

Commission on Police Practices

Ad Hoc Transition Planning Committee Meeting

Friday, June 11, 2021
12pm - 1pm
Zoom Platform

AGENDA

This is an Ad Hoc Committee meeting so it **will not** be available live on YouTube. However, the meeting will be available on the City's YouTube page after the meeting. Click [here](#) to view this meeting after its scheduled time.

- I. CALL TO ORDER/WELCOME (Committee Chair Doug Case)
- II. ROLL CALL
- III. APPOINTMENT OF NOTETAKER
- IV. PUBLIC COMMENT: (Fill out and submit comment using [webform](#). Please see instructions at the end of this agenda)
- V. UPDATES
 - A. Budget Process
 - B. Staffing
 - C. Assistant Executive Director/Community Engagement Coordinator Position
 1. Status of Development of Job Description for Assistant Executive Director (Program Manager)
 2. Status of the Proposal for a Selection Process
 - D. Implementation Ordinance & Permanent Standard Operating Procedures
 - E. Office Space
 - F. Standing Rules
 - G. Community Outreach - June 21st Community Roundtable Discussion
 - H. Legal Counsel Contract
- VI. UNFINISHED BUSINESS (Discussion/Action)
 - A. Elements of MOU between CPP and SDPD
- VII. NEW BUSINESS (Discussion/Action)
 - A. How to Handle Internal Complaints
 - B. Procedures for making recommendations to SDPD and requirements for SDPD response
 - C. Next steps and agenda prioritization for future meetings
- VIII. DATE OF NEXT MEETING -Change June 25th Meeting
- IX. OTHER ITEMS AND/OR CONCERNS

X. ADDITIONS TO THE LIST OF ITEMS FOR FUTURE AGENDAS (see below)

IX. ADJOURN

Items for Future Agendas:

- A. Whistle-blower Protections
- B. Quality Assurance Program
- C. Procedures for Review of IA/PSU Investigations not Emanating from a Complaint
- D. Clarity of CPP Access to Training Bulletins and Special Unit Policies

Materials Provided:

- MOU Elements List
- SFPD MOU

Comment on Agenda Items must be submitted using [webform](#), checking the appropriate comment type box, and indicating the agenda item number they wish to submit their comment for. Instructions for word limitations and deadlines are noted on the [webform](#). On the [webform](#), members of the public should select "Commission on Police Practices" (even if the public comment is for a Commission on Police Practices Committee meeting). Only comments submitted no later than 4:00 p.m. the day prior to the meeting using the public comment form will be eligible to be read into the record. If you submit more than one form per item, only one will be read into the record for that item.

Comments received after 4:00 p.m. the day prior and before 8:00 a.m. the day of the meeting will be provided to the Committee and posted online with the meeting materials. All comments are limited to 200 words. Comments received after 8:00 a.m. the day of the meeting but before the item is called will be submitted into the written record for the relevant item.

Non-Agenda Public Comment must be submitted using [webform](#) and checking the appropriate comment type box in order to be eligible to be read into the record. Staff will read the first 30 comments received by 4:00 p.m. the day before the meeting. However, if there are less than 30 comments submitted by 4:00 p.m. the day before the hearing, the staff will read comments submitted by 8:00 a.m. on the day of the meeting up to a total of 30 comments. The maximum number of comments to be read into the record on a single issue will be 16. Comments submitted by 8:00 a.m. the day of the meeting will be provided to the Committee, made a part of the record, and posted with the meeting materials. All comments are limited to 200 words. Comments received after 8:00 a.m. the day of the meeting but before Non-agenda comment is called will be submitted into the written record for the meeting.

If you attach any documents to your comment, it will be distributed to the Committee in accordance with the deadlines described above.

Items to be Included in a Memorandum of Understanding Between the Commission and the San Diego Police Department

- Schedule of evidence/information needed for the Commission to review complaints, process and timeline for requesting it (similar to SFPD MOU)
- Agreement that SDPD Internal Affairs will not complete its investigation of a complaint until the Commission has an opportunity to review and evaluate the findings, with an exception that the Department can close an investigation when necessary to impose discipline by the statutory deadline.
- Maintenance of a joint complaint tracking process (ideally through Commission staff access to IA Pro) and process/timeline for sharing complaints
- Conducting joint interviews with IA and Commission investigator of SDPD officers
- Training opportunities available to Commissioners and CPP staff (academy training, ride-alongs, menu training, etc.).
- Training opportunities offered to SDPD via the Commission
- Deadlines for receiving completed IA investigations

The Department can review the results of Commission background checks

From the Investigation Procedures Chart, approved by the CPP April 27, 2021

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Joyce M. Hicks
Executive Director

February 24, 2010

Hon. Dr. Joe Marshall, President
Members, San Francisco Police Commission

Re: Office of Citizen Complaints and San Francisco Police Department Agreement to Modify
the Document Protocol Appendix to Include SFPD's Daily Equipment Sign-In & Out Form
As a Routine Request.

