

File No. 100760

Committee Item No. 2  
Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Rules

Date July 20, 2010

Board of Supervisors Meeting

Date \_\_\_\_\_

**Cmte Board**

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Ordinance                                    |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget Analyst Report                        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Analyst Report                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | Introduction Form (for hearings)             |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
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**OTHER**

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Completed by: Linda Wong

Date July 16, 2010

Completed by: \_\_\_\_\_

Date \_\_\_\_\_

An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.



1 [Community Policing and Foot Beat Patrols.]

2  
3 **Motion ordering submitted to the voters an ordinance establishing the Community**  
4 **Policing Policy and Foot Beat Patrol Program at an election to be held on November 2,**  
5 **2010.**

6  
7 **MOVED, That the Board of Supervisors hereby submits the following ordinance to the**  
8 **voters of the City and County of San Francisco, at an election to be held on November 2,**  
9 **2010.**

10  
11 **Ordinance amending the San Francisco Administrative Code by adding Sections**  
12 **2A.89.1 through 2A.89.6, to establish a Community Policing Policy and Foot Beat Patrol**  
13 **Program within the San Francisco Police Department.**

14 **NOTE:** Additions are *single-underline italics Times New Roman*;  
15 deletions are *strike-through italics Times New Roman*.

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

17 Section 1. The San Francisco Administrative Code is hereby amended by adding  
18 Section 2A.89.1 through 2A.89.6, to read as follows:

19 **SEC. 2A.89.1. FINDINGS.**

20 *(a) In 1994, with the passage of Proposition D, Charter Section 4.127, establishing a minimum*  
21 *police staffing in the City Charter, the voters specifically intended for officers to be "dedicated to*  
22 *neighborhood policing and patrol."*

23 *(b) In 2007, the City established a successful foot patrol pilot program that demonstrated the*  
24 *effectiveness of beat officers. The City commissioned the Public Safety Strategies Group (PSSG) to*  
25 *evaluate this pilot program.*

1           (c) Released April 8, 2008, the PSSG Foot Patrol Program Evaluation Report (Report) found  
2 that 90 percent of community member respondents believe foot patrols are a necessary tool for the San  
3 Francisco Police Department (SFPD) to use in addressing crime, public safety, and quality of life  
4 issues, while 79 percent of SFPD respondents believe that foot patrols are a viable strategy for the  
5 department.

6           (d) However, the Report also found that the SFPD was not able to fully implement the pilot foot  
7 patrol program, and recommended that SFPD develop clearly defined goals and objectives, a strategic  
8 plan and community outreach in order to fully and successfully implement a foot patrol program.

9           (e) The San Francisco Municipal Railway (MUNI) is an extension of San Francisco's public  
10 spaces; thus, a police presence on MUNI is essential to public safety and welfare and to reduce crime.

11  
12 **SEC. 2A.89.2. REQUIRING THE POLICE COMMISSION TO ADOPT A COMMUNITY**  
13 **POLICING POLICY.**

14           (a) The San Francisco Police Commission shall adopt a comprehensive written policy on  
15 community policing. The policy shall include at a minimum:

16                   (1) A description of long-term, preventative problem-solving strategies and tools that  
17 are available to police officers;

18                   (2) A plan for encouraging full and open communication and collaboration among  
19 Police Department personnel and community members, including in developing and implementing  
20 neighborhood-specific policing priorities and strategies;

21                   (3) Strategies for providing culturally and linguistically-competent police services;

22                   (4) Goals for allocating police resources between the key tasks of community policing:  
23 responding to calls for emergency service and engaging in proactive efforts to identify and solve  
24 community problems that contribute to crime;

1                   (5) A strategy for developing and maintaining productive interpersonal relationships  
2 between uniformed personnel assigned to district stations and the residents of the neighborhoods that  
3 they serve, with an emphasis on maintaining the continuity of service of key personnel involved in  
4 community policing efforts; and,

5                   (6) A redesign of training and professional development to promote and encourage  
6 community-oriented policing initiatives throughout the Department.

7                   (b) Timeline. The Police Commission shall agendize adoption of a comprehensive community  
8 policing policy within six months of the effective date of this ordinance. The Commission shall hold at  
9 least one public hearing before adopting any policy. The Commission shall forward a draft of its initial  
10 proposed community policing policy to the Board of Supervisors and the Mayor at least 10 days prior  
11 to its first public hearing to consider adoption of a policy. Upon adoption, the Police Commission shall  
12 forward the policy to the Board of Supervisors and the Mayor.

