

# DGO 8.10: Audit Findings & Revision Timeline



**CITY & COUNTY OF SAN FRANCISCO**

Police Department

March 9, 2022

# Department General Order Mandates DPA Yearly Audit

**DGO 8.10**  
**Rev. 10/01/08**

## **VI. POLICE COMMISSION REVIEW**

- C. On an annual basis, the Director of the Office of Citizen Complaints or his/her designee shall conduct an audit of the Department's files, records and documents and shall prepare a report to the Commission regarding the Department's compliance with the guidelines. In addition, the Police Commission may conduct or direct the OCC to conduct such an audit unannounced at any time.
  
- D. By the end of each calendar year, the Director of the Office of Citizen Complaints shall deliver to the Police Commission a report containing the information in Section C(2) (a) through (g).

**SFPD Lead Bureau/Division:** Special Investigations Division (SID)

**DPA RELEASED 2020 AUDIT REPORT:** December 7, 2021  
**PRESENTED TO POLICE COMMISSION:** February 2, 2022

# DPA Findings

## DPA RECOMMENDATION #1

Work with the Police Commission to clarify and provide examples on when DGO 8.10 applies to criminal investigations.

## SFPD RESPONSE

Concur     Do Not Concur     Partially Concur

The Department will work with the Police Commission and all other appropriate stakeholders in the revision of DGO 8.10. Clarity on the application of this DGO in relation to criminal investigations will be considered. The DGO has not been revised since 2008 and it will be scheduled for an update some time in 2022.

**This will be directly addressed with the revision of the DGO, scheduled for some time in 2022.**

# DPA Findings

## DPA RECOMMENDATION #2

Ensure that members receive DGO 8.10 training before beginning work at the Special Investigations Division.

## SFPD RESPONSE

Concur     Do Not Concur     Partially Concur

The SID Commanding Officer will ensure that all sworn officers assigned to SID receive DGO 8.10 training prior to commencing SID related work.

This has been implemented.

**Prior to this finding, SID members assigned to the Mayor's Security had additional time to complete their training as they were not tasked, in any way, to investigate SID related incidents. This has been amended as a result of this finding.**

# DPA Findings

## DPA RECOMMENDATION #3

Assign responsibility for the destruction of records and media governed by DGO 8.10.

## SFPD RESPONSE

Concur     Do Not Concur     Partially Concur

The Department will assign responsibility for the destruction of records and media governed by the DGO.

This has been implemented.

**This responsibility has been assigned to the SID Lieutenant.**

# DPA Findings

## DPA RECOMMENDATION #4

Review the DGO 8.10 file cabinet and destroy any records and media as required by the records destruction schedule.

## SFPD RESPONSE

Concur     Do Not Concur     Partially Concur

SID Commanding Officer will review the file cabinet and destroy records and media as required by the records destruction schedule. Expected timeline for completion by the first quarter of 2022.

**This is underway and will be completed by March 31, 2022**

# DPA Findings

## DPA RECOMMENDATION #5

Create a written chain of custody to document the destruction of DGO 8.10 records and media.

## SFPD RESPONSE

Concur     Do Not Concur     Partially Concur

SID Commanding Officer will create a written chain of custody to document the destruction of records and media. Expected completion of this task is in line with recommendation #4, by the first quarter of 2022.

**This is underway and will be completed by March 31, 2022**

# DPA Findings

## DPA RECOMMENDATION #6

Ensure that the Police Commission receives the DGO 8.10 investigations log monthly.

## SFPD RESPONSE

Concur     Do Not Concur     Partially Concur

The Department and SID Commanding Officer will work with the Police Commission to create a process that is more efficient and effective in the delivery of the monthly logs. Although not required by the DGO to send the log to the Police Commission for review in months when there are no requests for investigations, SFPD will provide notice to the Police Commission moving forward. Expected implementation date is December 31, 2021 to begin in January 2022.

This has been implemented.

**SID continues to work with the Commission Office to ensure logs are submitted. The Commission President has yet to assign a Commissioner to oversee these logs.**



# DPA Findings

## DPA RECOMMENDATION #7

Update the agency assist form to include fields for DGO 8.10's information request evaluation requirements.

## SFPD RESPONSE

Concur     Do Not Concur     Partially Concur

The Department and SID Commanding Officer will update the agency assist form so that it now captures fields DGO 8.10's information request evaluation requires. Expected implementation is by the first quarter of 2022, with considerations to add a DB to the current DGO to note the updated form.

**This is underway and will be completed by March 31, 2022**

# DPA Findings

## DPA RECOMMENDATION #8

Require members to reference the source of information collected for First Amendment event planning.

## SFPD RESPONSE

Concur     Do Not Concur     Partially Concur

When appropriate and determined that sharing this information will not jeopardize ongoing investigations, divulge federally protected information or compromise confidential informants, the Department will cite the source of the information collected. Members will state if the information was collected through open domain means or otherwise.

**The Department is updating our social media policy—DGO 2.09, and developing a policy for investigative social media accounts, that will provide further clarity on accessing and referencing open domain sources.**

# DGO 8.10 REVISION TIMELINE

DGO 8.10 – Guidelines for 1st Amendment Activities		Progress	Dates	Who?
✓	<b>Assign Executive Sponsor (ES) &amp; Subject Matter Expert (SME )</b>	Done	Feb. 2020	DC Lazar & Lt. Dave O'Connor (SID)
	ES & SME provide updates to Written Directives Unit (WDU), including assertion that Working Group will be needed.		Jul. – Nov. 2020	DC Lazar
✓	<b>WDU Provides Working Group (WG) Support</b>	Done	Nov. 2020	WDU
	WDU provides additional WG support to SME. SME notifies that WG will need to resume following DPA audit findings.		Mar. – Jul. 2021	WDU/SME
✓	<b>DPA DGO 8.10 Yearly Audit</b>	Done	Dec. 2020	DPA
	Audit Report Publish		Dec. 2021	DPA
✓	<b>DPA DGO 8.10 Recommendations-- Implementation</b>	In progress	Jan 2022	SME
	SME provides updates on process		Jan. – Feb. 2022	SME
	6 of 8 recommendations completed		March 31, 2022	SME
✓	<b>Form Working Group &amp; Restart DGO Revision Process</b>	Not Started	Feb. – July 2022	SME/WDU
	DGO 8.10 Revised		N/A	

Thank you.

Any questions?