Dear President Marshall and Commissioners:

Our agency and the San Francisco Police Department request that this Commission modify
Appendix A of Resolution No.44-33 to include the Police Department's Daily Equipment Sign-
In and Out Sheet as a routine document request.

By way of background, on July 17, 2003 this Commission adopted Resolution No.44-33,
commonly known as the OCC-SFPD document protocol, to facilitate document requests in OCC
investigations. The protocol requires SFPD to provide routine documents to the OCC within
three business days from the receipt of the request. Appendix A of Resolution No.44-33
delineates 71 documents as "routine" documents. The San Francisco Police Department and our
agency agree that SFPD's Daily Equipment Sign-Out and Sign-In Sheet should be delineated as
a routine document for the purposes of the OCC-SFPD document protocol. Chief Gascon and I
have signed the enclosed agreement to modify Appendix A of the OCC-SFPD Document
Protocol to include the SFPD's Equipment Sign-Out and Sign-In Sheet (SFPD Form 474) as a
routine document.

Given the minor nature of this modification and the signed agreement between our agency and
the Department, we request this item be placed on the Commission's consent agenda. I am
available for any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "JM Hicks", enclosed within a large, loopy oval scribble.

Joyce M. Hicks
OCC Executive Director


Attorney assigned: Samara Marion
Policy Analyst

Enclosures

AGREEMENT TO INCLUDE DAILY EQUIPMENT SIGN-OUT AND SIGN-IN SHEET AS ROUTINE DOCUMENT IN APPENDIX A OF OCC-SFPD DOCUMENT PROTOCOL

The San Francisco Police Department and Office of Citizen Complaints agree to add the Daily Equipment Sign-Out and Sign-In Sheet (SFPD Form 474) to the list of routine documents included in Appendix A of the Protocol Between the Office of Citizen Complaints and The San Francisco Police Department Re: Responding To Request For Documents For OCC Investigations.

Dated: 2-16-2010 
GEORGE GASCON
Chief of Police

Dated: 2.10.10 
JOYCE M. HICKS
Executive Director
Office of Citizen Complaints



The Police Commission
CITY AND COUNTY OF SAN FRANCISCO

July 17, 2003

Chief Alex Fagan
Chief of Police

Director Kevin Allen
Office of Citizen Complaints

Dear Sirs:

At the meeting of the Police Commission on Wednesday, July 16, 2002, the following resolution was adopted:

RESOLUTION NO. 44-03

ADOPTION OF THE PROTOCOL BETWEEN THE OFFICE OF CITIZEN COMPLAINTS AND THE SAN FRANCISCO POLICE DEPARTMENT RE: RESPONDING TO REQUESTS FOR DOCUMENTS FOR OCC INVESTIGATIONS

RESOLVED, that the Police Commission hereby adopts the protocol between the Office of Citizen Complaints and the San Francisco Police Department regarding responding to requests for documents for OCC investigations.

AYES: Commissioners Perry, Makras, Chan, Friday, Quaranta

The Protocol states as follows:

PROTOCOL BETWEEN THE OFFICE OF CITIZEN COMPLAINTS AND THE SAN FRANCISCO POLICE DEPARTMENT RE: RESPONDING TO REQUESTS FOR DOCUMENTS FOR OCC INVESTIGATIONS

I. PURPOSE

This protocol between the Office of Citizen Complaints (OCC) and the San Francisco Police Department (SFPD) is adopted in order to ensure the timely response to OCC requests to the SFPD for documents and other materials necessary for the thorough investigation of complaints of officer misconduct pursuant to San Francisco Charter Section 4.127. This protocol is also intended to assist the SFPD in documenting each request from the OCC for documents and materials and ensuring that the requests are processed in a manner that will provide the most efficient and effective use of SFPD staff and resources.

CONNIE PERRY
PRESIDENT

VICTOR MAKRAS
Vice President

SIDNEY CHAN
Commissioner

WAYNE FRIDAY
Commissioner

ANGELO QUARANTA
Commissioner

LT. EDWARD GEETER
Secretary

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II. ROUTINE REQUESTS

Routine requests shall be made to the appropriate division, station or unit of the SFPD. Documents and materials deemed to be "routine" are delineated in Appendix "A" attached to this protocol and incorporated by reference herein. Requests shall be made by telephone or in writing, hand-delivered or sent by e-mail, fax or U.S. mail, and shall contain an OCC case number. A copy of all written requests shall be provided to the SFPD Legal Division. Upon receipt of a written request, the SFPD Legal Division shall enter the date, time and nature of the request in a log specifically kept for tracking of OCC requests. The OCC may review the log kept in the SFPD Police Legal office during normal business hours and obtain photocopies of the log.

