



On June 8th, 2018, several members of the League of Women Voters of San Francisco had the opportunity to interview San Francisco District Attorney George Gascon on policing practices. He was accompanied by his Deputy Chief of Staff, Alex Bastian. These are the questions that we at the League posed and DA Gascon's responses. We will be asking similar questions of other San Francisco policing stakeholders.

QUESTION: What is your role in policing in San Francisco and how does your personal experience inform your work?

I don't know how much you know about me so I'll give you just a quick summary because I think it will give you a little context. I grew up in the LAPD professionally, where I rose through the ranks to become Assistant Chief. I ran operations in the LAPD which at the time included patrol, detective operations, special operations, so roughly 85% of the department or about 8,500 people.

And then in 2006 I became the chief of police in Mesa, Arizona, which is the second largest city in the state, a city of about half a million people in the Phoenix metro area. It was from August 2006 to July 2009.

I was recruited to come here to San Francisco to be the Chief of Police by then Mayor Gavin Newsom and I was the chief of police for roughly 16 months. I worked on Kamala Harris' campaign for attorney general, and when she was elected and the opening came up, quite frankly unexpectedly, I was offered the job of DA by Gavin. I've been an attorney for many years (I became a lawyer back in the mid-nineties). But mostly it was while I was in the police department so I did labor work; I did a lot of pro bono work.

I have been involved in criminal justice reform in a very active matter starting in around 2004/2005. In roughly 2006 I became a member of the Council of State Governments Justice Center. At the time we were working on a national initiative to reduce incarceration through a process called justice reinvestment. Justice reinvestment started by recognizing that we incarcerate too many people in this country already (this was in the early 2000s). Then the question really became how do you reduce incarceration but still maintain a high level of public safety and some of the ideas that flow from that dialogue, it was a national dialogue, was taking some of the savings from corrections and the justice system, and putting those into community-based supervision for people that were being released from prisons.



Unfortunately California actually never grabbed on to justice reinvestment. California was always a very complex state and it obviously still is. We were successful in Texas, Arizona, and in other places. The good thing is that incarceration was lowered. But there was no reinvestment so the money went back into general funds to reduce taxes or other things instead of going into community-based supervision. So while it has some positive impacts in the reduction [of] incarceration in those states it really was half-baked right as one of the major components, which was the reinvestment in the community-based programming, was never there.

I also was involved with the Harvard Kennedy School of Public Policy Executive Sessions of Policing and Public Safety. I started engaging in those right around the mid-2000s. I authored several papers on topics from the economics of policing to what policing in the future should look like.

So when the opportunity came to become a DA, while very unexpected, I made the decision to accept it is because I recognized many years ago that district attorneys really control the criminal justice system at the end of the day. Because we hold the power of determining who's going to be prosecuted and how they're going to be prosecuted, which is really the gateway to incarceration. So while district attorneys may not control policing at the ground level, through policy decisions and posture they control much of what else goes into the system overall.

I become convinced years ago that the war on drugs was the wrong war to fight and that the levels of incarceration in this country were completely out of control. We have reached a level where you start getting into the law of diminishing returns. There is a place where you get public safety and then there's a place where you no longer get better safety you actually get worse. And your expenses keep going up.

One of the things that I have always done in my decision-making process is to try to be thoughtful. To be data-driven. To look at science. I think [it] is important, where you can, to remove emotions and personal feelings and be more businesslike.

One of the things that I believe in and I know sometimes as a minority especially, is that in my line we are the guardians of public funds and that's a responsibility that I take very seriously.

I believe that this is always a long-term game and when you're looking only for short term gains or political gains generally you end up with bad public policy.

Criminal justice has been ruined by bad public policy in this country, because it's usually



appealed to the lowest level of emotional thoughts. We have a bad thing happen. A horrible crime occurs and we want to create new laws to deal with that crime and forget about all the other consequences of that. We have a nuisance in our neighborhood and we just think that we can police the hell of it and get rid of it. It's always something that bothers me.

