

Recommendation 36.1

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Dear Acting Captain Altorfer,

Our office has completed its review of the materials related to Recommendation 36.1 that were submitted to us as part of the collaborative reform process. After reviewing the package and information provided by the Department, the California Department of Justice finds as follows:

Recommendation 36.1: The SFPD should develop an audit practice to evaluate the impact on the department of the implementation of new training programs.

Response to 36.1:

In 2020, SFPD's Training Division developed a new process to evaluate the impact of the Department's training programs related to bias. This process is codified in Unit Order 21-01. Under this new process, each of the four Training Division units (the Professional Development Unit (PDU), the Basic Academy Course, the Field Training Office, and the Field Tactics/Force Options Unit) will provide course participants with a training impact evaluation form four months after any course of instruction. The purpose of the evaluation form is to gauge the effectiveness and quality of the training. The evaluation forms are distributed four months after training so that the course participant can provide the Training Division with feedback on how the training has impacted their policing. The Training Division will review the completed evaluations to determine, among other issues, whether there needs to be any changes to the course and whether there are any additional training needs or trends.

The evaluations and the recommendations gleaned from them are summarized and forwarded to the respective Unit's Lieutenant in Charge. Consistent with the directives in Unit Order 21-01, SFPD included in the package a memorandum prepared by an officer in PDU that summarized the feedback SFPD received on its most recent Managing Implicit Bias training. SFPD also provided evidence of ongoing communication between the Department and the City of San Francisco's Department of Human Resources (DHR) to identify ways to improve the Managing Implicit Bias class, which is taught by DHR and offered to SFPD members. Through this ongoing communication, DHR and SFPD developed the idea of providing "micro-training" sessions that give updated and/or more in-depth information about concepts taught in the Managing Implicit Bias class.

SFPD also noted that the Disciplinary Review Board (DRB) reviews Department of Police Accountability and Internal Affairs complaints on a quarterly basis, and to the extent any complaint concerns biased policing, the DRB assesses whether the complaint merits any changes to policy or training. This process is codified in Department General Order 2.04 (Citizen Complaints Against Officers) and complements the audit process SFPD has developed.

Based upon all of the above, the Department of Justice finds that SFPD is in substantial compliance with this recommendation. Please let us know if you have any questions or would like to discuss further. Thank you.

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Finding # 36: The SFPD does not have an organizational performance approach to evaluating the impact of policies, practices, and procedures aimed at reducing bias within the Department.

Recommendation # 36.1 The SFPD should develop an audit practice to evaluate the impact on the Department of the implementation of new training programs.

Response Date: 2/25/21

Members of the San Francisco Police Department (SFPD); Professional Standards Unit participate in conference calls with Hillard Heintze and the California Department of Justice (Cal DOJ) for the purpose of recommendation prescreening. The SFPD prescreened Bias Recommendation 36.1 on 11/12/2020. For completion of this recommendation, the following suggestions were communicated in writing on 11/16/20 by Cal DOJ as a result of the prescreen meeting:

“Hillard Heintze thought that generally, SFPD provided information that was very helpful and succinct. Cal DOJ suggested that SFPD look at data (such as DPA bias-related complaint data) to determine the impact of SFPD trainings and whether they are working. SFPD noted that there were just a few bias-related DPA complaints, and Cal DOJ suggested that, if there is insufficient data to be useful in measuring impact, SFPD could note that in the Form 2001 as a reason why evaluating that category of data is not part of the audit practice.”

“Cal DOJ noted that Compliance Measures 2 and 3 relate to the audit practice(s) referenced in CM 1. Given that, the narratives for CMs 2 and 3 in the revised version of the Form 2001 should specifically describe whether SFPD conducted an audit as described in CM 1 (CM 2) and whether the audit described in CM 1 identified any training gaps or strengths (CM 3).”

