

[REDACTED]

From: Gabriel Martinez [REDACTED]
Sent: Friday, February 26, 2021 3:41 PM
To: [REDACTED]
Subject: Recommendation 53.1

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Dear Acting Captain Altorfer,

Our office has completed its review of the materials related to Recommendation 53.1 that were submitted to us as part of the collaborative reform process. This package focused on SFPD including community policing goals as part of performance evaluations. After reviewing the package and information provided by the Department, the California Department of Justice finds as follows:

Recommendation 53.1: Performance evaluations should include officers' behaviors and efforts to meet the SFPD's community policing goals of community engagement, positive police-community interaction, and problem resolution. Establishing consistent performance evaluations is covered under recommendation 79.1.

Response to 53.1: On July 23, 2020, SFPD issued Department Bulletin 20-118, "Patrol Officer Semi-Annual Performance Appraisal, Updated SFPD Form, 438A." The Bulletin announced that SFPD had added new sections to the Patrol Officer Semi-Annual Performance Appraisal related to community policing. The first section, Communicating & Interacting with Citizens/Communities, evaluates officers on eight areas such as serving citizen needs and requests objectively and with concern, using cultural understanding to resolve problems, and developing partnerships with the community. The second section, Community Policing/Problem Solving Skills, evaluates officers on their use of SFPD's problem-solving procedure, their identification of root causes of problems, and their selection of workable solutions.

Under Department General Order 3.18, "Performance Improvement Program," sergeants evaluate the performance of officers using a Performance Improvement Program binder. As explained in Department Manual 6, "Performance Improvement Program," these binders include the Patrol Officer Semi-Annual Performance Appraisals. Sergeants are required to maintain these binders for officers under their supervision, Lieutenants are required to supervise sergeants in ensuring that patrol officer appraisals occur and are maintained in officers' Performance Improvement Plan binders, and command officers are required to periodically inspect the binders and take remedial action for deficiencies. Additionally, the Staff Inspection Unit is required to inspect the binders on a continual basis to ensure compliance with Department Manual 6. To

commend officers who excel at community policing, SFPD has revised Department General Order 3.09, "Department Awards" to include the Strategic Problem-Solving Award and the Community Engagement Award.

SFPD Department Manual 8, "Performance Appraisal Guide," requires supervisors to conduct the Semi-Annual Performance Appraisals, which now include the content required by Department Bulletin 20-118, and provides guidance on the evaluation process. Supervisors also document patrol officer activity in Monthly Activity Reports that become a part of the Semi-Annual Performance Appraisal. Activities include community meetings attended.

Based upon all of the above, the Department of Justice finds that SFPD is in substantial compliance with this recommendation. Please let us know if you have any questions or would like to discuss further. Thank you.

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| Finding # 53 | The SFPD does not incorporate the tenets of community policing in its evaluation of employee performance. |
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| Recommendation # 53.1 | Performance evaluations should include officers' behaviors and efforts to meet the SFPD's community policing goals of community engagement, positive police-community interaction, and problem resolution. Establishing consistent performance evaluations is covered under recommendation 79.1. |
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| Recommendation Status | Complete | Partially Complete | In Progress |
| | Not Started | No Assessment | |

Summary

The San Francisco Police Department promulgated policy to require incorporation of community policing tenets into employee performance evaluation. Department Bulletin 20-118 Patrol Officer Semi-Annual Performance Appraisal Updated FPD Form 438A (July 23, 2020) – incorporates the metrics of Communicating & Interacting with Citizens/Communities and Policing/Problem into the performance appraisal process. In addition, the Department provides guidance to supervisors to assist in assessing the performance and behavior of employees in achieving outcomes that are consistent with community oriented metrics. Where deficiencies are observed supervisors can offer remediation to assist the employee in engaging in appropriate performance.

