



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

DGO 5.08 Plainclothes, Non-Uniformed, and Undercover Officers

September 12, 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 49 recommendations for DGO 5.08, *Plainclothes, Non-Uniform, and Undercover Officers* 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.

DO 5.08 Non-Uniformed Officers - Public Comment Joint Responses

Public Review Period: 1/31/25 - 3/21/25

#	Public Comment	Date Received	SFPD response	SFPD Explanation	DPA Explanation
R1	Sec. 5.08.02: the policy section is too long and not clear. There is no statement to hold members accountable here except maybe the last sentence.	1/31/25	Recommendation has been included in draft DGO	The Policy statement has been revised to state "Non-uniformed and plainclothes members shall identify themselves as Police Officers when enforcement action is taken, be properly equipped, and ensure their actions align with all Department policies."	No comment
R2	Sec. 5.08.03 All definitions are too long. how many of them are definitions that employees don't already know?	1/31/25	Recommendation has been included in draft DGO	Definitions for words not used in the policy or that are unnecessary have been removed. The Definition section includes: Non-uniformed, Plainclothes, and Undercover.	No comment
R3	A lot of this is specific to units and not general. it shouldn't be in a DGO.	1/31/25	Recommendation has been included in draft DGO	The DGO has been modified so that it matches the Department's mandate to make general orders more general and is applicable to most department members.	No comment
R4	Due to the wording I have no idea what changes are proposed. But 10 years ago SFPD had only ~100 more officers & wrote 2-3,000 tickets a month. Today it's dozens. Outside of homicide, SFPD has the worst closure rate in the state. How do you spend your day	1/31/25	Administrative Question and Answer-not for inclusion in DGO	This comment is not related to the DGO. Community members may view SF crime data here - https://www.sanfranciscopolice.org/stay-safe/crime-data/crime-dashboard .	No comment
R5	Sec. 5.08.02: Requiring a Deputy Chief's approval is impractical, as they are far removed from daily operations. The Captain directly oversees the unit, so approval at that level is more efficient and aligns with operational realities.	1/31/25	Recommendation has been included in draft DGO	The policy has been amended. Enforcement action using plainclothes and non-uniformed members is approved by the Lieutenant if it is in the pre-plan, and by the Sergeant if necessary while in the field (5.08.04(2)).	No comment
R6	Sec. 5.08.04: Policy repeatedly references "planned enforcement action" without defining it. Since the term is overly broad and could encompass many types of daily/routine actions, it should be clearly defined.	1/31/25	Recommendation will be modified and included in the draft DGO	Any sections speaking to "planned enforcement action" have been revised.	No comment
R7	Sec. 5.08.04: Subordinate plainclothes officers w/o initial direct supervision/supervisor should be allowed to respond to certain crimes in progress at a surveillance capacity without a Op plan to assist uniformed officers.	1/31/25	Recommendation will be modified and included in the draft DGO	Nothing in the DGO stops a plainclothes member from acting in a surveillance capacity. If taking enforcement action, plainclothes members are required to follow 5.08.04.A(1), which says they must verbally identify themselves, display their star, and activate their BWC.	No comment
R8	Sec. 5.08.04(A): The phrase "in lieu" in sub. (4) is misleading. A written op order numbering multiple pages is the Dept's definitive written plan as ref in sub. (1). "In lieu" implies that an op order is different than a written plan, and in context,	2/3/25	Recommendation will be modified and included in the draft DGO	This section has been removed.	No comment
R9	Definitions: Please mirror the definition of "violent misdemeanor" that is used in 5.05 and reference the list of examples.	2/3/25	Recommendation will not be included in Draft DGO	Please refer to R2.	No comment
R10	Sec. 5.08.04: Documentation can be anywhere, CAD, BWC, incident report, CHRON, after action report. What is important is that its documented, not where it is documented.	2/3/25	Recommendation has been included in draft DGO	Text modified throughout to say "Rationale must be documented".	No comment

DGO 5.08 Non-Uniformed Officers - Public Comment Joint Responses
Public Review Period: 1/31/25 - 3/21/25

