Department on the Status of Women, and the Police Commission, and shall  
2 post the reports on their respective department websites, no later than December 31, 2021.

3 (c) The reports shall not include Personal Identifying Information.

4 (d) The reporting obligations under this Section 96D.2 are in addition to, and do not supplant,  
5 any reporting obligations under Administrative Code Chapter 96A.

6 (e) This Section 96D.2 shall not be interpreted to require the Police Department or the District  
7 Attorney to collect data but instead requires only that the Police Department and District Attorney  
8 report available data.

9 (f) In any report required under subsection (a) or (b) above, the District Attorney may,  
10 in its discretion, and to the extent consistent with applicable law, provide supplemental  
11 information regarding the Domestic Violence Cases and victim services reported. Any such  
12 supplemental information shall not include Personal Identifying Information.

13  
14 **SEC. 96D.3. UNDERTAKING FOR THE GENERAL WELFARE.**

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

19  
20 **SEC. 96D.4. NO CONFLICT WITH FEDERAL OR STATE LAW.**

21 (a) Nothing in this Chapter 96D shall be interpreted or applied so as to create any  
22 requirement, power, or duty in conflict with any federal or state law.

23 (b) No provision of this Chapter 96D is intended to abrogate or interfere with the constitutional  
24 and statutory power and duties of the District Attorney as interpreted under Government Code  
25 Section 25303, or other applicable State law or judicial decision.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

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

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

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

By:           /s/ Sarah Crowley            
          SARAH CROWLEY  
          Deputy City Attorney

n:\legana\as2021\2100449\01570743.docx