

TERMS AND DEFINITIONS

This order clarifies and standardizes the meanings of certain terms commonly used throughout the Department. The following terms will be interpreted in all Department communication according to these definitions, and will be considered the controlling document if a conflicting definition arises in other general orders, manuals, bureau orders, unit orders, or department notices.

3.02.01 POLICY

Barricaded Suspect Incident: A situation where a person who is suspected of committing a criminal offense, intent upon evading arrest, takes up a defensive position in a physical location, most often a structure or a vehicle, that does not allow immediate police access – whether fortified or not – and is refusing or ignoring police orders to exit, and who may be armed with a gun, explosive, or a weapon capable of harming others and presents a deadly hazard to arresting officers.

Beat: An area of foot patrol within a police district.

Bureau: A primary subdivision of the Department.

Caregiver: An individual 18 years of age or older, selected by a parent or individual responsible for a child after an arrest to temporarily care for the child. Responsibility for the temporary care and supervision of a child may be delegated to any responsible adult, as defined by SF Admin. Code § 96, including a relative, neighbor, mentor, or social worker, etc. A caregiver must be able to pass a preliminary background check by both SFPD and FCS.

Chain of Command: Hierarchy of authority

Chain of Custody: The documentation of who had possession of the evidence, from the time of collection to the time of analysis and beyond.

Charter: The Charter of the City and County of San Francisco.

Chief: The Chief of Police.

Child: An unemancipated person under the age of 18.

City and County: The City and County of San Francisco.

Commanding Officer: An officer, usually holding the rank of captain, in charge of any unit, division, or station of the Department.

Commission: The San Francisco Police Commission.

Command Staff: The sworn members and professional staff leadership of the SFPD. The command staff consists of the Chief of Police, Assistant Chief(s), Deputy Chiefs, Commanders, Executive Director and Directors.

Commissioned Officer: An officer holding the rank of lieutenant or higher.

Consensual Encounters: A consensual encounter occurs when a reasonable person would feel free to leave or to refuse to cooperate with the police, and no reasonable suspicion is required on the part of the officer. Consensual encounters may elevate to a detention based on the officer's actions that create a reasonable belief that the person is no longer free to leave. A detention does not occur when a police officer merely approaches an individual on the street and asks a few questions.

Covered Incidents: Any incident in accordance with the Memorandum of Understanding (MOU) as may be in effect between the San Francisco Police Department and the San Francisco District Attorney's Office —automatically initiates criminal and administrative investigations. Covered incidents include any of the following (1) officer-involved shooting; (2) in-custody death; or (3) uses of force resulting in injury that requires admission to the hospital OR upon a SFPD supervisory evaluation, the use of force appears unreasonable and resulted in serious bodily injury, as defined in 243(f)(4) PC.

Critical Incident: Any incident with a life-threatening situation, a defined terrain objective and requiring a coordinated tactical response should be declared as a critical incident. Procedures and guidelines for requesting the Tactical Unit/SWAT Team and Hostage/Crisis Negotiations Team should be followed.

Day: The twenty-four (24) hour period commencing at 0001 hours and ending at 2400 hours the same day.

De Facto Arrest: A de facto arrest occurs when an officer takes unreasonable or unnecessary actions during an investigative detention. A lawful temporary detention may become an unlawful de facto arrest in violation of the Fourth Amendment, making the detention unlawful. The

following combination of factors may elevate an investigative detention into a de facto arrest: an unreasonably lengthy detention, the use of restraints without officer safety justification, the use of force beyond what is necessary to effect the detention, and the transportation of a detainee without valid consent.

Deadly Force: Any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm. Cal. Penal Code § 835a(e)(1).

De-Escalation: The process of using strategies and techniques intended to decrease the intensity of the situation.

Department: The San Francisco Police Department.

Detention: A seizure of a person by a member that results from submission to unequivocal verbal commands, physical restraint, and/or words or conduct by a member resulting in a reasonable person believing that they are not free to leave or otherwise disregard the officer. A member must have reasonable suspicion to detain.

