

1 [Administrative Code – Police Department Participation in Federal Counterterrorism Activities]

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3 **Ordinance amending the San Francisco Administrative Code by adding Section 2A.74**
4 **to: 1) set City policy regarding Police Department participation in federal**
5 **counterterrorism activities; 2) require a public discussion at the Police Commission**
6 **before the execution of any Memorandum of Understanding with the Federal Bureau of**
7 **Investigation regarding the Joint Terrorism Task Force; and 3) set an annual reporting**
8 **requirement.**

9 NOTE: Additions are *single-underline italics Times New Roman*;
10 deletions are *strike-through italics Times New Roman*.
11 Board amendment additions are double-underlined;
12 Board amendment deletions are ~~strikethrough-normal~~.

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

14 Section 1. The San Francisco Administrative Code is hereby amended by adding
15 Section 2A.74, to read as follows:

16 **SEC. 2A.74. POLICE DEPARTMENT PARTICIPATION IN FEDERAL COUNTERTERRORISM**
17 **ACTIVITIES.**

18 (a) This Ordinance shall be known as the “Safe San Francisco Civil Rights Ordinance.”

19 (b) The City and County of San Francisco, including but not limited to the San Francisco
20 Police Department, may assist federal agencies on the Federal Bureau of Investigation (“FBI”) Joint
21 Terrorism Task Force or any successor task force, joint operation, assignment or enforcement activity
22 (collectively, “JTTF”) in preventing and investigating possible acts of terrorism and other criminal
23 activity only in a manner that is fully consistent with the laws of the State of California, including but
24 not limited to the inalienable right to privacy guaranteed by Article 1, Section 1 of the California

1 Constitution, as well as the laws and policies of the City and County of San Francisco and, as
2 applicable to the Police Department, that Department's policies, procedures, and orders.

3 (bc) Before execution of any Memorandum of Understanding or other written agreement,
4 contract or arrangement (collectively, "MOU") between the San Francisco Police Department and the
5 FBI regarding the Police Department's participation on the JTTF, or any amendment to an existing
6 MOU with the FBI regarding the JTTF, the Chief of Police shall submit the proposed MOU and any
7 related Department General Orders or Bureau Orders for discussion and public comment at an open
8 meeting of the Police Commission.

9 (ed) By January 31 of each year, the Chief of Police shall provide to the Police Commission a
10 public report with appropriate public information on the Police Department's work with the JTTF in
11 the prior calendar year, including any issues related to compliance with this Section.

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13 Section 2. Effective Date. This ordinance shall become effective 30 days from the
14 date of passage.

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

18 By: 
19 KATHARINE HOBIN PORTER
20 Deputy City Attorney



City and County of San Francisco

Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 120351

Date Passed: May 08, 2012

Ordinance amending the San Francisco Administrative Code by adding Section 2A.74 to: 1) set City policy regarding Police Department participation in federal counterterrorism activities; 2) require a public discussion at the Police Commission before the execution of any Memorandum of Understanding with the Federal Bureau of Investigation regarding the Joint Terrorism Task Force; and 3) set an annual reporting requirement.

April 19, 2012 Public Safety Committee - RECOMMENDED

May 01, 2012 Board of Supervisors - AMENDED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

May 01, 2012 Board of Supervisors - PASSED ON FIRST READING AS AMENDED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

May 08, 2012 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Olague and Wiener

File No. 120351

I hereby certify that the foregoing
Ordinance was FINALLY PASSED on
5/8/2012 by the Board of Supervisors of the
City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor

May 9, 2012

Date Approved