

File No. 201021

Committee Item No. _____

Board Item No. 86

COMMITTEE/BOARD OF SUPERVISORS

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Committee: _____

Date: _____

Board of Supervisors Meeting

Date: September 15, 2020

Cmte Board

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OTHER

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Prepared by: Lisa Lew

Date: September 11, 2020

Prepared by: _____

Date: _____

1 [Committee of the Whole - Update on Findings and Recommendations Regarding Law
2 Enforcement Practices - October 20, 2020, 3:00 p.m.]

3 **Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the**
4 **Whole hearing on October 20, 2020, at 3:00 p.m. for the Members of the Board of**
5 **Supervisors to hear and receive updates on the progress and implementation status of**
6 **the Unites States Department of Justice recommendations regarding reforms within the**
7 **Police Department; and rescinding and replacing Motion No. 20-085, which was**
8 **approved to schedule a Committee of the Whole for the same purpose on September**
9 **22, 2020.**

10
11 WHEREAS, After a series of officer involved shootings, the Police Department (PD)
12 partnered with the United States Department of Justice’s Office of Community Oriented
13 Policing Services (DOJ/COPS) to conduct an independent assessment through the
14 Collaborative Reform Initiative for Technical Assistance (CRI-TA); and

15 Whereas, In February 2016, the DOJ/COPS launched a six-month comprehensive
16 review of the SFPD, with the goal to improve on the implementation of the principles of
17 community oriented policing practices, transparency, professionalism, and accountability; and

18 WHEREAS, On October 12, 2016, the DOJ/COPS released its initial assessment and
19 provided 272 recommendations for improvement within the department. The areas of review
20 included Use of Force, Bias, Community Policing, Accountability, and Hiring and Personnel
21 Practices; and

22 WHEREAS, On October 18, 2016, the Board of Supervisors adopted Motion
23 No. M16-141, scheduling the Board to sit as a Committee of the Whole on
24 November 15, 2016, in a joint meeting with the Police Commission, to hold a public hearing to
25 consider the findings and recommendations of the Department of Justice Initial Assessment

1 Report of the San Francisco Police Department; the President's Task Force on 21st Century
2 Policing; the Civil Grand Jury's report, entitled "Into the Open: Opportunities for More Timely
3 and Transparent Investigations of Fatal San Francisco Police Department Officer-Involved
4 Shootings;" and the Blue Ribbon Panel on Transparency, Accountability, and Fairness in Law
5 Enforcement (the "Blue Ribbon Panel"); and

6 WHEREAS, On October 18, 2016, the Board also adopted Motion No. M16-142,
7 scheduling quarterly Committees of the Whole hearings regarding the final report, findings,
8 and recommendations of the Blue Ribbon Panel, beginning in February 2017; and

9 WHEREAS, The Board held three such Committee of the Whole hearings in 2017, with
10 the last being held on September 26, 2017; and

11 WHEREAS, On September 15, 2017, the Department of Justice announced its
12 withdrawal from the Collaborative Reform Process, and on February 5, 2018, the California
13 Department of Justice announced its agreement to publicly evaluate and report on the
14 implementation of the US DOJ recommendations; and

15 WHEREAS, The following areas are stated to be the focus of the Collaborative Reform
16 Initiative between the California Department of Justice, the City of San Francisco, and the
17 Police Department: use of force policies and practices; policies, practices and training to
18 address issues of bias in policing; community-oriented policing strategies and protocols;
19 policies and practices regarding accountability processes; and recruitment, hiring and
20 personnel practices; and

21 WHEREAS, In May of 2019, the California Department of Justice issued a progress
22 report regarding Phase I of the Collaborative Reform Initiative between the City and County of
23 San Francisco, the San Francisco Police Department, and the California Department of
24 Justice, covering the period from September 17, 2018 through December 21, 2018; and

25

1 WHEREAS, The work of Phase I was focused on establishing the framework,
2 processes and procedures to support the process of reform, and during this Phase, the Police
3 Department prioritized 63 recommendations for review including those on Use of Force, Bias
4 and Accountability of which DOJ found 13 recommendations to be compliant, largely because
5 internal accountability controls were not in place; and

6 WHEREAS, As two years had passed since the September 2017 Committee of the
7 Whole without formal updates to the Board of Supervisors regarding implementation of the
8 DOJ recommendations, and given the release of the May 2019 DOJ report, the Board held a
9 Committee of the Whole on October 22, 2019, featuring both the Police Department and
10 Hillard Heinze, the consultant for the California Department of Justice who presented updates
11 regarding the status of reforms; and

12 WHEREAS, In March of 2020, the DOJ released its report on Phase II of the
13 Collaborative Reform Initiative, which covered the time period between December 22, 2018,
14 through August 22, 2019; and

15 WHEREAS, The March 2020 DOJ report found that more progress had been made,
16 pointing specifically to reduced use of force incidents, and that the Police Department had
17 become substantially compliant with 40 recommendations related to use of force, bias free
18 policing, and civilian complaints, and more still under review; and

19 WHEREAS, The report also noted that “Cal DOJ is concerned that SFPD’s progress is
20 too slow. The failure to implement a greater number of the recommendations is delaying the
21 SFPD’s fulfillment of its promise to the community to get this work done,” and pointed also to
22 concerns relating to “reports of anti-Black bias within the department and with the persistent
23 disproportionate use of force against African American and Latino individuals”; and

24 WHEREAS, The Police Commission has begun hearing monthly reports on reform
25 efforts and the status of implementation of the DOJ recommendations; and

1 WHEREAS, The Board of Supervisors sees a continued role for themselves in
2 ensuring the full and timely implementation of the DOJ recommendations for the Police
3 Department; now, therefore, be it

4 RESOLVED, That the Clerk of the Board shall schedule a Committee of the Whole
5 hearing on October 20, 2020, at 3:00 p.m. for the Members of the Board of Supervisors to
6 hear and receive an update on the progress and implementation status of the Department of
7 Justice recommendations for reform within the Police Department; and, be it

8 FURTHER RESOLVED, That this motion rescinds and replaces Motion No. 20-085,
9 which was approved to schedule a Committee of the Whole for the same purpose on
10 September 22, 2020.

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Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

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

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

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

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

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

Sponsor(s):

Fewer

Subject:

Committee of the Whole - Findings and Recommendations Regarding Law Enforcement Practices – Update – October 20, 2020

The text is listed:

Motion directing the Clerk of the Board of Supervisors to schedule a Committee of the Whole hearing on October 20, 2020, at 3:00 p.m. for the Members of the Board of Supervisors to hear and receive updates on the progress and implementation status of the Unites States Department of Justice recommendations regarding reforms within the Police Department; and rescinding and replacing Motion No. 20-085, which was approved to schedule a Committee of the Whole for the same purpose on September 22, 2020.

Signature of Sponsoring Supervisor:

For Clerk's Use Only