

BOARD of SUPERVISORS



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

MEMORANDUM

TO: William Scott, Police Chief, Police Department
Sergeant Rachael Kilshaw, Police Commission
Ben Rosenfield, City Controller, Office of the Controller
Nancy Alfaro, Director, 311
Anne Kronenberg, Executive Director, Department of Emergency Management
Trent Rhorer, Executive Director, Human Services Agency
Jeff Kositsky, Director, Department of Homelessness and Supportive Housing

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

DATE: September 25, 2017

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following proposed legislation, introduced as a substitute by Supervisor Yee on September 19, 2017:

File No. 170095

Ordinance amending the Administrative Code to create Neighborhood Automobile Break-Ins, Bicycle Theft, and Property Crime Units at district stations in the Police Department.

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

c:
Rowena Carr, Police Department
Kristine Demafeliz, Police Department
Todd Rydstrom, Office of the Controller
Peg Stevenson, Office of the Controller
Andy Maimoni, 311
Krista Ballard, Human Services Agency
Greg Wagner, Department of Public Health
Colleen Chawla, Department of Public Health

1 [Administrative Code - Neighborhood Automobile Break-Ins, Bicycle Theft, and Property
2 Crime Units in Police Department]

3 **Ordinance amending the Administrative Code to create Neighborhood Automobile**
4 **Break-Ins, Bicycle Theft, and Property Crime Units at district stations in the Police**
5 **Department.**

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

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

14 Section 1. The Administrative Code is hereby amended by adding Sections 2A.84-1
15 through 2A.84-5, to read as follows:

16 **SECTION 2A.84: NEIGHBORHOOD AUTOMOBILE BREAK-INS, BICYCLE THEFT,**
17 **AND PROPERTY CRIME UNITS**

18 **SEC. 2A.84-1. PURPOSE AND INTENT.**

19 *The purpose of Section 2A.84-1 et seq. is to do all of the following:*

20 (a) *Strengthen existing structures within the Police Department to bolster the Department's*
21 *efforts to combat automobile break-ins, bicycle theft, and other neighborhood property crime and*
22 *improve coordination among different police districts and different divisions of the Department,*
23 *including but not limited to the Crime Analysis Unit.*

24 (b) *Create a Neighborhood Automobile Break-Ins, Bicycle Theft, and Property Crime Unit*
25 *in each police district, and task those Units with proactively and comprehensively investigating*
automobile break-ins, bicycle theft, and other neighborhood property crime and enforcing laws to deter

1 neighborhood property crime, and to assist with responding to 911 and 311 calls for service related to
2 automobile break-ins, bicycle theft, and other neighborhood property crime.

3 (c) Create transparency and accountability data metrics for automobile break-ins, bicycle
4 theft, and other neighborhood property crime and for the Police Department's efforts to combat such
5 crime, with required reports to the Police Commission and the Board of Supervisors.

6
7 **SEC. 2A.84-2. CREATION OF NEIGHBORHOOD AUTOMOBILE BREAK-INS,**
8 **BICYCLE THEFT, AND PROPERTY CRIME UNITS; DUTIES OF UNITS.**

9 (a) There shall be a Neighborhood Automobile Break-Ins, Bicycle Theft, and Property Crime
10 Unit (referred to in Sections 2A.84-2 through 2A.84-5 as "Units") within each police district in the
11 Police Department.

12 (b) The Units shall be responsible for proactive and comprehensive deterrence and
13 investigation of property crime throughout the respective neighborhoods within their district
14 boundaries through the use of data-driven, innovative investigative techniques, neighborhood foot
15 patrols, and community crime prevention, among other tactics to prevent and address auto break-ins,
16 bike theft, and other property crimes.

17 (c) The Units may encompass several existing Police Department functions, at the discretion of
18 the Chief of Police and District Captains as delegated by the Chief, including but not limited to: the
19 Crime Analysis Unit, School Resource Officers, and the Special Projects Unit. This Section 2A.84-2 is
20 not intended to preclude officers who are not in a Unit from performing necessary or appropriate law
21 enforcement functions not inconsistent with this Section in accordance with the policies of the Police
22 Department.

23 (d) The Units shall actively coordinate with each other and with other City departments under
24 the direction of the Chief of Police.

1 (e) Officers assigned to the Units shall be responsible for curtailing and investigating
2 automobile break-ins, bicycle theft, and other neighborhood property crimes whose nature, frequency,
3 or pervasiveness impairs the sense of security and quality of life of those who live or work in affected
4 neighborhoods. Such crimes include but are not limited to California Penal Code Sections 211
5 (Robbery), 459 (Auto Burglary and Residential/Commercial Burglary), 484, 487, and 488 (Theft of
6 Property, including bicycle thefts). All activities of each Unit shall be consistent with the
7 Comprehensive Automobile Break-In, Bicycle Theft, and Property Crime Plan adopted under Section
8 2A.84-4(a) and the strategic plan for the Unit adopted under Section 2A.84-4(b).

9 (f) Section 2A.84-1 et seq. are not intended to affect the existing discretion of the Chief of
10 Police to make decisions regarding staffing levels of the Police Department.

11
12 **SEC. 2A.84-3. STAFFING OF UNITS.**

13 Each year with the proposed annual budget for the Police Department, the Chief of Police shall
14 propose to the Police Commission a budget and level of staffing for each Neighborhood Property
15 Crime Unit. The Board of Supervisors urges the Chief of Police to assign at least one officer at each
16 police district exclusively to the Unit for that district, and to assign additional officers and staff to each
17 Unit in proportion to the frequency of automobile break-ins, bicycle theft, and other property crime in
18 the district.

