

City and County of San Francisco
HUMAN RIGHTS COMMISSION



March 6, 2018

San Francisco Police Department Headquarters
San Francisco Police Commission Office
1245 3rd Street San Francisco, CA 94158

Re: DGO 5.02 "Use of Electronic Control Devices"

Dear President Turman and Commissioners:

I am writing to provide input regarding DGO 5.02 "Use of Electronic Control Devices." My staff and I have closely followed the development of this policy and have significant concerns, particularly related to the use of the electronic control device (ECD) on adolescents. We feel strongly that SFPD should restrict officers from using ECDs on young people under 18.

We respectfully propose that SFPD revise 1.d under "I: Special Considerations" to read "if the subject appears to be under 18 years old." The current draft reads "if the subject appears to be a child." This language does not sufficiently protect young people, who are more vulnerable to the risk of serious injury and death associated with ECDs. The term child is arbitrary and may be interpreted loosely. For example, if the term child is interpreted as 14 and under, it would fail to protect the 15-17 aged demographic. This demographic is equally vulnerable to the risk of serious injury and death, as we saw in the tragic case of seventeen year old Bryce Masters, whose heart stopped after he was shocked with the stun gun during a traffic stop. The revised language, as proposed above, would still allow SFPD officers the option to use an ECD in circumstances where deadly force would be permitted.

I further propose that SFPD restrict school resource officers from using ECDs on school grounds. This is particularly important in light of the national climate of heightened anxiety around the safety of young people at school. Moreover, SFPD officers have not undergone comprehensive youth cultural competency training to date.

My concerns stem from the fact that men and boys of color, who will likely be disparately impacted by ECD use, are regularly perceived to be older than they actually are. The American Psychological Association finds that African American boys in particular are often perceived to be older and even mistaken as adults, as we tragically saw in the fatal officer involved shooting case of 12 year old Tamir Rice.

I hope that the full Police Commission will consider this input and prioritize the safety of young people as it moves forward. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Sheryl Davis".

Sheryl Davis

Executive Director

San Francisco Human Rights Commission