

San Francisco Police Department Quarterly Report to the Police Commission Firearm Discharge Review Board Report



CITY & COUNTY OF SAN FRANCISCO

Police Department

01/08/20

Firearm Discharge Review Board Summary

Firearm Discharge Review Board

The Firearm Discharge Review Board reviewed the following OIS/OID investigations:

- OIS 16-001
- OIS 17-006
- OIS 18-004
- OID 001-18

Officer Involved Shooting 16-001

Date & Time: April 7, 2016—Approximately 09:57 Hours

Location: 400 Block of Shotwell Street

On Thursday, April 7, 2016, at approximately 09:57 hours, officers responded to the 400 block of Shotwell Street regarding a 911 call from a Homeless Outreach Team member of a man with a knife. Officers arrived on scene and encountered a male subject with a large knife. Officers gave the subject numerous verbal commands to get on the ground and drop his knife but the subject failed to comply with the orders. An extended range impact weapon was deployed by one of the officers, four super sock rounds struck the subject but were ineffective. The subject began to advance toward one of the officers. Both officers initially retreated in an effort to gain time and distance. The subject charged at one of the officers with the knife in hand. In response to the immediate threat of being injured or killed, both officers fired at the subject to stop the threat. The subject was struck and transported to SFGH. The subject was later pronounced deceased.

Recommendation to COP: Use of Firearm—In Policy

Chief Scott concurred

Officer Involved Shooting 16-001

Recommendation to COP: Use of ERIW -Not In Policy

Department Bulletin 15-106 – Avoiding the “Lawful but Awful” Use of Force

- At the initial contact the officer did not create time, distance or rapport with a person in crisis.

Department Bulletin 15-155 – Response to Mental Health Calls with Armed Suspects

- The situation was static: the subject was seated, not actually grasping the knife. There was no one else within his immediate proximity and no immediate threat posed when the officer swiftly closed.

Department Bulletin 15-234 – ERIW Pre-Deployment Procedures

- Officer did not obtain a briefing from any reporting party or officer prior to advancing on the seated and armed subject
- Officer advanced without formulating a plan
- Officer did not have a lethal cover officer alongside
- Officer point of aim was not at Zone 2 (waist and below). Officer fired super sock rounds at Zone 1 (above the waist).
- Officer did not provide a verbal challenge prior to deploying the ERIW

The above Department Bulletins were in affect at the time of the incident. The bulletins have since been rescinded and incorporated in the Department General Order 5.01 (12/21/16)

Chief Scott concurred

Officer Involved Shooting 17-006

Date & Time: November 1, 2017—Approximately 00:21 Hours

Location: 77 Diamond Street

On Wednesday, November 1, 2017, at approximately 00:21 hours, two uniformed officers assigned to the Castro Street Halloween festivities were approached by a community member advising them a parked vehicle in the area was being burglarized. The community member directed the officers and pointed out the vehicle he believed was being burglarized. As the officers approached the vehicle, they observed a person inside the car close the rear passenger door. The officers approached and attempted to make contact with the suspect who was sitting in the back seat of the vehicle. The officers announced themselves and gave the suspect numerous verbal commands to show his hands and get out of the vehicle. The suspect did not comply after multiple orders. Without any warning, the suspect moved to the front seat and unexpectedly got out of the vehicle and started firing at the officers. One of the officers was struck by the suspect's gunfire. The suspect then turned toward the second officer and pursued the officer on foot as he continued to fire at the officer. Fearing for his life, the officer retreated in attempt to get cover and returned fire to stop the threat. The suspect was struck and taken into custody. The injured officer and suspect were both transported to SFGH and treated for their injuries.

Recommendation to COP: Use of Firearm—In Policy

Chief Scott concurred

Officer Involved Shooting 18-004

Date & Time: May 11, 2017—Approximately 00:59 Hours

Location: O'Farrell and Webster Streets

On Friday, May 11, 2018, at approximately 00:59 hours, a Field Training Officer and a Recruit Officer assigned to Northern Station observed a possible auto burglary in progress near Steiner Street and Geary Boulevard. The officers got out of their patrol vehicle in attempt to detain the suspects. One suspect was detained. A second suspect ran from the scene, and the recruit officer pursued him on foot. The recruit officer chased the suspect to the area of O'Farrell and Webster Streets, where the suspect got into a parked car. The recruit officer gave the suspect numerous verbal orders to get out of the vehicle and show his hands. The suspect refused to comply and the recruit officer believed the suspect was reaching for a weapon as the suspect reached towards the floorboard. Additional units responded to assist. While attempting to flee, the suspect vehicle collided with a parked civilian vehicle and an SFPD vehicle. Believing the suspect was going to use a weapon against another officer, the recruit officer fired two rounds at the suspect as he fled in the vehicle. The suspect was not hit by the gunfire. The suspect continued to flee the scene and was pursued by marked SFPD units to the area of Polk and McAllister Streets, where he was taken into custody..

Recommendation to COP: Use of Firearm—**Not in Policy**

DGO 5.01 (2)(e) "Moving Vehicle" Officer SHALL not discharge a firearm at the operator or occupant of a moving vehicle unless the operator or occupant poses an immediate threat of death or serious bodily injury to the public or officer by means other than the vehicle.

Chief Scott concurred

Officer Involved Shooting 18-004

Recommendation to COP: Body Worn Camera—Not in Policy

DGO 10.11- Member did not activate the BWC at any point during the incident.

Chief Scott concurred

Officer Involved Discharge 001-18

Date & Time: March 28, 2018—Approximately 12:15 Hours

Location: 850 Bryant Street (Special Victims Unit)

On Wednesday, March 28, 2018, at approximately 12:15 hours, a Sergeant was on-duty. The Sergeant was at a desk dismantling his off duty weapon when the Sergeant accidentally discharged a round. There were no injuries.

Recommendation to COP: Use of Firearm—**Not in Policy**

Department General order (5.01 Section VI,G,1a.) *"Handling Firearms" An officer shall handle and manipulate a firearm in accordance with Department-approved firearms training.*

Chief Scott concurred

Status of Open Officer-Involved Shootings/Discharge Investigations

Open OIS Investigations: 2017-19

Case	Investigation Status
17-001 (01/6/17)	Active criminal and administrative investigations.
17-005 (09/24/17)	Active criminal and administrative investigations.
17-007 (12/01/17)	Active criminal and administrative investigations.
18-001 (02/17/18)	Active administrative investigations.
18-002 (03/06/18)	Active criminal and administrative investigations.
18-003 (03/21/18)	Active criminal and administrative investigations.
18-005 (06/09/18)	Active criminal and administrative investigations.
19-001 (08/25/19)	Active criminal administrative investigation.
19-002 (09/13/19)	Active administrative investigation.
19-003 (12/07/19)	Active criminal and administrative investigations.
001-19 (07/31/19)	Active administrative investigation.



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