

**Commission Streamlining Task Force
San Francisco City Hall
Room 362
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102**

October 16, 2025

Submitted via Electronic Mail

Re: Proposed Changes to the Police Commission's Authority

Dear Members of the Commission Streamlining Task Force:

I write to strongly oppose the Task Force's recommendations to consolidate Police Commission (Commission) authorities under the Mayor and to limit the Commission and Department of Police Accountability's (DPA) independence in overseeing the San Francisco Police Department (SFPD). The proposed changes would reverse voter-approved checks and balances, dangerously centralize authority, and worsen documented administrative delays in issuing police discipline.

For 100 years, the San Francisco Public Defender's Office has provided dedicated and zealous legal representation to individuals charged with a crime and unable to afford an attorney. Our mission is to protect and defend the rights of our clients and community through effective, vigorous, compassionate, and creative legal advocacy.

Preserve the Board's Appointment and Oversight Role

The proposed changes undermine voter-approved reforms designed to check the Mayor's authority by giving the Board of Supervisors a role in the decision to remove Commissioners. San Francisco's Charter intentionally splits appointment and removal authority of Commissioners between the Board of Supervisors and the Mayor to preserve independence for one of the City's most consequential bodies. Protecting Commissioners who act on evidence and conscience—even when political winds shift—is essential to maintaining meaningful oversight.

Last year, [San Francisco voters expressly](#) rejected efforts to shift power toward the Mayor by voting down Proposition D by more than 13 percentage points. Furthermore, San Francisco voters have repeatedly voted for more [oversight](#), [transparency](#), and [accountability](#) in policing. Resubmitting this question to the ballot, despite voters' clear decision, undermines the stability of the democratic process and the integrity of voter-approved reforms.

Moreover, gifting unilateral authority to the Mayor to hire and fire the Chief of Police and the head of DPA would erode that independence and cuts against police oversight best practices nationally. The risks here are as obvious as they are serious: oversight,

reforms, or internal dissent may be suppressed when leadership is directly beholden to a single political actor.¹

Maintain the Commission's Authority to Impose Discipline

Moving all discipline authority to the Chief relegates the Commission to largely an advisory role—precisely the kind of model academic research on police oversight and accountability warns against. Purely advisory bodies seldom provide effective oversight or accountability because they are consistently associated with lower compliance,² weaker legitimacy,³ and less ability to leverage better outcomes.⁴ By contrast, independence is “widely understood to be imperative” to an oversight agency’s legitimacy and success.⁵ The [pioneer of the modern police oversight movement](#), Merrick Bobb, documented how advisory bodies without binding authority or structural independence fail because their findings can be too easily ignored.⁶

Other jurisdictions vest their civilian oversight bodies with decisive roles:

- **In Oakland**, the [Police Commission](#) oversees the policies, practices, and disciplinary systems of the Oakland Police Department and makes final disciplinary recommendations when the Chief of Police disagrees with the Community Police Review Agency, which serves as an independent investigative arm of the Commission.
- **In Los Angeles**, the Independent Board of Rights (with civilian examiners) have the ultimate say in serious discipline matters.
- **In Chicago**, the [Police Board](#) adjudicates serious discipline cases brought by the Superintendent of Police and resolves disputes between the Superintendent and the Civilian Office of Police Accountability.
- **In Milwaukee**, the [Fire and Police Commission](#) has direct authority over both the police officers and the chief of police.

¹ See Fair & Just Prosecution, *Promoting Independent Police Accountability Mechanisms: Key Principles for Civilian Oversight of Law Enforcement* (June 2021), <https://www.fairandjustprosecution.org/staging/wp-content/uploads/2021/06/FJP-Civilian-Oversight-Issue-Brief.pdf>; Cleveland Community Police Commission, *Best Practices for Civilian Oversight of Police* (Sept. 2019), <https://clecpc.org/wp-content/uploads/Best-Practices-for-Civilian-Oversight-of-Police-2019.pdf>.

² National Association for Civilian Oversight of Law Enforcement (NACOLE), *Impediments & Challenges to Civilian Oversight* 2-3, 14 (Oct. 10, 2024), https://assets.nationbuilder.com/nacole/pages/1302/attachments/original/1728589148/NACOLE_REPORT_FINAL_Impediments_and_Challenges_20241010.pdf?1728589148=&.

