

[Administrative Code - Domestic Violence Data Reporting]

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Ordinance amending the Administrative Code to require the Police Department and the District Attorney to submit quarterly ~~monthly~~ reports to the Board of Supervisors regarding the number of cases of domestic violence.

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

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

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

SEC. 96D.1. DEFINITIONS.

For purposes of this Chapter 96D:

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

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

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

1 (a) On a quarterly basis (the first Tuesday in February, May, August, and November),
2 On the third Friday of each month, the Police Department and the District Attorney shall each
3 transmit a written report to the Board of Supervisors. The report shall contain the following
4 information:

5 (1) The Police Department shall report:

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

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

13 (2) The District Attorney shall report:

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

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

19 (b) In addition to the reports required by subsection (a), above, the Police Department and the
20 District Attorney shall report the same information for the period September 1, 2019 to September 1,
21 2021 to the Board of Supervisors no later than December 1, 2021.

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

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

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

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5 **SEC. 96D.3. UNDERTAKING FOR THE GENERAL WELFARE.**

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

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

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

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

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

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

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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/ Thomas J. Owen
 THOMAS J. OWEN
 Deputy City Attorney

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