

From: [Gabriel Martinez](#)  
To: [REDACTED]  
Subject: Recommendation 77.2  
Date: Friday, September 3, 2021 2:01:11 PM

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Dear Acting Captain Altorfer,

Our office has completed its review of the materials related to Recommendation 77.2 that were submitted to us as part of the collaborative reform process. This package focused on SFPD developing and supporting an audit plan and schedule. After reviewing the package and information provided by the Department, the California Department of Justice finds as follows:

Recommendation 77.2: The SFPD should develop an auditing plan and schedule for both routine and risk audits within 90 days of issuance of this report. Staffing, resources, and training need to be allocated to the process to ensure an active and robust auditing schedule.

Response to 77.2: On May 1, 2020, SFPD published Unit Order 20-01, “Staff Inspection Unit (SIU) Procedures.” The Unit Order organizes SIU into an inspection team and a monitoring team. The inspection team audits SFPD policies, practices, and procedures using the Generally Accepted Government Auditing Standards as a guide. The monitoring team monitors previously reported findings and documents progress in an Accomplishment Memorandum that recommends whether another audit is necessary. The SIU staffing plan would allow for four to eight risk audits per year, and four routine audits per year.

Under Order 20-21, SIU researches and develops topics for an Annual Inspection Plan. SIU uses a Risk Assessment Matrix to prioritize its planned yearly audit, which weighs potential audits for the likelihood of occurrence of harms and the severity of the harms. The selected audits are placed in the Annual Audit Inspection Plan memorandum that explains why audits were selected or were not selected, lists the planned audits for the year, and details the objectives and strategies for fulfilling each audit. If an audit is not completed by the end of the year, SIU will write a memorandum up the chain of command explaining why it was not done and the anticipated time of completion.

SIU has created Annual Inspection Plans for 2019, 2020, and 2021. In 2020, SFPD changed three of the four planned audits to accommodate new audits that pertained to collaborative reform recommendations and because of staffing issues related to the pandemic. Overall, SFPD completed five risk audits, one routine audit, and three monitoring audits in 2020. These audits included reviewing SFPD’s submissions of complaint logs to the Department of Police Accountability, reviewing SFPD’s compliance with collecting and submitting stop data, and reviewing SFPD’s compliance with the SFPD juvenile detention policy. The 2020 audits that had not been completed on time were included in the 2021 Annual Inspection Plan pursuant to Unit Order 20-01.

On January 8, 2021, SFPD issued its 2021 Annual Inspection Plan. The 2021 Annual

Inspection Plan audits include (1) inspecting whether preliminary alcohol screening devices are maintained and used appropriately, (2) inspecting whether Naloxone (an opioid inhibitor) is available and being used appropriately, (3) reviewing officer performance-improvement-plan binders for completeness, (4) reviewing officer signoffs of SFPD policies, and (5) reviewing whether investigative detentions (*Terry* stops) complied with law and policy and whether officers issued Certificates of Release. After learning from the changes to the 2020 Annual Inspection Plan, SFPD coordinated regarding collaborative reform priorities before issuing the 2021 Annual Inspection Plan.

Other routine reviews of data are conducted across various teams and units. For example, the Business Analysis Team produces a quarterly analysis of stop, use of force, and arrest data known as 96A reports, the Staffing and Deployment Unit regularly reviews exit interview information to understand retention issues, and the Recruitment Unit regularly reviews whether its recruitment efforts result in recruit diversity.

Based upon all of the above, the Department of Justice finds that SFPD is in substantial compliance with this recommendation; however, SFPD should ensure that it adequately staffs SIU to meet SFPD's auditing goals. Please let us know if you have any questions or would like to discuss these further.

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<b>Finding # 77</b>	<b>The SFPD does not conduct routine, ongoing organizational audits, even where such practices are established in policy.</b>
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<b>Recommendation # 77.2</b>	<b>The SFPD should develop an auditing plan and schedule for both routine and risk audits within 90 days of issuance of this report. Staffing, resources, and training need to be allocated to the process to ensure an active and robust auditing schedule.</b>
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<b>Recommendation Status</b>	<b>Complete</b>	Partially Complete	In Progress
	Not Started	No Assessment	

**Summary**

SFPD uses the 2020 Annual Inspection Plan as evidence of compliance with this recommendation. SFPD has planned 4 audits and currently the SIU is staffed with two sworn and two professional staff members, which is sufficient to complete and monitor four audits. There is also a separate city agency that provides additional audit support and how staffing is always a concern but SFPD is continuously monitoring whether it needs additional staff (and citing to any order or policy that might support that statement). The original time frame identified within this recommendation was not a compliance measure given the budget and resource constraints facing the department.

As for compliance measure two, the department identifies that it is sufficiently staffed to support the plan as it is outlined. It provides evidence to support this staffing view of 4-8 risk audits annually and 3-4 routine audits. The review team finds the department has demonstrated sufficient support for the plan. However, the department identifies they are not staffed to the plan, but rather are working to an interim schedule based upon current resources and external resources available to the department. As the department develops a more robust approach to internal review and audit, there should be consideration of the needs to staff to support a fully integrated and robust program. It should be noted that key personnel on the audit team have received audit certification.