And so you understand the me: I started, I grew up in LAPD. I got out of the Army, finished my college education and went right into the LAPD, so I grew up working the streets. I worked for years in Watts. I went through a riot. I saw what bad leadership led to. I've been through all of it. So I know that often officers think I don't support them; it's not that I don't support them, it's about policies. How can I not support something that I've done for so many years.

So that's where I am and I'm sorry for the long introduction but I think that will inform you as I discuss my thoughts.

To your first question about my role, I think my role is one of setting the tone for the criminal justice system here by the policies that I implement, how I prosecute cases. Quite frankly, I use the bully pulpit. How I seek funding or not. What I do at the national level. What do I do at the state level. All those things have implications that sometimes may not be immediately felt on the street when you're talking to a police officer but they have a long-term implications.

For instance, Proposition 47 started on that whiteboard right there. We wrote it out and we started to say okay, how do we start reducing the incarceration for low level drug offenses? And we worked with Senator Mark Leno to get legislation passed, which failed. And then I worked on the reform of three strikes as an invited guest, if you will, by the Stanford Law School, so for the first time I got a taste of what it's like to do a statewide initiative. So I said okay, maybe we need to do the same thing here and then we got the funding we needed and Proposition 47 passed.

Prop 47 has arguably had the biggest impact on incarceration in the state, even more than realignment, if you listen to the analysis that had been done. Combined, they have had tremendous impact but if you look and you separate them it is actually Prop 47 that has had a bigger impact for two reasons: first because they lowered the number of people who are going to prison for low-level drug offenses, and secondly because it completely readjusted the criminal justice system at the bottom level.

While we still have a tremendous disproportionality in terms of how African Americans get treated in the criminal justice system, if you look at the numbers probably Prop 47 had as big an impact in reducing incarceration for African Americans in the state. It also started to change



the conversation at the national level in this area. Including the Obama administration talking about releasing people, during his second term, that were in federal prisons for drug offenses.

So for me it's really about tone-setting when it comes down to the ground level but it's also the policies that I believe are supported by good science, good economics. When I look at public safety I'm always looking at three prompts. One is raw safety in the streets how does it feel and how does it look like. The second one is social impact, because too much police intervention actually has a negative social impact, not enough has a negative social impact. And the third: the economics of it. We have to be able to afford what we do. We cannot have a society or a community where we're underfunding our schools or services for other vulnerable populations because we have an outsize spending on policing.

And the spending for some policing is unfortunately often driven by political considerations of the moment with very little consideration of the the impact over decades. For instance right now we're talking about adding another 200 police officers. That may or may not be a good idea, I don't know, but what I can tell you unequivocally today is that nobody really knows what the productivity of a San Francisco police officer today is. No one knows because no one is taking the time to actually do an analysis of that work. So if you were running a business and you're making paper clips and it takes ten people for you to make your production and you don't know how productive they are but you're gonna add another five people just because? I mean you will never do that with a business. First of all you want to know what your getting out of what you have before you go beyond that. But that's not what we're doing with policing. We're doing really bad public policy in the city right now that we will pay for, by the way, for many years because the other part of public safety employees, unlike other city employees, is that the the pension liability that they come with is tremendous. Police officers get to retire fairly young in terms of our longevity especially today when we're living healthy lives well into our eighties. You have people who can retire in their fifties. They can collect pensions for well over thirty years. Very high level pensions. So what appears to be one budgetary impact on the front end completely neglects that you are saddling future generations with a huge debt that may impact public safety on the other end because you may not be able to afford to staff your police department the way you need to because you have a pension liability that is sinking you.

So these are considerations that unfortunately are not playing any role into the decision making and you have a mayor for a few weeks that decides I may want to run again for something. I am being critical but you're carrying favors for the future. You're writing checks that your kids and my kids and my grandkids are gonna have to pay for; I think this is tremendously wrong.



