

Police Oversight*

Digest by the Ballot Simplification Committee

Status: Final Digest

On: Thursday, August 11, 2016

Members: Packard, Anderson, Fasick, Fraps, Jorgensen

Deadline to Request Reconsideration: 1 p.m. on Wednesday, August 10

The Way It Is Now: The City has an Office of Citizen Complaints (OCC) overseen by the City's Police Commission (the civilian oversight body of the Police Department). The OCC investigates complaints of misconduct and neglect of duty by police officers, and may file disciplinary charges against officers. The Mayor appoints a Director of the OCC from nominees selected by the Police Commission, and the Board of Supervisors confirms the Mayor's appointment.

City departments, officers and employees must cooperate with OCC investigations.

The Police Commission approves the OCC's budget as part of the San Francisco Police Department's (SFPD) budget. After the Police Commission approves a proposed budget, the Mayor and Board of Supervisors may change it before adoption.

The Proposal: Proposition ___ is a Charter amendment that would rename the OCC as the Department of Police Accountability (DPA). The Police Commission would still oversee the DPA.

The Mayor will continue to be responsible for appointing the DPA Director unless voters approve Proposition ___. The Mayor would appoint a Director from nominees selected by the Police Commission, and the Board of Supervisors would confirm the Mayor's appointment.

At least every two years the DPA would review SFPD's use-of-force policies and its handling of claims of police misconduct. The DPA Director would also have the discretion to audit or review any SFPD policy, procedure or practice.

Proposition ___ would also specify that City departments, officers and employees, unless prohibited by law, must provide the following types of records to the DPA:

- records regarding SFPD policies or practices;
- personnel and disciplinary records;
- criminal investigative and prosecution files; and
- other records to which the Police Commission has access.

Proposition ___ would provide that the DPA budget would be prepared and submitted separately from the SFPD budget, and would not need Police Commission approval. Instead, the DPA Director would submit DPA's proposed budget directly to the Mayor. The Mayor and Board of Supervisors could change the budget before adoption.

A "YES" Vote Means: If you vote "yes," you want to amend the Charter to:

- rename the Office of Citizen Complaints as the Department of Police Accountability (DPA);
- require the DPA to review the San Francisco Police Department's use-of-force policies and its handling of claims of police misconduct;
- allow the DPA to audit or review any SFPD policy, procedure or practice;
- specify the City records that the DPA may access to perform its duties; and
- provide that the DPA would separately submit its budget to the Mayor.

A "NO" Vote Means: If you vote "no," you do not want to make these changes.

**Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*