13  
14 **SEC. 2A.89.3. FOOT BEAT PATROL PROGRAM.**

15                   (a) The Chief of Police shall create a comprehensive Foot Beat Patrol Program in all Police  
16 stations.

17                   (b) The Foot Beat Patrol Program shall include the following components:

18                   (1) Designated foot beats, based on current assessments of the most critical and  
19 immediate need for a physical police presence to address and prevent crime;

20                   (2) Dedicated patrols of the San Francisco Municipal Railway that provide a consistent  
21 presence on MUNI lines. The specific MUNI lines patrolled shall be determined based on community  
22 input, needs, and evolving or emerging patterns of criminal activity or suspected criminal activity;

23                   (3) Regular reviews of the specific routes of foot beats based on community input,  
24 neighborhood needs and evolving or emerging patterns of criminal activity or suspected criminal  
25 activity; and,

1                   (4) Regular meetings with community members and foot patrol officers to develop  
2 policing priorities and strategies – including prevention, intervention and enforcement – that are  
3 specific to the neighborhood and the needs of its residents.

4                   (c) Foot patrols shall be managed to identify and reduce the incidence of crime in the areas  
5 most heavily impacted by crime. The Chief of Police shall develop guidelines for foot patrol officers  
6 that include the following:

7                   (1) Make every effort to be known in the community through consistent interactions with  
8 residents. In particular, officers on foot patrol should establish a regular physical police presence  
9 along commercial corridors, at schools, community centers, senior centers, homeless shelters, churches  
10 and other places of worship, housing authority developments, after school program locations, and  
11 other locations where seniors, children and youth gather;

12                   (2) Identify and address crime and nuisance problems that affect the quality of life and  
13 the level of safety of neighborhood residents. Foot patrol officers should work with neighborhood  
14 residents and City agencies to identify and eliminate any structural, physical, or other features that  
15 may hide or encourage crime or criminal activity; and,

16                   (3) Encourage residents' involvement in activities that contribute to crime prevention,  
17 including neighborhood watch activities, neighborhood clean-up and beautification, and crime  
18 prevention educational programs.

19  
20 **SEC. 2A.89.4. REPORTS ON THE STATUS OF FOOT BEAT PATROL PROGRAM.**

21                   The Police Department shall submit to the Board of Supervisors bi-annual reports by April 1<sup>st</sup>  
22 and October 1<sup>st</sup> of every year on the status of the Foot Beat Patrol Program. The report shall include  
23 at least the following:

24                   (1) Data regarding all reported crime within the foot beats described in Section 2A.89.3 by  
25 type, during the six-month period prior to the report and comparisons to previous six-month periods;

1           (2) Detailed records of the number of foot beats actually staffed, including time, date and  
2 number of officers assigned;

3           (3) Redevelopment or reassignment of staff between stations, or from sector cars to foot patrols  
4 within a station, in response to the requirements of this ordinance; and,

5           (4) Response times to priority calls for service (A and B calls) at each of the Police stations.

6  
7 **SEC. 2A.89.5. GENERAL WELFARE.**

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

12  
13 **SEC. 2A.89.6. SEVERABILITY.**

14           If any part of this ordinance, or the application thereof, is held to be invalid, the remainder of  
15 this ordinance shall not be affected thereby, and this ordinance shall otherwise continue in full force  
16 and effect. To this end, the provisions of this ordinance, and each of them are severable.

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

20 By:   
21 BURK E. DELVENTHAL  
22 Deputy City Attorney

**LEGISLATIVE DIGEST**

[Community Policing and Foot Beat Patrols.]

**Motion ordering submitted to the voters an ordinance establishing the Community Policing Policy and Foot Beat Patrol Program at an election to be held on November 2, 2010.**

Existing Law

The City currently has no ordinance or Charter provision specifically addressing community policing or foot patrols by the Police Department. Under the Charter, the Chief of Police, subject to the oversight of the Police Commission, makes decisions regarding community policing and foot patrols.

