



DEPARTMENT NOTICE

23-159

Published: 10/03/23

Expires: 10/03/26

Benchmark Stop Data System

(Supersedes DB 20-141 & DB 21-062, Supplements DN 23-108)

The Department is required to comply with Assembly Bill 953 (AB953), the Racial and Identity Profiling Act, which enacted Government Code section 12525.5 that mandates reportable stop information be entered into the Benchmark Stop Data System (BSDS).

In line with the Department's Strategic Goals related to Measuring and Communicating, when the Department collects and reports stops data, it helps build trust in and demonstrates transparency related to our work.

To comply with legislation, regulation, and training materials associated with AB953, members shall familiarize themselves with the requirements contained in this Department Notice when using BSDS.

Through the BSDS web portal, members shall submit data for all stops including, but not limited to, **pedestrian, bicycle and vehicle stops**. Exceptions to the stop data entry requirement are listed below in the "Stops Data Entry Exceptions" section. BSDS entries are required when a stop is initiated based on information developed by the member's own observation, the direction and/or information from another member, DEM (Dispatch), or members of the public.

For the purposes of this policy, a stop is defined as¹:

1. Any detention, by a peace officer of a person; or
2. Any peace officer interaction with a person in which the officer conducts a search.

A detention is defined as: "Detention, unless otherwise provided in these regulations, means a seizure of a person by an officer that results from physical restraint, unequivocal verbal commands, or words or conduct by an officer that would result in a reasonable person believing that he or she is not free to leave or otherwise disregard the officer."²

Stop Data Entry Exceptions:

Members are reminded that passengers in vehicle stops shall not be reported unless either:

- 1) The passenger is observed or suspected of violating the Vehicle Code or any other applicable law or ordinance³; or,
- 2) The passenger is subject to any actions listed under "Actions Taken by Officer During Stop," which refers to the officer's actions towards a person that is reportable as defined in Cal. Code of Regs § 999.226(a)912)(A) other than 'none' or 'vehicle impound.'⁴

¹ California Code of Regulations, § 999.224(a)(14)

² California Code of Regulations § 999.224(a)(7)

³ California Code of Regulations § 999.227(b)(1)(A)

⁴ California Code of Regulations § 999.226(a)(12)(A)

Members are reminded that some interactions are not reportable, including stops during public safety mass evacuations⁵, active shooter incidents⁶, and stops that occurring during or as the result of routine security screenings required of all persons to enter a building or special event.⁷

Members are also reminded that the “Interactions that take place during the following circumstances shall only be reported if the person is detained based upon individualized suspicion or personal characteristics and/or the officer engages in any of the actions described in the data values set forth in section 999.226, subdivision (a)(12)(A), excluding “None”:⁸”

- 1) Traffic control of vehicles due to a traffic accident or emergency situation that requires that vehicles are stopped for public safety purposes.
- 2) Any type of crowd control in which pedestrians are made to remain in a location or routed to a different location for public safety purposes.
- 3) Interactions during which persons are detained at a residence only so that officers may check for proof of age for purposes of investigating underage drinking.
- 4) Checkpoints or roadblocks in which an officer detains a person as the result of a blanket regulatory activity or neutral formula that is not based on individualized suspicion or personal characteristics. This includes DUI sobriety checkpoints.

Members are also reminded that specific stop reporting exemptions exist around stops of a person at a residence with a search warrant⁹, and of individuals in their residence who are subject to house arrest or home detention¹⁰.

If more than one member conducts a stop, only one member shall collect and report the information required to be reported. The member with “the highest level of engagement with the person stopped shall submit the full report for all data elements, regardless of whether that member performed the specific action(s) reported¹¹.”

Example: If member A stops a person, questions them, and conducts a subsequent consensual search that results in the discovery of narcotics, but member B handcuffs the person and takes the person into custody, member A would complete the stop report and include all relevant actions of both member A and B in that stop report.

If multiple persons are stopped during one incident, then applicable stop data shall be submitted for each person within a single report, except that passengers in a vehicle that is stopped shall be reported only as set forth in the Code of Regulations.

⁵ California Code of Regulations § 999.227(c)(1)

⁶ California Code of Regulations § 999.227(c)(2)

⁷ California Code of Regulations § 999.227(c)(3)

⁸ California Code of Regulations § 999.226(a)(12)(A)

⁹ California Code of Regulations § 999.227(d)(2)

¹⁰ California Code of Regulations § 999.227(d)(3)

¹¹ California Code of Regulations § 999.227(a)(5)

For additional information on the above reminders, please see the RIPA regulations and a CalDOJ FAQ, both linked to this DN.

A complete copy for the AB953 regulations can be found here:

<https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/stop-data-reg-final-text-110717.pdf>

A CalDOJ generated Frequently Asked Questions (FAQ) document can be found here: http://sfpd-net/StopDataCollectionSystem/RIPAQandA-12_18.pdf

Members are reminded that when entering information into BSDS:

When reporting location, members shall report one of the following options outlined in the legislation, which are provided in order of preference:

- 1) Block number and street name; (correct example: 100 block 6th Street. Incorrect example: 123 6th St.)
- 2) Closest intersection; or
- 3) Highway and closest highway exit.
- 4) If none of these options are applicable, the officer may report a road marker, landmark, or other description, except that the officer shall not provide a street address if the location is a residence.

When responding to free text narrative questions (e.g.: "Reason for Stop — Explanation" or "Basis for Search Explanation/Narrative", etc.): enter a clear, concise answer to the question.

Members shall NOT enter the following data into any plain text narrative field:

- 1) Personally identifiable information of the persons stopped (name, address, phone, DL number, SF number etc.)
- 2) Unique identifying information of any officer (rank, name, star, etc.)
- 3) CAD, citation, or incident report numbers
- 4) Any description of investigative technique or procedure that may reveal investigative sources or methods

When complete, BSDS entries must be submitted in BSDS by clicking the 'submit' button in the top right corner of the form. If the Benchmark Stop Data System becomes inaccessible, members shall utilize SFPD form 620 to retain stop data and enter data into the Benchmark Stop Data System upon restoration of service. Destruction of hard copy forms is authorized upon successful data upload to the Benchmark Stop Data System. This form will also be available in electronic format in the SFPD forms folder and in the PowerDMS forms folder titled Stop Data Backup.

Entries to Benchmark Stop Data System that require correction must generate a memorandum for record, signed off by a supervisor and submitted to the Technology Division who will work with Benchmark to make the correction. Members will access the BSDS web portal via the BSDS icon located on station computers or department issued cell phones.

Airport Bureau members shall comply with the policies and procedures outlined in this notice.

BSDS entries are subject to random state and local auditing to ensure compliance with both state and local policy and procedure.

Members experiencing login/password or technical issues, may contact the SFPD Help Desk at

[REDACTED]

Questions regarding training or policy issues may be forwarded to Professional Standards at

[REDACTED]



WILLIAM SCOTT

Chief of Police

Per DN 23-152, all sworn & non-sworn members shall electronically acknowledge this Department document in PowerDMS within (30) thirty calendar days of issuance. Members whose duties are relevant to this document shall be held responsible for compliance. Any questions regarding this policy should be made to sfpd.writtendirectives@sfgov.org, who will provide additional information.