QUESTION: It was recently announced that the State of California will be stepping in to oversee the reforms to the San Francisco Police stemming from the Department of Justice report of 2016. What benefits do you expect to see from that oversight? What concerns do you have about it?

Let me get to your question but I'm going to start a little further back because I think there may be opportunities in the future for this. When we started to have the public problems, because the problems were there before, but the public problems of the racial text messages and incredible stonewalling by the police department and the police union about investigations, one of the things that this office did was convene a blue-ribbon panel. And we did that because we wanted to push the issue to the forefront because it was being ignored. And quite frankly my goal at the time was that the city would end up in a consent decree and the reason why I wanted a consent decree is because if you have the power of a federal judge supervising reform then you have a lasting process that is not as politically influenced as otherwise.

And I lived through one. I was in the LAPD when it was under a consent decree. I have assisted others in reviewing consent decrees so I knew though it's a tool that, although it may be blunt, is a tool that when you have a real problem, it really is the most effective given our system of government today.

The Police Commission and the mayor and the chief of police at the time very very quickly pivoted from we don't have a problem to getting a COPS agreement which was a fairly new concept that the Obama administration was introducing, trying to have a gentler more friendly approach to police reform. I was against it because I knew that would have no teeth number one and number two that it would only last based on whoever is in the White House. Now frankly I never anticipated what we have today and I hope I don't offend any of you but I thought we would have a more thoughtful person there that would at least think about these issues.

We have made a complete reversal right to the point where we have the attorney general saying we're not going to do any of this work. So that left us rudderless on that toothless reform process. So now you shift to the California Attorney General's Office. I think very well intended but completely underfunded and with no expertise in this work so in my opinion it's a lot of window dressing.

The California Attorney General's Office is just not funded to do this work on the scale that



needs to be done. When you have a federal judge, then you appoint and monitor. They get paid full time, have a staff and all they do is they go in and they're continuously looking at things.

What you have now, you have to take the police department's word for it. What you have is an Excel spreadsheet and some bean counters saying we now have ten percent less complaints or five percent less shootings or whatever it has no depth in and will not have a lasting impact.

Is the glass half empty? No, I think it's half full. We have some movement. We have a Chief of Police that believes in reform but I think unless the community really engages in this process in a meaningful way, and I'm not talking about the advocates and the friends of a friend. I'm talking about real people.

That's why I want to thank you deeply for what you're doing because you guys have, in my opinion, one of the one of most respected political organizations nationwide so I know this is a serious group. But it's going take to serious people to look at this. Not anti-police people not pro-police people, just good people looking at this analytically and saying what is really behind the curtain and this is really sustainable. We're really altering the calls for the police work because that's really what it's intended in the long run.

And I can tell you right now that calls for the police department, it's not moving fast enough and it's very fragile very very fragile. I think good people are trying to do good things I just don't believe that there's enough oomph behind it, there's not enough money. You have to put your money where your mouth is. If you don't then things fall apart



QUESTION: The San Francisco Police Department has been tackling the issue of bias, both explicit and implicit, within the department.

How effective do you think the changes have been?

What other steps would you like to see the department take?

How would you define success in this area?

The good thing is that there is a recognition that there was a problem, which is the first thing you have to do in order to deal with something. And now I think there are genuine efforts to try to move forward. For me it's more what's underneath the surface. Just simply putting people, green people, yellow people, brown people, whatever colors into an organization is not enough if you really want to have an outcome, in this case something that reduces bias, and the influence of bias, and the way the work is done.

Policing culture is very very strong. It is very alluring. So it's very easy to get sucked into it and that's one of the problems quite frankly with civilian oversight bodies. They go in with a tremendous amount of zeal and then after three or four years they've become part of the problem because they become part of the culture. So you can bring young impressionable people from every walk of life into a police academy and you can give them great training and great support at that point and then you put them into a field training program and the real training and the real inculturation begins there. Typically what happens is that your training officer, through deeds or words, is going to be shaping the kind of police officer you're going to be. In the worst case scenario you have the old salts who will tell 'you kids forget everything you learn the academy now we're going to teach you the real world'. In the best case scenario you have the ones that won't say that but they're behaving in ways that are contrary to what the larger philosophical push is to move the organization. So that's the problem.

