

2nd-3rd Quarters 2017

**Firearm Discharge Review Board Report
In-Custody Death Review Board Report**

&

Status of Officer-Involved Shooting Investigations Report

November 8, 2017



Firearm Discharge Review Board Summary



Firearm Discharge Review Board

Since the last presentation to the Police Commission, on April 19, 2017, the Firearm Discharge Review Board has convened three times: June 28th (2nd Quarter 2017), July 31st (3rd Quarter 2017, #1), and September 20 (3rd Quarter 2017, #2).

The FDRB reviewed the following completed investigations:

- OID 006-16
- OID 001-17
- OID 002-17
- OIS 14-006
- OIS 15-001
- OIS 15-002
- OIS 15-003



Officer Involved Discharge 006-16

Date: October 1, 2016
Location: 2500 Block of 41st Avenue

At approximately 02:25 hours, a uniformed officer was attempting to render a firearm safe that had been recovered during an incident, intending to transport the weapon. Under the direction of a sergeant on scene, the officer attempted to de-cock the weapon causing an unintended discharge into the ground. No one was injured as a result of the discharge.

Recommendations: Not In Policy (Officer for negligent handling of weapon);
Not in Policy (Sergeant for failure to properly supervise)

Additional: The officer was retrained in the proper handling of firearms.



Officer Involved Discharge 001-17

Date: March 11, 2017
Location: Post and Kearny Streets

At approximately 11:58 hours, a uniformed officer was directing traffic for the St. Patrick's Day Parade. An off-leash Pitbull charged the officer in response to a command by the owner. The officer retreated, then fired his Department-issued handgun one time, striking the dog in its right front leg. No one else was injured.

Recommendation: In Policy

Additional: The FDRB recommended that a review of the Department's practice not to issue a BWC prior to an officer's probationary assignment, now that BWCs have been fully deployed.



Officer Involved Discharge 002-17

Date: April 25, 2017

Location: Northern Station

At approximately 05:50 hours, a uniformed officer was in the gun cleaning room reloading his firearm when he unintentionally fired the weapon. No one was injured.

Recommendation: Not In Policy

Additional: The FDRB recommended notices be posted at weapons cleaning stations to remind officers of their obligations with respect to the safe loading and clearing of firearms.



Officer Involved Shooting 14-006

Date: October 7, 2014
Location: 400 Block of Bryant Street

At approximately 20:50 hours, uniformed officers used cover and concealment to clandestinely observe three subjects burglarizing a vehicle. As the officers moved in to arrest them, the driver of the suspect's vehicle drew a firearm and pointed it at the first officer closing in. Fearful he was about to be seriously injured or killed, the officer opened fire, striking two of the suspects. The driver was mortally wounded; his accomplice was injured and taken into custody.

Recommendation: In Policy

Additional: The involved officer was found to have violated equipment-related policy. The FDRB recommended an additional finding of Not In Policy pertaining to the identified violation.



Officer Involved Shooting 15-001

Date: January 4, 2015
Location: 400 Block of Mason Street

At approximately 08:54 hours, uniformed officers responded to a nightclub regarding an alarm activation. Finding an open door, officers entered the premises to investigate. During the ensuing search, a subject suddenly broke from cover and an officer fired one time at the subject, fearing an attack was immediate. No one was injured as a result, and the subject was taken into custody.

Recommendation: Not In Policy



Officer Involved Shooting 15-002

Date: January 4, 2015

Location: 630 Valencia Street

At approximately 17:21 hours, three uniformed sergeants assigned to Mission Station were confronted by a man in a restricted area of the station parking lot. The officers directed him to leave, but he refused. The officers attempted to use physical controls and pepper spray, to no avail. The suspect drew a weapon from his waistband, and two of the sergeants fired at the suspect, mortally injuring him.

Recommendation: In Policy



Officer Involved Shooting 15-003

Date: February 26, 2015
Location: 2800 Block of Folsom Street

At approximately 21:44 hours, Mission Station officers responded to a call of a man armed with a knife chasing another man. Two plainclothes officers arrived first and attempted to detain two men matching the broadcast description. One of the subjects slashed at one officer with a large butcher knife, before similarly assaulting the second officer. As the suspect began turning back toward the other subject, the officers fired at him in defense of the themselves, their partner, and the other subject. The suspect was mortally wounded.

Recommendation: In Policy

Additional: One of the involved officers was found to have violated equipment-related policies. The FDRB recommended an additional finding of Not In Policy pertaining to the identified policy violation.

The FDRB also reviewed the adoption of the Everbridge automated notification system for critical incidents.



Summary of Second & Third Quarter 2017 In-Custody Death Review Boards



In Custody Death Review Board

The ICDRB did not convene in 2Q17 or 3Q17;
there were no investigations for presentation.