District: A defined geographical area composed of patrol sections, sectors, and beats commanded by a captain.

Division: A primary subdivision of a Bureau.

Employee: All persons, both sworn and professional staff, that are employed by the San Francisco Police Department.

Event Commander: The commanding officer of an event or incident, usually the commanding officer of district of occurrence or, in his or her absence, the highest-ranking officer in the district or their designee, generally the rank of captain.

Exigency: an emergency situation that requires a deviation from policy and procedure to protect life or property from an imminent threat, to apprehend a fleeing suspect, or to prevent the potential loss or destruction of evidence, which is supported by specific and articulable facts, based on the totality of the circumstances, that justify the deviation from policy and procedure.

Feasible: Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the member or another person. Cal. Government Code § Section 7286(a)(2).

First Amendment Activity: All speech, associations and/or conduct protected by the First Amendment and/or California Constitution Article I, section 2 (Freedom of Speech) and/or Article 3 (Right to Assemble and Petition the Government, including but not limited to expression, advocacy, association or participation in expressive conduct to further any political or social opinion or religious belief).

Foot Pursuit: An incident where an officer chases, on foot, a person who is evading detention or arrest.

Guardian: An adult, who is not the parent of a juvenile, who is legally responsible for the care of the juvenile because the juvenile's parent is unable to do so.

Harassment: Unwelcome, offensive, or intimidating conduct that is directed at an individual or group of individuals because of their actual or perceived membership in one or more of a protected category.

Hostage Incident: A situation where a suspect holds another person against his/her will and where the suspect would generally be in violation of 236 PC (False Imprisonment).

Imminent Threat of Death or Serious Bodily Injury: A threat of death or serious bodily injury is "imminent" when, based on the totality of the circumstances, a reasonable member in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed. Cal. Penal Code § 835a(e)(2).

In-Custody Death: Any death that occurs when a person is restrained by law enforcement personnel by means of (1) physical restraints and/or any use of force, as defined by Department Policy (DGO 5.01), (2) detention or confinement in a law enforcement vehicle, or (3) detention or confinement in a jail or detention facility while in the custody of the San Francisco Police Department. This is considered a "covered incident."

Juvenile: Any person under 18 years of age.

Limited English Proficiency (LEP) Person: Individuals whose primary language is not English and who have a limited ability to read, write, speak, or understand English.

Major Incident: An event involving potential or actual injury, death, or property damage requiring an exceptional emergency response. This includes natural disasters (floods,

earthquakes, major fires, etc.) and human-caused emergencies (plane crash, riot, terrorist acts, etc.) that require extensive response and commitment of resources to control or resolve.

Member: A sworn employee of the San Francisco Police Department, including the Chief of Police.

Non-Commissioned Officer: A sworn member holding the rank of police officer, inspector, or sergeant.

Non-Criminal Barricaded Incident: An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, however the person is not suspected of committing a criminal offense.

Officer Involved Discharge: A member's intentional discharge of a firearm intended to stop a dangerous animal posing an immediate threat, OR an officer's discharge of a firearm that is unintended and does not cause injury or death to a person.

Officer Involved Shooting: A member's intentional discharge of a firearm with or without physical injury or death of a person, or an unintentional discharge that results in physical injury or death.

Officer-in-Charge/Platoon Commander: A sworn member, usually a lieutenant, serving as the highest-ranking member of a unit or watch is the Officer-in-Charge (OIC). OICs are typically in charge of administrative or investigative units while Platoon Commanders are typically in charge of crowd control and patrol units. This includes members working in acting assignments.

On Duty: Scheduled paid work hours including details to events, conferences, seminars, meetings, training, while on "standby" pay status and during any voluntary or mandatory overtime assignments.

Parent: Any adult who is legally responsible for the well-being, supervision, and care of a child. This individual is generally a biological or adoptive parent, or guardian.