The Department's work in completing this recommendation is sufficient to be designated as Complete. However, concern has been expressed about the degree to which semi-annual evaluations are being performed. The team will continue to monitor this area to ensure the practice of conducting semi-annual performance evaluations, including the incorporation of community policing tenets, are institutionalized.

| Compliance Measures | | Status/Measure Met |
|---------------------|---|--|
| 1 | Develop performance metrics that include community engagement, positive interaction, and problem solving. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| 2 | Establish policy and practice for consistently measuring performance. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| 3 | Evidence of a continual improvement loop relative to performance metrics. | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |

Administrative Issues

The Department should audit to ensure semi-annual performance evaluations are consistently completed.

Compliance Issues



Collaborative Reform Completion Memorandum

Finding # 53: The SFPD does not incorporate the tenets of community policing in its evaluation of employee performance.

Recommendation #53.1: Performance evaluations should include officers' behaviors and efforts to meet the SFPD's community policing goals of community engagement, positive police-community interaction, and problem resolution. Establishing consistent performance evaluations is covered under recommendation 79.1.

Response Date: 07/30/2020

Executive Summary: The current policy only evaluates and holds recruit officers accountable for these items during their field training. Once officers have completed this training they are no longer held accountable and or evaluated on this criteria. This policy recommendation is a shift toward adding additional evaluation criteria from the recruit officer phase to their probationary and non-probationary phases of their career and specifically addresses this gap. Much of the language used in the updated, proposed evaluation is taken directly out of the Field Training Officer manual.

Compliance Measures:

1) Develop performance metrics that include community engagements, positive interaction, and problem solving.

The San Francisco Police Department has created two new sections to be added to the Patrol Officer Semi-Annual Performance Appraisal (SFPD FORM 438A 07/20) (See Attachment 1). The form contains two section. The first section is titled "Communicating & Interacting with Citizens/Communities" and the second section is titled "Community Policing/Problem Solving Skills".

The first section has eight areas that will evaluate how the officer is "Communicating & Interacting with Citizens/communities". The category rating sections include:

- A- Is at ease with members of other ethnic/culture/social groups.
- B- Serves their needs and requests objectively and with concern.
- C- Understands the various ethnic/cultural/social differences and uses this understanding to resolve problems and issues.
- D- Is objective and communicates in a manner that furthers mutual understanding.
- E- Represents the Department well.
- F- Develops Partnerships and positive relationships with community.
- G- Interacts well with youth.
- H- Develops new or innovative strategy to engage the community.

The second category "Community Policing/ Problem Solving Skills" includes six categories for rating which include:

- A- Has Knowledge of, and used problem solving model, SARA
- B- Identifies problems and initiates Department procedure on problem solving.
- C- Able to choose a solution and use the problem solving worksheet.
- D- Identifies root causes of problem.
- E- Selects workable solution.
- F- Properly assesses response and plans for follow up utilizing the problem solving worksheet

San Francisco Police Department Bulletin 20-118 (See Attachment 2) issued on 07/23/2020, announced the new sections added to the Patrol Officer Semi Annual Performance Appraisal. It says that members shall immediately begin the use of revised SFPD Form 438A 07/20 and recycle outdated forms. The bulletin states a copy of the revised form is attached to the bulletin and was also added to the desktop file folder under SFPD forms which every member has access to on any San Francisco Police Department computer.

2) Establish policy and practice for evaluations for consistently measuring performance.

Currently Department Manual #8 (DM-8) mandates Supervisors conduct semi-annual performance appraisals (See Attachment 3).

Sergeants are to perform evaluations each year no later than February 30 and August 30. Each Sergeant (supervisor) will have locked in a file cabinet a folder containing his/her Subordinate's "Patrol Officer Semi-Annual Performance. Appraisal," by the thirtieth day of the beginning of each appraisal period (e.g., August 30, 1995).

Information on the cover page (e.g., name, star, appraiser, appointment date, etc.) and the Performance Plan shall be completed by this date with signatures of both the officer and sergeant included and dated. It is the duty of each sergeant to frequently (weekly) update the comment section of the appraisal, if appropriate, throughout the appraisal period.