The SFPD responded to the above suggestions and formally submitted this recommendation through the External Review process with Hillard Heintze. Hillard Heintze returned this recommendation to the SFPD on 12/22/20 for further information (RFI), requesting the following updates/changes:

“Compliance measures 1, 2, and 4 have been met. Course evaluations are provided after completion of the DHR Implicit Bias course, followed by an impact email four months after training. PDU has an officer assigned to reviewing all bias classes, and PDU will work with DHR following up on the training impact evaluation forms. Any deficiencies found are forwarded to the Training Unit, responsible for following duties outlined in the Unit Order.



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For compliance measure 3: based on the submission, the 2001 does not appear to reflect the technical guidance that the California Department of Justice provided during earlier discussions of this recommendation, in fact leaving two gaps.

Gap 1: the response does not indicate DPA or SFPD complaint data was reviewed - both are additional ways of measuring the impact of bias education. For instance, the review team recommends the inclusion of a statement to this effect: 'The SFPD looked at DPA and SFPD bias data, before and after bias training commenced. In 2019 there were X number of bias complaints; in 2020 there have been Y number of bias complaints. Presently, there is an insufficient number of bias complaints to determine the impact of bias training. However, the department will continue to monitor this and other metrics in evaluating the impact of department efforts to reduce bias.' These numbers are presented to the Police Commission in the department's 96A report, which lists the number of bias complaints per quarter, how many officers were involved, and how the cases were concluded.

Gap 2: the response indicates that only 76% of personnel have attended the DHR Managing Implicit Bias course and that the department is monitoring to ensure members continue to be enrolled. Additional details are needed on updated attendance and enrollment plan for the remaining personnel."

Prior to formal re-submission, the SFPD updated this recommendation as requested in the RFI and completed a second prescreen meeting with Cal DOJ and Hillard Heintze on 1/28/2021. For completion of this recommendation, the following suggestions were communicated in writing on 1/28/21 by Cal DOJ as a result of the prescreen meeting:

"SFPD did a good job of incorporating our feedback from the last meeting and Hillard Heintze's feedback from the RFI sheet.

For Compliance Measure 2, SFPD noted in the Form 2001 that there were an insufficient DPA bias complaint data to determine the impact of bias training. There were 72 bias complaints received by DPA in 2017, 2018, and 2019, with only three sustained. However, the package does not explain whether the complaints were all unfounded or if there some other disposition, such as, the complainant withdrew or there was insufficient evidence to prove or disprove the allegations. To the extent that a complaint was disposed of for any other reason other than the allegations were unfounded, there might still be valuable information in the complaint to assess whether bias training is effective. SFPD may find that there is not any valuable information in those complaints, but an explanation one way or another would be helpful to add in the package. SFPD noted that it does not have access to the DPA investigative files so the complaint itself may be of limited value, but Cal DOJ advised to just note that in the package.

Cal DOJ also advised for future unit orders that codify longstanding practices of the Department, the Department could consider adding language in the Purpose section of



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the unit order specifically noting that the unit order is codifying a longstanding practice of the Department. This is not necessary for substantial compliance with this Recommendation but is a suggestion for the Department to consider for any future unit orders.”

All of the above suggestions were taken into consideration and addressed below in this final draft. Please note that the discussion of DPA bias compliant data from the 1.28.21 prescreen was part of Compliance Measure 3, not Compliance Measure 2.

Executive Summary:

The department has instituted in writing various policies regarding evaluation and audit of training programs. Included is a Unit Order regarding collecting and analyzing evaluation forms completed once a training class ends. While this was a long-standing practice, a Unit Order issued by the Training Division spelled out the policy and procedures for the evaluations.

In addition, the Training Division issued a Unit Order setting a policy and procedure for collecting and assessing follow up training impact evaluations. While the evaluations completed directly after the course measure the quality of the course content and the efficacy of the instructor, the impact evaluations will measure how a student was impacted by the class and what they learned.

In addition, the Training Division has a system to review and synthesize data received from these evaluations and use it to improve course content and instruction as needed. The Training Division also has a partnership with the Department of Human Resources (DHR), which hosts outside training regarding bias. This partnership includes having Training Division staff periodically attend classes to help institute improvements. The DHR also forwards evaluations of their bias class to the Training Division for review and to discuss how courses can continue to be relevant and improved via “improvement loops”.

