

**THE SAN FRANCISCO POLICE DEPARTMENT**  
**ADMINISTRATIVE CODE CHAPTER 96A**  
**EXECUTIVE SUMMARY**  
**Use of Force and Arrest Report per 96A.3**  
**April 1, 2016 – June 30, 2016**  
**Second Quarter**

**SUMMARY**

As part of the national conversation on police reform, including accountability and transparency in law enforcement, accurate data collection has taken center stage. In the forefront is whether specific identifying characteristics (race, gender, ethnicity) play a role in the outcome of encounters between law enforcement officers and members of the public especially as it relates to the level of force used, the rate of arrest, and/or the propensity to search an individual.

In order to evaluate the effectiveness of the reforms undertaken by the San Francisco Police Department (the Department), and more importantly, to ensure procedural justice is evenly applied throughout all neighborhoods within our city, the Department has done a thorough analysis of the processes in place for collecting data as required by recently passed legislation (California AB 953 and San Francisco Administrative Code 96A). Although the data collection continues to involve manually inputting use of force data directly from incident reports, by January 2017, the goal is to have the process fully automated.

As required under Administrative Code 96A, Law Enforcement Reporting Requirements, the Police Department is submitting this report under Sec. 96A.3, for the second quarter of 2016 (April, May, June). The report contains information relating to Arrests and Use of Force, including the following information:

Sec. 96A.3.

- (b) For Use of Force
  - (1) The total number of Uses of Force;
  - (2) The total number of Uses of Force that resulted in death to the person on whom an Officer used force; and
  - (3) The total number of Uses of Force broken down by race or ethnicity, age, and sex.
  
- (c) For arrests:
  - (1) The total number; and
  - (2) The total number broken down by race or ethnicity, age, and sex.

This quarterly report will be available to the public on the Department's website as part of an ongoing commitment to transparency. Once the process is fully automated, the datasets used to generate the reports will be published alongside the report to provide the information in a searchable format.

## **SEC. 96A.3(b) - USE OF FORCE**

Over the past two years, the Department has redirected much of its efforts and resources to what is referred to as the reengineering of the use of force. This past quarter, the Department continued to focus on training its officers on the importance of the proportionality of the use of force (using only that force which is reasonable to perform one's duties), as well as effective communication and de-escalation techniques with an emphasis on safeguarding the sanctity life, dignity, and liberty of all persons.

The Department continues to expand its commitment to the Crisis Intervention Team (CIT) concept and has trained 652 sworn personnel in the updated training curriculum as of October 2016. Included in this number are probationary officers, veteran officers, and members of the Command Staff. The Crisis Intervention Department General Order (DGO) governing the CIT program is in its final stages of review for implementation. The Department works in close partnership with other City agencies and major stakeholders in the development of the CIT DGO and CIT training program. (National Alliance on Mental Illness (NAMI), The Mayor's Office on Disability Counsel, San Francisco Mental Health Association, the Homeless Coalition, District Attorney's Witness and Victim Program, and the San Francisco Public Defenders Office among other advocates and associations). The CIT concept allows for officers to respond to crisis calls in teams while focusing on time, distance, and safety of all persons involved. This model will enable officers to formulate more thoughtful plans in order to assist persons in crisis.

As the SFPD CIT program moves forward, the goal of the Department will be to provide additional CIT training to all members, provide additional hours of crisis intervention training to recruit police officers, deploy the team concept throughout all district stations, and instill in all officers the importance of the guardian mentality

### ***Policy:***

The use of force by members of the San Francisco Police Department is regulated through policies which are established according to local, state, and federal mandates. Updating the current policy, DGO 5.01, began in mid-2015 with guiding principles suggested by the President's Task Force on 21st Century Policing and the Police Executive Research Forum (PERF). By establishing a working group comprised of subject matter experts from the Police Commission, the Department, Police Employee Groups (PEGs), and other local agencies (Office of Citizen Complaints, Public Defender's Office, District Attorney's Office, etc.), as well as community stakeholders, a draft policy was crafted and presented to the public in a series of community meetings.

