



Joint Response to Public Comment Pursuant to DGO 3.01.04(D)

DGO 6.16 - Sexual Assaults

September 15, 2025

SFPD Department General Order (DGO) 3.01 requires that all policies under development be posted publicly to provide members of the public thirty (30) business days to submit policy recommendations.

Pursuant to DGO 3.01.04 (D), the Department and the Department of Police Accountability (DPA) jointly prepare a public response, which shall be posted on the Department's website, outlining the recommendations included and not included in the DGO draft submitted to the Police Commission.

Joint responses are captured in the following recommendation grid which captures the original recommendation, whether the recommendation was included or not included in the draft DGO, and the explanation relating to the decision to include or not include the recommendation into the draft DGO.

The Department reserves the right to remove or not respond to comments if they are:

- Unrelated to the subject of the DGO
- Include private personal information (whether the commenter's or someone else's), including home address, home or cell phone number, personal e-mail address, or personal identification.
- Include profanity or obscene language.

The Department received 34 recommendations for DGO 6.16 – Sexual Assaults from the public. DPA has no comment on the department's responses.

The Department and DPA extend gratitude to all who took the time to contribute recommendations to this policy.

DGO 6.16 Sexual Assaults - Public Comment Joint Responses

Public Review Period: 04/09/25 - 05/21/25

#	Public Comment	Date Received	Section	SFPD response	SFPD Explanation	DPA Explanation
R1	If possible, note the availability of a different gender officer for the victim to speak to - sometimes folks may not want to interact with the gendered person who initiated the assault.	4/9/25	06.16.04A	Recommendation will not be included in Draft DGO	Section H.1.b already covers this suggestion, it reads: "b.If requested, members shall allow the victim a person of the same or opposite gender to be present during an interview, unless no such person is reasonably available (this request for a same or opposite gender is applicable to either law enforcement or the Victim Advocate present during the interview (California Penal Code Section 679.04(b)(1))."	DPA has no additional comment
R2	Can you restructure the sentence to, "Members shall... sexual assault whether or not a SVU investigator responds to an incident."	4/9/25	E. Incident Reports	Recommendation has been included in draft DGO	Updated language to improve clarity. Now reads as follows: "Members shall complete an incident report for all reported sexual assaults, even if SVU does not respond."	DPA has no additional comment
R3	There are grammatical inconsistencies in the DGO. Specifically, in Definitions: "A. Sexual Assault." and, "B. Sexual Assault Response Team (SART)," the use of "but not limited to," and, "but is not limited to."	4/9/25		Recommendation has been included in draft DGO	Definition of SART was changed. Now reads as follows: "A.Sexual Assault – Any crime or attempted crime of a sexual nature, which includes, but is not limited to, sexual assault, sexual battery, sexual molestation, unlawful intercourse involving a minor and incest cases. B.Sexual Assault Response Team (SART) – A multidisciplinary team working to meet the medical and emotional needs of the victim and the forensic needs of law enforcement. "	DPA has no additional comment
R4	there is a term "minimal facts interview" which is bolded but unclear what that entails.	4/10/25	child victims	Recommendation has been included in draft DGO	Removed bold formatting. Minimal facts interview now includes guidance from California POST training manual and is listed in bullet points. Now reads: "f.If the witness statements do not provide enough information for the responding officer to determine that the child is a victim of sexual assault, the officer may conduct a minimal facts interview to: i.Establish if the crime was sexual in nature, ii.Determine if immediate medical attention is needed, iii.Determine when and where it occurred, iv.Determine who was involved, v.Determine immediate protective actions. g.If any of the above information was already disclosed to the witness by the child, avoid asking the child about it again. A detailed interview will be conducted later by SVU and specially trained investigators."	DPA has no additional comment

