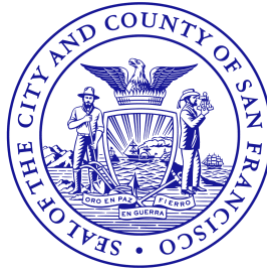


City and County  
of San Francisco



Board of Supervisors,  
District 6

**MATT DORSEY**

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**PRIVILEGED AND CONFIDENTIAL: ATTORNEY-CLIENT COMMUNICATION**

March 28, 2023

The Honorable David Chiu  
c/o Deputy City Attorney Anne Pearson  
OFFICE OF THE CITY ATTORNEY  
City Hall, Room 234  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102

Transmitted by email to: [Anne.Pearson@sfcityatty.org](mailto:Anne.Pearson@sfcityatty.org)

**Charter Amendment Request: The San Francisco Police Department Full Staffing Act**

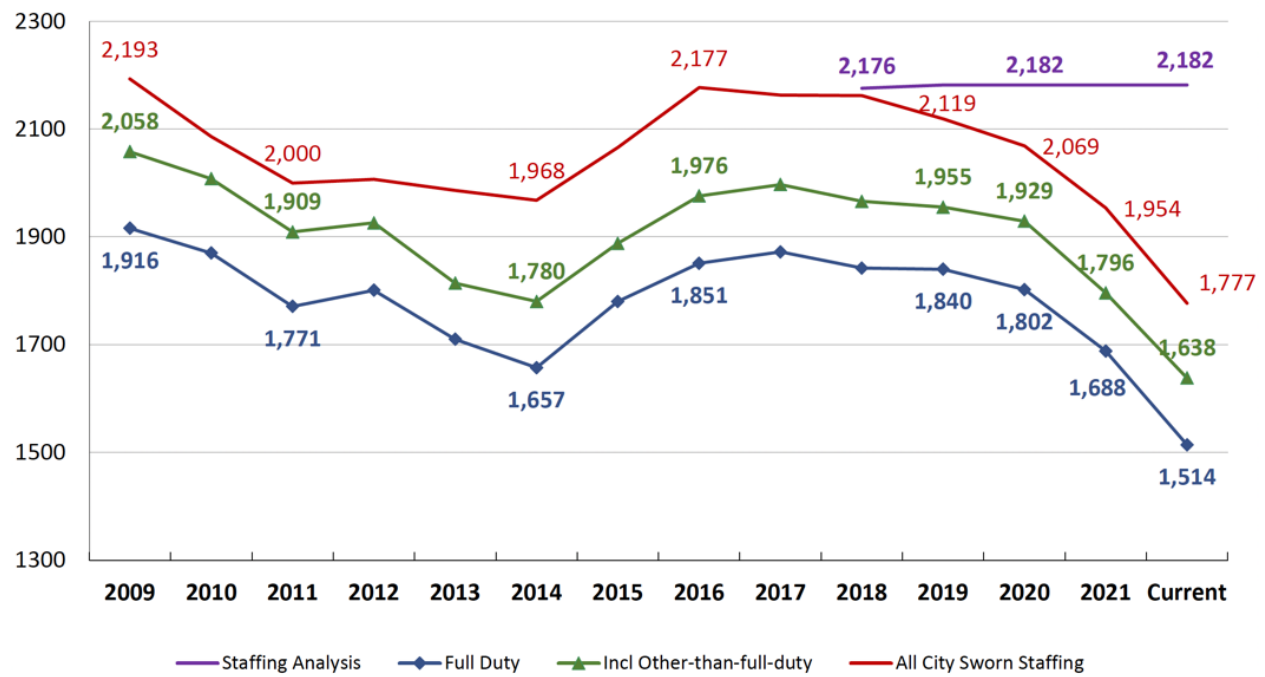
Dear City Attorney Chiu and Deputy City Attorney Pearson,

I write to request your office's assistance in drafting a Charter Amendment, entitled "The San Francisco Police Department Full Staffing Act," which if enacted by voters would re-establish minimum police staffing levels, and mandate certain budgetary provisions over a five-year period to achieve a fully staffed municipal police force in the City and County of San Francisco.