Status of Open Officer-Involved Shooting Investigations



OIS Investigations Update

The 1st Quarter 2017 OIS Investigations Report was presented to the Police Commission on April 19, 2017. Since that report (as of today):

- **Four (4) OIS investigations were presented to FDRB and completed** (OIS 14-006, 15-001, 15-002, and 15-003). These investigations are completed.
- **Four (4) OIS investigation opened** (OIS 17-003, 17-004, 17-005, 17-006) on May 3, May 21, September 24, and November 1, respectively. Criminal investigations were started by the SFPD Homicide Detail and the Office of the District Attorney's Independent Investigations Bureau. Administrative investigations were started by SFPD Internal Affairs Division and the Department of Police Accountability. Two cases (17-003 and 17-005) also include a Medical Examiner's investigation.
- **Nine summary reports, formally concluding SFPD Homicide Detail investigations, were received by IAD** (OIS 14-005, 14-006, 15-001, 15-002, 15-003, 15-008, 15-010, 16-001, and 16-002). These cases have been presented or will be presented to the FDRB.



Open OIS Cases Summary

As of November 1, 2017, there are **fifteen (15) open SFPD OIS investigations**. Of these fourteen cases:

- **Two (2) OIS incidents are active criminal investigations** by the SFPD Homicide Detail (17-005 and 17-006).
- **The DA is reviewing or investigating seven (7) OIS cases** (15-007, 15-009, 15-010, 16-001, 17-001, 17-005, 17-006).
- **Charging decisions were received from the Office of the District Attorney for eight (8) cases** between September 17 and October 24, 2017 (14-005, 14-007, 15-004, 15-008, 16-002, 16-003, 17-003, and 17-004). These investigations are being prepared for presentation to the Firearm Discharge Review Board.



Open OIS Investigations: 2014-15

Case	Investigation Status
14-005 (9/26/14)	Charging decision released by DA 09/13/17. Homicide Detail has completed the SFPD Criminal investigation; an approved summary memo has been received by IAD. Investigative findings and recommendations to be presented to next FDRB.
14-006 (10/7/14)	Presented to FDRB; investigations completed. CLOSED
14-007 (11/6/14)	Charging decision released by DA 10/17/17. Homicide Detail has completed the SFPD Criminal investigation; a summary memo is being prepared by the Homicide Detail.
15-001 (1/4/15)	Presented to FDRB; investigations completed. CLOSED
15-002 (1/4/15)	Presented to FDRB; investigations completed. CLOSED
15-003 (2/26/15)	Presented to FDRB; investigations completed. CLOSED
15-004 (3/17/15)	Charging decision released by DA 10/24/17. Homicide Detail has completed the SFPD Criminal investigation; a summary memo is being prepared by the Homicide Detail.



Open OIS Investigations: 2015-16

Case	Investigation Status
15-007 (10/15/15)	Homicide Detail has completed the SFPD Criminal investigation; a summary memo is being prepared by the Homicide Detail.
15-008 (10/24/15)	Charging decision released by DA 10/23/17. Homicide Detail has completed the SFPD Criminal investigation; a summary memo is being prepared by the Homicide Detail.
15-009 (11/11/15)	Homicide Detail has completed the SFPD Criminal investigation; a summary memo is being prepared by the Homicide Detail.
15-010 (12/2/15)	Homicide Detail has completed the SFPD Criminal investigation; an approved summary memo has been received by IAD.
16-001 (4/7/16)	Homicide Detail has completed the SFPD Criminal investigation; an approved summary memo has been received by IAD.
16-002 (5/19/16)	Charging decision released by DA 10/18/17. Homicide Detail has completed the SFPD Criminal investigation; a summary memo has been received from the Homicide Detail. Investigative findings and recommendations to be presented to next FDRB.
16-003 (10/14/16)	Charging decision released by DA 10/21/17. Homicide Detail has completed the SFPD Criminal investigation; a summary memo is being prepared by the Homicide Detail.



Open OIS Investigations: 2017

Case	Investigation Status
17-001 (1/6/17)	Active investigation by Homicide Detail. Parallel criminal (DA) and administrative investigations (DPA and SFPD-IAD) also initiated.
17-003 (5/3/17)	Charging decision released by DA 10/24/17. Homicide Detail has completed the SFPD Criminal investigation; a summary memo is being prepared by the Homicide Detail.
17-004 (5/21/17)	Charging decision released by DA 10/03/17. Homicide Detail has completed the SFPD Criminal investigation; a summary memo is being prepared by the Homicide Detail.
17-005 (9/24/17)	Active investigation by Homicide Detail. Parallel criminal (DA) and administrative investigations (DPA and SFPD-IAD) also initiated.
17-006 (11/01/17)	Active investigation by Homicide Detail. Parallel criminal (DA) and administrative investigations (DPA and SFPD-IAD) also initiated.



Thank You