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R5	numbers a - c and discusses limiting conversation to child, but the very last sentence of (c) says "nothing precludes the responding officer...". It is unclear since this is hidden at the end.	4/10/25	child victims	Recommendation has been included in draft DGO	The section has been rewritten and now incorporates California POST training guidance, section now reads: "4.Child Victims – a.Summon medical response, if needed. b.Interview witnesses, including Child Protective Services (CPS) (if on scene), non-involved adult family members, social workers, hospital staff, teachers, and/or other witnesses. c.If elements of a sexual assault can be established, avoid interviewing the child victim. d.Notify SVU of the incident. e.Notify CPS of the incident. f.If the witness statements do not provide enough information for the responding officer to determine that the child is a victim of sexual assault, the officer may conduct a minimal facts interview to: i.Establish if the crime was sexual in nature, ii.Determine if immediate medical attention is needed, iii.Determine when and where it occurred, iv.Determine who was involved, v.Determine immediate protective actions. g.If any of the above information was already disclosed to the witness by the child, avoid asking the child about it again. A detailed interview will be conducted later by SVU and specially trained investigators. h.Offer victim confidentiality per California Penal Code Section 293(a). i.Provide victim forms– i.“Your Rights as a Survivor of Sexual Assault” card (California Penal Code 680.2), ii.SVU Follow Up & Referral Card (SFPD 142) iii.Other appropriate forms "	DPA has no additional comment
R6	guidance for CPS and APS should be the same (i.e. language in 1a and 1b should basically be the same. Also - is juvenile the same as child mentioned in the child victim section?	4/10/25	Notifications	Recommendation has been included in draft DGO	Restructured and separated guidance into an adult and child section. Juvenile and child share the same meaning.	DPA has no additional comment
R7	do we need to reference documents/cards/forms given to ALL victims regardless of the crime (i.e. Marsy's card)	4/10/25	other duties/services	Recommendation has been included in draft DGO	Forms have been move to both the adult and child sections for better reference. Only the additional forms that apply to this specific crime are listed.	DPA has no additional comment
R8	The DGO is titled "Sexual Assault Investigations" but only section 6.16.04 G mentions investigations	4/14/25	Title	Recommendation will not be included in Draft DGO	Title reverted to “Sexual Assaults” to maintain consistency with the naming conventions of other Department General Orders. The term “Investigations” was removed, as this order addresses more than just investigative procedures.	DPA has no additional comment

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R9	The second paragraph in the purpose section makes no sense. There are a lot of words that do not have definitions or are confusing.	4/14/25	6.16.01 Purpose	Recommendation has been included in draft DGO	We updated the purpose statement to read as follows: "The purpose of this order is to establish general policies and procedures when responding to and investigating reports of sexual assault cases. The San Francisco Police Department (SFPD) acknowledges that victims may feel unheard, disbelieved, or judged. SFPD members aim to build trust by treating all victims with dignity and respect, ensuring their concerns are taken seriously, and responding in a manner that supports their physical and emotional well-being.	DPA has no additional comment
R10	B,C, and E definitions are way too wordy and should be made more concise. These are just definitions!	4/14/25	Definitions	Recommendation has been included in draft DGO	Definitions revised for conciseness and to better align with the needs of the policy's intended audience.	DPA has no additional comment
R11	Why list out a huge list of people who may be included in a SART if you are not going to list everyone included? Either list everyone on a SART or remove the list of all involved people (preferably).	4/14/25	Definitions B	Recommendation has been included in draft DGO	Definitions revised for conciseness and to better align with the needs of the policy's intended audience.	DPA has no additional comment
R12	The way the components of the SART Exam are listed is too bulky and confusing. Separate out 1. and 2. in this definition	4/14/25	Definitions C	Recommendation has been included in draft DGO	Revised the definition to break out components 1 and 2 into a bulleted list	DPA has no additional comment
R13	This definition is not concise at all, does not clearly define a victim advocate, and, the last sentence includes PROCEDURES and not a definition.	4/14/25	Definitions E	Recommendation has been included in draft DGO	Definition revised for conciseness and to better align with the needs of the policy's intended audience.	DPA has no additional comment
R14	The wording about goal of conviction is confusing in a policy that does not talk about the conviction of sexual assault assailants and actually hardly discusses procedures related to perpetrators at all.	4/14/25	Policy	Recommendation has been included in draft DGO	"...with the goal of apprehending and assisting in the conviction of perpetrators while prioritizing the safety of victims" was removed. This statement was recommended by a stakeholder but goal oriented language related to prosecution does not belong in the policy section. Department policy is intended to outline member responsibilities and procedural requirements, not outcomes that rely on external factors such as prosecutorial decisions, judicial findings, or evidentiary issues. Prioritizing victim physical and mental safety is already addressed through specific procedural guidance, such as summoning medical services, prioritizing privacy, providing courtesy rides, accommodating victim advocates and a support person, and tailoring questioning to the victim's emotional and physical state.	DPA has no additional comment
R15	in A1, not all victims are interviewed initially, if they are children.	4/14/25	6.16.04 A 1	Recommendation has been included in draft DGO	The guidance from this section has been incorporated into the adult and child section as the procedure is different for each.	DPA has no additional comment
R16	Put the components/definition of a minimal facts interview in the definitions section.	4/14/25		Recommendation will be modified and included in the draft DGO	Instructions have been incorporated into the procedure section to provides better guidance. Also see response to R5.	DPA has no additional comment

