



**Executive Sponsor Working Group Meeting**  
**Commander Peter Walsh**  
**DOJ – Use of Force**

<b>Group #</b>	<b>Topic Area</b>	<b>Associated Findings/Recommendations</b>
1	Academic/Research	1.1, 6.3, <b>20.4</b>
2	Data Collection	4.1, 4.2, <b>4.3</b> , 4.6, 20.1, 20.2, 20.3, 21.1, 22.1
3	Training	<b>4.5</b> , 4.7, 5.2, 6.1, 6.2, 7.2
4	Public Relations	2.1, 3.2, <b>13.1, 14.1</b> , 14.2, 14.3, 15.1, <b>15.2, 16.1</b>
5	Policy	<b>3.1, 4.4</b> , 5.1, 7.1, <b>7.3, 8.1, 8.2</b> , 8.3, <b>9.1, 9.2, 9.3, 9.4, 12.1</b> , 12.2, 12.3, 17.1, 18.1, 18.2, 18.3
<b>6</b>	<b>Officer Involved Shooting</b>	<b>10.1, 10.2, 11.1, 11.2, 11.3, 11.4, 19.1, 19.2, 19.3, 23.1, 23.2</b>
7	Taser	<b>16.2</b>

ESWG Meeting 07/11/17: OIS – 10.1, 10.2, 11.1, 11.2, 11.3, 11.4, 19.1, 19.2, **19.3, 23.1, 23.2**

**Green** = Submitted to Chief for Review or DOJ  
**Red** = CED/Tasers

7/26/17 8:08 AM



**Executive Sponsor Working Group Meeting 07/11/17**  
OIS – 10.1, 10.2, 11.1, 11.2, 11.3, 11.4, 19.1, 19.2, **19.3, 23.1**, 23.2

**Finding 10**      Finding Manager: Capt. Alexa O'Brien

There is a lack of coordination and collaboration for responding to and investigating an officer-involved shooting. The SFPD's investigative protocols are comparable to those followed by other professional, major city police departments. However, IAD staff members, along with some of SFPD's partners, such as members of the District Attorney's Office and the OCC assigned to respond to such incidents, are not as integrated. Lack of collaboration and cooperation in investigating officer-involved shooting incidents can undermine procedural justice and transparency for the Department. The SFPD needs to develop protocols and memoranda of agreement to ensure the highest level of cooperation and oversight into the investigation of officer-involved shooting incidents. Joint training protocols ensuring all parties are appropriately trained and working to the highest professional standards should become a matter of routine practice. These protocol agreements and practices will become more important as OCC assumes its responsibility to independently investigate SFPD officer-involved shooting incidents. The team will monitor the implementation of the new law during the CRI-TA implementation phase.

Recommendation 10.1

Project Manager: Lt. Ed Yu

The SFPD should establish a formal protocol to ensure that a representative of the Homicide Detail provides OCC and District Attorney's Office investigators a timely briefing about the facts of the case and to make arrangements for a formal walk-through or gain investigative access to the incident scene as soon as possible. The highest-ranking officer on the scene should be responsible for ensuring compliance with this recommendation.

Recommendation 10.2

Project Manager: Capt. Alexa O'Brien

The SFPD should work with its accountability partners the OCC and the District Attorney's Office in officer-involved shootings to develop a formal training program in which representatives of the District Attorney's Office, SFPD Homicide Detail, and the OCC engage in regular training regarding best practices for investigating such cases. This training should be developed and implemented within 120 days of the issuance of this report.



**Finding 11**      **Finding Manager: Lt. Michelle Jean**

**The Firearm Discharge Review Board is limited in scope and fails to identify policy, training, or other tactical considerations. The FDRB is a good practice but has devolved to essentially determining whether the shooting officer's actions were consistent in policy. However, several other layers of authority also conduct this determination. The FDRB is better served following its policy mandate to ensure that the Department is continually reviewing its training, policy, and procedures as they relate to officer-involved shooting incidents.**

Recommendation 11.1

Project Manager: Sgt. Angela Wilhelm

SFPD should update the Department General Order 3.10— Firearm Discharge Review Board to require written evaluation of policy, training, and tactical considerations of discharge incidents, specifically identifying whether the incident was influenced by a failure of policy, training, or tactics and should include recommendations for addressing any issues identified.

