

CITY AND COUNTY OF SAN FRANCISCO Department of Police Accountability ONE SOUTH VAN NESS AVENUE, FLOOR EIGHT SAN FRANCISCO, CA 94103



## Status of Public Records Requests Made Pursuant to Senate Bills 1421 and 16 (SB 1421 and SB 16)

This report provides an update on the status of public record requests and documents produced pursuant to California Penal Code § 832.7, commonly known as "SB 1421 and SB 16 records."<sup>1</sup> The Department of Police Accountability (DPA) publishes SB 1421 and SB 16 records in an online portal at <u>https://sfdpa.nextrequest.com/</u>.

Total Cases Released: 81 Total Pages Released: 51,208

Report Date: July 10, 2024

Data Run Date: July 3, 2024

| SB 1421 and SB 16 Requests and Productions      |          |          |            |
|---|----------|----------|------------|
| Use of Force                                    |          |          |            |
| Officer-Involved Shooting                       | 06/12/24 | 07/10/24 | Difference |
| Cases Released                                  | 29       | 29       | 0          |
| Pages Released                                  | 34,481   | 34,481   | 0          |
|   |          |          |            |
| Great Bodily Injury                             | 06/12/24 | 07/10/24 | Difference |
| Cases Released                                  | 43       | 43       | 0          |
| Pages Released                                  | 11,400   | 11,400   | 0          |
|   |          |          |            |
| Unreasonable or Excessive Force                 | 06/12/24 | 07/10/24 | Difference |
| Cases Released                                  | 4        | 4        | 0          |
| Pages Released                                  | 652      | 652      | 0          |
|   |          |          |            |
| Failure to Intervene Against Unreasonable Force | 06/12/24 | 07/10/24 | Difference |
| Cases Released                                  | 0        | 0        | 0          |
| Pages Released                                  | 0        | 0        | 0          |
|   |          |          |            |

| Sexual Assault              |          |          |            |
|-----------------------------|----------|----------|------------|
| Sexual Assault <sup>2</sup> | 06/12/24 | 07/10/24 | Difference |
| Cases Released              | 0        | 0        | 0          |
| Pages Released              | 0        | 0        | 0          |

<sup>&</sup>lt;sup>1</sup> Until January 1, 2022, Penal Code § 832.7 required confidentiality for peace officer personnel records except in four categories: (1) officer involved shooting investigations, (2) uses of force that cause great bodily harm, (3) sustained findings of sexual assault, or (4) sustained findings of dishonesty. Records in these four categories are called "SB 1421" records after the 2019 senate bill that made them disclosable. On January 1, 2022, Senate Bill 16 ("SB 16") expanded these disclosable categories to include: (5) sustained findings of unreasonable or excessive force, (6) sustained findings of failure to intervene against another officer using excessive force, (7) sustained findings of unlawful arrest or search, and (8) sustained findings of biased policing.

 $<sup>^{\</sup>rm 2}$  No DPA records qualify for production in this category.

| Unlawful Arrest or Search |          |          |            |
|---------------------------|----------|----------|------------|
| Unlawful Arrest or Search | 06/12/24 | 07/10/24 | Difference |
| Cases Released            | 2        | 2        | 0          |
| Pages Released            | 1,322    | 1,322    | 0          |

| Dishonesty     |          |          |            |
|----------------|----------|----------|------------|
| Dishonesty     | 06/12/24 | 07/10/24 | Difference |
| Cases Released | 2        | 2        | 0          |
| Pages Released | 2,885    | 2,885    | 0          |

| Biased Policing |          |          |            |
|-----------------|----------|----------|------------|
| Biased Policing | 06/12/24 | 07/10/24 | Difference |
| Cases Released  | 1        | 1        | 0          |
| Pages Released  | 104      | 104      | 0          |

| Case Eligibility Review Across All Categories <sup>3</sup> |          |          |            |
|--|----------|----------|------------|
|  | 06/12/24 | 07/10/24 | Difference |
| Exempt Case Determinations                                 | 1,208    | 1,228    | 20         |

| Record Requests Across All Categories |          |          |            |
|---------------------------------------|----------|----------|------------|
|                                       | 06/12/24 | 07/10/24 | Difference |
| Received <sup>4</sup>                 | 187      | 187      | 0          |
| Closed                                | 148      | 148      | 0          |
| Pending <sup>5</sup>                  | 39       | 39       | 0          |

| Media File Productions Across All Categories |          |          |            |
|--|----------|----------|------------|
|  | 06/12/24 | 07/10/24 | Difference |
| Audio Files (Minutes)                        | 5,650    | 5,650    | 0          |
| Video Files (Minutes)                        | 45       | 45       | 0          |

<sup>4</sup> Includes 14 global requests for all disclosable records.

<sup>&</sup>lt;sup>3</sup> Cases are reviewed to determine eligibility for disclosure in response to requests for specific officer or incident records and global requests for all records that fall within an SB 1421 or SB 16 category.

<sup>&</sup>lt;sup>5</sup> DPA is responding to global requests for all disclosable records and similar voluminous requests on a rolling basis.