Person in Crisis: A person who is experiencing mental and/or emotional distress, including people suffering from the adverse effects of substance abuse, who is in need of assistance and/or poses a danger to the community or themselves.

Physical Evidence: Anything that has been used, left, removed, altered, or contaminated during the commission of a crime or incident by the victim(s) or suspect(s) or involved parties.

Platoon: A group of officers consisting of two to four squads generally supervised by a lieutenant.

Police Services Aide (PSA): A non-sworn professional staff employee who, under general supervision, performs a variety of police related duties for the San Francisco Police Department.

Policy: Overall plan, general goal, philosophy.

Post: A location to which a member is assigned.

Pressure: Continuous physical force exerted on or against a person or object by an opposing force in contact with that person or object.

Probable Cause: A set of specific facts that would lead a reasonable person to objectively believe and strongly suspect that a crime was committed by the person to be arrested. Under the Fourth Amendment, arrests must be supported by probable cause.

Professional Management Staff: A non-sworn employee of the San Francisco Police Department holding the title of; Manager, Director, or Executive Director.

Professional Staff: All non-sworn employees of the San Francisco Police Department

Protective Order: A court ordered injunction - regardless of form, content, length, layout, or type (i.e., stayaway, restraining, criminal, civil, temporary, emergency order, gun violence restraining order) - issued for the purpose of preventing interaction between a subject and a specific ("protected") person or persons.

Reasonable Force (Cal. Penal Code § 835a(a)(4)): Force that would be objectively reasonable "from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force."

Reasonable Suspicion: A set of specific and articulable facts that would lead a reasonable person to believe that crime is, was, or is about to occur and the person under suspicion is reasonably connected to the crime. Reasonable suspicion cannot be based solely on a hunch or instinct.

Reasonable Suspicion to Conduct a Pat Search: A type of search conducted by a member where the member pats down the outer surfaces of a person's clothing to look for weapons. Two

conditions must be met before a pat search is permitted: (1) The underlying detention must be legal, and (2) The officer must be able to point to specific and articulable facts causing them to believe the suspect is armed and dangerous. The validity of a pat search depends on the totality of the circumstances and turns on whether a reasonably prudent officer would be warranted in the belief that the officer's safety, or that of others, was in danger.

Responsible Adult: (SF Admin. Code § 96C): (1) The youth's parent or guardian; (2) A person 18 years old or over who is related to the youth by blood or adoption including stepparents, stepsiblings, and all relatives whose status is preceded by the words "great," "great-great," or "grand," or the spouse of any of these persons even if the marriage was terminated by dissolution or death; (3) A person 18 years of age or over who has a mentoring or an established familial relationship with the youth or a relative of the youth; (4) The youth's teacher, medical professional, clergy, neighbor, social worker, or mental health clinician; or (5) An employee of a non-profit or community organization whose primary focus is assisting youth.

Section: A geographic subdivision of a district.

Sector: An area of responsibility within a police district.

Serious Bodily Injury: A serious impairment of physical condition, including but not limited to loss of consciousness, concussion, bone fracture, protracted loss or impairment of function of any bodily member or organ, a wound requiring extensive suturing, and serious disfigurement.

Shall/Will/Must: Mandatory.

Should: Permissive but recommended.

Squad: A group of seven officers generally supervised by a sergeant

Superior Officer: A commissioned or non-commissioned officer in charge of subordinates.

Supervisory Officer: A member, usually a sergeant, assigned to directly supervise subordinates.

Tire Deflation Device (TDD): A tactical tool designed to defeat the integrity of vehicle tires to release air pressure in a predictable, controlled manner. The successful deployment of a TDD is considered a reportable use of force.

Unit: A subdivision of section or a synonym for any organizational subdivision.

Watch: A tour of consecutive hours within a day or overlapping into another day.

Week: Seven (7) successive twenty-four (24) hour periods commencing at 0001 hours Sunday.

Youth: A person 17 years of age or younger.

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