The department is offering more bias courses than in years past via the Principled Policing and Implicit Bias Class and the Managing Implicit Bias Class. The department has also been enrolling significant amount of members into these classes. In addition, Department General Order (DGO) 5.17 (Policy Prohibiting Biased Policing) has been instituted by the San Francisco Police Department. Department General Order (DGO) 11.07 (Prohibiting Discrimination, Harassment and Retaliation) has been rewritten and instituted. Roll Call training for these revised policies is being implemented.



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Compliance Measures:

1) Develop audit practice to evaluate impact of new training initiatives.

The Training Division consists of four separate training units that report to the Commanding Officer of the Training Division. These units are: the Professional Development Unit (PDU), Basic Academy Course, Field Training Office (FTO), and the Field Tactics/Force Options Unit (FTFO). The Professional Development Unit coordinates in service training for the department. The Basic Academy coordinates Basic recruit police academy classes and oversees the Physical Fitness/Defensive Tactics class and Emergency Vehicle Operations Course (EVOC) unit. The Field Tactics/Force Options Unit coordinates use of force and field tactics training classes.

The Training Division has an evaluation system for students to complete regarding any training class. After the conclusion of each block of instruction, each student will complete the instructor/course evaluation form. These forms are reviewed by the unit responsible for the course of instruction. An additional procedure for maintaining quality of instruction requires that the training unit responsible for the training (i.e. Field Training Office, Field Tactics/Force Options Unit, Professional Development Unit or the Basic Office) periodically monitor courses to ensure compliance with approved lesson plans and forward any relevant observations to the Professional Development Unit (PDU) for compliance. The lieutenant of the training unit responsible for the training reviews evaluations as a measure to evaluate course content and the instructor. (See Attachment #1: Academy Instructor Evaluations Unit Order).

In 2020 the COVID 19 pandemic caused a shift in training and required an increase in remote learning. Because much of in service training in the police department is now remote, evaluation forms are completed and received electronically. The evaluation and review process described above is still in place for all electronic evaluations. Courses can be altered and changed based on input from Training Division staff, in coordination with the instructor and POST/individual course requirements and outlines. An example of this is adding guest community speakers to speak to students of the Principled Policing and Implicit Bias Class. This was implemented due to students documenting this request on their evaluation forms and the PDU implementing it with approval of instructors.

The San Francisco Department of Human Resources (DHR) works in partnership with the San Francisco Police Department to put on the "Managing Implicit Bias Class" for all sworn and civilian members in public contact positions. The class is instructed by DHR employees and evaluations are submitted directly to them. The PDU partners with DHR and facilitates signing up department members for the class. Because it is a DHR class, the evaluations are solicited and retained by DHR, but DHR forwards the evaluation response data to the PDU for review. (See Attachment #2: DHR evaluation response data)



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In 2020, the Training Division developed a new process to gauge the impact of training programs and further assess and audit quality of course and instruction. Four months after course completion, the respective unit of the Training Division responsible for the class will email a follow up training impact evaluation to students in order to audit all training classes for effectiveness of instruction and quality. This way the Training Division can determine what material was effective and meaningfully impacted students in the months after the training was completed. The evaluations are tailored to each individual class. (See Attachment #3: Follow Up Training Impact Evaluations Unit Order)

In addition, instructors of classes will also focus on reengaging with the students to reinforce training material, provide additional resources, and offer to answer any questions if needed. (See Attachment # 4: Follow up Email from DHR instructor to students of Managing Implicit Bias Class).

2) Conduct audit of new training programs

For all new training programs, the above evaluation and follow up impact evaluation audit and evaluation system is in place. This consists of reviewing student evaluations completed directly after the course, as well as follow up training impact evaluations received 4 months later. These systems allow the Training Division to continually audit all courses as they are offered.

The PDU Unit has an officer assigned to reviewing and implementing all bias related training and subjects. This officer reviews new training programs regarding bias provided to members of the San Francisco Police Department.

