

## Recommendation 74.2

GM

Gabriel Martinez [REDACTED]

Fri 2/26/2021 3:52 PM

[REDACTED]

To:

[REDACTED]

+9 others

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Dear Acting Captain Altorfer,

Our office has completed its review of the materials related to Recommendation 74.2 that were submitted to us as part of the collaborative reform process. This package focused on SFPD ensuring that Bulletins are supported and reinforced by training and supervisors. After reviewing the package and information provided by the Department, the California Department of Justice finds as follows:

Recommendation 74.2: The SFPD should ensure that Bulletins are accompanied by appropriate training, supervision, and consistent reinforcement of the intended purpose of the policies.

Response to 74.2: Under the revised Department General Order (DGO) 3.01, "Written Communication System," the Written Directives Unit manages the policy development and support process. DGO 3.01 directs the Written Directives Unit to review each DGO at least every five years. Department Bulletins expire after two years and are not re-issued, meaning that the Bulletins are to be incorporated into DGOs. The Written Directives Unit is tasked with shepherding the process of updating DGOs, including facilitating the revisions, submitting DGOs to concurrence, and then publishing and distributing the revised versions.

Part of the policy development process is considering the policy implementation, including training needs. Under Unit Order 19-01, the Deputy Chief in charge of the particular division, bureau, or unit most affected by the DGO will assign a member to serve as the subject matter expert on the DGO. The subject matter expert oversees revising the DGO to ensure it addresses any key issues, community expectations, and best practices. This can include mandating training in the policy, such as the mandated

trainings listed in the revised DGO 5.17, “Bias-Free Policing” (requiring the Training Division to ensure officers attend trainings on implicit bias, procedural justice, and bias by proxy, among other trainings). Additionally, SFPD created a checklist (Policy Implementation Checklist, SFPD 577 PIC) to be completed by the Written Directives Supervisor when reviewing a draft policy, codified in Unit Order 20-03, “Consideration of Policy Implementation Support Factors as Part of Policy Development Process.” The checklist contains implementation support options that include training, as well as other support such as creating or updating forms, software and IT updates, equipment, and personnel redeployment. The Commanding Officer of Program Standards and Professional Policing reviews the checklist and determines if the policy will be assigned a Policy Implementation Leader. For example, recent updates to the Use of Force DGO required a Policy Implementation Leader and implementation steps such as training support, updated forms, and software.

New policies often require roll-call training to update officers on the new policies. That process is codified in Professional Development Unit Order 20-01, “Roll Call Training Development, Issuance, Procedures, and Compliance,” issued July 29, 2020. The Training Division is consulted on all roll-call trainings and creates materials for training coordinators to administer monthly roll-call trainings. The Training Division works in conjunction with other stakeholders, such as its recent collaboration with the Department of Police Accountability on Limited English Proficiency training. All SFPD units have at least one training coordinator, who is a supervisor, and the coordinator is provided with roll-call training materials and conducts the roll-call trainings. The training coordinators are encouraged to use the materials to foster discussion during the trainings. Training coordinators are also tasked with ensuring officers complete the trainings. Each officer must sign off on having completed roll-call trainings in SFPD’s Human Resource Management System, and the Staff Inspections Unit conducts a review to notify commanding officers of non-compliance for administrative corrective action.

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.

Hillard Heintze File Review Recommendation # 74.2

<b>Finding # 74</b>	<b>The SFPD does not provide sufficient training, supervision support, and guidance when releasing new Department Bulletins</b>
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**Recommendation # 74.2** The SFPD should ensure that Bulletins are accompanied by appropriate training, supervision, and consistent reinforcement of the intended purpose of the policies.

<b>Recommendation Status</b>	<b>Complete</b>	<b>Partially Complete</b>	<b>In Progress</b>
	<b>Not Started</b>	<b>No Assessment</b>	

**Summary**

During this process, the team has observed actions taken to further refine and develop the training provided to personnel on new policies. The Department identifies that it is a goal to ensure routine roll call training – this recommendation takes it a step further to ensure that as new policies are released, there is a training plan as appropriate to the need of the specific policy. The Written Directives Unit (WDU) is the central hub for tasking support options to implement new policies including training. The Training Division establishes the training for the department pursuant to DO 20-01 and are supported by training coordinators. These coordinators provide monthly training to their respective units. While not specific to policies promulgated, the Department identified trainings that link to key concepts and policies such as pursuits, use of the ballistic shield, traffic stops and receiving complaints – which are all policy matters and focused on improving the organizational response. The training collateral is part of the implementation support checklist required under Unit Order 20-03, however this is a recently promulgated order (11/23/20) and it is recommended that the SIU audit this practice in its 2021 schedule to ensure the goals for this recommendation and the guidance within the Unit Order is met. This marks compliance measure one as complete.

