

Recommendation 8.2: Supervisors should be held accountable for ensuring accurate and complete entry for all use of force data reporting.

Response to 8.2: 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. There has been evidence provided that the Department is taking measures to ensure that the data is being accurately reported, and that supervisors will be held accountable for any deficiencies. Therefore, the California Department of Justice finds that implementation of recommendation 8.2 to be in substantial compliance; however, to remain in substantial compliance, SFPD will need to engage in ongoing review and take remedial action if and when deficiencies are found, in accordance with the detailed compliance measures that have been agreed upon between all parties.

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 #8.2

Finding #8	SFPD supervisors are not required to respond to the scene of all use of force incidents and are not required to fully document their actions.
Recommendation #8.2	Supervisors should be held accountable for ensuring accurate and complete entry for all use of force data reporting.

Recommendation Status	<input checked="" type="checkbox"/> Complete <input type="checkbox"/> Partially Complete <input type="checkbox"/> In Progress <input type="checkbox"/> Not Started <input type="checkbox"/> No Assessment
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Summary

The San Francisco Police Department has developed promising practices for ensuring the accuracy and thoroughness of use of force reporting by supervisors. The EIS Unit published Unit Order 18.02 Use of Force Evaluation Form – Missing Data Procedures, December 7, 2018, to assist their monthly audit of use of force reports. When an inaccurate or incomplete report is identified, notice is provided to the commanding officer of the supervisor who submitted the report with instructions to correct the report and identify whether the supervisor requires remedial training or further follow up to ensure future accurate reporting. The policy ensures commanding officers remain engaged in the process by delegating to them the authority to determine the form of remedial action necessary to modify the supervisor’s behavior or performance. Department General Order 5.01 Use of Force (December 2016), Department Bulletin 18-171 Updated Use of Force Evaluation Form, October 3, 2018, and EIS Unit Order 18-02 combine to provide demonstrable guidance to supervisors with appropriate quality control in a manner sufficient to designate the response to this recommendation as substantially compliant. The team will continue to monitor the Department’s activities in the future project phases to ensure accurate use of force reporting is institutionalized within the San Francisco Police Department.

Compliance Measures	Status/Measure Met
1 Policy holding supervisors accountable for accurate and complete entry of use of force reporting data.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2 Evidence of ongoing audit/continual improvement loop.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3 Evidence of supportive and remedial actions if deficiencies are found.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Administrative Issues:

Compliance Issues:



DOJ Request For Information (RFI) Sheet

Recommendation # 8.2 Supervisors should be held accountable for ensuring accurate and complete entry for all use of force data reporting.

Response Date: 12/20/2018

Screening Questions:

1) Has the recommended action occurred?

- a.) Policy holding supervisors accountable for accurate and complete entry of use of force reporting data.
-Yes. See question #2.
- b.) Evidence of ongoing audit/continual improvement loop.
-Yes. See question #2 and #4. It is recommended that supervisors(s) at Risk Management conduct local audits per their regular management duties.
- c.) Evidence of supportive and remedial actions if deficiencies are found.
-Yes. See question #4.

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

On 10/11/2018, the DB 18-171 was issued in order to reflect the updated and improved changes on the Supervisory Use of Force Evaluation Form (DB-171 supersedes DB 17-006, Amends DGO 5.01). Included with DB 18-171 is a step by step guide which shows line by line how to fill out the form and where to get this information from. This guide was attached to the Department Bulletin and is easily accessible to all Supervisors who reference the DB on the proper procedures. 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- See section on Supervisor's responsibilities.

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

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

This recommendation does not require training as a compliance measure.

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

DB 18-171 (Updated Supervisory Use of Force Evaluation Form) (Issued 10/03/18- Supersedes DB 17-006, Amends DGO 5.01) mandates that supervisors must complete



DOJ Request For Information (RFI) Sheet

a Supervisory Use of Force Evaluation Form for each reportable use of force and submit through the chain of command before the end of their watch. The Supervisory Use of Force Evaluation has been rolled out department wide since 1/9/2017 when DB 17-006 was issued. The EIS unit receives the completed Supervisory Evaluation Forms daily by email. EIS then complies the corresponding incident report and Use of Force log to look for discrepancies. (See Use of Force Details Summary Report and Monthly Use of Force Audit Reports below).

In the past, SFPD did not track clerical errors involving the completion of Use of Force Log. Previously, the Supervisory Use of Force Evaluation forms were sent back to the Captain at the district level for corrections. The data from the Supervisory Use of Force Evaluation form is then entered into the Administrative –Investigative Management (AIM) database where all use of force data can then be disseminated to the mandated divisions or units, and used as part of the Early Intervention System.

In October 2018, SFPD started tracking clerical errors on a using an excel spreadsheet. On 12/7/2018, Unit Order 18-02, Supervisory Use of Force Evaluation Form-Missing Data procedures, was established to address this compliance measure.

See sample of Memorandum sent from EIS Unit to Commanding Officer at Northern Station regarding missing data/incomplete. The memorandum now asks two questions:
1) Was the supervisor given remedial training on how to complete the form?
2) Is further follow up needed with the Supervisor?

-Use of Force Details Summary Report- July 2018 (Retrieved from Administrative – Investigative Management (AIM) database).

-Monthly Use of Force Audit

-Screen shot from SFPD AIM Database.

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

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