Recommendation 11.2

Project Manager: Sgt. Angela Wilhelm

SFPD should update existing programs and develop training to address policy gaps and lessons learned. The Training and Education Division should work with the FDRB and Homicide Detail to create a presentation to inform Department personnel about key issues that contribute to officer discharge incidents and to help mitigate the need for firearm discharge incidents.

Recommendation 11.3

Project Manager: Sgt. Angela Wilhelm

The SFPD should update the DGO to ensure that the FDRB is staffed with the training and education division representative as an advisory member to ensure an appropriate focus on development of responsive training protocols.

Recommendation 11.4

Project Manager: Lt. Andy Cox & Sgt. Dennis Toomer

Officer-involved shooting events need to be reviewed in a more timely fashion as it relates to policy, training, and procedures. The FDRB should review incidents at the conclusion of the IAD investigation rather than waiting for the District Attorney's letter of declination for charging of an officer-involved shooting incident, which can take up to two years.

**Finding 19**      **Finding Manager: Capt. Alexa O'Brien**

The SFPD does not maintain complete and consistent officer-involved shooting files. The SFPD maintains two separate officer-involved shooting files, one with the Homicide Detail and one with IAD. The files are incomplete with no consistent report structure. The team encountered a lack of consistency as to the investigations as well. The fact that some investigative evidence is digital while other evidence is still in paper format may contribute to this inconsistency. Because Homicide Detail and IAD do not share protocols or standards for investigations of officer-involved shooting incidents, there is likelihood that evidence will not be properly identified or assessed, particularly with dual investigative approaches. Photos, crime scene logs, and video collection were referenced in many reports. However, these items were inventoried elsewhere without copies in the investigative files. Investigative files did not contain preliminary finding reports or draft reports—even files that were years old. Within Homicide Detail, many files contained an initial summary report but did not document basic records of who was called to attend the scene or who was on the scene.

**Recommendation 19.1**

Project Manager: Capt. Alexa O'Brien

The SFPD needs to develop a standard officer-involved shooting protocol within 90 days of the release of this report.

**Recommendation 19.2**

Project Manager: Capt. Alexa O'Brien

The SFPD needs to create a template for all officer-involved shooting files. This template should detail report structure and handling of evidence. SFPD should refer to Officer-Involved Shootings: A Guide for Law Enforcement Leaders.

**Recommendation 19.3**

Project Manager: Capt. Alexa O'Brien, Lt. Arline Gilmore & Sgt. Michael Andraychak

The SFPD should ensure that all officer-involved shooting investigations are appropriately reviewed by all levels of supervision.

**Finding 23**      **Finding Manager: Lt. Arline Gilmore**

The SFPD allows members to shoot at moving vehicles under certain circumstances pursuant to Department General Order 5.02 – Use of Firearms. SFPD policy provides for a variety of exceptions that allow officers to shoot at a moving vehicle, which effectively nullifies the general statement that officers are prohibited from discharging their firearm at the operator or occupant of a moving vehicle. The department’s pending draft order on use of force allows shooting at vehicles when there is an immediate threat of death or injury by means other than the vehicle.

**Recommendation 23.1**

Project Manager: Lt. Arline Gilmore & Sgt. Michael Andraychak

The SFPD should immediately implement this provision of the draft policy.

**Recommendation 23.2**

Project Manager: Capt. Joseph McFadden & Rania Adwan

The FDRB should be tasked with review of all prior officer-involved shooting and discharge incidents in which firearms are discharged at a moving vehicle to

- evaluate and identify commonalities with recommendations for policy and training as a result of the review
- oversee training and policy development aimed at eliminating the need for such action
- report to the Police Commission about the outcomes of the review and the actions taken to overcome those situations that contribute to such incidents