³ Id.

⁴ Peter Finn, *Citizen Review of Police: Approaches and Implementation* (2001) (NCJ No. 184430), <https://www.ojp.gov/pdffiles1/nij/184430.pdf>.

⁵ Office of Community Oriented Policing Services, *The Evolution and Growth of Civilian Oversight: Key Principles and Practices for Effectiveness and Sustainability* 12 (COPS W0951, 2021), <https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-w0951-pub.pdf>.

⁶ Bobb, Merrick (2003) "Civilian Oversight of the Police in the United States," *Saint Louis University Public Law Review*: Vol. 22: No. 1, Article 10, <https://scholarship.law.slu.edu/plr/vol22/iss1/10>.

These structures reflect the recognition nationally that police discipline decisions should be insulated from the political process. San Francisco's current structure balances efficiency with necessary independence by allowing the Chief to adjudicate minor misconduct cases while allocating serious misconduct cases to the Commission.

Prioritize DPA's Independence and Protect their Ability to File Charges Directly with the Commission

Equally troubling, the proposed changes will quietly eliminate [DPA's longstanding authority](#) to file disciplinary charges directly with the Commission. Without this ability, the agency becomes purely advisory. Because the Chief has frequently rejected or minimized its findings, DPA's authority matters more than ever.

[A 2022 study by DPA of its sustained misconduct](#) cases sent to the Chief showed the Chief disagreed with DPA's discipline recommendations in nearly six out of 10 cases, declining to impose discipline at all in 23% of cases and imposing lower discipline than what DPA recommended 15% of the time. Similarly, [between 2017 and 2019](#), the Chief agreed with DPA's findings in sustained misconduct cases less than half the time and disciplined just 45% of the time.

It is essential that San Francisco protect DPA's independent authority in discipline matters. Otherwise, the Task Force risks dismantling its core strength and cuts against what voters demanded when they [created](#) and [repeatedly](#) strengthened civilian oversight in prior reforms.

Strengthen Accountability Through Timely Discipline

Delays in Chief-imposed discipline are well documented. [DPA's 2023 'Key Issue' memo](#) found that 55% of cases referred to the Chief for discipline had awaited adjudication for more than a year. Further burdening the Chief with sole authority over *all cases* would only worsen these backlogs, keeping officers accused of serious misconduct on the street—or in the so-called “[rubber room](#)”—potentially for years while still drawing taxpayer salaries. Crucially, those officers could also testify in criminal trials while knowledge of their misconduct accusations remains hidden from the jury by SFPD's byzantine, opaque discipline system.

The Need for Accountability Remains Urgent and Visible

After more than a decade of high-profile scandals, weakening independent oversight now sends the wrong message to the public:

- [SFPD officers paid for years while on misconduct leave](#)
- [SFPD officers accused of stealing from individuals living in hotels](#)
- [Racist texting scandals exposing deep cultural bias](#)
- [SFPD crime lab scandal that collapsed hundreds of prosecutions](#)
- [From 2009 through March 2024, SFPD shot or killed 87 community members](#)
- [Recent revelations that SFPD illegally shared ALPR data with ICE](#)
- [SFPD officer fired for off-duty shooting at an unarmed motorist](#)

- [SFPD Officer Christina Hayes fired for misconduct; hundreds of criminal cases dismissed](#)
- [SFPD used DNA from rape victim to arrest her for unrelated property crime](#)

Transferring authority from the Commission to the Chief is a public harm that risks ensuring that future incidents are handled internally and never see the light of day. Police should not police themselves because too often scandals are hidden behind a blue wall of silence.⁷

San Francisco must continue the work voters have long sought: binding oversight authority, multiple independent voices, and transparent timelines to deliver prompt, impartial discipline. Consolidating power in the Mayor, narrowing the Commission's authority, and eliminating DPA's charging power reverses that progress.

For these reasons, I strongly oppose the recommended changes.

Respectfully submitted,



Brian Cox
Director
Integrity Unit
San Francisco Public Defender

⁷ Eric Arnold, *Police Misconduct: Combatting the Complicity Crisis*, Nw. U. J. of Criminal Law & Criminology Vol. 115, Issue 1, Article 4 (Winter 2025), <https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=7781&context=jclc> (observing how internal police discipline systems perpetuate rather than curb misconduct).