The final draft of this policy relating to the use of force was approved by the Police Commission on June 22, 2016, and is in the final phase of implementation; meet and confer with the applicable labor association. In the spirit of transparency, documents relating to this reform process, including copies of drafts and discussion notes, are available on our website at [www.sanfranciscopolice.org/use-force-documents](http://www.sanfranciscopolice.org/use-force-documents).

It is important to note that the Department felt strongly about implementing this policy as soon as possible. As such, until the updated General Order is finalized, the Department issued

Department Bulletin 16-112 on July 21, 2016, which outlines the basic principles officers are to consider while making decisions regarding the use and application of force, to ensure such applications are used only to effect arrest or lawful detention. This policy was issued to amend and augment the current use of force policies. However, it is important to note that this policy was not in effect during this reporting period of the second quarter of 2016.

***Definition of Use of Force:***

The use of force must be for a lawful purpose. Officers may only use reasonable force options in the performance of their duties in the following circumstances:

- To effect a lawful arrest, detention, or search.
- To overcome resistance or to prevent escape.
- To prevent the commission of a public offense.
- In defense of others or in self-defense.
- To gain compliance with a lawful order.
- To prevent a person from injuring himself/herself. However, an officer is prohibited from using lethal force against a person who presents only a danger to himself/herself and does not pose an immediate threat of death or serious bodily injury to another person or officer.

***Levels of Force:***

It is the policy of the Department that the degree of force shall be restricted to circumstances authorized by law and to the degree minimally necessary to accomplish a lawful police task. The current force options are:

- Verbal Persuasion
- Physical Control (e.g., passive resister, bent wrist control, excluding the carotid restraint)
- Liquid Chemical Agent (Mace/Oleoresin Capsicum/Pepper Spray)
- Carotid Restraint
- Department Issued Impact Weapons
- Firearm Intentionally Pointed at a Person
- Firearm

In addition to improving and reengineering the use of force through training, beginning in December 2015, the pointing of a firearm was designated through Department Bulletin 15-255 as a “reportable” use of force. Prior to this time, only the discharge of a firearm was considered reportable.

***Documenting the Use of Force:***

Members are required by policy to immediately notify supervisors following a use of force incident, which is then documented and evaluated by the supervisor on scene. Staff then reviews each incident report to ensure all required elements are included in the report prior to entering the data.

Staff has been working to redesign all use of force reporting forms that will include all the required elements and data fields. Once these forms are developed, they will be issued along with a policy that outlines their use, how and when they are to be submitted, and how the data will be collected. Once this is complete, the Department expects to automate the data collection. That project is expected to be complete by the end of 2016. One of the key changes beside the automation of the process is the data/information will be submitted no later than three business days of a use of force incident.

Members of the Risk Management Office (RMO), the unit responsible for tracking and maintaining all data relating to use of force incidents, continues to review data by district station and specialized units. RMO, which includes staff assigned to the Internal Affairs and the Early Intervention System (EIS) Unit, will review and generate reports relating to the use of force, i.e., under what circumstance was it used, type/level of force, and subject/officer demographics.

Beginning this quarter, detailed use of force reports, including by district and officer, will be generated and forwarded to the Chief of Police and Deputy Chiefs for review. The final reports will be provided to commanding officers for review with district captains and unit supervisors as a means to monitor and identify concerns immediately. Additional analysis of the data will be completed to ensure the type of force used is within policy thus providing another layer of evaluation and accountability.

**SEC. 96A.3(b)(1) - TOTAL NUMBER OF USES OF FORCE**

The vast majority of police contacts with members of the public do not result in a use of force. In the second quarter of 2016, the Department responded to 163,144 calls for service – 101,447 calls that were dispatched and 61,697 self-initiated or “on view” encounters.

Month	Calls		On View		Total
	Dispatched	Percent	View	Percent	
April 2016	33,436	61%	21,252	39%	54,688
May 2016	34,524	63%	20,416	37%	54,940
June 2016	33,487	63%	20,029	37%	53,516
<b>Total</b>	<b>101,447</b>	<b>62%</b>	<b>61,697</b>	<b>38%</b>	<b>163,144</b>

Of the 163,144 contacts during this timeframe, force was used in 383 encounters which represents less than one percent (.25%) of the Department’s total contacts. During these 383

incidents, one or more officers reported using force resulting in 925 total individual documented uses of force.

