

Memorandum


San Francisco Police Department

To: Acting Commander Mark Im #2096
Commanding Officer
Risk Management Division

From: Lieutenant Christopher Beauchamp #561
Legal Division

Date: Thursday, February 01, 2024

Subject: DPA Document Protocol Quarterly Report - 4th Quarter 2023


ASSISTANT CHIEF
Denise M. Flaherty #634
Chief of Staff YES NO
A/Cmdr. Mark Im #2096 YES NO
WILLIAM SCOTT YES NO
Chief of Police *LWS #26* YES NO

Issue:

Below is a compilation of statistical data regarding the San Francisco Police Department's provision of documents to the Department of Police Accountability from the time period of **10/01/2023 – 12/31/2023 (4th Quarter)**.

Discussion:

The following report is offered in accordance with Section VII of the Protocol between the Department of Police Accountability and the San Francisco Police Department regarding responding to written requests for documents.

Routine requests for documents received at bureaus, divisions, units, stations, and details were not logged in formally at the Legal Division. However, copies of the requests received are kept in a monthly file.

- I. The number of DPA written requests received at the Legal Division for documents within each category (Routine, Non-Routine, and Juvenile);
 - a. Juvenile 9
 - b. Non-Routine 171
 - c. Routine 184
 - Total 364**

- II. The number of requests within each category for which there was a timely production;
 - a. Juvenile 0
 - b. Non-Routine 139
 - c. Routine 162
 - Total 301**

- III. The number of requests within each category for which there was a timely notification of an extension of time for production;
- | | |
|-------------------|----------|
| a. Juvenile | 0 |
| b. Non-Routine | 0 |
| c. <u>Routine</u> | <u>0</u> |
| Total | 0 |
- IV. The number of requests within each category for which there was an untimely notification of an extension of time for production;
- | | |
|-------------------|----------|
| a. Juvenile | 0 |
| b. Non-Routine | 0 |
| c. <u>Routine</u> | <u>0</u> |
| Total | 0 |
- V. The number of requests within each category for which there was a late production;
- | | |
|-------------------|-----------|
| a. Juvenile | 0 |
| b. Non-Routine | 31 |
| c. <u>Routine</u> | <u>13</u> |
| Total | 44 |
- VI. The number of requests within each category for which there was a denial or a partial denial of disclosure and the legal/factual basis therefore;
- | | |
|-------------------|----------|
| a. Juvenile | 9 |
| b. Non-Routine | 0 |
| c. <u>Routine</u> | <u>0</u> |
| Total | 9 |
- VII. The status of any non-routine request(s) that remain pending at the close of the reporting period for which there is a dispute between the Department and DPA;
- | | |
|-------------------|----------|
| a. Juvenile | 0 |
| b. Non-Routine | 0 |
| c. <u>Routine</u> | <u>0</u> |
| Total | 0 |
- VIII. The status of any request(s) that remain pending at the close of the reporting period;
- | | |
|-------------------|-----------|
| a. Juvenile | 0 |
| b. Non-Routine | 1 |
| c. <u>Routine</u> | <u>9</u> |
| Total | 10 |
- IX. Recommendations, if any, for improvements to this protocol and the procedures used to ensure timely responses by the Department and to

DPA requests for documents and other materials, and for the effective use of SFPD staff and resources in responding thereto.

During the 4th quarter of 2023, San Francisco experienced a unique challenge in hosting APEC (Asian Pacific Economic Cooperation conference) between 11/09-11/20/23. That event required all staff, including administrative, to be deployed outside of their normal assignments and hours with a focus on the event and public safety.

A review of the 44 late productions showed that DPA made 4 requests during the APEC event and 11 of the productions had due dates during the APEC event. I am aware that A/Capt. Wilhelm was in contact with DPA regarding investigatory interviews during this time frame. I do not know if a discussion was had regarding an overall extension for document production.

I recommend that the Legal Division and DPA have greater contact and understanding when faced with unique events, such as APEC, Major Chief's Conferences, etc... to allow for reasonable extensions in producing documents for routine or non-routine requests.

Conclusion:

This report satisfies the reporting requirements under section VII of the SFPD/DPA Document Protocol.

Recommendation:

Please review and forward to The San Francisco Police Commission. This report should not be posted publicly either in print or online.

Attachments:

4th Quarter 2023 DPA/SFPD Application print out.