**Problem Summary**

With rare and short-lived exceptions over the last quarter century, San Franciscans have been systematically denied the benefits of a fully staffed police department — despite the voter-mandated minimum staffing levels they overwhelmingly adopted into their City's Charter in 1994. Although local policymakers made important progress in recent years to develop a workload-based, data-driven methodology to determine citywide full-duty police staffing levels

(which replaced the static minimum of 1,971 full-duty police officers once enshrined in our City Charter), the November 2020 Charter Amendment voters enacted as Proposition E has demonstrably failed to make needed progress toward recommended full staffing levels. To the contrary, in fact, plummeting full-duty police staffing levels since Prop E’s enactment appear to show that the 2020 Charter Amendment has done more to accelerate San Francisco’s police understaffing crisis than to mitigate it, as the following chart shows.<sup>1</sup>



Amidst a nationwide crisis in police understaffing,<sup>2</sup> and the most competitive environment for law enforcement personnel in modern history, City Hall’s persistent inability to address or meaningfully remedy our wholly foreseeable generational police staffing shortage is resulting in mounting public safety challenges, which are inflicting myriad harms on San Francisco’s residents and visitors, on our neighborhoods, and on our City’s economic wellbeing.

<sup>1</sup> Source: San Francisco Police Department, City and County of San Francisco, Presentation: “Overtime Supplemental Budget,” March 15, 2023, Page 2. <https://sfgov.legistar.com/View.ashx?M=F&ID=11710123&GUID=D2969B50-B321-452F-8C37-70EFD1BE7C97>

<sup>2</sup> “PERF survey shows steady staffing decrease over the past two years,” Police Executive Research Forum, March 10, 2022; last accessed March 25, 2023. <https://www.policeforum.org/workforcemarch2022>.

## Proposed Solution

The San Francisco Police Department Full Staffing Act is a proposed Charter Amendment for the March 5, 2024 ballot, which will empower San Francisco voters to, at long last, mandate a solution to SFPD’s chronic understaffing crisis in the following respects:

- **Minimum Staffing Level.** Re-establish a specific minimum staffing level, beginning with 2,182 officers citywide, with mandatory rather than optional provisions for periodic readjustment based on methodologies already established as part of the independently led Matrix Consulting Group framework.<sup>3</sup>
- **5-Year Budget Set-Aside.** A mandatory budget set-aside, to sunset after 60 months, which will sequester baseline funding to maintain minimum citywide<sup>4</sup> sworn-officer police staffing at the following levels:
  - 1,800 in Year 1;
  - 1,900 in Year 2;
  - 2,000 in Year 3;
  - 2,100 in Year 4; and
  - 2,182 (or the reset minimum staffing level, whichever is greater) in Year 5.
- **Recruitment and Retention Fund.** From unspent funds sequestered for sworn police hiring, a temporary “SFPD Recruitment and Retention Fund” shall be established for recruitment, retention and performance bonuses — together with other recruitment initiatives necessary to achieve full staffing levels in the prescribed time period — under the direction of the Chief of Police. Reasonable restrictions shall be included to discourage a premature clawback of unspent police hiring funds for General Fund purposes prior to the sunset date.
- **Escape Clause for Emergencies.** The Charter Amendment shall include emergency “escape clause” provisions to enable the postponement (but not cancellation) of

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<sup>3</sup> Matrix Consulting Group, “Report on the Police Department; Staffing Analysis San Francisco, CA,” March 4, 2020, <https://www.sanfranciscopolice.org/sites/default/files/2021-02/SFPDStaffingStudyReport20210304.pdf> (accessed on Jan. 17, 2023)

<sup>4</sup> In this context, “citywide” means all non-airport sworn staffing. SFPD resources deployed to San Francisco International Airport are wholly funded by that enterprise department.

mandatory budget set-asides in years that the Mayor, City Controller and Chief Economist agree it is warranted due to a budgetary and/or economic crisis.

### **Potentially Relevant Findings**

To provide factual support for this critical policy initiative, I request your guidance in whether to include any or all of the following as relevant findings for the proposed Charter Amendment.