Lieutenants are required to review the evaluations and are to ensure any applicable corrective action is taken and the evaluations are maintained in the officers Performance Improvement Plan (PIP) binder. Lieutenants instruct, guide, counsel and assist sergeants in the discharge of their duties. Lieutenants ensure sergeants take appropriate action when necessary, maintain PIP binders, and properly complete performance appraisals for their officers. Lieutenants ensure sergeants take appropriate action on matters referred to them in regard to PIP binders. Lieutenants conduct periodic inspection to assure information entered in PIP binders is current and properly entered. Lieutenants conduct periodic inspections of monthly activity reports to insure that they are current, accurate and properly entered. Lieutenants ensure sergeants fill out a Patrol Officer Semi-Annual Performance Appraisal (including the Performance Plan) for each officer and ensure it is in the sergeant's file folder by the thirtieth day from the beginning of each performance appraisal period. When a sergeant is absent for an extended period (e.g., vacation, disability, etc.) ensure another sergeant is assigned the duties for the absent sergeant as it relates to the PIP binder, performance appraisals, and the monthly activity reports

Captains are required to conduct periodic inspections of the PIP binders. To ensure the effectiveness of this program, captains (commanding officers) shall instruct, guide, counsel and assist subordinates in the discharges of their duties. Captains are to ensure that subordinates take appropriate action on matters referred to them in regard to PIP binders. Captains conduct periodic inspections to assure information entered in PIP binders and on Monthly Activity Reports is current and properly entered. Captains identify exceptional performances and appropriately commend.

3) Evidence of a continual improvement loop relative to performance metrics.

To show evidence of a continual improvement loop Department General Order 3.18 (Performance Improvement Program) (See Attachment 4) establishes the policy by which sergeants monitor and periodically evaluate the performance of their officers, using PIP binder, and outlines the responsibilities of lieutenants, captains, commanders, and deputy chiefs.

Department Manual #6 (DM-6) (See Attachment 5) describes the responsibilities of supervisors for monitoring the performance improvement for officers. Sergeants are required to monitor the officers PIP binders and to take actions when needed and to document it in the PIP binder and the Semi-Annual Performance evaluations. Officers are evaluated in their PIP on community engagements, positive interaction, and problem solving. As an improvement loop, when Officers are evaluated, Sergeants provide recommendations on areas that may need improvement. After six months, the Officer is then evaluated again and an evaluation is then made to determine if there has been any improvement.

The Performance Improvement Program employs an administrative record keeping system which is designed to assist sergeants so they can better monitor, counsel and instruct their subordinates in the performance of their duties. Through the maintenance of important personnel information and documents, supervisors can identify negative behavior patterns and deficiencies, and develop strategies to improve performance. Supervisors can also document and reinforce good performance and professionalism which will assist the Department in achieving its objective of delivering efficient and professional services to our citizens.

On Thursday, August 27, 2020, SFPD Professional Standards members participated in a conference call with members of Hillard Heintze and the California Department of Justice. During the prescreening, suggestions and guidelines were discussed for several recommendations as described below.

For Recommendation # 53.1 (Performance evaluations should include officers' behaviors and efforts to meet the SFPD's community policing goals of community engagement, positive police-community interaction, and problem resolution. Establishing consistent performance evaluations is covered under recommendation 79.1), Hillard Heintze confirmed that the purpose of the recommendation was to have SFPD evaluate and recognize community policing, and that it is up to the Department to determine its metrics. SFPD explained that all units, including those outside of patrol, will be responsible for an annual community policing plan pursuant to the Department General Order 1.08, Community Policing. SFPD agreed that it would incorporate

Department General Order 3.09, Department Awards into the package, to demonstrate recognition for community policing and problem solving. Cal DOJ requested an explanation of the SARA process referenced in the 2001 form and to attach a worksheet referenced in the performance metrics in the final package submission.