One of the ways to begin to force that process is through accountability for transgressions. And in my opinion the police commission has been completely unwilling to really take the steps necessary that when people behave, or act upon what is clearly motivated by bias or sometimes right out racism that there are real consequence to it. And you know long suspensions? They do not work in policing. They have no value at all. You can simply suspend somebody for three or six months and in my experience all you do is you create what



we used to call in the LAPD an organizational terrorist because they're really disgruntled. They go through the six or three months of suspension, they usually get a lot of jobs for that period of time, so there is very little financial impact. In fact, the union often pays their salary. But now they come back and if they were a problem employee before now they're they are a problem employee on steroids because they feel they have been wronged and they continue to poison the organization. In most other lines of work when you have an employee [who] is a problem you just part ways and you say this is not for you, you're not a bad person, this is just not your line of work. The San Francisco Police Department has a very hard time terminating people and that I have to say it's not the chief's problem, at least not the current one, it's really the Police Commission. In my experience when we have really egregious conduct the commission will pontificate in open hearings about how horrible the behavior was and then they go around and they come back and give the person a long suspension.

What am I going to do with this person when they come back? They can't even go to court, especially now because my discovery obligations as a District Attorney are such that if somebody has a history of racism I'm not going to put him on the stand. So if they go out and make an arrest on an important case, the case will fall apart.

So I think that there has to be more meat around the bone in this area. It's not just simply hiring black people, brown people, women. That's all great and dandy but some of the biggest problems sometimes within a minority community are officers who come from that community because they get sucked into this culture.

QUESTION: Community policing practices are an advocacy area for the League of



Women Voters in San Francisco. Some of our members have noted a lack of community engagement in policing practices. At the League of Women Voters' State Convention in 2017, this was brought up as an issue concerning Leagues across the state. What do you think of how the SFPD has engaged the community? Was there any backlash to the steps that the SFPD has taken? Are there other practices you would like to see introduced? How could LWVSF encourage that engagement?

I think that the problem that community policing has is the same problem to some extent that I talked about earlier as an issue with bias. You may have very good intentions at the top but if it doesn't filter down to the working level you're never going to shift the culture--and in community policing especially. This is a national problem, so this is one area where I'm going to shift a little from the San Francisco Police Department. Departments often make the mistake of thinking that you can create the office of community policing or you can create the community policing guru and it looks great on paper and you generally pick a very charismatic face for the program and you know everybody is glad-handing and shaking hands, but what happens when the radio car rolls up to your neighborhood right and the officer gets out of the car and she or he starts interacting with real people and real situations. That is where that's where the failures occur and certainly in San Francisco there's still big failures in that area, especially in the neighborhoods that are most vulnerable.

If you live in the Marina you're gonna love your cops, you love Officer Friendly walking down Chestnut coming down by the Apple store, gives you a smile and maybe has a nice conversation with you perhaps even he's drinking a cup of coffee next to you. But if you live in the Bayview or the Mission, your experience is going to be very different and your experience in the daytime is going to be very different than at one o'clock in the morning when you're getting stopped because you're suspected of driving because you happened to be black or whatever.

And I think that in order to get to that problem there has to be very, very aggressive leadership on the ground on a constant basis to shift the culture in a way so that officers view themselves as part of the community not as an occupation army or not as something like a plumber, "I just happened to come over here and I do plumbing for eight hours and I go back home". Policing it's not that. Policing quite frankly internally requires a 24/7 commitment, not physically on the job, but you have to be passionate you have to believe in what you do and you have to believe that you're there to help and solve problems and to work with others and that you're not the ultimate resolution to the problem but you are your part of a puzzle that requires community buy-in.