Month	Number of Uses of Force	Percent
April 2016	283	31%
May 2016	319	34%
June 2016	323	35%
<b>Total</b>	<b>925</b>	<b>100%</b>

The number of officers employing force options during this reporting period was 428. The below chart indicates that officers in the age range between 30 and 39 used force more often than other age groups, 52 percent, although this group represents only 30 percent of the Department's sworn staff.

Age of Officer	# Using Force	Percent
Undetermined	1	0%
22-29	93	22%
30-39	223	52%
40-49	87	20%
50-59	23	5%
60 and Over	1	0%
<b>Total</b>	<b>428</b>	<b>100%</b>

The following chart illustrates that more than one officer employed a reportable force option on one or more subjects in a single event.

Number of Officers	# of Incidents	Percent
1 Officer	211	55%
2 Officers	117	31%
3 Officers	23	6%
4 Officers	15	4%
5 Officers	6	2%
6 or More Officers	11	3%
<b>Total</b>	<b>383</b>	<b>100%</b>

In evaluating the data for the second quarter of 2016, there were 428 officer who responded to 383 incidents during which 925 reportable uses of force were documented There are several reasons for this including the number of critical incidents in which multiple officers were on scene, such as the July 6 incident on Market and Jones, detailed below, which resulted in 32 reportable uses of force. In future reports, a further analysis of incidents involving multiple officers and reportable uses of force will be completed.

For example, on July 6, 2016, a total of thirty two officers had a reportable use of force at one incident (one subject) in the area of Market and Jones Streets. Officers responded to a report of a

person experiencing a mental crisis who was armed with a gun. Although the subject displayed the gun on several occasions throughout the eight hour stand-off, officers used less-lethal options, while negotiators engaged the subject. During this one 8-hour incident, thirty two officers documented a reportable use of force, including pointing of a firearm, physical control, and the use of an ERIW.

During this quarter, 81 percent of the incidents in which officers used force involved one subject. Twelve of the 383 incidents involved four or more subjects.

Number of Subjects	# of Incidents	Percent
1 Subject	311	81%
2 Subjects	41	11%
3 Subjects	19	5%
4 Subjects	5	1%
5 Subjects	6	2%
6 or More Subjects	1	0%
<b>Total</b>	<b>383</b>	<b>100%</b>

***Force Options Employed:***

Pointing of firearms became a reportable use of force beginning in December 2015. During the second quarter of 2016, this type of force accounted for 620 or 67 percent of the type of force used. It is important to note that pointing of a firearm is only a reportable force option when the weapon is pointed directly at a subject.

As noted earlier, staff manually reviewed each incident report to ensure members were correctly reporting this force option, and moreover, to determine if any common patterns need to be addressed through training or to identify individual officers who are more prone to resort to this type of force.

Type of Force Used	Number	Percent
Pointing of Firearms	620	67%
Physical Control	179	19%
Strike by Object/Fist	59	6%
Chemical Agent	14	2%
Impact Weapon	37	4%
Carotid	2	0%
ERIW	8	1%
Firearm	3	0%
Other*	3	0%
<b>Total</b>	<b>925</b>	<b>100%</b>

\*Other = Distraction device

**SEC. 96A.3(b)(2) - USE OF FORCE RESULTING IN DEATH:**

During this reporting period, there were two incidents in which officers discharged their firearm resulting in the death to the person on whom an officer used force. One officer used less-lethal, ERIW, before discharging his firearm.

