



The Civilian Oversight Subcommittee originally focused on both making recommendations aimed toward developing better connections between the general San Francisco community and the Office of Citizen Complaints (OCC) and improving transparency in the OCC's interactions with citizens who make complaints against San Francisco police officers. As a result of this subcommittee's early work, the OCC has adopted several of the Civilian Oversight Subcommittee's suggestions for improving OCC's website and providing complainants the ability to easily follow the progress of their complaint and to access needed information.

While the subcommittee began with the idea of working at the local level by continuing to make recommendations to the OCC or recommending a citywide audit of the agency, it became apparent to the subcommittee that the issues confronting the OCC and San Francisco citizens could best be addressed statewide with a legislative approach aimed at changing the parameters of civilian oversight to provide greater transparency to the public. The committee has shifted its focus to possible amendments and revisions to the Police Officers Bill of Rights (POBR) and to encourage a different interpretation of the California Supreme Court decision in *Copley Press Inc. v. Superior Court of San Diego* (2006) 39 Cal.4th 1272. Subcommittee members believe this is the best way to develop further transparency regarding civilian complaints and officer discipline and to inspire public confidence in the process.

The subcommittee will be working with grassroots organizations to develop a plan to address reasonable and effective changes to *Copley* and the POBR that balance the privacy of law enforcement officers with the right of citizens to have access to information about their police department. Such changes to create greater transparency are essential to improving relationships between complainants and the OCC and developing trust between San

CIVILIAN
OVERSIGHT
SUBCOMMITTEE

Improving Connections and Transparency When Citizens Make Complaints

Judge Christopher Hite

photo by Jim Block





CRIMINAL JUSTICE TASK FORCE

Francisco citizens and the San Francisco Police Department (SFPD).

In addition to improving relationships between the community and the OCC, members of the subcommittee in their “day jobs” litigated Supplemental *Pitchess* Motions in the criminal courts in San Francisco to ensure that complaints made against officers were fully disclosed within the bounds of the law. Criminal defense attorneys bring Supplemental *Pitchess* Motions when litigating several types of criminal cases but use them most often in relationship to defending resisting arrest charges. Defense attorneys use Supplemental *Pitchess* Motions to secure information about OCC’s complaints, investigations, findings, and decisions with respect to prior complaints made against the subject police personnel involved in the case. Such disclosure holds officers accountable for their prior actions and shines a light on the work done by OCC that had not been disclosed previously. Favorable rulings on Supplemental

Pitchess Motions are a significant step toward officer accountability and transparency.

In addition to focusing on the SFPD, the Civilian Oversight Subcommittee met with incumbent Sheriff Ross Mirkarimi and candidate for sheriff Vicki Hennessy prior to the election (Hennessy was elected sheriff in 2015) to begin discussions on developing civilian oversight of the San Francisco Sheriff’s Department (SFSD). The subcommittee discussion ranged from improving the current system of oversight in the SFSD, which is completely internal, to the potential of a new citywide oversight agency that would have jurisdiction over SFPD and SFSD.

Judge Christopher Hite was nominated to San Francisco Superior Court by Governor Jerry Brown in December 2015. Before ascending to the bench, Hite was a deputy public defender for the San Francisco Public Defender’s Office.

DATA COLLECTION

SUBCOMMITTEE

Addressing Data and the Driving Forces to Change Police Departments

Julie Traun

The Data Collection Subcommittee includes a deputy chief in the San Francisco Police Department (SFPD), a federal magistrate judge, a senior attorney from the ACLU of Northern California, a community activist, an attorney with the San Francisco Office of Citizen Complaints, and a criminal defense attorney. The members’ considerable expertise stems from both the breadth of their experiences and their apparent differences, yet this subcommittee has become very efficient, with members leaving all their differences at the door, galvanized to learn all there is to learn about twenty-first century policing, data collection, and analysis.

The subcommittee first examined what the SFPD is able to collect electronically and, prior to undertaking any work or offering a single recommendation to SFPD,