#	Public Comment	Date Received	SFPD response	SFPD Explanation	DPA Explanation
R11	5.08.04(D) .. unclear how e. and f. are not already encompassed into a.-d. this list is very long, we can shorten it and make it concise.	2/3/25	Recommendation has been included in draft DGO	This section has been removed.	No comment
R12	5.08.02 Policy: This section is super wordy and vague. Remove most of the first paragraph in this section.	2/5/25	Recommendation has been included in draft DGO	Please refer to R1.	No comment
R13	Some of these definitions are used in other DGOs, should these instead be in DGO 3.02?	2/5/25	Recommendation has been included in draft DGO	Please refer to R9.	No comment
R14	These are procedural and administrative. Besides general considerations, these should not be in a DGO.	2/5/25	Recommendation has been included in draft DGO	The DGO has been modified so that it matches the Department's mandate to make general orders more general.	No comment
R15	The first two paragraphs in this section, 5.08.04C, seem wordy and unnecessary.	2/5/25	Recommendation has been included in draft DGO	The DGO has been amended for clarity. The paragraphs in 5.08.04.C have been removed.	No comment
R16	I am not sure that all the information in 5.08.06 is aligned with other SFPD policies	2/5/25	Administrative Question and Answer-not for inclusion in DGO	The section on BWCs has been removed. Information about BWC has been incorporated into relevant sections throughout the DGO.	No comment
R17	section 5.08.07 should not be in this DGO	2/21/25	Recommendation will not be included in Draft DGO	The DGO on crowd control specifically states that information regarding non-uniform members is located in DGO 5.08, therefore this information must be included in this DGO.	No comment
R18	remove definitions for member and exigent circumstances - those definitions should be included in DGO 3.02 instead	2/24/25	Recommendation has been included in draft DGO	Please refer to R2.	No comment
R19	policy is too long; should be the actual requirements officers are being held to	2/25/25	Recommendation has been included in draft DGO	The DGO has been modified so that it matches the Department's mandate to make general orders more general.	No comment
R20	definitions are too long; are all of them needed? F, G, H should not be defined at minimum. Probably E	2/25/25	Recommendation has been included in draft DGO	Please refer to R2.	No comment
R21	5.08.04(A): do all of these details need to be given in the policy? Is there not anything about what a written operation plan is supposed to entail listed elsewhere?	2/25/25	Recommendation has been included in draft DGO	The DGO has been amended for clarity and overly specific details have been removed. Operation orders are used throughout the department and not just with non-uniformed operations, so this information does not need to be included here.	No comment
R22	should be shorter and not in paragraph format	2/25/25	Recommendation has been included in draft DGO	The DGO has been amended so it is not in paragraph form.	No comment
R23	Sec. 5.08.06: is this covered in 10.11?	2/25/25	Administrative Question and Answer-not for inclusion in DGO	DGO 10.11 Body Worn Cameras, states that non-uniformed officer BWC use is governed by DGO 5.08.	No comment
R24	Sec. 5.08.11: sounds like something that should be in a more detailed order, not general policy.	2/25/25	Recommendation has been included in draft DGO	Duties of Supervisor has been modified to apply only to this DGO.	No comment

DO 5.08 Non-Uniformed Officers - Public Comment Joint Responses

Public Review Period: 1/31/25 - 3/21/25

#	Public Comment	Date Received	SFPD response	SFPD Explanation	DPA Explanation
R25	BWC information should not be in this DO	2/25/25	Recommendation will not be included in Draft DO	Please refer to R23.	No comment
R26	5.08.02 Policy: this doesn't say a policy that non uniform officers are supposed to follow. there is no shall statement	2/25/25	Recommendation has been included in draft DO	Please refer to R1.	No comment
R27	exemptions should have their own section at the bottom of the policy	2/25/25	Recommendation has been included in draft DO	Exceptions have been included at the bottom of this DO and now state "A. Deputy Chiefs may approve deviations from this policy for specific units, operations, or events. Approved deviations shall be documented. B. Members assigned to the Mayor's Detail/Dignitary Protection are exempt from this policy but shall be guided by their specific Unit Orders."	No comment
R28	Sec. 5.08.03(A): does definition need to say where the person works? is that the only unit that is non-uniformed, or only place where it is allowed? if not, then remove.	2/25/25	Recommendation has been included in draft DO	Bureau name has been removed. The definition for non-uniformed member now reads "A sworn member who is not wearing a SFPD uniform while on-duty. Non-uniformed members are typically investigators or perform administrative functions for the Department and do not actively participate in enforcement actions."	No comment
R29	5.08.03(E): Remove	2/25/25	Recommendation has been included in draft DO	Please refer to R2.	No comment
R30	5.08.03 (F): Remove	2/25/25	Recommendation has been included in draft DO	Please refer to R2.	No comment
R31	5.08.03 (G): Remove	2/25/25	Recommendation has been included in draft DO	Please refer to R2.	No comment
R32	5.08.03(H): Remove	2/25/25	Recommendation has been included in draft DO	Please refer to R2.	No comment
R33	there is a table under definitions that isn't a definition. do police officers need this example? if so, put it somewhere else.	2/25/25	Recommendation has been included in draft DO	The referenced table has been removed.	No comment
R34	5.08.04(A): taken directly from unit orders - does it need to be in the policy?	2/25/25	Recommendation has been included in draft DO	The information about the Written Operation Plan is used in many instances therefore has been removed. It will remain in a Unit order.	No comment
R35	5.08.04 A says "shall" but then 5.08.04 A(4) says you can use op orders instead	2/25/25	Recommendation will be modified and included in the draft DO	The Written Ops Plan section has been removed.	No comment
R36	written in paragraph form not policy	2/25/25	Recommendation has been included in draft DO	The DO has been amended to remove all paragraph formatting.	No comment