And when I use the term community I'm not talking about the advocates I'm not talking about the ones that are always in every meeting that you call. I'm talking about the women, the men the



people who go to work every day they go to school. That come in and their home happens to be broken into or the car was broken into that requires a calling for service, and also an understanding that you play a role in a bigger picture. To me public safety: it's not about high presence of policing or obvious integration in policing but it's actually absence of crime. And a police officer understanding that that's your role that you want to be only visible enough but in a way that actually contributes to the well-being of a community and that may take a little different shape from community to community but the level of respect and how you deal with people should be the same whether you're working in the Marina or Pac Heights or you if work in the Bayview.

We don't have that today and that's not going to be solely driven by a charismatic commander that becomes a head of community policing for San Francisco and goes and talks to every community meeting.

How can you guys help in this area? I would say that you're taking some steps by first of all educating yourselves. By the way I'm not asking you to take my word for this stuff: go talk to others, make up your own mind in this area but once you decide what that means to you then be visible about it, be vocal. You guys can be extremely influential, op-ed pieces, holding supervisors accountable, holding people like me accountable, but coming from a position of knowledge and being well informed.

There are no rights or wrongs on some of the stuff by the way there's just tonalities of what it means to a community.

But it needs, to come from a place of being informed first and then decide what it looks like. To become a student of the issues. One of the things that I tell people here in my office, and I always tell police officers, you have to be a student on the trade. If you think you arrived you already are a failure because we never arrive; it's always a journey

QUESTION: The San Francisco Police Department has updated its use of force policy in response to the DOJ report. In the June election, voters were asked to decide about the



policy around the use of tasers. What are your thoughts about the use of tasers and issues around use of force in general?

I wrote an argument against the ballot measure. I thought it was really horrible public policy. I have to say I'm very pleased actually not only that it failed but that it failed by the margin it did because I was worried about the margin. I thought it was going to fail but I was worried about the margin.

Because I think it's important not only to fail but to fail decisively. It was very clearly not a squeaker.

Use of force policy and other policies for police agents should be done through an interactive process in the community not by the ballot box that is flooded with misinformation. That's the union in this case. In my neighborhood I was getting mailers that say if you don't vote for this we're not going to have a tasers when they knew it was an outright lie because the commission had already approved the tasers. And the level of threshold for the use of tasers they were proposing, quite frankly, it's a 1980s level which we have learned through failures that is too low of a level. Tasers are an important tool for police officers to be given the technology that we have today, but it's dangerous. It's less dangerous than the gun but it's not like it comes cost-free right? And technology is evolving every day and we may have another option two three years from now that is less harmful and just as effective or more effective. If you tie the hands of the city, having to go back, to an expensive election to undo these things then you may not be able to avail yourself of new technology. Even beyond the technology beyond the tasers I think it's just important that you appoint people that you believe in. If you don't believe in them you figure out a way to get rid of them. I believe that tasers are an important tool. I actually tried to bring tasers in when I was Chief of Police and failed miserably with the Police Commission.

But it's a tool that has a time and place. it's not a tool you simply want to use wantonly because it can be dangerous. If I have a family member that is acting aggressively and physically harming others or possibly harming others and I have an option of a police officer



using a taser or a gun I'm going to take the taser every day. And I'm speaking from personal experience. I have been tased, so I know what it feels like. It's not a pretty thing. But I'm here. I've never been shot, thankfully. I may not have been here if I was shot. So, yes, they have a place. It's just that place has to be very carefully crafted and supervised. It's not something you just use because somebody gives you a dirty look or decides not to agree with you or not do what you're told to do immediately which is what the union was pushing for basically.

QUESTION: A Civil Grand Jury Report in 2016 found that the San Francisco Police Department investigations of fatal police shootings were both excessively long and lacked transparency. How effective do you feel the response to those findings have been? What do you think has changed? Are there other changes you would like to see made?