19
20 **SEC. 2A.84-4. COMPREHENSIVE NEIGHBORHOOD AUTOMOBILE BREAK-INS,**
21 **BICYCLE THEFT, AND PROPERTY CRIME PLAN AND NEIGHBORHOOD UNIT**
22 **STRATEGIC PLANS.**

23 (a) Within six months of the effective date of the ordinance in Board File No. 170095, the
24 Police Commission shall adopt a Comprehensive Neighborhood Automobile Break-Ins, Bicycle Theft,
25 and Property Crime Plan to address automobile break-ins, bicycle theft, and other property crime in

1 neighborhoods throughout the City. The Plan shall emphasize strategies for reducing automobile
2 break-ins and bicycle theft and include, at a minimum, strategies for (1) encouraging full and open
3 communication and collaboration among officers in Units and community members; (2) development of
4 neighborhood-specific priorities and strategies to reduce automobile break-ins, bicycle theft, and other
5 property crimes; (3) the assignment of officers in Units to foot patrols; (4) ensuring productive
6 coordination among the Units in different police districts in the City; and (5) sharing property crime
7 data with other City departments responsible for law enforcement, including the District Attorney's
8 Office. In addition, the Plan may set or recommend minimum dedicated staffing levels for specific
9 Units, and may include strategies for increasing staffing in those Units to recommended levels. The
10 Commission shall review the Plan at least once each fiscal year and may make changes that the
11 Commission deems appropriate, as long as the initial Plan provides an emphasized focus on
12 automobile break-ins and bicycle thefts.

13 (b) The Police Department shall develop a strategic plan for each Unit in the City. Each
14 plan shall be consistent with the Comprehensive Neighborhood Automobile Break-Ins, Bicycle Theft,
15 and Property Crime Plan, and shall, at a minimum, identify:

16 (1) Procedures for officers assigned to the Unit.

17 (2) A list of Penal Code and Police Code sections on which the Unit will focus. With
18 input from community members and organizations, the Department shall update the list from time to
19 time so that it remains consistent with the purpose of the Unit.

20 (3) A plan to monitor training and tactics related to enforcement strategy.

21 Within 12 months of the effective date of the ordinance in Board File No. 170095, the Police
22 Department shall submit these Plans to the Police Commission for the Commission's consideration and
23 approval.

1 **SEC. 2A.84-5. ANNUAL REPORTS.**

2 By no later than 18 months after the Police Commission's adoption of the Comprehensive
3 Neighborhood Automobile Break-Ins, Bicycle Theft, and Property Crime Plan required by Section
4 2A.84-5, and once a year between June 1 and July 1 thereafter, the Police Department shall submit to
5 the Board of Supervisors and the Police Commission a report on the Department's progress preventing
6 and enforcing automobile break-ins, bicycle theft, and other property crime in the City, including data
7 and metrics stemming from each Unit's work including work coordinated with other City departments,
8 with a particular focus on the disparate impacts in approaches, citations, and arrests in terms of race,
9 ethnicity, gender, age, and neighborhood or other geographic measures.

10
11 Section 2. Effective Date. This ordinance shall become effective 30 days after
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
14 of Supervisors overrides the Mayor's veto of the ordinance.

15
16 APPROVED AS TO FORM:
17 DENNIS J. HERRERA, City Attorney

18 By: 
19 JON GIVNER
 Deputy City Attorney

20 n:\egana\as2017\1700413\01221645.docx

REVISED LEGISLATIVE DIGEST
(Substituted, 9/19/2017)

[Administrative Code - Neighborhood Automobile Break-Ins, Bicycle Theft, and Property Crime Units in Police Department]

Ordinance amending the Administrative Code to create Neighborhood Automobile Break-Ins, Bicycle Theft, and Property Crime Units at district stations in the Police Department.

Existing Law

The Police Department has several different units, all of which share partial responsibility for preventing, investigating, and making arrests related to neighborhood property crime.

Amendments to Current Law

The proposed ordinance would require the Police Department to establish Neighborhood Automobile Break-Ins, Bicycle Theft, and Property Crime Units in each police district. Units would be responsible for deterrence and investigation of automobile break-ins, bicycle theft, and other property crime through the use of neighborhood foot patrols and community crime prevention, among other tactics. The various units would coordinate with each other under the direction of the Chief of Police.

Each year with the proposed annual budget for the Police Department, the Chief of Police would propose to the Police Commission a budget and level of staffing for each unit. The ordinance would urge the Chief of Police to assign at least one officer in each district to work exclusively in that district's unit.

Within six months of the effective date of the ordinance, the Police Commission would adopt a plan to address property crime in the City, including strategies for communication and collaboration between units and between officers and community members; development of neighborhood-specific priorities and strategies to reduce property crimes; and the assignment of officers in Neighborhood Property Crime Units to foot patrols. The Commission would review the plan at least once every fiscal year. The Police Department would also develop and adopt a strategic plan for each Neighborhood Property Crime Unit, subject to approval by the Police Commission.

Every June, the Police Department would submit an annual report regarding property crime to the Board of Supervisors and the Police Commission.

n:\legana\as2017\1700413\01221647.docx