

Police Department Policies and Procedures*

Digest by the Ballot Simplification Committee

Status: Draft for Consideration

On: Tuesday, November 28, 2023

Members: Packard, Anderson, Unruh, Wong

Deadline to Request Reconsideration: TBD

The Way It Is Now: The Police Commission (Commission) oversees and adopts policies for the San Francisco Police Department (SFPD). The Chief of Police manages SFPD's day-to-day operations. The Board of Supervisors (Board) may also adopt policies for SFPD, by a majority vote.

Under the Commission's use of force policy, officers must prepare a written report when they use a firearm, point a firearm at a person, or use force that is likely to cause a person physical pain or injury. Officers must also record their use of force using body-worn cameras.

Under the Commission's vehicle pursuit policy, an officer may use a vehicle to pursue a person fleeing in a vehicle when the officer suspects the person committed a violent felony or when the officer believes the person poses an immediate risk to public safety.

The Board has adopted a policy governing the use of surveillance technology by SFPD and other City departments. The City may install public surveillance cameras on streets, sidewalks, and common areas of public housing upon recommendation of the Mayor's Office and approval of the Commission if it finds there is substantial crime occurring at the location.

Before SFPD can use or acquire a new surveillance technology, the Board must approve its use. Except in limited circumstances, a department may not use facial recognition technology.

The Proposal: Proposition ___ is an ordinance that would make the following changes:

- Before the Commission changes SFPD policy, there would be a 90-day period for SFPD to hold one community meeting at each district police station to solicit feedback. The Chief of Police could waive this community engagement process.
- The Commission and SFPD would have to revise existing policies to reduce recordkeeping and reporting requirements to the extent allowed by law. The ordinance would adopt a non-binding City policy that patrol officers spend no more than 20% of their work time on administrative tasks, with some exceptions.
- Officers would need to prepare written use of force reports only if the officer's use of force physically injured a person or if the officer pointed or used a firearm.
- Officers could engage in a vehicle pursuit if they have reasonable suspicion or probable cause the person committed, is committing, or is about to commit a felony or a violent misdemeanor.
- The Commission's use of force and vehicle pursuit policies would remain in place until the Commission adopts new policies consistent with this measure, or until October 1, 2024, if the Commission does not adopt new policies.
- SFPD could use drones to assist with vehicle pursuits and active criminal investigations.
- The Chief of Police could authorize installing public surveillance cameras after holding a community meeting and finding the cameras would improve public safety, without Commission approval.
- Drones and public surveillance cameras installed under these rules could include facial recognition technology, and would not require Board approval. For other surveillance technology, SFPD could use the technology so long as it submitted a policy to the Board within one year and could continue using the technology unless the Board disapproved the policy.

**Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*

- Before January 1, 2027, the Board would need approval of a supermajority of at least 8 members to adopt new restrictions on SFPD's use of technology or to modify the changes described above. After that date, the Board could adopt technology restrictions or modify these changes by a majority vote.

A "YES" Vote Means: If you vote "yes," you want to:

- Require the Commission to wait 90 days for SFPD to hold community meetings before it can change SFPD policies.
- Require the Commission and SFPD to reduce recordkeeping and reporting requirements for officers.
- Set new policies regarding use of force reporting and vehicle pursuit by SFPD officers and allow the Commission to modify existing policies consistent with this measure.
- Authorize SFPD to use drones and install surveillance cameras, including with facial recognition technology, without Commission or Board approval.
- Authorize SFPD to use new surveillance technology for up to a year before the Board may disapprove the technology's use.

A "NO" Vote Means: If you vote "no," you do not want to make these changes.