

Recommendation 15.1

TK

Tanya Koshy [REDACTED]
Tue 9/8/2020 7:47 PM

[REDACTED]

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 15.1 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 15.1

The SFPD needs to create outreach materials related to educating the public and the media on UOF and OIS investigation protocols. These materials should be disseminated widely through the various community engagement events and district station meetings.

Response to 15.1:

SFPD has prepared outreach materials for the public and media. These outreach materials include a flow chart depicting the various investigations (both internal and external) that are conducted following an officer-involved shooting (OIS) as well as a Frequently Asked Questions document. SFPD intends to disseminate these documents at biannual meetings to be held at every district station, where SFPD will present on its use of force and OIS investigation protocols (as recommended in Recommendation 15.2). These district station presentations, as noted in Field Operations Bureau (FOB) Order 19-01, will involve discussions of 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.

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 2020.

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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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 # 15.1	The SFPD needs to create outreach materials related to educating the public and the media on use of force and officer-involved shooting investigations and protocols. These materials should be disseminated widely through the various community engagement events and district station meetings.

Recommendation Status	Complete	Partially Complete	In Progress
	Not Started	No Assessment	

Summary

The San Francisco Police Department, through the Use of Force Executive Staff Working Group, created outreach material to educate the community about use of force and officer involved shooting incidents. In addition, the department created policy that mandates District Commanders discuss use of force and officer involved shootings at their monthly and annual meetings. Outreach material includes a document identifying officer involved shooting “frequently asked questions”. In an effort to ensure appropriate review and examination of their practices the Field Operations Bureau and the Community Engagement Division have been designated responsibilities for the assessing the effectiveness of outreach efforts using surveys and other feedback mechanisms. The department’s response to this recommendation is designated as Complete, however the team will continue to monitor the department to ensure the described policy and supportive practices are institutionalized.

Compliance Measures		Status/Measure Met
1	Creation of outreach materials, which includes community input, to educate the public and media.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2	Dissemination at public events, department sponsored community meetings and other external means.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3	Evidence that materials are adjusted as changes in the Department happen, or as necessary.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Administrative Issues

Compliance Issues



Collaborative Reform Completion Memorandum

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

Recommendation # 15.1: The SFPD needs to create outreach materials related to educating the public and the media on UOF and OIS investigation protocols. These materials should be disseminated widely through the various community engagement events and district station meetings.

Response Date: 08/10/2020

Executive Summary:

The Department sought to update current publications and create new ones to help the community understand issues related to use of force.

The Risk Management Office created a flow chart to illustrate the process of the OIS (Attachment #1) and the Use of Force investigative processes (Attachment #10).

The Risk Management Office updated the document, "Frequently Asked Questions (FAQ) regarding OIS Investigations." (Attachment #2)

A policy was created mandating that all ten district station captains hold biannual information meetings in their communities to discuss UOF and OIS issues (Field Operations Bureau Order #19-01) (Attachment #3).

The Media Relations Unit established a Unit Order governing the presentation of educational materials at town hall meetings (Media Relations Unit Order #16-03) (Attachment #4).

Compliance Measures:

1) Creation of outreach materials, which includes community input, to educate the public and media.

- a. On May 4, 2019 the SFPD and SFDA signed a memorandum of understanding (MOU) regarding the investigation of officer involved shootings (OIS) and use of force (UOF) incidents resulting in serious bodily injury and the subject was admitted to hospital (Attachment #5). The Risk Management Office created a flow chart to illustrate the process. Commander Walsh presented the flow chart to the UOF working group at a public meeting held on September 10, 2019. Please refer to the following materials:
 1. Agenda (Attachment #6)
 2. Minutes (Attachment #7)
 3. Attendance Sheet (Attachment #8)



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4. OIS Flow Chart (Previous version) **(Attachment #9)**. Please note that the current version has been vetted through the Risk Management Office Chain of Command, and Chief of Police.
 5. Use of Force Flow Chart **(Attachment #10)**
- b. The Risk Management Office updated the document, "Frequently Asked Questions (FAQ) Regarding OIS Investigations. **(Attachment #2)**
- 2) Dissemination at public events, department sponsored community meetings and other external means.**
- a. Field Operations Bureau Order 19-01 **(Attachment #3)** established a requirement that all district station Captains to hold biannual informational meetings in their communities to present information on the investigation of UOF and OIS incidents. The Bureau Order also requires the captains provide dissemination of OIS educational materials to attendees as well as inviting them to review reports posted on the SFPD website.

