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# Auto Burglary Investigation Leads to Officer-Involved Shooting (Town Hall Notes) 21-091(a)

May 13, 2021 | 10:57 PM

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*The following information is based on a preliminary and ongoing investigation, which continues to evolve as investigators interview witnesses, review physical and electronic records, and analyze forensic evidence. The Department's understanding of the facts and circumstances may change as additional evidence is collected and analyzed.*

## Incident Narrative

The officer-involved shooting (OIS) incident that occurred on May 7, 2021, at Varney Place and Jack London Alley was preceded by six separate incidents. The incidents consist of:

- Five (5) auto burglaries, which occurred from approximately 11:44 a.m. to 12:45 p.m. in the Richmond and Central Police Districts of San Francisco; and
- One (1) instance during which the Suspect vehicle fled from a neighboring police agency during a traffic stop attempt.

The OIS incident discussed in this presentation involves plainclothes members of the San Francisco Police Department assigned to the Central Police District. The plainclothes officers were conducting an auto burglary surveillance and arrest operation when the OIS occurred: The precise chronology of these incidents is currently under investigation. The times presented are approximate.

The following is a summary of the events as they are understood as of today, Thursday, May 13th, 2021: At approximately 11:44 a.m., witnesses observed an auto burglary near the Japanese Tea Garden. This location is within Golden Gate Park in the Richmond Police District of San Francisco. The suspect vehicle was described by witnesses as a silver Mitsubishi Eclipse Cross. A license plate was provided and later deemed to be stolen. The suspects were observed breaking a vehicle window, stealing bags from the vehicle, and fleeing the scene in the Mitsubishi.

At approximately 12:04 p.m., the U.S. Park Police observed the same silver Mitsubishi in the Presidio area of San Francisco. U.S. Park Police Officers attempted to make a traffic stop of the vehicle. However, the vehicle accelerated at a high rate of speed, drove over a median into oncoming traffic, and fled the area driving the wrong way. U.S. Park Police subsequently called Central Police Station and notified the Central plainclothes

officers of the traffic stop attempt and the evasive maneuvers by the suspect vehicle's driver.

At approximately 12:10 p.m., a witness observed an auto burglary at Leavenworth and Jefferson Streets in the Central Police District. The witness in this incident heard glass break, and observed a suspect enter a vehicle window and retrieve a purse and bag. The suspect then entered a silver Mitsubishi, which left the area. The vehicle had the same license plate as the vehicle described in the Golden Gate Park auto burglary.

At approximately 12:20 p.m., an auto burglary occurred at Pier 35 in the Central Police District. A witness described observing the occupant of a silver Mitsubishi enter a vehicle and steal luggage before fleeing in the Mitsubishi. A witness flagged down a passing University of California Police Department officer, who later reported this information to SFPD.

At approximately 12:31 p.m., the Department of Emergency Management (DEM) broadcast information about a silver Mitsubishi with the same license plate number as those previously reported "casing vehicles" in the area of Pier 35. ("Casing" is a term commonly used to describe suspicious behavior of suspects loitering near vehicles for the purpose of committing auto burglary.)

As a result of this broadcast, and their knowledge of prior incidents, plainclothes officers from Central Station began searching the Embarcadero area for the silver Mitsubishi. At approximately 12:35 p.m., two plainclothes officers observed the silver Mitsubishi driving southbound on Embarcadero approaching Washington Street. The Officers conducted mobile surveillance of the vehicle and its occupants to observe their actions. The Officers observed the occupants of the Mitsubishi case a parked vehicle near Washington and Drumm Streets. The officers momentarily lost sight of the suspects and then saw them remove bags and items from the parked vehicle. The suspects got back into the silver Mitsubishi, which then drove away from the area.

At approximately 12:40 p.m., plainclothes officers resumed their observation of the Mitsubishi and its occupants. The vehicle continued southbound on Embarcadero and was seen double parked near an Audi, which was parked on the street. The officers briefly lost sight of the Mitsubishi as it parked near the Audi. The officers then drove by shortly after and observed that the Audi had been burglarized near where the Mitsubishi had been double parked.