**Firearm Discharge #1**

**Injury: Fatal**

Case #	Victim Name	Race/Sex	Date	Time	Location
160-286-132	L. Gongora	HM	4/7/16	9:55	400 Block of Shotwell St
<b>Original Call:</b>			<b>Officers using force</b>		<b>Total # of Uses of Force</b>
Person with a Knife (222)			2		3

**Firearm Discharge #2**

**Injury: Fatal**

Case #	Victim Name	Race/Sex	Date	Time	Location
160-409-196	J. Williams	BF	5/19/16	9:46	Elmira St & Shafter Ave
<b>Original Call:</b>			<b>Officers using force</b>		<b>Total # of Uses of Force</b>
Stolen Vehicle (851)			1		1

***Use of Force Resulting in Injury:***

Although not a requirement of Chapter 96A.3, the Department will report any reportable use of force incidents in which there was an intentional discharge of a firearm that resulted in either no injuries or non-fatal injuries to a member of the public or an officer.

During this reporting period, there were no officer involved reportable use of force discharges/shootings resulting in no injuries or non-fatal injuries.

***Type of Call:***

To further evaluate why officers use force, the Department collected data on the type of call for service an officer was responding in which force was used. Officers responding to a call for service regarding a “suspicious person” represented 21.1 percent of all calls in which force was used.

Call Type	April	May	June	April to June	
	# Incidents	# Incidents	# Incidents	# Incidents	Percent
Part I Violent	24	23	31	78	20.4%
Part 1 Property	25	23	29	77	20.1%
Person w/a Gun	4	9	11	24	6.3%
Person w/a Knife	4	8	4	16	4.2%
Suspicious Person	23	24	34	81	21.1%
Search Warrant/Warrant Arrest	8	8	6	22	5.7%
Restraining Order Violation	0	3	1	4	1.0%
Terrorist Threats	1	2	0	3	0.8%
Disturbance Calls	2	1	2	5	1.3%
Mental Health Related	5	6	8	19	5.0%
Aided Cases	2	0	1	3	0.8%
Homeless Related Calls	2	5	2	9	2.3%
Prostitution	0	0	1	1	0.3%
Vandalism	1	5	3	9	2.3%
Field Interview	1	1	0	2	0.5%
Alarm/Check on Well-Being	3	6	0	9	2.3%
Traffic Related	6	10	3	19	5.0%
Unknown	0	1	1	2	0.5%
<b>Total</b>	<b>111</b>	<b>135</b>	<b>137</b>	<b>383</b>	<b>100%</b>

Data Source: AIMS

***Reason Force Options Were Employed:***

Force is used most often to effect a lawful arrest, 73 percent of the 925 reportable uses of force.



Reason	April		May		June		April to June	
	Incidents	Percent	Incidents	Percent	Incidents	Percent	Incidents	Percent
In defense of others or in self- defense	3	1.1	7	2.2	3	0.9	13	1.4
To effect a lawful arrest, detention, or search, or to prevent escape	219	77.4	226	70.8	228	70.6	673	72.8
To gain compliance with a lawful order	60	21.2	84	26.3	88	27.2	232	25.1
To prevent a person from injuring himself/herself, when the person also poses an imminent danger of death or serious bodily injury to another life	0	0	1	0.3	0	0	1	0.1
Not Specified	1	0.4	1	0.3	4	1.2	6	0.6
<b>Total</b>	<b>283</b>	<b>100</b>	<b>319</b>	<b>100</b>	<b>323</b>	<b>100</b>	<b>925</b>	<b>100</b>

Data Source: AIMS

### SEC. 96A.3(b)(3) - TOTAL NUMBER OF USES OF FORCE BY RACE OR ETHNICITY, AGE, AND GENDER

Race	Pointing Firearm	Physical Control	Strike by Object/Fist	OC	Impact Weapon	ERIW	Carotid	Firearm Use	Other	Total	%
A - Asian/ Pacific Islander	54	8	1	1	4	2	0	0	0	70	8%
B - Black	271	72	19	4	11	0	1	1	0	379	41%
H - Hispanic	158	33	17	5	9	4	1	2	0	229	25%
I - American Indian	0	1	0	0	0	0	0	0	0	1	0%
W - White	127	60	20	4	10	2	0	0	2	225	24%
U – Unknown ***	10	5	2	0	3	0	0	0	1	21	2%
<b>Total</b>	<b>620</b>	<b>179</b>	<b>59</b>	<b>14</b>	<b>37</b>	<b>8</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>925</b>	<b>100%</b>

\*\*\*Unknown subjects includes race/ethnicity which was not documented in the report for various reasons, i.e., subject fled, would not provide information.

