

October 14, 2022

The Honorable Cindy Elias  
President, Police Commission Office  
San Francisco Police Headquarters  
1245 3rd Street  
San Francisco, CA 94158  
[cindy.elias@sfgov.org](mailto:cindy.elias@sfgov.org)



*Submitted via electronic mail*

**Re: Proposed Changes to DGO 9.01**

Dear President Elias,

To monitor the impact and efficacy of the policy and to ensure that the other stops are not used in lieu of the stops banned by this proposal, SFPD should report to the Police Commission on a regular basis on all traffic stops, including those made pursuant to 9.01.04(A)-(B).

Whatever data policy the Commission ultimately adopts with respect to this DGO, the policy must reflect these critical values:

- Identify, monitor, and eliminate racial disparities, racial profiling/bias, and systemic racism in traffic stops;
- Enhance trend analysis, officer training, and public oversight; and
- Develop traffic stop training curriculum that addresses the issues of pretextual stops and racial profiling.

A strong data collection policy rooted in data SFPD is already mandated to collect sends a clear signal to officers that conducting pretextual stops is inconsistent with effective policing and equal protection under the law. A strong policy, moreover, will advance the discussion beyond SFPD wondering aloud about what can be done about the gross racial disparities in stop data while the public clamors for change in practices. Accordingly, DGO 9.01.06 should be revised as follows below.

**DATA COLLECTION, REPORTING & SUPERVISORY REVIEW**

A. Any member who conducts a search, asks ~~an~~ investigatory questions, or asks ~~a~~ questions about parole or probation status under 9.01.05(A)-(C) shall document the reason(s) for the stop **and the specific reason(s) for the search/questions** in an incident report and/or chronological record of investigation.

B. Members shall record vehicle and pedestrian stop data prior to the conclusion of each shift.

C. On duty platoon commanders or officers in charge shall ensure supervisory review, approval, and oversight for all traffic citations and associated body worn camera footage. Such review, approval, and oversight is not required on scene, but platoon commanders or officers in charge shall ensure these tasks are completed by their supervisory personnel.

Additionally, sergeants are responsible for reviewing traffic stop data for members under their direct supervision (PIP Group) on a quarterly basis and must report violations of this policy.

D. SFPD and the Department of Police Accountability (to the extent its data is not duplicative of SFPD data) shall submit a quarterly report to the Police Commission on the following data they possess:

1. All data disclosable under state and federal law related to violations of this policy.
2. All data disclosable under state and federal law related to 9.01.05(A)-(C).
3. All data required to be reported to the Racial Identity Profiling Act (RIPA) Board for all traffic stops, including stops made, either in whole or in part, based on infractions listed in 9.01.04—disaggregated by moving, equipment, or non-moving violation:
  - a. ORI Number;
  - b. Date, time, and duration of the stop;
  - c. Location of the stop (e.g., intersection of 16th and Mission, 1200 Block of Mission, or the geographic coordinates) and police district;
  - d. License plate number (if applicable)
  - e. Perceived race or ethnicity of the person stopped;
  - f. Perceived gender of person stopped;
  - g. Person stopped perceived to be LGBT;
  - h. Perceived age of the person;
  - i. Person stopped has limited or no English fluency;
  - j. Perceived or known disability of person stopped;
  - k. Reason for stop;
  - l. Stop made in response to a call for service;
  - m. Actions taken by officer during stop;
  - n. Results of the stop (e.g., release, warning, citation, and arrest);
  - o. Force used in stop/detention;
  - p. Type of contraband discovered;
  - q. Officer's Identification (star/badge) Number;
  - r. Officer's years of experience; and
  - s. Type of assignment of officer.
4. If a warning or citation was issued as a result of any traffic stop, the violation charged or warning provided to the detained person disaggregated by race, gender, and location.
5. If an arrest was made as a result of any traffic stop, the crime charged disaggregated by race, gender, and location.
6. The number and results of (e.g., release, warning, citation, and arrest) investigatory detentions and traffic stops of drivers, pedestrians, and bicyclists based on a "matching description" pursuant to 9.01.04(C)(3) disaggregated by race, gender, and location.
7. The five most common reason for stops for each racial and ethnic group, as well as the result of these traffic stops (e.g., release, warning, citation, and arrest).

