

RESOLUTION FACILITATING PRODUCTION AND UPDATING OF SFPD DEPARTMENT GENERAL ORDERS

WHEREAS, The United States Department of Justice (“USDOJ”) recommended that both the San Francisco Police Department (“SFPD”) and the San Francisco Police Commission (“Commission”) improve and expedite the process for revising policies, procedures, and practices; and

WHEREAS, Department General Order (“DGO”) 3.01 requires, consistent with the USDOJ’s recommendation, that SFPD update each DGO every five years; and

WHEREAS, DGOs are initiated by either the Commission or SFPD and remain in effect until amended, superseded or rescinded by the Commission; and

WHEREAS, SFPD engages in an internal review process known as concurrence while formulating and updating DGOs and Department Bulletins as directed by DGO 3.01; and

WHEREAS, The Written Directives Unit (“WDU”) manages and maintains the concurrence process for new DGOs or amendments to DGOs; and

WHEREAS, When a DGO requires initiation or updating, the WDU assigns it to an SFPD member who then engages in a six part process prior to submitting the DGO to WDU for the concurrence process; and

WHEREAS, The concurrence process, which involves review by the Chief of Police, Assistant Chiefs, Deputy Chiefs, and Affected Director(s)/Deputy Directors, is a vital tool through which leadership provides input into policies that have a substantial and binding impact on the day-to-day operations of the San Francisco Police Department; and

WHEREAS, DGO 3.01, provides no parameters governing the length of time allowed for the concurrence process and presentation of a newly proposed or revised DGO to the Commission for formal consideration; and

WHEREAS, A protracted policymaking process impedes the timely implementation of DGO reform, and

WHEREAS, The Department of Police Accountability (“DPA”) has at least four separate opportunities to review and propose revisions to DGOs during the policy development process, including:

- Involving itself in the creation of a DGO initiated either by the Commission or the Department
- Participating in Executive Sponsor Working Groups or other working groups created at the direction of the Commission
- Providing suggestions to the DGO before SFPD begins concurrence

- Having a 30-day period after the conclusion of concurrence to address SFPD changes to the DGO resulting from SFPD's concurrence process.
- Along with SFPD, providing further suggested revisions during the "Sparks Report" meeting process prior to the final submission of the DGO for approval by the Commission pursuant to Commission Resolution 27-06; and

WHEREAS, External review is an important and welcomed aspect of the policy development process, but one that should be conducted efficiently and effectively; now, therefore be it

RESOLVED, That the San Francisco Police Department shall notify the Police Commission upon the initiation of concurrence for any and all Department General Order(s), and shall thereafter inform Commissioners of the status of these DGOs as part of the Chief's report at Commission meetings at least once per month; and

FURTHER RESOLVED, That the San Francisco Police Commission hereby limits the length of the concurrence process to no more than forty-five (45) days from the time that either:

- a) An Executive Sponsor Working Group submits a final draft DGO to a member of the Command Staff or the Written Directives Unit for review, or
- b) The process of initial deconfliction between the Department of Police Accountability and the subject matter expert from the San Francisco Police Department, as described in DGO 3.01, concludes; and

FURTHER RESOLVED, That the Police Commission hereby amends DGO 3.01, section 3.01.03, to reduce DPA's post-concurrence review period for Department General Orders and Manuals provided to DPA to 15 calendar days; and

FURTHER RESOLVED, That any additional internal or interdepartmental policy discussions or reviews regarding a specific DGO, including the DPA review period as established in DGO 3.01.10, discussions at Sparks' meetings, and any Chief's review meetings as provided for in DGO 3.01, shall take place during a period of no more than 90 days, at which point the DGO shall be submitted to the Commission for formal consideration, and

FURTHER RESOLVED, That the Commission hereby amends DGO 3.01 section 3.01.10, to add the following sentence to the last paragraph: "The meeting request must be made within seven calendar days of the final post-concurrence exchange of views between the Department of Police Accountability and the San Francisco Police Department;" and

FURTHER RESOLVED That, in the event of an emergency situation, the Department and/or DPA may request additional time to complete specified steps in the DGO 3.01 process, with the understanding that, in urgent circumstances, such extensions may be provisionally approved by the President or Vice President of the Commission pending final approval of the full Commission; and

FURTHER RESOLVED That, if an extension is provisionally granted and the emergency situation that served as basis for the extension has ended before the next Commission meeting, the requestor shall nonetheless report on the reasons for and length of the extension at the next Commission meeting; and

FURTHER RESOLVED, That, unless an emergency extension is granted, a violation of any timeline described in this document shall be deemed a waiver of the right to complete that step in the process; and

FURTHER RESOLVED, That the entirety of the review process for DGOs, from the initiation of concurrence to the submission of the DGO to the Commission for formal consideration, shall therefore take no longer than one hundred and thirty-five (135) days; and

FURTHER RESOLVED, That once one hundred and thirty-five (135) days has passed since the initiation of concurrence, SFPD shall submit the draft Department General Order to the Commission for formal consideration; and

RESOLVED, The Commission Secretary is directed to make changes to DGO 3.01 consistent with this Resolution.

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