- Despite considerable efforts over the last several years to remedy the chronic shortage in our police staffing, the San Francisco Police Department (SFPD) faces a worsening understaffing crisis with the most recent count of 1,514 full-duty SFPD officers now representing an unprecedented low-point in recent history.
- According to a recent SFPD budget presentation to the San Francisco Police Commission,<sup>5</sup> the total number of sworn SFPD officers now eligible for retirement is 478 — far outpacing the combined total of new recruits or lateral transfers hired from outside law enforcement agencies to pass SFPD field training, which over the last two calendar years has not exceeded 21 police officers annually.
- Police staffing shortages are not unique to San Francisco and reflect increasingly dire national and statewide trends, with a National Public Radio report in January attributing “to staffing shortages” why longer police response times are being observed in data collected in a survey of 15 cities, including San Francisco;<sup>6</sup> and a recent *Los Angeles Times* report describing the police staffing crisis in some Northern California jurisdictions as “catastrophic.”<sup>7</sup>
- Well-intended efforts over the last few years to remedy our chronic police understaffing are thus far falling short in adequately incentivizing sufficient interest from prospective

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<sup>5</sup> SFPD FY24 & FY25 Budget, Part One – Budget Process & Priorities, San Francisco Police Department, Jan. 18, 2023, page 11, [https://sf.gov/sites/default/files/2023-01/PoliceCommission11823-FY24%20Budget%201st%20Presentation%20F\\_Final.pdf](https://sf.gov/sites/default/files/2023-01/PoliceCommission11823-FY24%20Budget%201st%20Presentation%20F_Final.pdf) (accessed Jan. 19, 2023)

<sup>6</sup> “Why data from 15 cities shows police response times are taking longer” by Martin Kaste, NPR, Jan. 17, 2023, <https://www.npr.org/2023/01/17/1149455678/why-data-from-15-cities-show-police-response-times-are-taking-longer> (accessed Jan. 17, 2023)

<sup>7</sup> Source: “‘Catastrophic staffing shortage’: Northern California sheriff to suspend daytime patrols” by Brittny Mejia and Connor Sheets, *Los Angeles Times*, Nov. 15, 2022, <https://www.latimes.com/california/story/2022-11-15/northern-california-sheriffs-office-will-suspend-daytime-patrols-due-to-catastrophic-staffing-shortage> (accessed Jan. 15, 2023)

new recruits or lateral transfers from competing law enforcement agencies to meet San Francisco's urgent demand for more police officers.

- The most recent of these efforts was Proposition E, the Police Staffing Charter Amendment in the November 3, 2020 Consolidated General Election. Although 71 percent of San Francisco voters approved the measure based on its promise to “remove the outdated mandatory minimum police staffing requirement, and establish a regular process to set police staffing based on data and the needs of our communities,” SFPD’s understaffing crisis has significantly worsened since its adoption.<sup>8</sup>
- The 2020 Charter Amendment represented the culmination of a long and participatory process that began with a 2016 policy analysis by the Board of Supervisors’ Budget and Legislative Analyst, which concluded that the methodology for SFPD’s staffing “should be based on a workload-based assessment that accounts for department-specific conditions, as well as a comprehensive examination of historical workload data.”<sup>9</sup>
- In March 2017, the Board of Supervisors passed without opposition Resolution No. 63-17, “Urging the San Francisco Police Commission to Convene a Task Force on Strategic Police Staffing,” entreating the San Francisco Police Commission to develop a broadly representative Task Force on Strategic Police Staffing to “implement a comprehensive, multi-disciplinary approach to determining staffing levels based on different factors, including studies on calls for service, crime data, officer workload, how deployment is determined, retirees, injuries, demographics, language needs, and population size.”
- In May 2018, the City Controller’s Office’s City Performance Unit conducted research into public safety industry best practices, which included interviews with police staffing experts and a review of applicable literature, and concurred that an appropriate framework for police staffing should be based on workload targets, with a “rough guideline” being one-third of officers’ time “spent on calls for service,” one-third of

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<sup>8</sup> City and County of San Francisco Department of Elections, Voter Information Pamphlet & Sample Ballot, November 3, 2020, Consolidated General Election, Proponent’s Argument in Favor of Proposition E, page 78, [https://webbie1.sfpl.org/multimedia/pdf/elections/November3\\_2020.pdf](https://webbie1.sfpl.org/multimedia/pdf/elections/November3_2020.pdf) (accessed Jan. 15, 2023)

<sup>9</sup> Budget and Legislative Analyst’s Office, “Policy Analysis Report: Best Practices Related to Police Staffing and Funding Levels,” Jan. 26, 2016, page 20, <https://sfbos.org/sites/default/files/FileCenter/Documents/54867-012616%20Police%20Staffing%20Methodology.pdf> (accessed Jan. 16, 2023)

officers' time "for officer-initiated and administrative tasks," and one-third of officers' time devoted to "uncommitted patrol time for community policing."<sup>10</sup>