Subject to Part VI of this protocol, the SFPD shall provide documents or materials deemed to be "routine" under this protocol within three (3) business days from the date of receipt of the request. If the SFPD cannot produce the "routine" documents or materials within three (3) business days of receipt of a written request therefor, it shall notify the OCC and Chief of Police, with a copy to the Police Commission, pursuant to the procedures outlined in Section V below.

III. SPECIFIED REQUESTS FOR JUVENILE RECORDS

Request specified in Appendix "B" for records involving juveniles shall be in writing, hand-delivered or sent by fax or U.S. mail to the SFPD Legal Division, and shall contain an OCC case number and a copy of the consent of the minor or his or her parent or guardian for the OCC to inspect the minor's juvenile court file. Upon receipt of the request, the SFPD Legal Division shall enter the date, time and nature of the request in a log specifically kept for tracking of OCC requests. The OCC may review the log kept in the SFPD Police Legal office during normal business hours and obtain photocopies of the log.

Subject to Part VI of this protocol, requests specified in Appendix "B," attached to this protocol and incorporated by reference herein, should be processed and the documents or materials produced within three (3) business days from the date of receipt of the request. If the SFPD cannot produce the documents or materials within three (3) business days, it shall notify the OCC and the Chief of Police, with a copy to the Police Commission, pursuant to the procedures outlined in Section V below.

IV. NON-ROUTINE REQUESTS

All other documents and materials not delineated in Appendix "A" or Appendix "B" shall be deemed non-routine requests. Non-routine requests for documents or materials necessary for an OCC investigation shall be in writing, hand-delivered or sent by e-mail, fax or U.S. mail, to the SFPD Legal Division. Upon receipt of the request, the SFPD Legal Division shall enter the date, time and nature of the request in a log specifically kept for tracking of OCC requests.

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The OCC may review the log kept in the SFPD Police Legal office during normal business hours and obtain photocopies of the log.

Subject to Part VI of this protocol, requests deemed to be "non-routine" under this protocol should be processed and the documents or materials produced as quickly as possible, but in no event later than fifteen (15) business days following receipt of the request. If the SFPD cannot produce the documents or materials within fifteen (15) business days, it shall notify the OCC and the Chief of Police, with a copy to the Police Commission, pursuant to the procedures outlined in Section V below.

V. LATE PRODUCTION

If the SFPD determines that the production of the documents or materials will take longer than the timelines set forth above, the SFPD Legal Division will notify the OCC and the Police Commission in writing of the delay, the factual basis for the delay, and the estimated time for production. In the case of routine requests specified in Appendix "A" and requests for juvenile records specified in Appendix "B," SFPD shall notify the OCC and the Police Commission of any late production no later than three (3) business days following receipt of a written request. In the case of non-routine requests, the SFPD Legal Division shall notify the OCC and the Chief of Police, with a copy to the Police Commission, of any late production no later than fifteen (15) business days following receipt of the request.

If the OCC does not receive requested documents or materials within the timelines set forth above, the OCC may make a written inquiry to the commanding officer of the SFPD Legal Division and the Chief of Police requesting the materials and documents. If the Chief does not respond to the inquiry within five (5) business days by providing the requested materials and documents or a justification for the delay, then the OCC shall refer the issue to the Police Commission for resolution.

VI. DENIAL OF DISCLOSURE

If the Chief of Police determines that there is a legal basis to deny disclosure of the requested materials or documents to the OCC, the Chief will inform the OCC and the Police Commission in writing within the timelines for disclosure set forth above or earlier if possible. The written denial shall set forth the specific legal and factual basis for the denial of each requested item. If the OCC disagrees with the justification for the denial it shall inform the Chief of Police in writing, with a copy to the Police Commission. If the matter cannot be resolved between the parties they shall refer the issue to the Police Commission for resolution.