In addition, this assigned PDU officer is a liaison to DHR, which offers the Managing Implicit Bias Class outside training. This assigned PDU officer will periodically attend classes to audit for effectiveness in delivery and quality of course and instruction. When the Managing Implicit Bias class was instituted to a remote format due to COVID19, the assigned officer audited classes for effectiveness and documented measures to be taken for instructor effectiveness specifically for the now new virtual class.

The PDU unit works with DHR bias instructors to evaluate and audit new course content and institute "improvement loops" to audit new training class content and effectiveness of delivery.

In response to the prescreen meeting feedback from 1/28/21, the SFPD Training Division completed a memorandum. This memorandum served to codify the longstanding practice of the Department related to auditing bias related training courses offered to SFPD members. Attached to this memorandum are recent evaluations (from



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December 2020). Also attached to the memo are examples of the interactive collaboration between the Professional Development Unit (PDU) and Department of Human Resources (DHR) in emails regarding improvement of course material as well as creation of new tools to support students. (See Attachment #5; Managing Implicit Bias Memo and Attachments from 1.28.21).

3) Identify training gaps or strengths.

An example from the above audit is where a PDU officer gave input regarding proposed new micro-training sessions put on in partnership with DHR. PDU suggested that these new trainings needed to remain "relevant, factual and brief while provide links/resources to delve deeper" and suggested a new format of training that addressed the gap. (See Attachment #6: Follow up email regarding instructor input improvement loop).

One clear strength is the department is offering more anti bias training than in years past and achieving significant compliance in attendance. This includes the Managing Implicit Bias class and Principled Policing and Implicit Bias Class. As of October 15, 2020 over 97% of sworn members and civilian members have taken the Principled Policing and Implicit Bias class. The Principled Policing and Implicit Bias Class was offered in the 2017-2018 Continual Professional Training (CPT) cycle and has been offered to every recruit class since the department began to offer it. The Principled Policing and Implicit Bias Class will still be offered to officers that were unable to take it in order to achieve further compliance as officers who missed the class due to various forms of leave return to full duty and are able to take the class.

As of October 15, 2020 over 76% of sworn members and civilian members with public contact have taken the Managing Implicit Bias class offered by DHR. It should be noted that the Managing Implicit Bias class is still actively being offered by DHR and members are constantly being enrolled. (See Attachment #7: Principled Policing and Implicit Bias & Managing Implicit Bias enrollment audit email).

As of January 22, 2021 the percentage of sworn and civilian members with public contact that has taken Managing Implicit Bias class has increased to 83%. In the time period between October 15, 2020 and January 22, 2021, 153 sworn members have taken the class. The class is offered by DHR to SFPD 4 times a month, with 20 students capable of being enrolled per class and is automatically offered to recruits in the academy prior to becoming sworn officers. It should be noted that as recruits enter the academy, they are counted in the SFPD's membership, but may have not come to that section of their academy training. As such, the percentage of members in compliance will continue to increase, and the department expects to achieve over 90% of member attendance by August of 2021. (See attachment #8 Updated Managing Implicit Bias enrollment audit email).



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In addition, Department General Order (DGO) 5.17 (Policy Prohibiting Biased Policing) has been updated by the San Francisco Police Department. Department General Order (DGO) 11.07 (Prohibiting Discrimination, Harassment and Retaliation) has been updated. Roll call trainings regarding the above new DGO's have been written and will be implemented imminently. (See Attachment #9: Roll Call Training regarding DGO 5.17, Attachment #10: Roll Call Training regarding DGO 11.07, Attachment #11: DGO 5.17, Attachment #12: DGO 11.07, Attachment # 13: SFPD Bias Training Comparison Grid).

SFPD began offering the Principled Policing and Implicit Bias class in 2017 to the whole department. It began offering the Managing Implicit Bias class to the whole department in 2018. SFPD looked at Department of Police Accountability (DPA) and SFPD bias data as published in the 96A quarterly reports for periods before and after this bias training was offered. Published reports are located online at:

[Arrests, Use of Force and Stop Data, Admin Code 96A | San Francisco Police Department](#)

In 2017, there were 41 external bias complaints investigated by DPA with one sustained for bias. Also in 2017, there were 23 internal bias complaints received by SFPD and investigated by DHR for bias with zero sustained.

