

The Status of Sustained DPA Cases Pending Chief's Review



CITY & COUNTY OF SAN FRANCISCO

Police Department

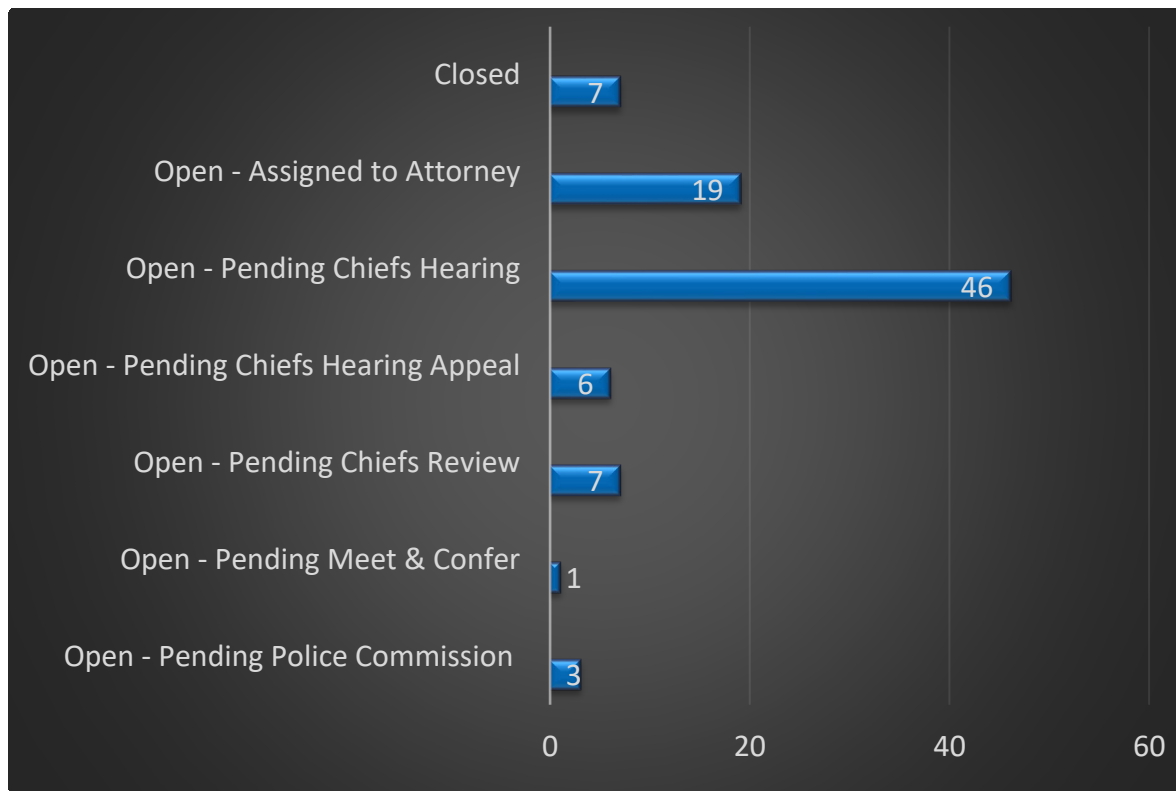


10.05.2022

This presentation will provide data and context for the 89 sustained DPA cases pending Chief's review, as of September 16, 2022.

- The Internal Affairs Division maintains case tracking for all sustained DPA cases.
- The information is maintained using a case tracking program, Administrative Investigative Management (AIM) database and shared with DPA via SharePoint.
- SharePoint tracks various data including, but not limited to:
 - Current status of all sustained DPA cases
 - 3304 date of all the sustained DPA cases
 - Factors/Variables as to why sustained DPA cases are still pending

Current status of the Sustained DPA cases Pending Chief's Review



**Last updated 9/13/22*

Defining Case Status

Closed

- Discipline was imposed

Open - Assigned to Attorney

- Pending service of Notice of Intent to Impose Discipline
- Determination of progressive discipline

Open - Pending Chief's Hearing

- Member is appealing the Notice of Intent to Impose Discipline

Open - Pending Chief's Hearing Appeal

- Member has had hearing with a Deputy Chief and is requesting a Police Commission Hearing

Open - Pending Chief's Review

- Case is still being reviewed by the Risk Management Office for presentation to the Chief of Police

Open - Pending Meet & Confer

- Chief requests a meeting with DPA to discuss recommended discipline and/or finding

Open - Pending Police Commission

- Member is waiting on Police Commission Hearing

What is the 3304 Date?

Statute of Limitations

“No punitive action...shall be undertaken for any act, omission or other allegation of misconduct, if the investigation is not completed within one year of the public agency’s discovery by a person authorized to initiate an investigation of the allegation of an act, omission or other misconduct.”
(3304 Government Code).

3304 Status of the 89 Sustained DPA Cases

- 80 cases have met the 3304 date (Chief of Police has made a determination regarding the allegations and the member has been notified of the discipline decision).
- 9 cases are approaching the 3304 date.

Status of Nine Cases Approaching 3304 Date

Pending Chief's Review

Case Number	Date Reported to DPA	Date Received by IAD	3304 GC Date	Approximate Days to 3304 GC Date
DPA 48385-21	10/13/21	8/25/22	10/13/22	< 30
DPA 48554-21	10/28/21	6/16/22	10/27/22	30
DPA 48766-21	11/16/21	7/25/22	11/16/22	60
DPA 48931-21	12/1/21	3/29/22	11/30/22	60
DPA 49698-22	1/31/22	8/15/22	1/30/23	> 90
DPA 48961-21A	12/2/21	8/25/22	12/1/22	< 90

Assigned to Attorney

Case Number	Date Reported to DPA	Date Received by IAD	3304 GC Date	Approximate Days to 3304 GC Date
DPA 48148-21	9/26/21	6/23/22	9/25/22	< 30
DPA 48391-21	10/14/21	7/6/22	10/13/22	< 30
DPA 48871-21	11/29/21	5/6/22	11/28/22	60

Open Pending Cases

- Time constraints
- Scheduling challenges for Chief's hearings
- Staffing constraints
- Volume of other administrative cases
- Procedures and appeal process
- Progressive discipline

The image shows the exterior of the San Francisco Police Department building. On the left, a large glass facade reflects the sky and surrounding environment. In the foreground, a grey stone wall features the department's name in raised, white, sans-serif letters. To the right, a brick building with a prominent entrance is visible, with three flagpoles flying the American flag, the California state flag, and a yellow flag. A set of concrete steps with a metal handrail leads up to the brick building's entrance.

**SAN FRANCISCO
POLICE DEPARTMENT**