

**San Francisco Police Commission  
San Francisco Police Headquarters  
1245 3rd Street  
San Francisco, CA 94158**

July 10, 2024

*Submitted via electronic mail*

**Re: SFPD Body Worn Camera General Order (10.11)**

Dear President Elias, Vice President Carter-Oberstone, and Commissioners:

Last year, the SFPD convened a working group to revise its Department General Order (DGO) on body worn cameras (BWC). During discussions, the working group—including line officers who were present to answer questions and demonstrate how the technologies work—collectively agreed to eliminate a provision to allow officers to deactivate their BWCs for “tactical reasons.” Some time since those public meetings with community members, language was inserted granting officers the power to deactivate their cameras during incidents. I write to urge you to reject this provision because it allows officers near-unfettered discretion, undermines the transparency and accountability BWCs promise, and cuts against line officers’ recommendations.

On June 6, 2023, the working group discussed whether to incorporate an exception to the general rule that officers activate their BWCs when engaged in enforcement activities. The [proposed language](#) the working group considered provided the following exception:

*“The BWC shall not be activated...[during] [p]ersonnel or supervisor discussion that involve police tactics or strategy, provided that the strategy discussion is not conducted in the immediate presence of a member of the public, and further provided that the BWC equipped officer is not actively engaged in the collection of physical evidence (e.g., conducting a search).”*

The group collectively agreed to [delete this provision](#) (see R32) because it was unnecessary and undermines the purpose of having officers wear BWCs in the first place: to promote transparency and accountability, stated goals of the policy. The line officers who attended the meeting commented that tactical deactivation served little purpose, stating, in effect, that SFPD’s tactics are not a secret.

In the [latest draft of the DGO](#) you are considering, tactical deactivation has returned, granting officers the discretion to deactivate their BWCs when “discussing sensitive tactical or law enforcement information away from members of the public.” (10.11.06(A)(7)).

The Commission should delete this provision before voting to approve the policy because, as the working group correctly concluded, the provision is unnecessary. Moreover, the provision confers a level of discretion with no checks or documentation requirements to explain when or why officers deactivate their cameras. Further, to the extent that SFPD sees a need to redact information when releasing footage to the public, the Department is empowered to do so under state law. (Cal. Gov. Code § 6254(f)).

The decision should not be left to the officers whose behavior is meant to be captured by the BWC system.

Respectfully submitted,

A handwritten signature in black ink that reads "Brian Cox". The signature is written in a cursive, slightly slanted style.

Brian Cox  
Integrity Unit  
San Francisco Public Defender's Office

Cc:  
Chief Bill Scott, SFPD  
Executive Director Henderson, DPA