In 2018, there were 11 external bias complaints investigated by DPA with two sustained for bias. Also in 2018, there were 36 internal bias complaints received by SFPD and investigated by DHR for bias with zero sustained.

In 2019 there were 20 external bias complaints investigated by DPA with zero sustained for bias. Also in 2019, there were 43 internal bias complaints received by SFPD and investigated by DHR for bias with zero sustained.

As of 1/23/2021, the 3rd quarterly 2020 96A report has been published. As of the end of the 3rd quarter of 2020, there were 26 external bias complaints investigated by DPA with one sustained for bias. There has been 21 internal bias complaints received by the SFPD and investigated by DHR with zero sustained for bias.

In the prescreen meeting from 1/28/21, Cal DOJ and Hillard Heintze suggested that the package does not explain whether the DPA complaints were all unfounded or if there was some other disposition, such as, the complainant withdrew or there was insufficient evidence to prove or disprove the allegations. Cal DOJ and Hillard Heintze further suggested that to the extent that a complaint was disposed of for any other reason other than the allegations were unfounded, there might still be valuable information in the complaint to assess whether bias training is effective. They suggested that the SFPD may find that there is not any valuable information in those complaints, but an explanation one way or another would be helpful to add in the package.



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In response to the prescreen feedback from 1.28.21, the SFPD consulted with Assistant Chief Moser who determined that pulling specific prior complaints (which includes both sustained and alleged complaints) would be redundant since this action is already completed as part of the Disciplinary Review Board (DRB), as discussed in DGO 2.04 section 8. In addition to DGO 2.04, Internal Affairs Division (IAD) Unit Order #19-05 discusses changes to DGO 2.04. As discussed in DGO 2.04 and Unit Order 19-05, there are quarterly meetings between members of the SFPD, DPA and Police Commission who make up the DRB. During these meetings, the DRB shall review and discuss aggregate trends related to the DPA and IAD complaints, both alleged and sustained. In these DRB meetings, they address any policy failure or training failure and determine the need for training and policy changes. (See Attachment #14; DGO 2.04 section 8 & IAD Unit Order #19-05). The following is an excerpt from DGO 2.04, section 8:

"The DRB shall consider whether any policy, procedures or training needs to be revised, added or re-issued if it relates to the subject matter reviewed. The DRB may make written recommendations that include the manner in which the recommendation shall be implemented and a timeline for completion based upon identified priority level and complexity of recommendation. The DRB shall report quarterly to the public and to the Commission those policy and training changes it recommends, and the measurement of the success or failure of each change, in a manner consistent with individual police officer privacy rights. "

4) Remedial action if deficiencies are found.

During the above audit by PDU of new DHR partnered bias micro-training sessions, PDU feedback was offered that new micro trainings needed to remain "relevant, factual and brief while provide links/resources to delve deeper". (Revisit Attachment #5: Follow up email regarding instructor input improvement loop). DHR has developed this training in partnership with PDU. The micro-training allows students to "delve deeper" with the training also being a "promotional/marketing piece" for students to participate in a full webinar (See Attachment # 15, Follow up email regarding Pronoun Micro-learning Piece).

If further deficiencies in training are discovered by training staff, they will notify the respective lieutenant of the training unit for remedial action. Any recommendations shall be forwarded to and reviewed by the lieutenant of the unit responsible for the course of instruction and the commanding officer of the Training Division for action.

An example of a deficiency recently addressed by the Training Division is the creation of a new Unit Order regarding follow-up with students after the conclusion of instruction. The Training Division determined that it was not sufficient to only collect student evaluations immediately after the conclusion of the class because there was not any follow-up inquiry to determine if the class materials were useful to the students in the



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field. To remedy this deficiency, a new Unit Order was developed and implemented. The Order mandated that not only would evaluations be conducted at the conclusion of a class, but they would also be collected from students four months after the conclusion of instruction. This way the Training Division could determine the impact of the course both personally and professionally on the student in the long term. (Revisit Attachment # 1: Evaluations Unit Order and Attachment #3: Follow Up Impact Evaluations Unit Order).