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R17	Doesn't the notification of CPS happen before the minimal facts interview?	4/14/25		Recommendation has been included in draft DGO	Agree, CPS notification moved to before the minimal facts interview.	DPA has no additional comment
R18	Put notification of APS in the adult section and notification of CPS in the child section. Otherwise, this is way too confusing and not clear.	4/14/25		Recommendation has been included in draft DGO	CPS and APS notifications have been separated and relocated to their respective child and adult sections. Guidance has been updated.	DPA has no additional comment
R19	If I am calling SVU for guidance, why would the Patrol Supervisor give me guidance? They are not SVU???	4/14/25		Recommendation has been included in draft DGO	Reference to Patrol Supervisor has been removed as SVU will provide guidance for SVU related crimes.	DPA has no additional comment
R20	The way that the options of guidance from SVU is listed is very confusing and does not clearly provide procedural instruction. Please spell this out more clearly. ALSO make an adult victim and child victim section for all procedures for better org.	4/14/25		Recommendation will be modified and included in the draft DGO	Sections for adult and child victims have been separated and rewritten. Procedural guidance from SVU has been updated to provided better step by step guidance.	DPA has no additional comment
R21	The section about offering victim ride somewhere does not make sense. When would patrol be doing this, after the hospital, before SVU shows up, etc.? Also, it is unclear when the forms are given to victims. MAKE ORDER OF PROCEDURES CLEAR.	4/14/25		Recommendation has been included in draft DGO	The courtesy ride section has been updated and now reads: "F.Courtesy Ride - Members may, with supervisor approval, provide the victim with a ride to a safe location. Avoid seating the victim in the caged section, if possible. " Forms have been moved to the end of the procedure to better align with the timing of their issuance.	DPA has no additional comment
R22	Why is there a suspect interview section if there is no information or procedures provided in that section?	4/14/25		Recommendation has been included in draft DGO	Section has been updated to provide additional guidance and now reads: D.Suspect Interviews - 1.Adult Suspects – a.If the suspect is ON-SCENE, officers should mirandize and attempt to get a statement. b.If the suspect is known and NOT on-scene, officers should contact SVU for guidance before contacting the suspect, as SVU has investigative techniques that are used before the suspect is detained or mirandized.	DPA has no additional comment
R23	Based on the way the DGO is ordered, patrol officers complete the incident report after they have driven the victim home, after the hospital, and after the suspect interview? BUT YET they have to offer the victim confidentiality? WHAT	4/14/25		Recommendation has been included in draft DGO	Sections have been reordered and updated to more accurately reflect the sequence of events as they occur in the field.	DPA has no additional comment
R24	In what cases does a victim go to the hospital, who is transporting the victims? It just says members it does not specify if it is patrol, patrol supervisor, SVU, etc. Also, separate into adult and child section of DGO.	4/14/25		Recommendation will be modified and included in the draft DGO	The first listed priority upon arrival is to "Summon medical response, if needed." Non-injury transportation is handled at the discretion of responding officers based on the circumstances and does not require specific policy guidance. Adult and child sections have been separated and updated accordingly.	DPA has no additional comment
R25	Why would a SAEK be collected for an outside law enforcement agency? And if it is, why would the SAEK not be given to that outside law enforcement agency like it is for ours???	4/14/25		Recommendation will not be included in Draft DGO	Sometimes a sexual assault happens outside of San Francisco's jurisdiction but the victim reports the crime in San Francisco. SFGH will still treat the victim and collect the SAEK kit. The SAEK will be released to the outside jurisdiction by SVU, not ZSFGH.	DPA has no additional comment

