



The Police Commission

CITY AND COUNTY OF SAN FRANCISCO

February 19, 2016

The Honorable Edwin M. Lee
Office of the Mayor
1 Dr. Carlton B. Goodlett Place, Room 200
San Francisco, CA 94102-4681

Dear Mayor Lee:

Last December, immediately following the Mario Woods incident, the San Francisco Police Commission, Police Department, the African American Advisory Forum and community members have been collaborating on a plan to fundamentally re-engineer the way police officers use force. This plan includes immediate steps that have been taken to change training and equipment as well as proposed revisions to Department Policy that require Police Commission approval.

The Police Department surveyed policies from across the country and consulted with experts and community members to present this new vision for the department. The Commission directed the Police Department to immediately share these draft policies with a group of advocates, police officers, lawyers, and others to ensure that the policy was thoroughly vetted by interested stakeholders ranging from front-line officers to civil libertarians. It also will be reviewed by the United States Department of Justice (DOJ) and presented at public meetings prior to final adoption by the Commission.

The Commission, the Police Department, the African American Advisory Forum and the community members provided a framework for what we believe our city needs. At the heart of that framework was a simple request: to infuse the plan with everything that we as a society know about how to preserve life – for officers, members of the public, and those who may become the focus of police attention.

First and foremost, at your direction, we must put the sanctity of life at the center of every decision. As such, the proposed plan focuses on training officers that proportionality is key in their decision making, in particular, when they use force. The question to ask is this – is the level of force with which the officer is responding proportionate not only to the force being used by the individual, but also to the offense under investigation by the officer?

SUZY LOFTUS
President

L. JULIUS M. TURMAN
Vice President

DR. JOE MARSHALL
Commissioner

PETRA DeJESUS
Commissioner

THOMAS MAZZUCCO
Commissioner

VICTOR HWANG
Commissioner

SONIA MELARA
Commissioner

Sergeant Rachael Kilshaw
Secretary

There are a number of specific changes that can make this proportionality more likely, many of which have been implemented and are listed below. The Police Department must continue to prioritize de-escalation and emphasize that one of the best tools an officer has is verbal skills. City leaders also should do everything in their power to ensure officers have the training, skills, and equipment to de-escalate and create time and distance, especially in instances where the individual is armed with a weapon short of a firearm, such as an edged weapon. We have outlined the immediate steps that have been taken to create this time and distance, as well as the plans to ensure that this becomes the culture of the Police Department.

What we know is this – if we can train officers with the skills and equip them with the tools needed to create this time and distance, we can see a reduction of up to 80 percent of officer-involved shootings. This is good for everyone.

These reforms will need to include all of us – advocates, city officials, community members, and the criminal justice system, including law enforcement. We must remain committed to being a model of collaboration and take the necessary steps toward meaningful reform. Through collaboration, we can fundamentally reengineer policing and the use of force resulting in lives saved.

As the Commission evaluates and continues to seek additional input from the community and the DOJ on the formal changes to the use of force policies, the following immediate steps have been taken and these larger efforts are underway to reduce lethal force and build trust with the communities the Police Department is sworn to serve:

Re-engineering the Use of Force – Create Time, Distance, and Use of Proportional Force

- The Police Department issued the following immediate training and equipment changes:
 - Any time officers point their gun at an individual, it is a reportable use of force and must be documented as such.
 - Mandated a supervisor to respond to the scene of any call involving an individual with a weapon.
 - Bi-annual firearms qualification for all sworn officers was re-engineered from a two-hour range/firearm qualification to an eight-hour “force options” classroom training, which includes de-escalation and CIT principles.
 - All mobile officers in the field are required to carry helmets, 36-inch batons, and gloves in their vehicle to provide other options in situations where officers need to create time and distance from a person with a weapon short of a firearm, such as an edged weapon.
 - The amount of less-lethal options available to officers in the field has been doubled.
- The draft Use of Force Policy sets a definitive vision for officer use of force that prioritizes sanctity of life, de-escalation, and proportionality.

- Prohibits officers from using force against a person who presents a danger only to himself or herself.
 - Lays out de-escalation tactics to use that create time and distance from a subject – including establishing a buffer zone, or “reaction gap” to avoid creating a threat that may require the use of force, tactically-repositioning to maintain the “reaction gap” and designating an officer to engage the subject in thoughtful conversation.
 - Bans use of the Carotid Restraint or chokehold
 - Prohibits officers from shooting at vehicles.
 - At your direction, the Police Department is seeking approval from the Commission to acquire conductive electronic devices (CED) for use by the members assigned to the Tactical Division and other specialty teams.
- Expanding and funding Crisis Intervention Teams (CIT), including improving the technology of how CIT officers are dispatched to scenes of people in crisis and creating Advanced CIT officers to be dispatched to scenes with people in crisis
 - Developing an “edged weapon” protocol to better equip patrol officers with the skills needed to create time and distance from individuals armed with weapons short of a firearm
 - Working to secure training and additional equipment to be used as protective shields to aid in creating time and distance

Accountability and Leadership

- The DOJ is conducting a review of the Police Department’s policies and practices under the Collaborative Reform Initiative (CRI), starting immediately with a review of use of force policies
- The first-ever Professional Standards and Principled Policing Bureau was created to oversee proposed reforms as well as to coordinate the efforts of the Police Department with the DOJ CRI team. Deputy Chief Toney Chaplin has been appointed to lead this effort
- Additional staff, including a Policy Analyst, within the Police Commission office is requested to assist in moving the policy initiatives through the process
- Seeking support for fully funding the Office of Citizen Complaints budget – particularly around improving their ability to quickly complete thorough investigations and follow best practices around transcribing interviews to aid in investigations of misconduct

