

Recommendation 15.2

TK

Tanya Koshy
Tue 9/8/2020 7:46 PM

To:

- McGuire, Catherine (POL);
- Scott, William (POL);
- [REDACTED]

+7 others

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Dear Acting Captain Altorfer,

Our office has completed its review of the materials related to Recommendation 15.2 that have been submitted to us as part of the collaborative reform process. After reviewing the package and information provided by SFPD, the California Department of Justice finds as follows:

Recommendation 15.2

The SFPD should host town hall presentations to educate the public and the media on use of force and officer-involved shooting investigation protocols.

Response to 15.2:

SFPD has identified a two-pronged approach to educating the public and the media on the use of force and officer-involved shooting (OIS) investigation protocols: (1) SFPD will hold biannual meetings at every district station to discuss use of force and OIS investigation protocols, allowing for as many as 20 presentations a year across the City and (2) SFPD will incorporate an explanation of OIS investigation protocols into the quarterly Firearm Discharge Review Board (FDRB) presentations to the Police Commission. Each of these presentations is discussed in more detail below:

Biannual District Station Presentations

SFPD decided against conducting these presentations in the form of town hall meetings and opted instead to do district station meetings for two reasons. First, SFPD did not want to confuse these presentations with the town hall meetings it holds shortly after any OIS (consistent with Recommendation 13.1). Second, SFPD concluded that holding these presentations during district station meetings would allow more people across the City to attend because they would be held at every district station twice a year. The California Department of

Justice and Hillard Heintze agree with SFPD's approach, particularly since this approach is consistent with Compliance Measure 1 (Establish a protocol and procedure for SFPD hosted town hall presentations that are inclusive of difference neighborhood and communities). These meetings are codified in Field Operations Bureau (FOB) Order 19-01.

As noted in FOB Order 19-01, the district station presentations will discuss Department General Order (DGO) 5.01 (Use of Force) and DGO 8.11 (Investigation of Officer Involved Shooting and Discharges). SFPD will also provide general information regarding OISs, including the quarterly update on OIS investigations (published by the Media Relations Unit), and will discuss the memorandum of understanding between SFPD and the San Francisco District Attorney's Office on OIS investigations. During the presentations, SFPD will provide community members with copies of the quarterly FDRB reports.

The Community Engagement Division (CED) will prepare a survey that district station Captains will provide at each of these presentations. In May and November of each year, the commanding officer of the CED will review the survey results and will submit a memorandum to the FOB Deputy Chief, summarizing the community feedback and recommendations for the Chief to consider. In December of every year, the FOB Lieutenant will conduct an audit and review of the CED reports and the surveys and furnish a report to the FOB Deputy Chief.

Because of the COVID-19 pandemic, SFPD has been unable to hold these meetings at the physical district stations but the FOB Deputy Chief has approved virtual meetings until the shelter-in-place order is lifted and in-person meetings can resume. The next district station meetings on use of force will take place virtually in November.

Quarterly Presentations to the Police Commission

SFPD's quarterly FDRB presentation to the Police Commission will include an explanation of the OIS investigation protocols. This process is codified in the Chief of Staff Bureau Order 20-01. To ensure that this occurs, the Internal Affairs Lieutenant is responsible for maintaining a log of the FDRB presentations to the Police Commission, documenting that the OIS investigation protocols were discussed. In December of each year, the Captain of Risk Management will conduct an audit and review of these logs and furnish a report to their Commanding Officer on the outcome of the audit.

Based on the all of the above, the California Department of Justice finds SFPD in substantial compliance with this recommendation.

Please let us know if you have any questions or would like to discuss these further. Thank you.

Tanya

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Collaborative Reform Completion Memorandum

Finding #15: The SFPD does not adequately educate the public and the media on issues related to use of force and officer involved shootings.

Recommendation # 15.2 The SFPD should host town hall presentations to educate the public and the media on use of force and officer involved shooting investigation protocols.

Response Date: 08/10/2020

Executive Summary: In order to address this recommendation, meetings were held with Bureau Chiefs and Chief of Staff to determine Departmental direction on this recommendation. To satisfy the recommendation, the Department will take a two-fold approach to educating the public and media on this topic.

- 1.** Biannual community meetings at every district station focusing on use of force and officer involved shooting protocols.
- 2.** An explanation of OIS investigation protocols will be incorporated into quarterly Firearm Discharge Review Board (FDRB) presentations to the Police Commission. These presentations are open to the public and are also televised. The television programming is archived and available online for late viewing.

Compliance Measures:

- 1) Establish a protocol and procedure for SFPD hosted town hall presentations that are inclusive of different neighborhood and communities.**

Two Bureau Orders [FOB Order #19-01 (**Attachment #1**) and Chief of Staff (COS) Bureau Order 20-01 (**Attachment # 2**)] were drafted establishing the protocol and procedures for:

All ten district station captains will hold biannual community meetings in their districts to address use of force and OIS investigation protocols. This course of action serves two purposes:

- 1.** Conducts two (2) meetings per year in each of the Department's ten police districts wherein community members can meet with their district captains in smaller settings to learn about the OIS investigative process.
- 2.** Provides as many as 20 opportunities per year for community members to attend a meeting and learn about the OIS investigative process.