For compliance measure two, the SFPD provides Training Coordinators with roll call training material and it is their role and responsibility to address training. There is a mandatory monthly delivery of training. DGO 3.01 also tasks commanding officers with ensuring appropriate training and compliance with the policy, however this loops back to the Training Coordinator to deliver. The SFPD notes a voluntary basis for supervisors to access and use training and while the training model and the DGO supports substantial compliance, the department should continue to review how to expand and improve the supervisory role in providing policy guidance and training the personnel they lead.

The SFPD provided sufficient evidence to prove adherence with compliance measure three, including reference to a field observation of faulty practices that did not adhere to policy which were remediated through a training bulletin. Additionally, the department seeks feedback from personnel regarding the type of training and whether it met their needs. The role for SIU in this process is not fully formed, but it is suggested that such focus be directed at the actual training practices rather than acknowledgement of training. In other file packages, the department has also provided evidence sufficient to support substantial compliance with this recommendation, including that within 74.1.

Compliance Measures	Status/Measure Met
1 Provide necessary training collateral for the appropriate level of training, e.g., roll call, individual awareness, and other needs.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2 Ensure supervisors acknowledge and consistently reinforce new policies.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3 Continuous review and implementation loop.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

### Administrative Issues

### Compliance Issues

The data supporting compliance measure one is not fully on point. This may be due to the fact that the PM may not be aware of the overall approach of the organization to providing training with the release of key policies. The department needs to ensure that this link is clear to the WDU and the Training Division – these are not two distinct roles but connected. Where a policy requires training support there should be documented coordination between the two entities.

The sign-off of the policy is not the issue for this recommendation but rather the process by which the SFPD supports the understanding of policies through training and supervision. The model used by the SFPD, the Training Coordinator is supportive but limited and supervisors can and should be able to support officers on policy understanding and guidance as part of their overall responsibilities. It is our understanding that this occurs.



## Collaborative Reform Completion Memorandum

**Finding # 74:** The SFPD does not provide sufficient training, supervision support, and guidance when releasing new Department Bulletins.

**Recommendation # 74.2:** The SFPD should ensure that Bulletins are accompanied by appropriate training, supervision, and consistent reinforcement of the intended purpose of the policies.

**Response Date: 11/24/2020**

**Executive Summary:** It is the goal of the San Francisco Police Department to provide routine roll-call training for all members of the Department. Monthly roll-call training will focus on leadership, procedural justice, fair and impartial policing, the President's Task Force on 21st Century Policing report and other policy related topics.

### **Compliance Measures:**

- 1) Provide necessary training collateral for the appropriate level of training, e.g., roll call, individual awareness, and other needs.**

*On Monday November 23, 2020, SFPD Professional Standards members participated in a conference call with members of Hillard Heintze and the California Department of Justice. During the prescreening, suggestions and guidelines were discussed for this recommendation as described below.*

*Cal DOJ suggested that we should add Unit Order 20-03, which was located in 74.1 packet.*

Department General Order 3.01 (Written Communication System) describes the different types of written directives issued that includes general orders, manuals, bureau and unit orders, bulletins, and notices. The Written Directives Unit manages the initiation, preparation and amendment, concurrence process, and ongoing review requirements. The Written Directives Unit is the hub of policy development at the SFPD. Draft policies are submitted to the Written Directives Unit, who track and manage the concurrence. The Written Directives Unit often coordinates policy implementation support; for example, ensuring a form related to a new policy is issued or that payroll is consulted regarding a new policy that affects overtime. Written Directives Unit is familiar with the support options available to successfully implement policies, such as:

- Training
- Creating or Updating Forms
- Software and IT Updates
- Advisement to the Public – Media Relations Unit
- Equipment or Supplies
- Payroll Adjustments



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- Modification to Facilities
- Personnel Redeployment
- Change to Associated Policies
- Compliance Checks

To ensure consideration of support options are a part of the policy development process, the Written Directives supervisor, when reviewing a draft policy in concurrence, shall complete a Policy Implementation Checklist, SFPD 577 and submit it to the Commanding Officer of PSPP. **(Attachment #1)** Unit Order 20-03, *Consideration of Policy Implementation Support Factors as Part of the Policy Development Process, SFPD 577 Checklist.*

Members are directed to utilize the Department's electronic system to acknowledge receipt and review of and electronically sign-off all directives within thirty days of issuance.

- **(Attachment #2)** list of bulletins issues in 2019
- **(Attachment #3)** audit of all 2019 department bulletin sign off

Additional training is provided to supplement the department directive. This is to ensure members understand what is expected of them from the directive. This may be achieved in a number of ways such as roll-call training, inclusion in current classes, and other trainings.