In comparing the race/ethnicity and gender of officers who used force during this period against the demographics of the Police Department, there is little variance.

Race & Gender	# Using Force	Percent	# Total	Percent
---------------	---------------	---------	---------	---------

Asian Female ***	4	1%	43	2%
Asian Male ***	88	21%	429	20%
Black Female	7	2%	41	2%
Black Male	26	6%	149	7%
Hispanic Female**	7	2%	54	3%
Hispanic Male **	62	14%	277	13%
Other Female **	1	0%	6	0%
Other Male **	12	3%	22	1%
White Female	22	5%	177	8%
White Male	199	46%	916	43%
<b>Total</b>	<b>428</b>	<b>100%</b>	<b>2114</b>	<b>100%</b>

\* \*\* Includes ethnicity outside DOJ definitions and American Indian/\*\* \*\* Asian includes Asian and Pacific Islander

***Use of Force - Age of Subject:***

The data indicates that force is used more often on persons between the age of 18 and 29 (40 percent). Force was used 35 times on persons under the age of 18, a statistic the Department will evaluate to ensure the appropriate level of force was used.

Age	Pointing Firearm	Physical Control	Strike by Object/ Fist	OC	Impact Weapon	ERIW	Carotid	Firearm Use	Other	Total	%
Under 18	29	3	3	0	0	0	0	0	0	35	4%
18-29	257	64	21	8	14	5	1	0	1	371	40%
30-39	174	52	17	3	14	1	1	0	1	263	28%
40-49	97	41	10	0	3	0	0	0	0	151	16%
50-59	35	10	5	2	3	2	0	0	1	58	6%
Over 60	24	5	1	1	3	0	0	0	0	34	4%
Unknown	4	4	2	0	0	0	0	3	0	13	1%
<b>Total</b>	<b>620</b>	<b>179</b>	<b>59</b>	<b>14</b>	<b>37</b>	<b>8</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>925</b>	<b>100%</b>

***Use of force - Gender of Subject:***

Males are more likely to be involved in an incident in which force is used, accounting for 82 percent of the uses of force.

Gender	Pointing Firearm	Physical Control	Strike by Object/ Fist	OC	Impact Weapon	ERIW	Carotid	Firearm Use	Other	Total	%
Female	129	26	2	0	2	0	0	1	0	160	17%
Male	489	153	57	14	35	8	2	2	3	763	82%
Unknown	2	0	0	0	0	0	0	0	0	2	0%
<b>Total</b>	<b>620</b>	<b>179</b>	<b>59</b>	<b>14</b>	<b>37</b>	<b>8</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>925</b>	<b>100%</b>

**SEC. 96A.3(c) ARRESTS**

The San Francisco Police Department made a total of 5,608 arrests between April 1 and June 30, 2016.

***Sec. 96A.3(c)(1) - Total Number of Arrests***

Month	Arrests	Percent
April	1796	35%
May	1794	34%
June	1588	31%
<b>Total</b>	<b>5178</b>	<b>100%</b>

**Sec. 96A.3(c)(2) - Arrest by Race/Ethnicity, Sex, and Age:**

The arrest breakdown is as follows. Unknown is when a subject refused to provide information or information was unavailable.

Race	Number	Percent
Am. Indian	22	0.4%
Asian	320	6.2%
Black	2027	39.1%
Hispanic	972	18.8%
White	1688	32.6%
Other	21	0.4%
Unknown*	128	2.5%
<b>Total</b>	<b>5178</b>	<b>100%</b>

Sex	Number	Percent
Female	878	17.0%
Male	4279	82.6%
Other	21	0.4%
<b>Total</b>	<b>5178</b>	<b>100%</b>

Age	Number	Percent
Under 18	183	4%
18-29	1668	32%
30-39	1588	31%
40-49	948	18%
50-59	574	11%
60 & over	189	4%
Missing	28	1%
<b>Total</b>	<b>5178</b>	<b>100%</b>