

1st Quarter 2016 OIS Report

**Firearm Discharge Review Board
&
Officer-Involved Shooting Investigations**

May 4, 2015



Recap of First Quarter 2016 Firearm Discharge Review Board



Firearm Discharge Review Board

The FDRB previously convened on December 23, 2015 (4th Quarter 2015).

The 1st Quarter Firearm Discharge Review Board convened on Wednesday, March 30, 2015 and reviewed four completed investigations:

- OID 005-15
- OID 007-15
- OIS 13-008
- OIS 14-001



Composition of 4th Quarter 2015 FDRB

Wednesday, December 23, 2015

Voting Members

- **Deputy Chief Mikail Ali**, Chair (*Administrative Bureau*)
- **Deputy Chief Michael Redmond** (*Operations Bureau*)
- **Deputy Chief Garret Tom** (*Special Operations Bureau*)
- **Deputy Chief Denise Schmitt** (*Airport Bureau*)

Advisory Members

- **Commissioner Petra DeJesus** (*Police Commission*)
- **Director Joyce Hicks** (*Office of Citizen Complaints*)
- **Captain Peter Walsh** (*Risk Management Office*)
- **Lieutenant Michelle Jean** (*Training Division*)
- **Sergeant Angelo Span** (*SFPD Range*)



Officer Involved Discharge 005-15

Incident: August 4, 2015

Location: Antioch, CA

Finding: Not In Policy

At approximately 22:08 hours, an off-duty officer was at his home residence in Antioch when he began to install a light on his personal firearm. While doing this, he discharged the weapon, which had not been properly cleared and rendered safe. No one was hurt as a result of the discharge.



Officer Involved Shooting 007-15

Incident: November 10, 2015

Location: Oakland, CA

Finding: Not In Policy

At approximately 23:35 hours, an off-duty officer was at her home residence in Oakland when she conducted a dry firing drill using her Department-issued firearm. While doing this, she discharged the weapon, which had not been properly cleared and rendered safe. No one was hurt as a result of the discharge.



Officer Involved Shooting 13-008

Incident: October 27, 2013

Location: 200 block of Mallorca Street

Finding: In Policy

At approximately 12:25 hours, three uniformed officers and a plainclothes officer assigned to Northern Station responded with other officers to a report of a person shot in the area of Pierce and Chestnut. Officers learned of a robbery near an ATM in this area; the victim had been pistol whipped, causing significant trauma. Officers searching for the suspect located a person matching the description on the 200 block of Mallorca Street, near Capra. The suspect, holding a handgun, attempted in vain to conceal himself in bushes. He refused the officers commands to drop his weapon and surrender. Instead, he emerged from the bushes, pointing his firearm in the direction of two of the officers. The four officers fired their weapons at the suspect in defense of themselves and the others present. The suspect was struck and taken into custody.



Officer Involved Shooting 14-001

Incident: January 12, 2014
Location: 100 Block of Bayshore Blvd
Finding: In Policy

At approximately 00:11 hours, an off-duty sergeant was driving on US 280 northbound, when a pickup truck sideswiped her. The sergeant phoned 911 to report the collision, as the vehicles stopped at a gas station. The driver of the truck became increasingly agitated and belligerent. The sergeant identified herself to the other driver as a police officer, ordered him to return to his truck, and phoned 911 to request an expedited police response. The other driver then physically attacked the sergeant, punching her. The sergeant believed she was going to be overpowered and fired one round in self-defense at the suspect. The round struck the ground, and a resultant bullet fragment scratched the right rear calf of the suspect. He stopped his assault. He was subsequently arrested and booked, refusing any medical treatment for the injury.



Next FDRB

The 2st Quarter 2016 Firearm Discharge Review Board is **tentatively** scheduled to convene:

Tuesday, June 28, 2016



Status of Open Officer-Involved Shooting Investigations



OIS Investigations Update

The previous OIS Quarterly Report was presented to the Police Commission on January 13, 2015. Since that report:

- **Two (2) OIS investigation** (OIS 13-008 and OIS 14-001) were presented to the last FDRB. Summary reports are forthcoming to the Police Commission. These investigations are closed.
- **Four (4) charging decision letters** from SFDA were received: OIS 13-003, OIS 14-002, OIS 14-003, and OIS 14-008.
- **One (1) OIS investigations** opened (OIS 16-001). There are active criminal investigations by SFPD Homicide and SFDA.



Open OIS Cases Summary

As of April 7, 2016, there are **seventeen (17) open SFPD OIS investigations**:

- **Four (4) case reviews** have been completed by the SFDA and charging decision letters issued. These are expected for presentation at the next FDRB; the administrative investigations are no longer tolling.
- **Seven (7) criminal investigations** are currently under review by the Office of the District Attorney of San Francisco. The District Attorney's charging decisions in these cases are pending. The corresponding SFPD administrative investigations are tolling.
- **Six (6) criminal investigations** are active. One with the San Mateo Police Department and five with the SFPD Homicide Detail, ME, and SFDA. The corresponding SFPD administrative investigations are tolling.



Open OIS Investigations: 2013-14

Case	Investigation Status
13-003 (3/15/13)	Charging decision letter received from SFDA. Final Homicide report being prepared.
13-008 (10/27/13)	Findings and recommendations presented to 1Q2016 FDRB. Closed.
14-001 (1/12/14)	Findings and recommendations presented to 1Q2016 FDRB. Closed.
14-002 (2/4/14)	Charging decision letter received from SFDA. Final Homicide report being prepared.
14-003 (3/8/14)	Charging decision letter received from SFDA. Final Homicide report being prepared.
14-005 (9/26/14)	Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision.
14-006 (10/7/14)	Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision.
14-007 (11/6/14)	Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision.
14-008 (12/3/14)	Charging decision letter received from SFDA. Final Homicide report being prepared.



Open OIS Investigations: 2015

Case	Investigation Status
15-001 (1/4/15)	Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision.
15-002 (1/4/15)	Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision.
15-003 (2/26/15)	Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision.
15-004 (3/17/15)	Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision.
15-006 (9/18/15)	Active criminal (SMPD) and administrative investigations.
15-007 (10/15/15)	Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision.
15-008 (10/24/15)	Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision.
15-009 (11/11/15)	Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision.
15-010 (12/2/15)	Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision.



Open OIS Investigations: 2016

Case	Investigation Status
16-001 (4/7/15)	Criminal and administrative investigations opened April 7, 2016.



Thank You