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R26	Unclear when the investigative interview of the victim happens. 2 days later, immediately after SAEK??? Also, says "members" only, not SVU, so does this happen at the scene of the crime? I would assume not but it is not specified.	4/14/25		Recommendation will be modified and included in the draft DGO	Investigative interviews are determined by SVU and depend on the circumstances of the crime, the condition of the victim, and other case-specific factors. Due to these variables, no specific timeframe is mandated.	DPA has no additional comment
R27	This is not well organized or easily readable which will be highly problematic for compliance. The order in which steps happen and what happens for adults versus child victims is Actually Out of Order.	4/14/25		Recommendation will be modified and included in the draft DGO	Sections have been reordered and updated to more accurately reflect the sequence of events as they occur in the field.	DPA has no additional comment
R28	FOB, patrol officers should be doing the penile swabbing of sex assault suspects as it is fleeting evidence and needs the immediate collection. Please add a penile swab section to this DGO	4/14/25		Recommendation has been included in draft DGO	Penile DNA swabbing section has been added. Now Reads: 2.Penile DNA Swabs a.If DNA or biological evidence may be present on the suspect's genitals, Officers shall take the following steps to protect the evidence while the suspect is in custody: i.Keep the suspect handcuffed behind their back. ii.Do not give suspect wet wipes, paper towels, tissues, or any other item that can be used to wipe off or dilute the evidence. iii.Do not allow suspects to wash. iv.Do not allow suspects to use the restroom without supervision. b.SVU is the primary unit responsible for conducting the penile swabbing and collection of that evidence. CSI is the designated backup unit. c.Patrol officers may serve as witnesses during the collection but shall not perform the collection.	DPA has no additional comment
R29	If adding penile swabs to this DGO, please add that the strip search authorization form should be signed by a supervisor prior to any strip search that is not exigent.	4/14/25		Recommendation will not be included in Draft DGO	Based on Penal Code §4030, a "strip search" is defined as a visual inspection requiring the person to remove or rearrange clothing to allow viewing of undergarments, breasts, buttocks, or genitalia. The act of collecting a penile swab goes beyond visual inspection and involves physical contact with genitalia, which, under PC §4030(i), is explicitly prohibited during a strip or visual body cavity search. Therefore, this procedure does not fall under the statutory definition of a strip search so a strip search authorization form is not required.	DPA has no additional comment
R30	It is not clear what the differences are/what is included in a preliminary investigation by patrol vs minimal facts interview vs investigative interview vs suspect interview. Add to definitions.	4/14/25		Recommendation will be modified and included in the draft DGO	The preliminary investigation section has been removed. Related sections have been revised to provide clearer guidance	DPA has no additional comment
R31	SART and Victim Advocate definitions are very long; does an officer need to know the details of SART exam, or just the 1st sentence?	4/22/25	definitions	Recommendation has been included in draft DGO	Definition revised for conciseness and to better align with the needs of the policy's intended audience.	DPA has no additional comment
R32	does that above need to be defined?	4/22/25	minimal facts interview	Recommendation will not be included in Draft DGO	Instead of a definition, instructions have been incorporated into the procedure section to provides better guidance.	DPA has no additional comment

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#	Public Comment	Date Received	Section	SFPD response	SFPD Explanation	DPA Explanation
R33	does #2 really need to be mentioned?	4/22/25	F SART Examination	Recommendation will be modified and included in the draft DGO	Definition revised for conciseness and to better align with the needs of the policy's intended audience.	DPA has no additional comment
R34	Adult suspects should be interviewed if on scene. Suspects not on scene should only be interviewed with SVU approval.	5/20/25	D. 1.	Recommendation has been included in draft DGO	Section has been updated to provide additional guidance and now reads as follows: "D.Suspect Interviews - 1.Adult Suspects – a.If the suspect is ON-SCENE, officers should mirandize and attempt to get a statement. b.ii.Officers should consult SVU before contacting a suspect at their home, workplace, or via a phone call as SVU has investigative techniques that are used before the suspect is detained or mirandized. 2.Juvenile Suspects – See DGO 7.01, Policies and Procedures for Juvenile Detention, Arrest, and Custody."	DPA has no additional comment