And,

For the IAD/OIS Team to incorporate an educational component regarding OIS protocols during quarterly FDRB presentations to the Police Commission during public session (meetings are televised on SFGov-TV and archived for online viewing).



Collaborative Reform Completion Memorandum

A copy of the PowerPoint is included, reflecting the educational component of this presentation (Attachment # 3). Memorandum of Record concerning the Department's strategy to address this CM is also attached (Attachment # 4).

Due to the COVID-19 shelter in place order issued by the City and County of San Francisco, in person meetings have not been possible. In order to comply with this direction, the Deputy Chief of the Field Operations Bureau has approved the use of virtual meetings, until such time the shelter in place order is lifted, and in person meetings may commence.

2) Strategy to target the public and media.

Biannual District Station Community Meetings: The FOB Bureau Order 19-01 (Attachment # 1) requires captains to use their community news letters, station webpages and social media to announce upcoming meetings focused on use of force / OIS presentations. Additionally, the order requires captains to forward meeting information to the Media Relations Unit for incorporation in Department social media posts (the community and media follow SFPD social media)

Police Commission FDRB/OIS Presentations: Police Commission agendas are posted on the Department website in advance. Additionally, the Police Commission distributes the agenda (in advance) to elected, community activists, news media and other interested parties via email. COS Bureau Order 20-01 (Attachment # 2)

San Francisco Police Commission meetings are open to the public/media and broadcast on the [city's public access television](#).

3) Topics include use of force, OIS investigations and protocols.

The FOB Order #19-01 (Attachment # 1) requires that the presentations include at minimum the following:

Discussion on DGO 5.01 Use of Force and DGO 8.11 Investigation of Officer Involved Shootings and Discharges. (Attachment #?)

Provide community with results of quarterly Firearm Discharge Review Board (FDRB) reports as posted to the SFPD website. Please visit SFPD's FDRB webpage, linked [here](#).

Discuss the OIS investigative process as outlined in the MOU between the SFPD and SF District Attorney's Office. The MOU is available on the SFPD website (Attachment #5). The public may be directed to the SFPD website and printed copies of the MOU can be made available during the monthly meetings.



Collaborative Reform Completion Memorandum

Per FOB Order #19-01 (**Attachment #1**), the Captains shall provide information to the community on how to locate Use of Force, EIS, FDRB reports, and OIS Frequently Asked Questions (FAQ) on the SFPD website.

Per FOB Order #19-01 (**Attachment #1**), the Captains shall provide general information regarding the investigation of Officer Involved Shootings, including the Quarterly Update on OIS Investigations as published by the Media Relations Unit as a news release and web posting (available on the SFPD Website).

The COS Bureau Order 20-01 (**Attachment #2**) requires that the member of the IAD/OIS Team presenting the quarterly FDRB report to the Police Commission also include an explanation of the OIS investigation protocols.

4) Continuous improvement loop and review to ensure town halls are held consistently and achieve planned goals.

Field Operations Bureau:

The lieutenant of the Field Operations Bureau shall be responsible for accounting for and maintaining a log of Captains' memorandums.

The Community Engagement Division shall prepare a survey for use by station captains to gauge the effectiveness of the biannual discussions regarding UOF and OIS. The survey shall be provided to station captains for use at each of the biannual meetings. Captains shall return the surveys to the Field Operations Bureau for evaluation. The Deputy Chief of FOB will forward results of the survey to the Commanding Officer of Community Engagement.

In order to ensure that the Department meets its commitment to transparency in reporting information around the investigations of use of force and the investigations of officer involved shootings, the commanding officer of the Community Engagement Division (CED) shall do the following:

a. Twice per year, in May and November, the commanding officer of CED shall review results and feedback obtained from surveys distributed to the community following each district station captains' community meeting on use of force and officer involved shootings.

b. Following each review, the commanding officer of CED will submit a report via memorandum to the Deputy Chief of Field Operations. This report shall contain a summary and analysis of community feedback and recommendations to the Chief of Police for possible action.



Collaborative Reform Completion Memorandum

In the month of December of each year, the Lieutenant of Field Operations shall conduct an audit and review of all Captain's memorandums, community surveys and CED report (summary analysis of community feedback) as enumerated in III. (2) a. and b. above and furnish a report to the Deputy Chief of Field Operations on the outcome of the audit.

Chief of Staff:

The lieutenant of the Internal Affairs Division shall be responsible maintaining a log of FDRB presentations to the Police Commission documenting that the "OIS Investigative Process" was presented as part of the FDRB report(s).

In December of each year, the Captain of Risk Management (RMO) shall conduct an audit and review of the logs.

The Captain of RMO will furnish a report to the Commanding Officer of RMO on the outcome of the audit.

Due to Coronavirus 19 and the on-going shelter in place order which started in March 2020, there have been no public held meetings.