For compliance measure three, the SFPD provided documentation showing the schedules for audits for 2019 and 2020 as well as the CSA 2019-20 fiscal year schedule. There are delays in the schedule due to COVID but a demonstrated commitment to achieving the schedule goal. The department will follow a Risk Assessment Matrix to identify the key audit goals for the upcoming year. An annual report is required to identify the planned audit schedule. The department is technically compliant with this recommendation. However, this compliance is linked to compliance measure four – a schedule is only paper without implementation – and in fact is the center point of the success of the audit goals and internal accountability focus of the department going forward.

For compliance measure four, the SFPD generally explains the anticipated review and improvement loop, including chain of command review for the failure to conduct an audit and update for the anticipated time of completion. It identifies the documentation to the failure but given the initial stages of the audit plan it is not a complete loop. COVID impacted the nascent schedule but the proof identified that one of the 2020 audits were completed on time and one was carried over from 2019 – which was completed in 2020. But this identifies the challenge of the ongoing improvement loop. Inspection plans will include carry overs, justifications will be required and process will dictate appropriate command oversight and review.

SFPD reaches compliance for this recommendation as drafted and based upon the agreed compliance measures. The department has demonstrated the focus and determination to support the overall goal of developing an accountable organization. The work under this recommendation has focused on a formal Generally Accepted Government Auditing Standards (GAGAS) and overtime, ideally, transitions to a wide ranging system of checks and balances to include for lesser analysis and then monitoring over time. There are concerns – given the limited schedule and resources for auditing

and, ideally, the department will continue to use the work identified in compliance measure four to improve this project long-term.

Compliance Measures		Status/Measure Met
1	Implement the plan identified in Rec 77.1.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2	Identify staffing and resource needs to ensure appropriate implementation.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3	Establish an audit schedule for routine and risk audits.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4	Continuous review and improvement loop, including evidence that the schedule is being met.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

#### Administrative Issues

#### Compliance Issues



## Collaborative Reform Completion Memorandum

**Finding # 77:** The SFPD does not conduct routine, ongoing organizational audits, even where such practices are established in policy.

### **Recommendation # 77.2**

The SFPD should develop an auditing plan and schedule for both routine and risk audits within 90 days of issuance of this report. Staffing, resources, and training need to be allocated to the process to ensure an active and robust auditing schedule.

**Response Date: 03/22/2021**

### **Executive Summary:**

The San Francisco Police Department distinguishes "audits" into three types. First, there is the most rigorous audit, using the Generally Accepted Government Auditing Standards (GAGAS). Second, there is a less rigorous audit, still using many of the methods of GAGAS, such as sampling techniques and work planning, but not requiring the level of documentation or workpapers specified in GAGAS, which is intended for quicker turnaround. Third, there is "monitoring," which is ongoing data analysis intended to facilitate awareness among the reviewers of these analyses such that anomalies are caught and addressed. These approaches to auditing and evaluating the Department are carried out by various personnel in the City and County of San Francisco.

Internal to the SFPD, the Staff Inspections Unit (SIU) of the Strategic Management Bureau (SMB) fulfills the role of an independent internal auditor for the Department and serves as the auditing liaison for the Department. Accordingly, the SIU exercises codified procedures such as developing a yearly inspection plan. Topics of inspection are assembled from a variety of sources such as: previous internal and external reports or audits that provide findings, contemporary news media, SFPD leadership, internal Department units, and outside vested organizations. These potential audit topics are assessed for risk and selected for inclusion in the yearly inspection plan. (See **Attachment #1: SMB Bureau Order – SIU Procedures**)

### **VII. Annual Inspection Plan and Risk Assessment Matrix**

A). The SIU shall hold annually a series of internal meetings beginning in November to develop an Annual Inspection Plan (AIP) for the following year. The meetings will include, but not limited to, the Assistant Chiefs and Deputy Chiefs / Executive Director or designee. The Assistant and Deputy Chiefs and ExeDir/CO will provide recommendations regarding what topics they deem to be of high risk. These topics will be considered along with other subject areas identified by SIU as high risk. Then the SIU will assess all topics using the Risk Assessment Matrix (explained in pages 7 and 8). SIU will use the results of the assessment to determine the AIP. The Plan will be documented in a memorandum to the ExeDir/CO and will have all topics considered with an explanation as to why they were chosen or excluded.

SIU is staffed by members trained in law enforcement auditing. Newly appointed staff to the Unit are routinely sent to audit training. The Sergeant of SIU earned a certificate from the Law Enforcement Inspections and Auditing Group (LEIAG). The certification is attained



## Collaborative Reform Completion Memorandum

when one independently develops and carries out an audit inspection culminating in a report secured by LEIAG as proof of one's skill. (See [Attachment #2: LEIAG Certificate](#))



While SIU personnel are trained in GAGAS principles, they are not currently performing GAGAS compliant audits. With the increased staffing discussed below, SFPD may be able to move to a GAGAS compliant model, but currently, SIU performs audits with GAGAS techniques, including risk assessment, annual work planning, sampling techniques, and review and monitoring of findings and recommendations previously reported by SIU personnel.