8. The number, type, and basis for misconduct complaints filed against officers, the SFPD incident report number(s) associated with the complaint, the outcome for each complaint, and the discipline administered for each officer, if any, with the Department of Police Accountability or the Internal Affairs Division arising from a traffic stop covered by this policy.
9. The number of criminal cases and criminal charges discharged by the District Attorney or Superior Court because of biased policing, pretextual stops, or illegal searches or seizures resulting from a traffic stop.

Thank you for taking on this issue, and we look forward to working with you to make the policy as strong as it needs to be. For questions about our position, please write to Wesley Saver at [wsaver@glide.org](mailto:wsaver@glide.org).

Sincerely,

Accountability Associates  
ACLU of Northern California  
Advancing Justice - Asian Law Caucus  
AIDS Legal Referral Panel  
Alexander Tenants Association, Inc.  
All of Us or None  
Arab Resource and Organizing Center  
Booker T. Washington Community Service Center  
Calle 24 Latino Cultural District  
Causa Justa :: Just Cause  
Chinatown Community Development Center  
Chinese for Affirmative Action  
Clarence Dyer & Cohen  
Coalition on Homelessness, San Francisco  
Community Forward SF  
Community Resource Initiative  
Community United Against Violence (CUAV)  
Compass Family Services  
Council on American-Islamic Relations, San Francisco Bay Area Office  
Courage California  
Critical Resistance Oakland  
Curry Senior Center  
Day Moon  
DOPE Project  
Ella Baker Center for Human Rights  
End Poverty Tows Coalition  
Episcopal Community Services  
Eviction Defense Collaborative  
Faith in Action Bay Area  
Farming Hope  
GLIDE  
Haight Ashbury Neighborhood Council  
Hamilton Families  
Healing 4 Our Families & Our Nation

HealthRIGHT 360  
Homeless Prenatal Program  
HomeRise  
Hospitality House  
Housing Rights Committee of SF  
Immigrant Legal Resource Center  
Islamophobia Studies Center  
Justice for Chinedu  
Larkin Street Youth Services  
LavaMaeX  
Lawyers' Committee for Civil Rights of the San Francisco Bay Area  
League of Women Voters of San Francisco  
Legal Aid at Work  
Legal Services for Children  
Legal Services for Prisoners with Children  
No New SF Jail Coalition  
PODER  
PolicyAction  
Raphael House  
Safer Together  
San Francisco AIDS Foundation  
San Francisco Bicycle Coalition  
San Francisco Hepatitis C Task Force  
San Francisco Interrupting Racial Profiling  
San Francisco Lowrider Council  
San Francisco Muslim Community Center  
San Francisco Public Defender  
San Francisco Pretrial Diversion Project  
San Francisco Rising  
San Francisco Taxpayers for Public Safety  
San Francisco Tenants Union  
San Francisco Transit Riders  
Secure Justice  
Silicon Valley De-Bug  
Skywatchers  
Southeast Asian Development Center  
SPUR  
Sunset Youth Services  
Support Life Foundation  
Swords to Plowshares  
Tenderloin/SoMa/West SoMa Community Planners  
Tenderloin Traffic Safety Task Force  
The Gubbio Project  
The Kitchen  
The Women's Building  
Transgender, Gender-Variant, & Intersex Justice Project  
Urban Services Y - Community Action Agency  
Walk San Francisco

Western Center on Law & Poverty  
Western Regional Advocacy Project  
Yemeni Alliance  
Yemeni American Association  
Young Women's Freedom Center

Cc: San Francisco Police Commission via [sfpd.commission@sfgov.org](mailto:sfpd.commission@sfgov.org)