Data Transparency and Technology Solutions

- The Police Department has partnered with the W. H. Burns Institute on a study relating to the racial disparities in arrest rates. The goal is to disaggregate data by police district and better understand and address the causes of racial disparities in arrest rates

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- Enhancing the ability to accurately collect data, in real time, through the Crime Data Warehouse (CDW) and e-citation software/hardware to fully comply as soon as possible with both Supervisor Malia Cohen's legislation and state law relating to improved data transparency
- Equipping all patrol officers with body worn cameras by the end of 2016
- Re-designing the Police Commission's websites to improve transparency in order for the public to learn about and understand the work of the Commission.
- Opted into the White House Open Data Initiative and the Police Department's website now includes additional publicly available information

Eliminate Bias and Improve Cultural Competency

- Launched the "Not on My Watch" campaign in which Police Department employees took a pledge to refuse to allow bias and discrimination to happen in their presence, or anytime (<http://notonmywatchsfpd.org>)
- Continue mandating recruits to volunteer at community organizations while at the Police Academy and placing officers to work in and with community organizations that serve young people.
- All officers will receive training on procedural justice and implicit bias by the end of 2016
- Partner with community leaders to develop a cultural competency training for all officers.
- Re-evaluating training stations to ensure recruits are assigned and trained to best meet the needs of the immediate community.
- Increase interaction at the District Level by having Captains work directly with leaders in their respective communities to identify hotspots and to assign more senior officers knowledgeable of those neighborhoods to resolve conflicts that might occur there.
- Expand the Early Intervention System (EIS) to identify and intervene immediately when an officer develops behaviors which are indicators of questionable practices

Investing in Community Safety Initiatives

- In our community forums, the theme emerged about the need to have sustained engagement with the communities most impacted by violence, to rebuild the relationship of trust. To do that, we will expand the Community Safety Initiative, which recruits young people from the San Francisco neighborhoods most impacted by violence and invites them to work collaboratively with the Commission and the Department to build trust and build community

Recruiting a Diverse Force

- Continue to expand recruitment campaigns specifically designed to encourage people of color to choose a career with the San Francisco Police Department
- Developed an eight-hour course available through City College to guide interested applicants through the hiring and background practices mandated by state law to become a law enforcement officer

- Audit current personnel and procedures for conducting background checks to ensure policies are adhered to in selecting candidates that fit the vision for the Department

Focus on the Recommendations Outlined in President Obama's Task Force on 21st Century Policing Report

- There are 58 recommendations and 91 action items included in the report issued by the President's Task Force in 2015
- Devoting additional resources to focus exclusively on unsolved homicides in San Francisco's neighborhoods most impacted by violence.
- The Police Department agrees with, has implemented, and/or will implement all recommendations/action items directly related to law enforcement, with the exception of three items which cannot be implemented due to conflict with local law and current memorandum of understandings with the San Francisco Unified School District
- The Police Department's response can be accessed via our website at, <http://www.sanfranciscopolice.org/Modules/ShowDocument.aspx?documentid=27535>
- At the request of the Mayor, the Police Department will create a dashboard available on our website to monitor the progress of the implementation of the Task Force's recommendations

Academic Partnership for Evaluation

- With the sweeping changes and reforms underway, the Commission and Police Department believes it is critical that we partner with an academic institution to conduct a formal evaluation of the impact of these changes.
- We believe that this external evaluation will allow the public to hold the Police Department accountable for not only making these reforms, but also for demonstrating that making these reforms made an impact on reducing fatal shootings and improving trust.

Additional Considerations for other City Agencies

Public Health Response to Violence

In addition, through our community meetings and conversations with young people, advocates, and community members, it is clear that the scope and scale of the issues affecting a number of our communities are not isolated to issues with the Police Department. The Commission received a letter from a coalition of public health advocates to urge the City to consider a more robust wrap-around effort to address all acts of violence, in recognition that if we do not intervene early to address the impacts of the violence in our communities, they have lasting effects, in particular on children and young people. As such, the Commission urges you to convene the Police Department, the Police Commission, the Department of Children, Youth and Families, the Department of Public Health and any other city agencies working on violence prevention, to join together and expand and improve our public health response to acts of

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violence in our communities. Without a meaningful public health response that intervenes in the cycle of violence, too many of our communities will continue to experience the predictable, poor outcomes that come from sustained exposure to chronic adversity and trauma.

Expand Ability to Certify Officers in Languages other than English

In our work to expand and build trust with our limited English proficient communities, we have been endeavoring to expand the number of officers who are certified to speak languages other than English. We would urge you to support the Department of Human Resources with the resources they need to be able to more quickly certify and recertify our officers as practical. This is a critical component to building trust with our communities.

As you know, San Francisco is only one of dozens of American cities to confront issues of distrust of police in the past few months, and as we take a hard look at the San Francisco Police Department, we should remember how lucky we are to have one of the most open and transparent processes for governing police in the country. Now we need to use that process to work together and allow our city to live up to its values.

Sincerely,



SUZY LOFTUS
Police Commission President



GREGORY P. SUHR
Chief of Police