

## Recommendation 57.2

Gabriel Martinez [REDACTED]

Thu 10/10/2019 1:02 PM

[REDACTED]

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Dear Lieutenant Dorantes,

Our office has completed its review of the materials related to Recommendation 57.2 that have been submitted to us as part of the collaborative reform process. This package focused on establishing norms and processes for SFPD officers assisting community members who are filing complaints. After reviewing the package and information provided by the Department, the California Department of Justice finds as follows:

Recommendation 57.2: The SFPD should institutionalize the process of explaining and assisting community members who file complaints against officers.

Response to 57.2: On May 15, 2019, SFPD published an updated Department General Order (DGO) 2.04, "Citizen Complaints Against Officers." The DGO requires copies of DPA's complaint form as well as DPA's complaint process brochure to be available in several languages at all District Stations. The DGO also states that it is SFPD policy to encourage everyone to bring forward complaints regarding inadequate police service or official misconduct, and to receive the complaints with courtesy. Chief Scott issued a Department Bulletin regarding the updated SFPD/DPA complaint form on December 20, 2017. And on November 26, 2018, Chief Scott issued another Bulletin reminding officers not to contact complainants or witnesses during an investigation.

SFPD worked with DPA to create DPA's complaint process brochure. That brochure explains who can file a complaint, what to include in a complaint, how to file a complaint, and the process after filing a complaint. SFPD has submitted photographs from district stations demonstrating that the brochures are generally available. Additionally, SFPD's website directs the public to DPA's website where members of the public can file a complaint electronically. The DPA website also has additional information regarding the complaint process.

Based upon all of the above, the Department of Justice finds that the SFPD is in substantial compliance with this recommendation.

Please let us know if you have any questions or would like to discuss these further. Thank you.

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Hillard Heintze File Review Recommendation # 57.2

<b>Finding # 57</b>	<b>The SFPD does not provide leadership in its role with respect to complaints against SFPD personnel.</b>
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<b>Recommendation # 57.2</b>	<b>The SFPD should institutionalize the process of explaining and assisting community members who file complaints against officers.</b>
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<b>Recommendation Status</b>	<b>Complete</b>	<b>Partially Complete</b>	<b>In Progress</b>
	<b>Not Started</b>	<b>No Assessment</b>	

**Summary**

The SFPD has meet the compliance measures for this requirement. Passage of DGO 2.04 as well as the developed forms and posting on the website is informative regarding complaints. This work meets and supports the goals of both compliance measures.

Compliance Measures	Status/Measure Met
1      Develop materials about how to register complaints against officers.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2      Provide tools and information about filing complaints across all districts.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

**Administrative Issues**

**Compliance Issues**

The department provided supporting documentation – however most remains internal facing and informs officers about process regarding complaints – how they are to deal with them. The sergeants training contains an hour with DPA – and the PowerPoint was provided. However, that too seeks to inform new sergeants about DPA. The department would do well to advance the goal of an open approach to complaints – training its personnel how to defuse conflict and accept complaints as a matter of procedural justice.

There are only two compliance measures, but it requires ongoing coordination between the SFPD and DPA. While not required under this recommendation, the monthly meetings should contain agenda items that address the support of this series of recommendations, including #56. While not required here, this would bring the intent of these recommendations into the operations of the department.



## Collaborative Reform Completion Memorandum

**Finding # 57:** Promising practices emphasize the role of effective investigation of complaints in building community trust. Procedural justice informs us that members of the public are more likely to trust law enforcement agencies when they believe their issues are handled with dignity and respect.

### **Recommendation # 57.2**

The SFPD should institutionalize the process of explaining and assisting community members who file complaints against officers.

**Response Date: 08/09/2019**

### **Executive Summary:**

On January 10, 2017 Lt. Andrew Cox and Sgt. Nicole Manning began work on this recommendation. They formed a working group of internal and external stakeholders that included members from the Training Division, Department of Police Accountability, Police Commission and the Written Directives Unit.

This working group collaborated to revise Department General Order 2.04, "Complaints Against Officers", several Department Bulletins and the DPA 293 Form.

The **updated Department General Order 2.04** was adopted by the Police Commission on May 15, 2019 and made available to department members on June 3, 2019. DGO 2.04 was rolled-out to the department in **Department Bulletin 19-122**, "Update Packet #60." This Department Bulletin is an "A" bulletin that directs members to "review this DGO and maintain a working knowledge of the policy and procedures related to "Complaints Against Officers."

Four Department Bulletins were published by Written Directives that address the complaint process;

- Department Bulletin 17-255: Revised SFPD/DPA Form 293
- Department Bulletin 18-244: Contact with Victims/Witnesses during on-going DPA Investigations.
- Department Bulletin 19-017: Clarification Regarding Members Complaints to DPA
- Department Bulletin 19-122: Department General Order 2.04 "Complaints Against Officers" Update Packet #60.

Lt. Andrew Cox authored a draft Department Bulletin regarding the roll of the Internal Affairs Division. This DB has been sent to the Written Directives Unit for concurrence.



## Collaborative Reform Completion Memorandum

Roll-call training was developed to address recommendation 57.1, 57.2 and 57.3.

To ensure that this process is continually evaluated the MOU between SFPD and DPA states;

*VII. Monthly Reports and Meeting.*

*B. SFPD DPA Monthly Meeting.*

*There shall be a regularly scheduled monthly meeting, in which the Chief of Staff of the SFPD and the Chief of Staff of the DPA meet to discuss discipline, policy and training recommendations*

This monthly meeting between SFPD and DPA will ensure an ongoing dialogue between the two agencies to discuss issues and improve upon the current systems.

### **Compliance Measures:**

**1. Develop materials about how to register complaints against officers.**

SFPD and DPA collaborated to revise and streamline SFPD/DPA Form 293. The form is published in English, Chinese, Filipino, Russian, Spanish and Vietnamese (DB 17-255 and DGO 2.04.02-D). Instructions about how to file a complaint are provided in an accompanying brochure that is also available at district stations/units. Additionally, these instructions are on-line at [sanfranciscopolice.org](http://sanfranciscopolice.org) under the quick link, "Complaint Against an Officer."

**2. Provide Tools and information about filing complaints across all districts.**

Form 293 is available on-line and at each district station/unit with an accompanying informational brochure. Community members can respond to any station to document a complaint at any time.

Community members can also file a complaint on-line by visit [sanfranciscopolice.org](http://sanfranciscopolice.org). Under the quick link "Complaint Against an Officer" there is the ability to file a complaint electronically. If a community member chooses to have their complaint documented in person there are instructions about how complete this process with a supervisor at any district station. A quick link to district station addresses and phone numbers are provided.

Form 293 shall be available on display at all district stations per DGO 2.04.