

Police Code Article 25

San Francisco Ordinance 13-22



CITY & COUNTY OF SAN FRANCISCO

Police Department

September 7, 2022

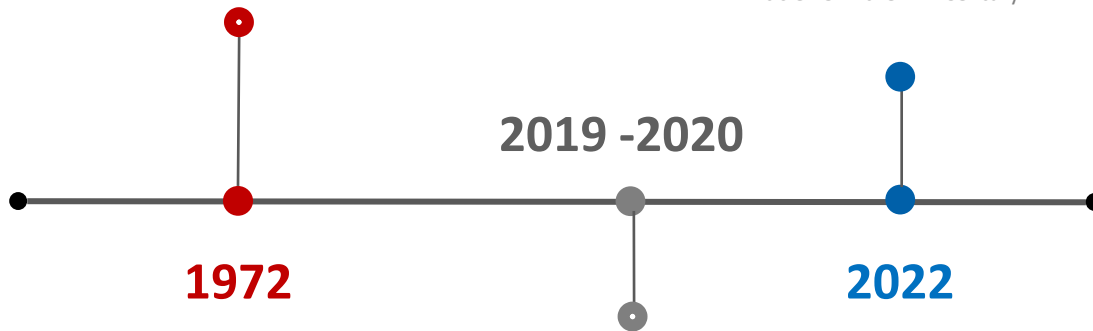
POLICE CODE ARTICLE 25 TIMELINE

Police Code Article 25 Local Level

Article 25 was established at the local level, mandating the Police Department to provide oversight of security firms. It is unclear if/why the process was ever implemented.

Ordinance 13-22 Police Code - Private Protection and Security Service

Calls for a 6-month joint analysis from the San Francisco Police Department and the Controller's Office on the reinstitutionalizing of Article 25 in the 21st Century.



Community Concerns

Over the past few years, at least two incidents between members of the public and private security guards alleging racial profiling and/or harassment were brought to the attention of the SFPD and members of the Board of Supervisors.

This resulted in the Chief of Police working with the City Attorney's Office to address the shortfall in enforcement as well as elected officials taking a more proactive role in understanding the function of security firms operating within the City and the level of oversight that exists.



SFPD'S GAP ANALYSIS

The SFPD's ALU/Permits Unit performed a gap analysis to understand the barriers and needs to implement Article 25 as it is written. The following provides an overview of those findings:

Recommendation	Description
Development of Internal Processes	<p>ALU/Permits Unit will need software or the Department will need to invest in IT improvements to establish a platform that can process applications, registration payments/fees, track complaints and investigations, and track denials/revocations.</p> <p>Notification materials, applications and registration requirements such as possession of a valid guard card from State's BSIS, with endorsements, uniform and insignia criteria, anti-bias training requirements, will need to be developed and properly communicated.</p>
Staffing Needs	<p>The following units will need to have additional staff to support the work associated with Article 25:</p> <ul style="list-style-type: none"> - ALU/Permits Unit - ID Bureau
External Vendors	<p>Vendors could be utilized to process the following services and mitigate some staffing and technology barriers the Department is facing:</p> <ul style="list-style-type: none"> - Anti-Bias Training - Live Scan Vendor - IT Dashboard Development
City Partners	<p>Consideration to have City/County Department such as the Human Rights Commission (HRC) investigate complaints of bias, racial discrimination, etc.</p> <p>Consideration to have Department of Human Resources (DHR) to facilitate the bias training and certification.</p>
Legislative Amendments	<p>The following considerations need to be considered to update Article 25:</p> <ul style="list-style-type: none"> - Fees and penalties need to be included and updated to reflect current market/inflation values - Timeline for registrations/renewals should be included - Shifting denials/revocations hearings to Board of Appeals rather than Police Commission, as is done with other permitting processes

SFPD'S PROPOSED IMPLEMENTATION

SFPD proposes to implement Article 25 in a manner that will provide the oversight needed to comply with the regulation, uphold public safety, as well as provide an avenue for constituents and visitors to express their complaints regarding security firms operating in the City and their staff.

SFPD WILL BE RESPONSIBLE FOR FACILITATING FOUR MAIN FACETS OF ARTICLE 25

Security Firms/Business will be required to register with SFPD while they obtain their license to operate with the City and County of San Francisco. They will be given two years to come into compliance.

01

REGISTRATIONS

RESOURCE &
REFERRAL CENTER

02

The Department will have information on registering with SFPD, complaints, associated investigations and appeals with the appropriate parties, and renewals.

Firms/Business will be required to renew their information/registration with SFPD every two years, in-line with State requirements.

03

RENEWALS

SFPD'S PROPOSED IMPLEMENTATION

04 COMPLAINTS

Referral

Criminal → SFPD
Bias/Discrimination → Appropriate City Agency
Other/Business → State BSIS

Appeals

Local - Board of Appeals
State Process

Complaint Received



01

02

03



04

05



Business is allowed to continue to operate in the City or registration is revoked

SFPD Receives Complaint

Sworn officer reviews complaint to determine appropriate action for referral

Outcome

SFPD → Criminal adjudication
Bias → Appropriate Penalty
State → Suspension/Revocation

Notification

Board of Appeals or State notifies SFPD of outcome

NEXT STEPS

Ordinance 13-22 requires that this analysis and proposal be presented to the Police Commission and to provide an opportunity for the public to offer their feedback.

Following this public presentation, the following steps will be taken to implement the mandated Article 25.

1. Submit report to the Board of Supervisors by September 11, 2022
2. Invite the Controller's Office to do their gap analysis to provide an analysis of:
 - Staffing needs
 - Associated costs (staffing, equipment/software acquisitions)
3. Final Recommendation
 - SFPD Implementation , or
 - City entity more suitable for oversight of security service businesses

Thank you.
Any Questions?

SAN FRANCISCO
POLICE DEPARTMENT

