

Recommendation 3.1.: The Police Commission, SFPD leadership, and elected officials should work quickly and proactively to ensure that the Department is ready to issue these use of force policies and procedures to all Department employees immediately following the collective bargaining meet and confer process. The process should not be drawn out, because the goal should be immediate implementation once the process has been completed.

Response to 3.1: The San Francisco Police Department worked quickly to publish Department General Order 5.01 Use of Force, which was approved by the Police Commission on December 21, 2016. Since that time the Department has published Department Bulletin 17-006 -- Supervisor Use of Force Evaluation Form, which was updated by Department Bulletin 18-171 -- Updated Supervisory Use of Force Evaluation Form, October 2018. As an additional component to the use of force policy, the Department has published Unit Order 18.02 – Use of Force Evaluation Form – Missing Data Procedures, December 7, 2018, which provides procedures for evaluating information that may not have been properly reported on a use of force report, and also provides for remedial measures. Based upon all of the above, the Department of Justice find that the Department is in substantial compliance with this recommendation.

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

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Hillard Heintze File Review Recommendation #3.1

Finding #3	The SFPD and the Police Commission collaboratively worked with community stakeholders to update Department General Order 5.01 - Use of Force policy.
Recommendation #3.1	The Police Commission, SFPD leadership, and elected officials should work quickly and proactively to ensure that the department is ready to issue these use of force policies and procedures to all department employees immediately following the collective bargaining meet-and-confer process. The process should not be drawn out, because the goal should be immediate implementation once it has been completed.

Recommendation Status	X Complete	Partially Complete	In Progress
	Not Started	No Assessment	

Summary

The San Francisco Police Department, the Police Commission, and members of the community worked collaboratively and with immediacy to revise and update Department General Order 5.01 Use of Force. The process included input from the community and interested persons using town hall meetings and other forums. Transparency of the process was critical and it was achieved in part by posting to the department’s website draft documents and comments about the revision and the process to the Commission. (compliance measure one) The DGO was approved by the Police Commission and promulgated by the department on December 21, 2016. (compliance measure two) The revised policy communicated to employees the department’s expectations regarding treatment of all persons with respect to officer’s use of force and instruments of force. To support implementation of the policy, the department required members to attend use of force training and promulgated guidelines to assist officers in understanding the use and application of force, Department Bulletin 16-112 Principles to Consider Regarding the Use and Application of Force, July 21, 2016, and other policies as described in the following paragraph.

Content governing the reporting and evaluation of use of force incidents constitute a key component of the policy. To support reporting practices the department published Department Bulletin 17-006 Supervisor Use of Force Evaluation Form (January 2017), which was subsequently modified by Department Bulletin 18-171 Updated Supervisory Use of Force Evaluation Form, October 2018. These policies support DGO 5.01 by describing the duties and responsibilities of supervisors when responding to and completing reports on use of force incidents.

The department and its government partners demonstrated collaboration and transparency in the spirit of community policing to ensure passage and implementation of a use of force policy that is consistent with contemporary policies in the profession. Their collective effort provides sufficient evidence to designate the response to this recommendation as Complete. In Phase Two the team will monitor the department’s practices to ensure the use of force policies and principles become institutionalized.

Compliance Measures		Status/Measure Met
1	Work quickly and proactively on issuance of use of force policies and procedures.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2	Issue use of force policies and procedures to all department employees immediately after meet-and-confer process.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3	Immediate implementation of use of force policies and procedures following	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Hillard Heintze File Review Recommendation #3.1

issuance.

Administrative Issues:

Per SFPD, an audit for DB 18-171 was not conducted “because DB was recently issued this morning (10/11/2018).” SFPD should conduct an audit of the receipt/acknowledgement of DB 18-171 and provide the audit summary report.

Compliance Issues:

Supplemental Document Request:

Requested Documents	Responsive Document and Why
	Docs-
	Why relevant-
	Docs-
	Why relevant-



DOJ Request For Information (RFI) Sheet

Recommendation # 3.1 The Police Commission, SFPD leadership, and elected officials should work quickly and proactively to ensure that the Department is ready to issue these use of force policies and procedures to all Department employees immediately following the collective bargaining meet and confer process. The process should not be drawn out, because the goal should be immediate implementation once the process has been completed.

Response Date: 10/11/2018

Screening Questions:

1) Has the recommended action occurred?

a.) Work quickly and proactively on issuance of use of force policies and procedures.

-Yes. Below are some notable dates.

-1/21/2016- First Community Input Session regarding SFPD Use of Force Policy Event.

-10/13/2016- Police Commission Meeting

-12/21/2016- 5.01 Adopted

Please [click here](#) for documentations relating to adoption of DGO 5.01

b.) Issue use of force policies and procedures to all department employees immediately after meet-and-confer process.

-Yes. See question #2.

c.) Immediate implementation of use of force policies and procedures following issuance.

-Yes. See question #2 and #3.

2) Does the recommendation require a DGO or other department policy? If not required, is the recommendation supported by a department policy?

DGO 5.01 was revised and adopted on 12/21/2016. Department Bulletins (DB) 16-112, 16-219 and 17-006 were issued to provide further guidance on Use of Force.

On 10/03/2018, the DB 18-171 was issued in order to reflect the updated and improved changes on the Supervisory Use of Force Evaluation Form. This shows a continual improvement loop as the department improves on procedures around Use of Force policies.

-Department Bulletin (DB) 18-171 (Updated Supervisory Use of Force Evaluation Form)
(Issued 10/03/18- Supersedes DB 17-006, Amends DGO 5.01)

-DGO 5.01

-DB 17-006 (Superseded by DB 18-171)

-DB 16-219 DGO 5.01, "Use of Force Update Packet #54"

-DB 16-112 (Principles to Consider Regarding the Use and Application of Force)

3) Does the recommendation require training and/or education?

-5.01 PowerPoint and Step by Step Form Completion Guide (updated 09/2018)



DOJ Request For Information (RFI) Sheet

4) Does the recommendation require an audit or continuous improvement loop?

-Audit on the following Department Bulletins for compliance

-DB 17-006 - Audited on 9-27-2018

-DB 16-219 - Audited on 9-5-2018

-DB 16-112 - Audited on 9-27-2018

-DB 18-171 - Not audited because DB was recently issued this morning (10/11/2018).

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