

File No. 100953

Committee Item No. 3  
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"/> | 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 type="checkbox"/>            | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
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**OTHER**

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Completed by: Linda Wong  
Completed by: \_\_\_\_\_

Date July 16, 2010  
Date \_\_\_\_\_

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FILE NO. 100953

MOTION NO.

[Community Policing and Foot Beat Patrols.]

Motion ordering submitted to the voters an ordinance at an election to be held on November 2, 2010 establishing the Community Policing Policy and Foot Beat Patrol Program and supplanting any City ordinance the voters approve at the November 2, 2010 election that bans lying or sitting on public sidewalks.

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

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 and supplanting any City ordinance the voters approve at the November 2, 2010 election that bans lying or sitting on public sidewalks.

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

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

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

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

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

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

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

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

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

14  
15           **SEC. 2A.89.2. REQUIRING THE POLICE COMMISSION TO ADOPT A COMMUNITY**  
16 **POLICING POLICY.**

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

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

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

24                   **(3) Strategies for providing culturally and linguistically-competent police services;**  
25

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

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

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

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

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17 **SEC. 2A.89.3. FOOT BEAT PATROL PROGRAM.**

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

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

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

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

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

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

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

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

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

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

22  
23 **SEC. 2A.89.4. REPORTS ON THE STATUS OF FOOT BEAT PATROL PROGRAM.**  
24  
25

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

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

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

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

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

11  
12        **SEC. 2A.89.5. GENERAL WELFARE.**

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

17  
18        **SEC. 2A.89.6. SEVERABILITY.**

19               If any part of this ordinance, or the application thereof, is held to be invalid, the remainder of  
20               this ordinance shall not be affected thereby, and this ordinance shall otherwise continue in full force  
21               and effect. To this end, the provisions of this ordinance, and each of them are severable. If Section 2 of  
22               this ordinance is unenforceable because the voters approve, with more votes than this ordinance, a City  
23               ordinance at the November 2, 2010 election that bans lying or sitting on public sidewalks, then it is the  
24               voters' intent that the balance of this ordinance shall be enforceable.  
25

1        Section 2. Voters find that foot patrols ensuring the regular presence of officers to enforce  
2        existing laws against sidewalk obstruction, assault, and other disorderly conduct are a more effective  
3        vehicle to address safety and civility in public spaces and to protect the interests of merchants and  
4        citizens than an outright ban against persons sitting or lying upon public sidewalks. Therefore, it is the  
5        voters' intent that the Foot Beat Patrol Program supplant any City ordinance the voters approve at the  
6        November 2, 2010 election that bans lying or sitting on public sidewalks.

7  
8        APPROVED AS TO FORM:  
9        DENNIS J. HERRERA, City Attorney

10       By:

11         
12       BURK E. DELVENTHAL  
13       Deputy City Attorney



## LEGISLATIVE DIGEST

[Community Policing and Foot Beat Patrols.]

**Motion ordering submitted to the voters an ordinance at an election to be held on November 2, 2010 establishing the Community Policing Policy and Foot Beat Patrol Program and supplanting any City ordinance the voters approve at the November 2, 2010 election that bans lying or sitting on public sidewalks.**

### Existing Law

There are no current requirements for the San Francisco Police Department to establish or administer a foot beat patrol program. In 2007, the voters approved a one-year pilot program mandating foot beat patrols in the following neighborhoods: Hayes Valley, Western Addition, Lower Haight, and Japantown.

### Amendments to Current Law

The proposal would require the San Francisco Police Commission to:

- (1) Adopt a comprehensive written policy on community policing meeting certain minimum requirements, which among others includes: interacting with the community, focusing police resources on areas most heavily impacted by crime, and encouraging citizen involvement in combating crime.
- (2) Agendize adoption of a comprehensive community policing policy within six months of the effective date of this ordinance.

The proposal also requires:

- (1) The San Francisco Chief of Police to create a comprehensive Foot Beat Patrol Program in all Police stations with certain required components.
- (2) The Police Department to submit to the Board of Supervisors bi-annual reports on the status of the Foot Beat Patrol Program.

This proposal finds that foot patrols are a more effective vehicle to address safety and civility in public spaces to protect the interests of merchants and citizens than an outright ban against persons sitting or lying upon public sidewalks. Therefore, this proposal would supplant any City ordinance the voters approve at the November 2, 2010 election that bans lying or sitting on public sidewalks.

### Background Information

In 2007, the City established one-year foot patrol pilot program. The proposed ordinance finds that in 2008, the Public Safety Strategies Group Foot Patrol Program Evaluation Report found that 90 percent of community member respondents believe foot patrols are a necessary tool

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for the San Francisco Police Department to use in addressing crime, public safety, and quality of life issues.