

Kilshaw, Rachael (POL)

From: Marion, Samara (DPA)
Sent: Monday, January 22, 2018 1:57 PM
To: Turman, Julius (POL)
Cc: Kilshaw, Rachael (POL); Melara, Sonia (POL); Turman, L. Julius M.; Hing, Bill (POL); Adwan, Rania (HRD); Jones, Ryan (POL); Henderson, Paul (DAT)
Subject: DPA's Summary of Taser Board Recommendations
Attachments: DPASummary_TaserBoardRecommendations.pdf

Dear President Turman: Attached is an executive summary to accompany the letter the DPA submitted on January 19, 2018 about DPA's suggested revisions to the Police Department's proposed taser board.

Best regards,
Samara

Samara Marion
Policy Attorney
Department of Police Accountability
(formerly Office of Citizen Complaints)
25 Van Ness Avenue, Suite 700
San Francisco, CA 94102
Tel: (415) 241-7726
Fax: (415) 241-7733
(TTY) 415.241.7770
www.sfgov.org/occ
<https://www.facebook.com/occsf>

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**Executive Summary of
Department of Police Accountability's
Taser Review Board Recommendations¹**

- 1. The Proposed Board Should Review All Incidents Involving Taser Activations Instead Of Only Those Resulting In Death Or Serious Injury.**
 - DPA recommends review of all taser activations instead of SFPD's proposal to review only activations resulting in death or serious injury.
 - Activation is defined as depressing the trigger of the taser causing the firing of the probes or placing the weapon on the subject in the drive stun mode. (See SFPD's Proposed Policy, section II.)
 - The vast majority of taser activations will not result in death or serious injury, and thus, most taser incidents will not be subject to any review independent from SFPD.
 - Analyzing all taser activations would enable a comprehensive review of taser incidents and would address the public's concern and national studies² about the overuse or disproportionate use of tasers on individuals of color, those in mental health crisis and other vulnerable populations.

- 2. The Proposed Board Should Review De-Escalation, Tactics And Decision-Making, Supervision, And Equipment Issues In Taser Incidents In Addition To Whether The Use Of Force Was Reasonable.**
 - The DPA recommends that in addition to determining whether the force used was reasonable, the Review Board should also evaluate de-escalation, incident supervision, equipment, tactics, training and policy issues raised by the incident.
 - The DPA recommends that the Review Board also determine whether the Use of Force investigation was thorough and complete.
 - The DPA suggests adoption of a Review Board template similar to Seattle Police Department's Force Review Board report that evaluates 1) tactics and decision making; 2) de-escalation; 3) whether the force used reasonable, necessary and proportional and conformed to all policy requirements; 4) incident supervision; 5) whether the use of force investigation was timely, thorough and complete; 6) whether the chain of command identified any deficiencies in training, performance, equipment or policy issues; 7) whether the Force Review Board identified any additional issues not identified by the Chain of Command; and 8) were there any additional issues raised or lessons learned during this incident. (See DPA Attachment A.)

- 3. The Proposed Board Should Include More Civilian Representatives To Provide Balance and Public Confidence In the Board Review Process.**
 - The DPA recommends that the Review Board include more civilian representatives to provide more balance to the heavily law enforcement dominated board.

¹ This document summarizes DPA's January 19, 2018 letter to the San Francisco Police Commission that provides five revisions to SFPD's proposed Taser Review Board.

²For e.g. Central Connecticut State University Report, [An Electronic Defense Weapon Analysis and Findings](http://www.ccsu.edu/imrp/projects/taser.html), 2015; <http://www.ccsu.edu/imrp/projects/taser.html>.

- The Police Department proposes that the Review Board be comprised of eight law enforcement (five Deputy Chiefs, two Commanding Officers, and one designed Taser expert) and two civilians (a Police Commissioner and DPA director).
- The DPA recommends, at a minimum, that three civilians be included on the Board. Chief Scott had previously suggested that a community member sit on the review board.³
- The DPA also recommends that experts on force options, crisis intervention team tactics, and other relevant topics be included on the review board.

4. The Proposed Board's Procedures Should Delineate The Responsibilities Of The Review Board Chair To Enhance Accountability.

- The DPA suggests the Department's proposal specifically delineate the role of the Review board chair to establish continuity and record-keeping throughout the process.
- The DPA suggests that the board chair's responsibility includes 1) referring policy, equipment and training issues to the appropriate commanders for follow up, 2) maintaining a record of all recommendations and their status, and 3) monitoring the implementation of all recommendations.

5. The Department Should Provide Summaries Of The Taser Cases And The Board's Findings And Recommendations To The Police Commission To Enhance Transparency.

- The DPA recommends that the Police Department provide summaries of the taser cases and the Board's findings and recommendations to the Police Commission.
- The DPA recommends that the Review Board's reports to the Commission incorporate the type of detailed summaries and findings provided in the Los Angeles Police Commission's Categorical Use of Force reports and the Seattle Police Department's Force Review Board reports⁴. (See DPA Attachments C & D).
- The DPA recommends that the Police Department incorporate summaries of its taser incidents in its San Francisco Ordinance 96A Reports similar to those provided in the San Francisco Sheriff's Reports.⁵ (See DPA Attachment B).

³ See Chief William Scott's Statement Regarding Conducted Energy Devices for the San Francisco Police Department, page four.
<http://sanfranciscopolice.org/sites/default/files/Documents/PoliceCommission/Chief%20Scotts%20statement%20regarding%20CEDs.pdf>.

⁴ <http://spdblotter.seattle.gov/2017/12/08/seattle-police-department-releases-force-review-board-findings-and-report-regarding-june-18th-officer-involved-shooting/>.

⁵ San Francisco Sheriff's Administrative Code Chapter 96A Use of Force Second Quarter Report is also available at http://www.sfsheriff.com/files/96A_Q2_2017.pdf.