Amendments to Current Law

The proposal is a motion that would submit an ordinance to the voters for the November 2, 2010 election, entitled "Ordinance amending the San Francisco Administrative Code by adding Sections 2A.89.1 through 2A.89.6, to establish a Community Policing Policy and Foot Beat Patrol Program within the San Francisco Police Department."

If adopted by the voters, the ordinance would first require the Police Commission to adopt a comprehensive written policy on community policing. The policy would include, among other things:

- A plan for encouraging communication and collaboration among Police Department personnel and community members;
- Goals for allocating police resources between responding to calls for emergency service and engaging in proactive efforts to identify and solve community problems that contribute to crime; and,
- A redesign of training and professional development to promote and encourage community-oriented policing initiatives throughout the Department.

The ordinance would require the Police Commission to begin hearings on the community policing policy within six months.

The ordinance would also require the Chief of Police to create a comprehensive Foot Beat Patrol Program in all police stations. The foot patrol program would include, among other things:

- Designated foot beats, in areas with the most critical and immediate need for a physical police presence to prevent crime;
- Dedicated patrols of the San Francisco Municipal Railway that provide a consistent presence on MUNI lines; and,
- Regular meetings with community members and foot patrol officers to develop neighborhood specific policing priorities and strategies.

The Chief of Police would develop guidelines for foot patrol officers that address, among other things:

- Establishing a regular physical police presence in the community through consistent interactions with residents, particularly along commercial corridors and at schools, community centers, and places of worship;
- Addressing crime and nuisance problems that affect the quality of life and the level of safety of neighborhood residents; and,
- Encouraging residents' involvement in activities that contribute to crime prevention, including neighborhood watch activities, neighborhood clean-up and beautification, and crime prevention educational programs.

Finally, the ordinance would require the Police Department to report to the Board of Supervisors twice a year on the status of the Foot Beat Patrol Program.

#### Background Information

In 2006, the City adopted an ordinance establishing a one-year pilot program of foot patrols within various City police districts. The program included reporting on and review of the effectiveness of the foot patrols required by that measure. The ordinance expired by its own terms on January 1, 2008.



CITY AND COUNTY OF SAN FRANCISCO  
OFFICE OF THE CONTROLLER

Ben Rosenfield  
Controller

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO  
JUL 13 AM 10:36  
BY Monique Zúñiga  
Deputy Controller

July 12, 2010

Ms. Angela Calvillo  
Clerk of the Board of Supervisors  
1 Dr. Carlton B. Goodlett Place Room 244  
San Francisco, CA 94102-4689

RE: File 100760 – Ordinance Requiring Community Policing Policies, Foot Patrols and  
Municipal Transportation Agency Patrols

Dear Ms. Calvillo,

Should the proposed ordinance be approved by the voters, it could, in my opinion, increase the cost of government in order to fund additional police foot beat patrols and patrols on the City's transit lines. The ultimate cost of the proposal would depend on decisions made through the City's annual budget process and on management decisions made in the San Francisco Police Department (SFPD) and the Municipal Transportation Agency (MTA).

The proposed ordinance would require the Police Department to establish foot beats in each district station and a dedicated police presence on MTA lines. The number of officers and level of effort required is not specified. The ordinance specifies various program requirements including consultation with the community and bi-annual reporting by the Police Chief to the Board of Supervisors regarding the program's status, crime reports, and the amount of officer time dedicated to foot beats.

The SFPD's efforts to comply with the 2007 legislation which required foot beat patrols in each district resulted in an increase of approximately 39,000 officer hours dedicated to foot beats during a six month period. The estimated cost of a comparable effort on an annual basis at current rates would be approximately \$4.45 million. In FY09-10, the budgeted cost of the San Francisco Police Department's (SFPD) security services to the MTA is approximately \$11.5 million.

Implementation of the program as specified in the ordinance is likely to require substantial General Fund support and as such would mean that alternative funding must be secured or other services reduced. Note that an ordinance cannot bind future Mayors and Boards of Supervisors to provide funding for this or any other purpose. Under the City Charter, the ultimate cost of this proposal depends on decisions made in the City's annual budget process.

Sincerely,

  
Ben Rosenfield  
Controller

Note: This analysis reflects our understanding of the proposal as of the date shown. At times further information is provided to us which may result in revisions being made to this analysis before the final Controller's statement appears in the Voter Information Pamphlet.