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San Francisco Police Commission

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Re: Draft DGO 9.07

Dear Commissioners,

I write regarding this revised order that bears the date of December 28, 2022. As you might recall, I previously submitted seven written comments on this subject, appeared before the Commission at least once, and was grateful to have received a meeting with Commissioners Elias and Benedicto to discuss a prior draft of the traffic order.

I make only the following point. As you are surely aware, in late December the state's Committee on the Reform of the Penal Code issued its 2022 Annual Report.¹ In Chapter 4 (Prohibit Stops for Technical Traffic Infractions) the Committee recommends that the police be prohibited "...from stopping people for technical, non-safety related traffic offenses..." (at page 28) In doing so, it identified only five, non-moving offenses suitable for such an order.²

In this setting, may I suggest that the San Francisco Police Commission has an obligation to articulate (a) why the state Committee's recommendation is insufficient to further the 9.07.01 Purpose of the Order; and (b) why this Police Commission's longer list of "no stop" infractions is nonetheless necessary, particularly 9.07.04.A(7) pertaining to turn signals, 9.07.04.A(8) pertaining to a person sleeping in a vehicle, and 9.07.04.A(9) pertaining to a stop of a pedestrian.

Respectfully Submitted,
Paul A. Allen

¹ <http://clrc.ca.gov/CRPC.html>

² 1. Vehicle or equipment registration. 2. Positioning or number of license plates. 3. Lighting equipment. 4. Window tints or obstruction. 5. Bicycle equipment and operation. See page 28.