The Training Division's role in deciding what roll-call training to publish, and at what frequency, is determined through identifying department needs. The Training Division, on its own, or in consultation with internal and external stakeholders, identifies roll-call training topics, which include: changes to local, State, and Federal laws, perishable skills refreshers, legal mandates, risk management concerns, emerging issues, and training trends identified from Department of Police Accountability (DPA) complaints, internal complaints, and lawsuits filed. This type of training is often initiated when policy, procedures or changes in law occur and a roll-call training would clarify the purpose, procedure(s), intention, legislative intent, and/or other concerns as members implement this policy or procedure into their work. Additionally, training can be mandated by the Command Staff, Department of Police Accountability, and/or the Police Commission. **(Attachment #4)** Training Division Unit Order 20-01, *Roll Call Training Development, Issuance, and Compliance*

All units within the department have at least one assigned training coordinator. The Professional Development Unit provides Training Coordinators with roll-call training material that covers the information to be discussed. Roll-call training is provided to Department members once a month. It is the responsibility of the Training Coordinators to ensure that the training is administered during line-ups or staff meetings. When presenting the information Training Coordinators encourage open dialogue.

Examples of Roll-Call Trainings incorporated into ongoing training **(Attachment #5)**



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- **RC2018-002/Indicating Use of Force in Incident Report:** Currently taught in Sergeant's Promotional Training
- **RC 2018-004/Pursuit Policy Training:** Previously taught in 2017/2018 AO/CPT EVOC class
- **RC2018-005/Ballistic Shield Video:** Information from this video is taught in CMCR 10hr and 20hr classes along with Promotional Training for Capt., Lt., and Sgt. Ranks
- **RC2019-003/Interacting with Transgender Individuals:** Taught in Basic Recruit Training, new PSA classes, and Promotional Training for Capt., Lt., and Sgt. Ranks
- **RC2019-004/Procedural Justice #3 Respect:** Currently taught in on-going Principled Policing Classes
- **RC2019-005/The Importance of Respectfully and Promptly Receiving Complaints Against Officers:** Currently taught in Promotional Training for Sergeants and new PSA Classes
- **RC2019-006/Procedural Justice-Trust:** Currently taught in on-going Principled Policing Class
- **RC2019-007/Pursuit Policy Training:** Currently taught in 2019/2020 AO/CPT EVOC Training
- **RC2020-002/Traffic Stops Training Video:** Currently used by FTO for internal training of those on FTO
- **RC2020-004/21st Century Policing:** Currently taught in Promotional training for Capt. and Lt. Ranks

### 2) **Ensure supervisors acknowledge and consistently reinforce new policies.**

Roll-call training can be written by any member in consultation with the Training Division. The Training Division is responsible for the timely evaluation of all recommended formal roll-call training and will evaluate proposed roll-calls, written internally by Training Division staff and/or externally by subject matter experts, to assure its quality and effectiveness. Nothing prohibits members from engaging in informal debriefs to consistently reinforce new or updated policy.

The Professional Development Unit provides Training Coordinators, who are all Supervisors with roll-call training material that covers the information to be discussed. Any Supervisor/Sergeant or Superior Officer can use this material to facilitate a dialogue and answer questions for members. (Attachment #4) Training Division Unit Order 20-01, *Roll Call Training Development, Issuance, and Compliance, III. Procedures*).

Roll-call training is provided to Department members monthly, with additional training conducted as needed. It is the responsibility of the Training Coordinators to ensure that the training is administered during line-ups or staff meetings. When a roll-call training is issued, training coordinators, other supervisors, and superiors can use this material to facilitate a dialogue and answer questions for members. Training Coordinators are responsible for making certain that members, on discretionary time off or extended leave, complete the roll-call training upon their return to duty and make themselves available should the member have additional questions, concerns, or if clarification is requested.



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**Department Notice 20-150** (*All Department Members Shall Acknowledge Every Department Document Requiring an Electronic Sign-Off*) was issued on October 16, 2020 (**Attachment #6**). It advises all members that they are required to electronically acknowledge receipt and review of Department issued documents in PowerDMS. These documents include, but are not limited to, Department Bulletins, Department Notices, and Roll Call Training. In addition, it states the following:

*Department General Order 3.02 defines "member" as any sworn officer or non-sworn employee of the San Francisco Police Department. This includes all non-sworn civilians, reserve officers, and 960s currently employed by the Department. Recruit officers assigned to the Training Division are required to sign-off on documents in PowerDMS once they have been trained and have access.*

*All required department policy sign-offs shall be completed within 30 days of issuance. The Staff Inspection Unit will conduct compliance checks to ensure members have reviewed and signed off on all department policies. Members not in compliance with this Department Notice may be subject to discipline. Members on long term leave shall sign off on policies within 30 days of their return to work.*

**On Monday November 23, 2020, SFPD Professional Standards members participated in a conference call with members of Hillard Heintze and the California Department of Justice. During the prescreening, suggestions and guidelines were discussed for this recommendation as described below.**

***Hillard Heintze noted that we should add department Policy which discusses the failure to comply with a Department Policy***

Failure to comply with any Department Policy, General Order, Manuals, Bureau Orders, Unit Orders, Bulletins, or Notice is a clear violation of DGO 2.01 Rule #9 and Rule #10.