Newly revised San Francisco Police Department General Order 1.08 – Community Policing Policy (See Attachment 6) codifies that SFPD is working towards having other units aside from Patrol reach out to the community and discuss their work as well as developing and instituting a community policing strategy. It should be noted that the revised DGO 1.08 (See Attachment 18) has been submitted to the San Francisco Police Commission and has been scheduled for review and approval on September 9, 2020. Upon ratification of the newly revised DGO, all units within the bureaus of the SFPD shall be yearly required to present and implement community engaging events that implement input from the community and work towards building relationships in the community.

SFPD DGO 1.08.05 states:

ANNUAL COMMUNITY POLICING PLANS:

By November 1st of each year, Commanding officers of every Bureau, District Station, Unit and Detail shall issue an Annual Community Policing Strategic Plan.

This plan outlines how their command will continue to build relationships with local city agencies, community groups, nonprofit organizations, and members of the public for the upcoming year effective on January 1st of the following year. Plans should be developed in line with the Department's overall Community Policing Strategic Plan and should reflect input from the community the command serves. The plans will be submitted through the chain of command to the Community Engagement Division. Once approved, plans will be posted on the Department's website by January 1st.

In order to demonstrate recognition for individual member's efforts towards community policing and problem solving, the SFPD revised Department General Order 3.09 – Department Awards (See Attachment 7) to include a nomination and awards for Strategic Problem Solving and the Community Engagement Award.

SFPD DOG 3.09, specifically section G, states:

COMMUNITY-ORIENTED POLICING/PROBLEM-SOLVING AWARDS:

1. The Strategic Problem-Solving Award is granted to a member for developing an original approach to solving a significant, on-going problem in an effective way. The problem must be material and must relate to crime, disorder, or quality of life concerns.
2. The Community Engagement Award is granted to a member for developing, a creative, innovative, original and self-initiated community engagement project. The project must center on connecting the Department and its members with the community with the goal of

building relationships and fostering trust. The project should be sustained for a duration of time. and does not include limited or one-time actions,

San Francisco Police Department Manual 2 – Community Policing and Problem Solving (See Attachment 8) described a problem solving strategy using the SARA model (Scanning, Analysis, Response and Assessment). The SARA model contains the following elements:

Scanning:

- Identifying recurring problems of concern to the public and the police.
- Identifying the consequences of the problem for the community and the police.
- Prioritizing those problems.
- Developing broad goals.
- Confirming that the problems exist.
- Determining how frequently the problem occurs and how long it has been taking place.
- Selecting problems for closer examination.

Analysis:

- Identifying and understanding the events and conditions that precede and accompany the problem.
- Identifying relevant data to be collected.
- Researching what is known about the problem type.
- Taking inventory of how the problem is currently addressed and the strengths and limitations of the current response.
- Narrowing the scope of the problem as specifically as possible.
- Identifying a variety of resources that may be of assistance in developing a deeper understanding of the problem.
- Developing a working hypothesis about why the problem is occurring.

Response:

- Brainstorming for new interventions.
- Searching for what other communities with similar problems have done.
- Choosing among the alternative interventions.
- Outlining a response plan and identifying responsible parties.
- Stating the specific objectives for the response plan.
- Carrying out the planned activities.

Assessment:

- Determining whether the plan was implemented (a process evaluation).
- Collecting pre and post response qualitative and quantitative data.
- Determining whether broad goals and specific objectives were attained.
- Identifying any new strategies needed to augment the original plan.
- Conducting ongoing assessment to ensure continued effectiveness.

In order to document and track the success of a SARA project, members complete SFPD Form 509 – Community Meeting and Issue tracking Form and SFPD Form 43 – Problem Solving Worksheet, which are ultimately reviewed and signed by the member's Sergeant, Lieutenant, and Commanding Officer (See Attachment 8).