DA:

Well first let me tell you that it is still broken. It's horribly broken. My office was funded to create a unit to investigate this and we still don't have an agreement so we are still not leading the investigations in a way I would like. First of all, I would love to have this be done by somebody else altogether; we're just filling in the vacuum because nobody else is in a place to do it.

There's been discussions about having something statewide, like the attorney general, but the problem is that police shootings happen at very unexpected odd hours and you have to have an investigative team that is close enough to the ground that they can get there within less than an hour. Why do you want to get there within less than an hour? Because the early stages of the investigation set the tone for what happens a year or two years down the line. There's evidence that either doesn't get collected or gets misplaced or gets damaged, including statements that people make. So you need a third party reviewer on the ground really early on. Police cannot investigate themselves. We're not truly a third party reviewer because some people argue that we are still part of the criminal justice system, but we're the best that we have right now. What I did is, and the reason why I pushed for the funding to create a separate unit, because the people that we have now doing this are not prosecutors in this office. We've brought people in from other places. The investigators have never worked for the San Francisco Police Department. We brought people actually from the civil rights division of the justice department that were not happy with the current administration. So they gave us a



recruitment tool. Still the optics are such for some people that they demonstrate here every Friday afternoon. They said somehow I am part of the problem. I understand their feelings. They see this guy who was a Chief of Police, this guy who is a prosecutor, we don't trust him. I get that and there's nothing I can say to make them trust me.

But, even within the confines of what we have here today, by the time my investigators get there, there are often the union lawyers who are basically fabricating the stories. I'm not saying that the officers are all doing horrible things, but what they're doing is they're shaping the investigation very early on. We have times when the officers are literally reading their statements from their phone, right? Which has obviously been handed down by their lawyers, quite frankly sometimes to their detriment, because their lawyers are not very good sometimes. Some investigators of the scene that are extremely good and others that are very biased in their approach. They do not approach this as if it was a regular homicide. They approach it in a very different way. For me, officer-involved shootings are either a homicide or a near homicide because either somebody died and they should be treated like a homicide or somebody could have been killed, it's a use of deadly force. So that requires the most pristine, the most informed investigation that we can possibly do and that isn't happening today. Even though I'd like to believe we have very good people on the ground they don't drive the bus

So we're subject to a lot of stonewalling and a lot of game playing. And I don't see the will. This area is very nuanced. It's like brain surgery. Unless you understand you're doing brain surgery, this is stuff that even lawyers that do this kind of work don't understand the law. The law is extremely permissive in this area for police officers and that's one of the reasons why I'm trying to work on the state legislation to come up with a little different place from where we are.

To wrap it up: the investigations are not much better than they were when the Civil Grand Jury did their work.

QUESTION: Body cameras were introduced to the San Francisco Police Department in 2016. Concerns have been raised by League Sunshine Ordinance Task Force members both about compliance with requirements for when the cameras are activated and how



the footage is used and made available to the public. How do you feel the use of body cameras has affected policing in San Francisco? Are there changes you would like to see in how the cameras and footage are used?

Yes it has affected things, I don't always think in a good way. In the area of officer involved shootings actually it's having a negative impact because first of all they don't turn them on when they're supposed to. There really aren't a lot of consequences for not doing so, but now we know the police commission brokered a backroom deal, the former not the current police commission. But the former commission brokered a backroom deal with a union that nobody really realized--we didn't even realize until December of last year. The officer gets to view all of the body worn cameras, and every camera before they give a statement for their interview in the shooting. Nowhere else in the criminal justice system does a subject of an investigation get to view this beforehand and what it does actually doesn't help the officer quite frankly because the officer made decisions based on what they perceived at the time, right? The cameras gonna catch a two-dimensional picture of the event which may not mean it necessarily will register in the officer's mind. But what happens is once they view the cameras they want to comport to what the camera says, so they start lying and I think that's going to have a really bad impact overall.