- In early 2019, SFPD engaged Matrix Consulting Group, Ltd. ("Matrix") to conduct an independent and comprehensive staffing analysis of the department, relying on Matrix's expertise in having conducted more than 350 such studies for law enforcement agencies in the United States and Canada. In March 2020, Matrix released its 293-page report<sup>11</sup> following an exhaustive fact-finding and analytical endeavor.
- Matrix concluded in its March 2020 report that its independently recommended minimum sworn staffing level for SFPD was 2,176 officers; and that the 2021 update required under the 2020 Proposition E Police Staffing Charter Amendment was a modest upward revision to 2,182 officers.
- Even against the backdrop of widely reported national trends in police staffing shortages,<sup>12</sup> San Francisco is being out-competed by multiple law enforcement agencies in Northern California with hiring bonuses and other incentives for new recruits and lateral transfers, according to data provided recently to the Board of Supervisors,<sup>13</sup> and that representative examples of agencies that currently surpass SFPD's \$5,000 lateral signing bonus program include a \$40,000 structured bonus for lateral transfers to the Redding Police Department; a \$30,000 signing bonus for lateral transfers to the Alameda Police Department; and a \$30,000 structured bonus for lateral transfers to the Dixon Police Department, among others.
- Although recruitment bonuses and salaries are only one factor in decisions that law enforcement professionals and their families make in choosing a jurisdiction to pursue

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<sup>10</sup> "SFPD Car Sector Patrol Staffing Analysis" by Corina Monzón and Celeste Berg, Office of the Controller, City Performance Unit, May 8, 2018, page 19, <https://openbook.sfgov.org/webreports/details3.aspx?id=2573> (accessed on Jan. 16, 2023)

<sup>11</sup> Matrix Consulting Group, "Report on the Police Department; Staffing Analysis San Francisco, CA," March 4, 2020, <https://www.sanfranciscopolice.org/sites/default/files/2021-02/SFPDStaffingStudyReport20210304.pdf> (accessed on Jan. 17, 2023)

<sup>12</sup> "Staffing shortages cause for concern among law enforcement agencies nationwide" by Omar Villafranca, CBS News, Nov. 26, 2022, <https://www.cbsnews.com/news/police-officer-staffing-shortages-law-enforcement-agencies-nationwide> (accessed Jan. 19, 2023)

<sup>13</sup> Response to Request for Information from the San Francisco Board of Supervisors, SFPD, June 3, 2022, <https://acrobat.adobe.com/link/review?uri=urn:aaid:scds:US:20df832b-2346-306a-8ff8-9ad11a06c10e>.

PRIVILEGED AND CONFIDENTIAL: ATTORNEY-CLIENT COMMUNICATION

Charter Amendment Request: The San Francisco Police Department Full Staffing Act

Page 7 of 7

their careers, they are a factor that San Francisco and its voters need not yield to law enforcement agencies in competing jurisdictions.

- Chronic understaffing in SFPD creates needlessly expensive and wasteful inefficiencies, with budgetary savings that derive from vacant police officer positions more than offset by mounting needs for overtime pay to address operational staffing shortages and myriad unforeseen public safety imperatives.
- Because SFPD staffing affects the Charter-mandated minimum staffing “of no fewer than one line investigator for every 150 sworn members” for the Department of Police Accountability, existing law (S.F. Charter § 4.136) assures commensurate SFPD oversight as the Police Department progresses toward full staffing levels.
- The economic benefit of a fully staffed police department to cities like San Francisco has been conclusively demonstrated in measurable benefit-cost ratios. A comprehensive study of medium-to-large U.S. cities over a 50-year period from 1960 to 2010 concluded that every \$1.00 spent on policing generates social benefits and reduced victim costs of approximately \$1.63,<sup>14</sup> with the authors adding, “this conclusion is conservative.”

Thank you so much for your attention to this Charter Amendment drafting request. My co-author, Supervisor Catherine Stefani, and I welcome the opportunity to meet and further discuss this proposal at your convenience.

Best,



MATT DORSEY

Cc: Supervisor Catherine Stefani, [Catherine.Stefani@sfgov.org](mailto:Catherine.Stefani@sfgov.org)

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<sup>14</sup> Chalfin, A. and J. McCrary, “Are U.S. Cities Underpoliced? Theory and Evidence, The Review of Economics and Statistics, March 2018, 100(1): 167–186. [https://eml.berkeley.edu/~jmccrary/chalfin\\_mccrary2018.pdf](https://eml.berkeley.edu/~jmccrary/chalfin_mccrary2018.pdf).