Plainclothes officers once again began searching the area to locate the silver Mitsubishi. At approximately 12:48 p.m., two plainclothes officers — while searching the area of Jack London Alley and Varney Place — observed the Mitsubishi. The Mitsubishi was pulled to the side of the alley against a building, and two vehicle occupants were out of the vehicle. The two suspects were observed removing bags, luggage, and other items from the vehicle. The suspects appeared to be searching and emptying the bags and luggage onto the ground.

The plainclothes officers exited their vehicle and began observing the actions of the suspects from the corner of Jack London Alley and Varney Place. One of the suspects, later identified as Xavier Pittman Jr., was seen wearing a black ski mask, grey sweatshirt, black t-shirt, blue pants, and black shoes.

The plainclothes officers ran towards Mr. Pittman with their firearms drawn to place him under arrest. A surveillance video shows plainclothes officer #1 grabbed Mr. Pittman, and both fell to the ground. During the physical contact with Mr. Pittman, an officer-involved shooting occurred, which resulted in one round striking Mr. Pittman in the left wrist area.

The audio portion of a video recording recovered from the scene captured one of the officers yell, "Police!" — immediately followed by a single gunshot. Mr. Pittman can be heard on the audio saying that he had been shot and requesting an ambulance.

The silver Mitsubishi accelerated away at a high rate of speed with the rear hatchback still open. The suspect vehicle collided with a stopped and occupied vehicle as it proceeded west on Varney Place. The suspect vehicle was last seen on video fleeing northbound on 3rd Street. An officer broadcast a request for an ambulance and additional resources to the scene. Officers rendered medical aid to Mr. Pittman. An ambulance arrived and transported Mr. Pittman to a local hospital.

### **Additional Information**

#### **Mr. Pittman's Condition**

- Mr. Pittman was treated for non-life-threatening injuries at a local hospital.

### **Evidence**

- Based upon information known at this time, Mr. Pittman was not in possession of a weapon at the time of the incident.
- Preliminary evidence indicates that one officer fired one (1) round from his department-issued firearm. The second officer on the scene did not fire his department-issued firearm.
- A large amount of stolen property related to the auto burglaries was recovered at the scene. • The Mitsubishi was recovered unoccupied in Oakland, California.

### **Video**

- The plainclothes officers involved in this incident were not wearing body-worn cameras (or BWCs). Current San Francisco Police Department Policies allow BWC exemptions for officers working certain plainclothes operations. This particular operation met the BWC exemptions.
- Nearby businesses provided surveillance video of various portions of this incident.
- Additional video is being sought by investigators.

### **Witnesses**

- Witnesses to the OIS incident have been interviewed.
- Additional witnesses are being sought by investigators.
- Witnesses have been interviewed related to the auto burglary incidents, which occurred prior to the OIS.

### **Suspect**

- Name: Xavier Pittman Jr. (Date of birth: Jan. 26, 1998.)
- Mr. Pittman Jr. was arrested by the San Francisco Police Department and booked at the San Francisco County Jail for the following charges:
  - 459 2nd Degree PC – Auto Burglary (Felony, 5 counts)
  - 182(a)(1) PC- Conspiracy (Felony, 5 counts)
  - 496(a) PC – Possess Stolen Property (Felony, 1 count)
  - 12022.1 PC – Committing a Felony while on release (Felony, 1 count)

### **Involved Members**

The officer involved in this officer-involved shooting is:

- Officer Zachary McAuliffe

## Investigations

- The Independent Investigations Bureau (IIB) of the San Francisco District Attorney's Office and the SFPD Investigative Services Detail are conducting investigations into the incident.
- The Department of Police Accountability is conducting an independent administrative investigation.
- The SFPD Internal Affairs Division is conducting an administrative investigation.

[View the video presentation presented at the town hall meeting.](#)

Anyone with information about this incident is asked to call the SFPD 24 Hour Tip Line at [1-415- 575-4444](tel:1-415-575-4444) or Text-A-Tip to [TIP411](text:TIP411) and begin the text message with SFPD. You may remain anonymous.

**The following is a statement from Officer Zachary McAuliffe's legal counsel, Mike Hinckley:**

*"Officer McAuliffe has asked me to convey just how badly he feels that this happened; he did not intend for his firearm to go off. He sincerely apologizes to Mr. Pittman and wishes him a full and speedy recovery."*

[View Chief Scott's talking points from this meeting](#)

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