We're seeing some of it already and it was really sad because actually there was a body worn camera group led by the bar and a lot of good thoughts went into this. Even though we're not part of the group and I purposely said we're not going to be part of the group because we're going to end up having to deal with whatever it is and it was prophetic. I said I'm willing to compromise and let the officers see their own camera after they give the first statement and that was a compromise. But first will you give me your impressions and then go back and use your camera help you recollect your memory but only your own, not yours and yours and the other one down the street. But somehow the Police Commission at the last moment came up with [a] very different agreement, and now it's being contested because now the commission they tried to fix it and the union said wait a minute, we have an agreement, so it's a mess.

And it became interpreted not only as their own body-worn camera but as any electronic recording so they're looking at the cameras of businesses, technically they can listen to each other's interviews. We had a judge in one case, where we're investigating the shooting but we're also prosecuting the other side, even though we have separation walls, the judge spoke to all the officers in their preliminary hearing you guys are lying because their statements were so identical. Human beings don't function that way. Three days from now if we describe our conversation we'd have seven different variations. Generally the same idea but we're all going to have very different interpretations. It's the way that we work. It's normal. So it's a problem.

QUESTION: As a Sanctuary City, San Francisco places limits on the extent to which police can cooperate with immigration authorities. Does this establish trust between immigrant communities and the police? Are there changes you would make in either in policies or how they are implemented?

First of all they do help. I mean this is already an area that is riddled with mistrust. Driven sometimes by people's own views of the world when they came to this country and how they interacted with criminal justice in their own nations. Then coming here and then they see they have their own experiences in their own neighborhood. And then you have the national dialogue which could not be any more toxic right now.

It's a daily function for us. We have to go and talk about how we want people to come, we want people to go to the police because we're not going to report you to immigration.

In fact, in this office we wrote legislation that Scott Weiner was able to propose and get passed that actually prohibited any discussion of a person's immigration status in any open hearing in court because we actually have public defenders questioning domestic violence victims whether they were seeking a U Visa, a U Visa is a special visa that can be given to the victims of a violent crime, and also regularize their their status. And they were asking that even when there was no basis for it, only to be able to show in front of the jury that this person may be undocumented and appealing to maybe one or two jurors that may not like immigrants or undocumented immigrants. It became a problem because we had actually survivors of domestic violence that were refusing to come to court. You add to that that actually ICE was going into the courtrooms. We had a problem in Alameda Court, we had a problem in Pasadena, in Texas, so we're fighting an uphill battle. We've had an 18% reduction in domestic violence reporting in the city by immigrants. And the problem is happening nationwide. LA has had a significant reduction. In fact, just the other day on my personal Facebook I posted an article that came out on the Chronicle but it was out of Houston, Texas where the chief was complaining that there's huge reduction in domestic violence reporting.

So it is helpful to have. Right now the environment is just incredibly toxic. And then we have Angela Alioto actually collecting signatures, and really in a very disingenuous way. We don't have felons because of sanctuary city. We may have felons sometimes on the street and sometimes they were born here and sometimes they weren't but it has nothing to do with sanctuary city. It's really a complete mischaracterization of the issue.



All this collectively was having a horrendous impact and especially in vulnerable victims: with women, young girls, victims of human trafficking. It's impacting and when victims don't report crimes, eventually the party comes home to the people that are here legally. When I was policing in Arizona I dealt with a case that did not happen in Mesa, it happened in Phoenix, But the Consul General of one of the Latin American countries came to me very early in my tenure there asking for help because he had a young women that had been brutally raped, and she was even afraid to go to the hospital because in Arizona they generally report you, even in the emergency room. And she does not want to go to the police department, and he was looking for help. She knew who the assailant was, so it's not a question. There was no police report. There was no investigation. I was able, through the archdiocese, to get her some help. Within six months the same guy went on and raped another woman, this time a US citizen. So when people think that, well it only happens in the immigrant community they forget that when you create a vacuum you will allow that behavior to go on unchecked and it eventually impacts all of us.