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#	Public Comment	Date Received	SFPD response	SFPD Explanation	DPA Explanation
R37	5.08.04(B): as is written, doesn't make sense; not clear	2/25/25	Recommendation has been included in draft DGO	5.08.04 (Considerations when Planning/Deciding on Enforcement Action) has been removed.	No comment
R38	5.08.04 (C): written in paragraph form. first paragraph has sentences that are not enforceable and are values statements.	2/25/25	Recommendation has been included in draft DGO	Unenforceable language that is not helpful to members has been removed, as well as all paragraph formatting.	No comment
R39	Whole DGO: can the words be decreased so its easier to tell what officers are supposed to do/follow	2/25/25	Recommendation has been included in draft DGO	The DGO has been modified for clarity.	No comment
R40	5.08.03 Definitions: Vague and contradictory: A. Non-Uniformed - "...where their primary duty is to investigate crimes..." and B. Plainclothes - "... conducts investigations..." and yet, "... non-uniformed member is not working in a plainclothes or undercover capacity.	3/3/25	Recommendation has been included in draft DGO	Please refer to R2.	No comment
R41	Nine pages of procedure and shalls. What happened to becoming more concise and GENERAL?	3/3/25	Administrative Question and Answer-not for inclusion in DGO	The DGO has been amended for clarity and overly specific details have been removed. The draft is now 4 pages.	No comment
R42	The use of "Shall... unless a supervisor..." tells me the directive is a "should." Should we word those procedures differently? Yes.	3/3/25	Recommendation has been included in draft DGO	Unnecessary "shall's" have been removed.	No comment
R43	5.08.06 BWC Use by Non-Uniformed Officers: Since this section is specifically addresses Plainclothes (and Non-Uniformed Members is a separate definition), shouldn't this be entitled "BWC Use by Plainclothes Members?" Then it begs the question, what about Non-Uniformed Members?	3/3/25	Recommendation will be modified and included in the draft DGO	Please refer to R16.	No comment
R44	This DGO is much too procedural. If a section contains the phrase, "when practical" or "when feasible," then it needs to be removed from the DGO and placed in a manual. These are General Orders for all law enforcement.	3/3/25	Recommendation will be modified and included in the draft DGO	Overly procedural details have been removed and the DGO modified for clarity.	No comment
R45	5.08.09 COMPLYING WITH UNIFORMED MEMBERS: This title needs to be edited: "Complying with Uniformed Officers or Law Enforcement", not "Members." What happens if the Plainclothes cop is out of county? The outside jurisdiction officer isn't exactly a "member" are they?	3/3/25	Recommendation has been included in draft DGO	Section (now 5.08.07) title has been amended to "Complying with Law Enforcement Officers"	No comment
R46	5.08.09 COMPLYING WITH UNIFORMED MEMBERS: This section addresses Non-uniformed members specifically. What about Plainclothes members? You created these two separate definitions and created inconsistency. The LETTER OF THE LAW will hold these cops accountable for the inconsistency.	3/3/25	Recommendation has been included in draft DGO	Language has been amended for clarity. Undercover has been moved as a subset of plainclothes members. Therefore, all reference to "plainclothes" also includes "undercover" unless specifically stated otherwise.	No comment

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Public Review Period: 1/31/25 - 3/21/25

#	Public Comment	Date Received	SFPD response	SFPD Explanation	DPA Explanation
R47	The Table offers examples, but why? The fact that you've included the statement, "A narcotics officer is not always undercover, nor is a homicide investigator always non-uniformed" negates the necessity of the table. At what point do the definitions swap	3/3/25	Recommendation has been included in draft DGO	The table has been removed from the DGO.	No comment
R48	This ENTIRE DGO is fine if you removed everything except the Purpose, Policy, Vehicle Stops, and a shortened Equipment section. All the rest is covered in the Plainclothes training, which not everyone needs to know or take.	3/3/25	Recommendation will be modified and included in the draft DGO	The DGO has been revised for clarity.	No comment
R49	5.08.02 POLICY: I don't see where a policy is clearly stated. I don't understand what the actual policy is.	3/10/25	Recommendation has been included in draft DGO	Please refer to R1.	No comment