As part of this discussion, the captains shall:

1. Include a presentation and discussion of use of force and officer involved shootings to their monthly community meeting agendas - twice per year. In order to allow for consistency in presentation and accountability, these meetings shall be held in the months of May and November. Station captains shall also include the information presented at the meetings in their Captain's email newsletter to the community during the same months.
2. The presentations shall include at minimum the following:
3. Discussion on DGO 5.01 Use of Force and DGO 8.11 Investigation of Officer Involved Shootings and Discharges. Provide community with results of quarterly Firearm Discharge Review Board (FDRB) reports as posted to the SFPD website.
4. Be prepared to 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. The public may be directed to the SFPD website and printed copies of the MOU can be made available during the monthly meetings.
5. 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.
6. 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).
7. To ensure that the public is aware of these meetings, captains shall do the following:



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8. Captains will use their monthly newsletter, social media accounts and station webpage to announce and invite the public to their upcoming meeting. The announcement shall include the fact that the agenda includes a discussion regarding UOF and OIS policies.
9. Captains shall forward meeting date, time and location information to the Field Operations Bureau and to the Media Relations Unit for dissemination via Department social media accounts.

As part of a review and improvement loop, in the month of December of each year, the Lieutenant of Field Operations shall conduct an audit and review of all Captain's memorandums (documenting that these meetings were conducted), community surveys and CED report (summary analysis of community feedback). The FOB Lieutenant will furnish a report to the Deputy Chief of Field Operations on the outcome of the audit.

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 for upcoming November meeting, and until such time the shelter in place order is lifted, and in person meetings may commence.

- b. The Media Relations Unit (MRU) provides copies of Department policies to the community at town hall meetings. To ensure that materials are produced and disseminated at the town hall meetings, MRU created a checklist which is incorporated in MRU Unit Order 16-03 (Rev. 7/19) **(Attachment #4)**. Copies of completed OIS Check Lists from the December 2019 and April 2020 Officer-Involved Shootings accompany this memorandum **(Attachment #11)**.

3) Evidence that materials are adjusted as changes in the Department happen, or as necessary.

Since the DOJ/CRI began, there have been several changes to UOF policies and investigations. The SFPD adopted a new UOF policy (DGO 5.01) in December of 2016. On May 4, 2019 the SFPD and SFDA signed an MOU regarding the investigation of officer involved shootings (OIS) and use of force (UOF) resulting in serious bodily injury. In response to these changes, the following has been done:

- a. The Risk Management Office created a flow chart to illustrate the process of the OIS and the Use of Force investigative processes as per the MOU with the SFDA's Office. **(Attachment #1)**
- b. The Risk Management Office updated the document, "Frequently Asked Questions (FAQ) regarding OIS Investigations," to incorporate the changes as enumerated in the MOU with the SFDA's Office. **(Attachment #2)**
- c. In accordance with Unit Order 16-03 (Rev. 7/19) **(Attachment #4)**, the Media Relations Unit provides updated copies of DGO 5.01 and other policies (including the MOU between SFPD and SFDA regarding IIB Investigations of OIS and serious UOF) to the community at town hall meetings. Copy of Check Lists accompany this memorandum **(Attachment # 11)**.



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- d. Unit Order 16-03 (Rev. 7/19) **(Attachment #4)** also requires that the MRU conduct a review and debriefing following town hall meetings. This review includes an assessment of the town hall (including public feedback and exhibits presented) and a provision for document needed changes and improvement. Copies of notes taken at the debrief session following the December 2019 and April 2020 Officer-Involved Shootings accompany this memorandum **(Attachment #12)**.
1. One observation and change that was noted in this review is that with the implementation of the MOU with the SFDA's Office, responsibility for investigations switched from Homicide / Investigations Bureau to Investigative Services Detail / Risk Management. The MRU Check List was modified to reflect this change.
 2. During the December 2019 town hall meeting, the MRU ran out of copies of the DGOs and OIS MOU with the SFDA's Office. Additional copies will be needed in the future.

Due to Coronavirus 19, the April 2020 Officer-Involved Shooting Town Hall meeting was held virtually online. All materials were provided electronically.

3. During the December 2019 Town Hall debrief, MRU staff determined disclaimers should be considered for News Releases and Town Halls explaining the preliminary nature of the information, the investigations are ongoing and no conclusions have been made.

As a result, disclaimer language was read prior to the start of the April 2020 Town Hall presentation. The disclaimer information was also included on the Town Hall news release **(Attachment #13)**.