Deputy Chief of Staff Alex Bastian added:, :

“When we heard that ICE was coming for courthouses the District Attorney, as soon as he heard that, and he called out Jeff Sessions and Homeland Security right on the spot and said look you need to stay out of our courthouses because that could have a chilling effect. It's documented in the LA Times. So he has been the leading person on from the very beginning.

QUESTION: It there anything you'd like to tell us about policing practices in San Francisco.

First of all I want to thank you. The influence that you can bring to this issue, it could be great. The fact that you guys are taking the time to inform yourselves, again I commend you for it because it's important. There's a lot of work to be done.

I don't want to have you leave here thinking the world is falling apart because it's not. A lot of good things happen. And there are a lot of good intentions and good people doing a lot of work. We have a great Chief of Police and I'm very encouraged by some of the members that have been selected for the Police Commission, so I think there's a lot of good things going on.

What I'd like to say is that there's still a lot of work to be done, and that this is not an area that you can just feel comfortable that we have arrived. We haven't. We have a lot of work to do,



especially in our community. Frankly, this is such an affluent city that some of the problems we're having shouldn't happen. We can be very humane. We can have a really good police department. We are the highest-paid police department of any major metropolitan area in the country. So it's not like we under pay our police officers. I know that money and quality are not always together but generally you know when you pay a high price for something you expect [it] to be high performing and in this case I think that we should demand very high performance in our police department. And that means that we develop a style of public safety that is congruent with our values, and our community, and is respectful to people. You don't have to jail tons of people in order to have a safe community. To the contrary actually, you just need to be very surgical. It's like treating cancer. You don't necessarily want to chemo the entire body, Chemo is a very brutal solution, hopefully we'll get rid of that one day soon, you just want to be able to apply very surgically and that requires high-level thoughtfulness, an understanding of the nuances of the work. And we should be there. There's no reason why we shouldn't be. We have a very smart community. We have incredible juries. You know that sometimes my lawyers get very frustrated, especially ones that come from other counties, because in LA county it is very easy to get a conviction and here we've got to work for it. But I say you know it's a good thing that you have to work for it. We don't want to be in a community where we just walk in the courtroom and we just get a conviction because we can. I want to walk in a courtroom where the community really holds us accountable.

So I think that we're in an okay place but we should not be [in] an okay place, we should be in a place of excellence.

Deputy Chief of Staff Alex Bastian added:

An illustration of something that he has done recently as well as it relates to Prop 64.

Marijuana became legal in the state of California with the new law, Prop 64, people have an avenue to petition to be able to get their marijuana case either reduced to a misdemeanor or if it's a misdemeanor to get it expunged completely. The DA saw that and he looked into the state of California's numbers and of the 2.7 million people who have been convicted of marijuana offenses in the last hundred years or so, only 5,000 people had come forward to petition for their record to be either reduced or completely dismissed. The reason that's so important is because for us as prosecutors when we see marijuana convictions it doesn't make a big difference.

For misdemeanors especially, but for someone who is trying to get housing or employment [it] makes such a huge difference as a hurdle in their lives to get it going. So what the DA did is he said, look, we're going to do it on our own. We're going go to do a full review and we're



going to dismiss the misdemeanors and we're going to reduce the felonies, where appropriate. And since then there have been at least 11 jurisdictions that have followed suit and that first started here also in this office also with the DA. And that is something that is going to change the landscape of the legacy that's associated with convictions as it relates to marijuana and it started here in San Francisco

DA:

It gives a lot of people opportunities for housing and employment.

We were fortunate enough to work with Code for America. They developed an algorithm for us. They can review the rap sheets from the system as opposed to having people toil through that, so it fills all the forms and all this stuff. So we also put it in a public domain. We're not taking any copyrights on it.

DA Assistant:

I had to bring it up because the DA is super humble. This is one of the biggest things to happen as it relates to legacies associated with a criminal record involving marijuana.