VII. REPORTING TO POLICE COMMISSION

The Chief of Police shall provide quarterly written reports to the Police Commission regarding SFPD responses to OCC requests for documents under this protocol. For the quarterly period covered by the report, the report shall set forth: (i) the number of OCC written requests for documents within each document category (routine, juvenile and non-routine), (ii) the number of requests within each category for which there was timely production, (iii) the number of requests within each category for which there was timely notification of an extension of time for production, (iv) the number of requests within each category for which there was untimely notification of an extension of time for production or late production, (v) the number of requests within each category for which there was a denial or partial denial of disclosure, and the legal and factual basis therefor, (vi) the status of any non-routine requests that remain pending at the close of the reporting period or for which there is a dispute between the SFPD and the OCC, and (vii) recommendations, if any, for improvements to this protocol and the procedures used to ensure timely responses by the SFPD to OCC requests for documents and other materials, and for the efficient and effective use of SFPD staff and resources in responding thereto.

At least ten (10) days before the Police Commission meeting at which the Chief of Police or his or her designee will present the report, the OCC Director and the Chief of Police, or their designees, shall meet and confer to reconcile any discrepancies in the statistical information to be presented to the Police Commission, to discuss the recommendations, if any, to be presented to the Police Commission, and to address any other matters contained in the report.

APPENDIX "A"

1. Incident reports (including all supplemental reports)
2. Traffic Collision Reports (CHP555, 555-03 & 556)
3. Mug shots (criminal history information tracking number to be redacted)
4. Daily Arrest logs (SFPD Form 307)
5. Use of force logs (SFPD Form 128)
6. Certificate of Release (SFPD Form 184)
7. PLES (10-B assignment) rosters
8. Strip search authorization form (SFPD Form 305)
9. Property logs (from both stations and property control) (SFPD Form 230)
10. Public Intoxication Report (SFPD Form 69)
11. Medical Screening Form (SFPD Form 54)
12. Drug Influence Evaluation Report (SFPD Form 26A&B)
13. Prisoner Transfer Record (SFPD Form 78)
14. Demonstration Memorandum (SFPD Form 77)
15. Cold Show Admonishment (SFPD Form 466)
16. Photographic Line-up Instructions (SFPD Form 467)
17. Line-up Record (SFPD Form 56)
18. Permission to Search Form (SFPD Form 468)
19. Citizen Arrest Form (SFPD Form 80)
20. Field Interview Card (SFPD Form 114)

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21. Field Arrest Card
22. Arrest Record/Booking Slip (Form 3800-09)
23. Property Release Form (SFPD Form 158)
24. Property Receipt Form (SFPD Form 315)
25. SFPD officer photographs
26. SFPD officer weight and height descriptions
27. Media footage
28. Officer notes
29. Fleet management records
30. Citation log book records
31. DABOR reports (post-hearing)
32. Payroll records
33. Unit orders
34. Roll call training logs
35. Academy training records
36. POST training materials
37. Firearms Training Roster (SFPD Form 53)
38. Demonstration squad charts
39. Event operation orders
40. Verification of latent fingerprint request (SFPD Form 235)(not incl. results)
41. Overtime and Holiday Watch Report (SFPD Form 238)
42. SFPD Dismissal Request (SFPD Form 256)
43. Intoxilizer Model 5000 Checklist (or other models) (SFPD Form 15)
44. Anticipated Watch Report (SFPD Form 22)
45. Drug Influence Evaluation Report (SFPD Form 26)
46. Citizen Complaint Investigation Memorandum
47. Ride-along Request and Review (SFPD Form 84)
48. Officer's Daily Report (Traffic Division) (SFPD Form 106)
49. Corrected Watch Report (SFPD Form 117)
50. Hit and Run Record (SFPD Form 133)
51. Driving Under the Influence Report (SFPD Form 284A-D)
52. Driving Under the Influence Card (SFPD Form 462)
53. Traffic Court Report (SFPD Form 295)
54. DMV Traffic Accident Report Form
55. DMV Order of Suspension (Form 360 & 360(A))
56. DMV Officer's Statement
57. DMV Supplement to Officer's Statement (Blood/Urine Test Results)
58. DMV Verbal Notice by Police Officer
59. Affidavit of Termination of Investigation (SFPD Form 470)
60. 14601 CVC Report (SFPD Form 164)
61. 12500 CVC Report (SFPD Form 164(a))
62. PacBell Park activity logs


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63. Candlestick Park activity logs
64. Airport activity logs
65. Cell Check Log (SFPD Form 51)
66. Notice of Motor Vehicle Accident (SFPD Form 325)
67. Secondary Employment Application (SFPD Form 156)
68. Domestic Violence Response Unit Tapes
69. Court Protective Orders or Emergency Protective Orders
70. Domestic Violence Supplemental Report forms (SFPD 480a & 480b)
71. Station Arrest Logs

APPENDIX "B"

1. Juvenile secure detention logs (SFPD Form 71)
2. YGC Admission Form (No.71)

Very truly yours,



Lieutenant Edward Geeter
Secretary
San Francisco Police Commission

cc: Legal
Management Control Division