The staffing plan for SIU is for two to four teams of two members each, including one sworn officer and one civilian analyst. This staffing level would allow for the completion 4-8 risk audits and 3-4 routine audits per year. Teams would be paired up, one to conduct a risk audit while the other would conduct routine audits and monitoring of previously reported findings and recommendations. These roles would be reversed in the following quarter, with the first team conducting the routine audits and monitoring and the second team conducting a risk audit.

Although these staffing levels are not yet available to SIU, they are currently able to conduct routine audits and risk audits in smaller quantities, as well as monitoring previously



## Collaborative Reform Completion Memorandum

reported findings and recommendations. These tasks are currently performed by one team, comprised of a sworn officer and civilian analyst. In addition, the SFPD continues to audit and review itself in other ways, as discussed below, using external auditing and reviews and internal data analyses and reviews.

External to SFPD, the Department can request external, fully GAGAS compliant performance audits from the City Services Auditor (CSA) of the Controller's Office. According to Appendix F of the City Charter, CSA provides a third-party independent assessment of services by City Departments. The CSA is staffed by professionally accredited auditors who specialize in examining the quality and quantity of government services. SFPD leadership and CSA collaborate annually on a *Work Plan*, but were not able to do so in 2020, due to the Controller's Office's critical role in the management of the response to COVID 19. This Plan details topic areas for CSA to audit for the following year. (See Attachment #3: San Francisco City Charter Appendix F and Attachment #4: CSA FY 2020 Work Plan)

### Attachment #3 – "Appendix F"

In particular, the Services Audit Unit shall assess:

- (1) Measures of workload addressing the level of service being provided or providing an assessment of need for a service;
- (2) Measures of efficiency including cost per unit of service provided, cost per unit of output, or the units of service provided per full time equivalent position; and
- (3) Measures of effectiveness including the quality of service provided, citizen perceptions of quality, and the extent a service meets the needs for which it was created.

### Attachment #4 – CSA FY 2020 Work Plan





## Collaborative Reform Completion Memorandum

In addition, the Department of Police Accountability has audit authority over SFPD, as laid out in the City and County of San Francisco Charter Section 4.136(k):

“Every two years, DPA shall conduct a performance audit or review of police officer use of force and how the Police Department has handled claims of officer misconduct. DPA shall also have the authority to conduct performance audits or reviews of whether Police Department personnel and management have complied with federal and state law, City ordinances and policies, and Police Department policies. The Director shall have the discretion to determine the frequency, topics, and scope of such performance audits or reviews. To the extent permitted by law, DPA shall also allow public access to information on the progress and disposition of claims of misconduct or use of force, and the results of the performance audits and reviews conducted by DPA.”

A link to the City and County of San Francisco Charter can be found here:

[https://codelibrary.amlegal.com/codes/san\\_francisco/latest/sf\\_charter/0-0-0-52612#JD\\_4.136](https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_charter/0-0-0-52612#JD_4.136)

Also internal to SFPD, the Business Analysis Team (BAT), Staffing and Deployment Unit (SDU), and Recruitment Unit are examples of units that produce regular reviews of data. These reviews represent another way in which SFPD monitors itself.

BAT currently analyzes use of force data, stops and search data, arrest data, and incident data and produces a quarterly report on these provided in a publicly available report. As the BAT increases its size and as the technical skill is developed within the Department (both BAT and Technology have responsibilities for this development), SFPD will be using a business intelligence software to produce the routine statistics that BAT currently produces. At that time, BAT analysts will have more capacity to conduct non-routine and non-mandated analyses, such as the one prepared in the Quarterly Activity and Data Report (formerly known as the 96A report) for Q3 2020.



## Collaborative Reform Completion Memorandum



Other proposed analyses include a review of the connection between uses of force and types of incidents or calls for service. Once communicated Department-wide, this type of analysis would allow District Stations, the Training Division, and SMEs developing policy to observe any linkages and trends in order to revise trainings, tactics, and policies for those areas in which trends are observed.

The Staffing and Deployment Unit (SDU) continuously reviews leave information and patrol coverage to understand where management must address arising issues. SDU presents this information to the Assistant Chiefs, Deputy Chiefs, and Executive Director every other week. That group provides guidance to SDU for additional information needed or responds to trends by issuing revised policies, processes or roll call training. As SFPD has seen separations increase in the last few years, the above group of Command Staff have monitored the reasons for separations and requested additional data from exit interviews as to where personnel were transferring and why. Accordingly, changes were made to the exit interview forms which resulted in giving SDU more detailed and comprehensive knowledge regarding reasons for separations, especially regarding "non-service retirements and non-training separations." The Command Staff group requested this information in the event that it would be possible to adjust practices in the Department that might reduce these separations. The SDU is currently reviewing the data obtained through the new forms and will synthesize its findings into a report for the Command Staff once its analysis is complete.