**Rule #9 MISCONDUCT.** Any breach of peace, neglect of duty, misconduct or any conduct by an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, although not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action.

**Rule #10. WRITTEN ORDERS.** Members shall obey all written orders, policies and procedures of the Department, and promptly obey all lawful written or verbal directives of superiors. DGO 2.01, Rule #9 and Rule #10 (**Attachment #7**)

### **DGO 3.01.12 ACCOUNTABILITY**

This General Order 3.01.12 #4 outlines that Officers shall acknowledge all directives electronically. It also instructs Commanding Officers to supplement these orders with appropriate training and supervision.



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Members are expected to have a working knowledge of all directives as applicable through their respective assignment and comply with their provisions. Retention of paper copies of General Orders or any other directives (Manuals, Bureau Orders, Unit Orders, Bulletins, Notices) are no longer mandated.

1. Members shall utilize the Department's electronic system to acknowledge receipt and review of and electronically sign-off all directives within (30) thirty days of issuance.
2. The Commanding Officer or Officer-in-Charge (OIC) or designee of each unit shall conduct periodic audits to confirm that members of their unit reviews and acknowledges all directives by electronically signing for all directives within 30 days of the date of the directive.
3. No proposed policy (such as General Order, Bulletin, Unit Order, Bureau Order, Manual) or other directive outlined in this order shall conflict with approved established policy unless the proposed directive is superseding or amending an existing directive and the proposed policy will be subject to the approval process outlined in this General Order.
4. **Commanding Officers of each unit shall ensure that new and amended General Orders and Bulletins that substantively amend a General Order are supplemented with appropriate training and supervision to ensure compliance with the new directive. (Attachment #8) DGO 3.01.12 ACCOUNTABILITY**

The Professional Development Unit will provide Training Coordinators with roll-call training material that covers the information to be discussed. Roll-call training is provided to Department members once a month, or as necessary. It is the responsibility of the Training Coordinators to ensure that the training is administered during line-ups or staff meetings. When a roll-call training is issued, Training Unit Order, continued: Coordinator Sergeants, other supervisors, and superiors can use this material to facilitate a dialogue and answer questions for members Training Division Unit Order 20-01, *Roll Call Training Development, Issuance, and Compliance*) III. Procedure (Attachment #4)

### 3) Continuous review and implementation loop.

Some examples of our continuous review and implementation loop include the following:

- The evaluations from Advanced Officer Training/Continued Professional Training ask members what additional training they would like to receive in the future, this assists in creating the next two-year cycle of classes for Continued Professional Training.
- The Department of Police Accountability (DPA) also has a lot of input in department training. Currently the Professional Development Unit is working on new Limited English Proficiency training with DPA. Use of Force, Engaging with Transgendered Communities, and the Principled Policing related roll-call training were all generated by the Training Division. The



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Training Division produced these trainings because the Training Division has SMEs in these areas.

- Liability and non-compliance with policy/procedure inspire the request for additional training. An example of a problem the Academy would not be aware of is narcotics booking and packaging that was brought to their attention by the Crime Lab. This information resulted in a video training (Packaging Narcotics) to supplement the Department Bulletin. When a policy/procedural issue is brought to the Training Division's attention from another unit the Professional Development Unit works with that unit to develop a roll-call training. (Attachment #9) DB#18-202: *New packaging and procedure for seized narcotic evidence*).

Prior to the new and improved process (as outlined in DB 20-150 above), the training coordinator was required to facilitate training and have all trained members sign an acknowledgement form.

(Attachment #10) Ex. of roll call training 2019 RCT 003 (Procedural Justice-Respect) including sign off sheet.

(Attachment #11) Ex. of roll call training 2019-RCT 004 (Interaction with TGN individuals).

These forms were kept at the individual units and the training coordinator was responsible for entering each member into the specific roll-call training course listed in HRMS. This process proved very difficult to audit. The department moved to the new process of each member signing off electronically. This move to a new process of electronic sign off is an example of an improvement loop that was developed to allow for better monitoring of the process which ensures all members can be monitored for compliance with respect to roll-call training (and other directives).

The Staff Inspections Unit (SIU) conducts a review of the compliance report consistent with their internal procedures. Upon completion of the review, deficiencies identified by SIU results in the notification of the non-compliant member's Commanding Officer by SIU and/or may be addressed through formal administrative corrective action. The Professional Development Unit works with the Staff Inspections Unit to identify training trends related to the generation, issuance, and facilitation of roll-call training procedures and processes.