



Chief Scott
President Turman
Vice President Mazzucco
Commissioner DeJesus
Commissioner Ong Hing
Commissioner Robert Hirsch
Commissioner Melara
Commissioner Marshall

Police Commission Office
San Francisco Police Headquarters
1245 3rd Street
San Francisco, CA 94158

Dearest Chief and Commissioners,

This letter is to outline our recommended language for the use of Electronic Control Weapons.

As you know, our organization has concerns about this weapon and its impact on our constituency. That said, as the Commission has decided to go ahead and approve the weapon, we believe the policy guiding its use should be carefully considered and incorporate best practices from here and abroad. This weapon is potentially lethal, and its use should be restricted. Other California cities has experienced sharp increase in injury, as well as death when these weapons were first introduced, and we should learn from these communities in order to decrease unintended harm.

We are attaching a suggested alternative draft (collaborative stakeholders policy), but in summary, here are our suggested changes.

Use of Weapon

Replace the overly broad term “assaultive” with a standard for Taser use that requires an individual to poses an immediate threat of physical injury to an officer or another.

There was a lot of discussion on this item in the stakeholders group. In previous draft policy put forward by SFPD last year, the weapon was limited to use on armed suspects. Expanding to unarmed individuals needs to be very clear that the individual will pose a threat of harm. Using the word assaultive can include any kind of physical touch, and does not definitively equate to harm or injury.

De-Escalation

Require de-escalation, crisis intervention techniques and lesser force options when feasible before resorting to Taser use.

This is currently not spelled out in policy, and this suggested language allows for “when feasible”. It is critical that officers de-escalate before resorting to force, and use this weapon after other options have not succeeded.

Stun Gun

Prohibit the use of stun gun mode.

This mode was barred in proposed Taser policy a year ago by SFPD. This mode does not incapacitate an individual. It is a pain compliance tool. There is an inherent problem in allowing the police to use this mode on one hand, and them to rightly prohibit its use as a pain compliance tool. This is inhumane, and PERF and COPS both caution it has limited effectiveness, sometimes even having the opposite effect and escalating the individual. This poses a safety risk to officers who may use this mode on, for example, an individual intoxicated on meth, and find that it only escalates the individual. This mode should be simply barred.

Special Populations

Limit Taser use against high risk populations to circumstances when deadly force would be permitted.

This section of the policy refers to a list of populations know to be at special risk of death when this weapon is used against them. This piece of the policy has gotten progressively permissive, changing from banning use a year ago, to limiting to deadly force situations in August, 2017. Now the SFPD police allows only “discretion” when Tasing children, visibly pregnant women, frail or elderly individuals, people known to have medical conditions. We recommend that the commission revert the language at least to the August, 2017 language where it is prohibited to use on these populations unless deadly force would be permitted. In addition, we suggest changing appears to be a “Child” to “Under 18” to protect police against using the weapon on a minor who appears much older than they are. For example, many 13 years appear to be 18, and this would help prevent a 13 year old from having this traumatic experience, likely to be imprinted on their still developing brain.

Taser Coordinator

Appoint a Taser coordinator to oversee the program and delineate the coordinator’s responsibilities in the Taser policy.

This is critical to ensure a new weapon is used in an accountable manner, that the weapons are tested and that the training complies with the policy.

Weapon

Call Taser a weapon

Consistent with the DOJ, PERF and the manufacturer itself, call Taser a weapon.

Defibrillator

Ensure these devices are available to police in cars, on bikes and on foot before weapon is used

This is critical to save lives.

Thank you for your consideration.

Sincerely,

Jennifer Friedenbach
Executive Director