

Recommendation 1.1

Tanya Koshy [REDACTED]

Sun 7/14/2024 11:36 AM

To: [REDACTED] Scott, William (POL) [REDACTED]; McGuire, Catherine (POL) [REDACTED]

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Dear Chief Scott,

Our office has completed its review of the materials submitted by SFPD to demonstrate substantial compliance with Recommendation 1.1: The SFPD must commit to reviewing and understanding the reasons for the disparate use of deadly force. Specifically, the SFPD needs to:

- Partner with a research institution to evaluate the circumstances that give rise to deadly force, particularly those circumstances involving persons of color;
- Develop and enhance relationships in those communities most impacted by deadly officer-involved shootings and monitor trends in calls for service and community complaints to ensure appropriate police interaction occurs as a matter of routine police engagement;
- Provide ongoing training for officers throughout the department on how to assess and engage in encounters involving conflict with a potential for use of force with a goal of minimizing the level of force needed to successfully and safely resolve such incidents.

Based on upon all of the above, the Department of Justice finds that SFPD is in substantial compliance with this recommendation.

SFPD has developed an ongoing partnership with the Center for Policing Equity (CPE), a research center based out of Yale University that collects and analyzes data related to law enforcement practices. Among its work with SFPD, CPE has developed a report that examines the factors that trigger or lead to the pointing of a firearm, which escalates the risk of a shooting. CPE recommended that SFPD revise its use of force policy (Department General Order 5.01) to raise the standard for when officers may point a firearm to circumstances where they “reasonably believe that there is a substantial risk that the situation may escalate to the point where deadly force may be justified.” SFPD in spirit adopted the recommendation, expanding the circumstances that an officer can point a firearm to include not just when “the situation may escalate to justify the use of deadly force” but also where an officer reasonably believes that “there is a specific and articulable threat of serious bodily injury or death.” While the standard CPE recommended is differently worded than SFPD’s, in practice, however, they are likely to be the same and should be treated as such as well.

SFPD’s 2022 and 2023 shootings have occurred in its busiest stations, Tenderloin, Bayview, Mission, and Southern, as well as Richmond station. SFPD has provided information demonstrating ongoing relationships with community based organizations that work with individuals affected most by fatal shootings by SFPD officers. SFPD has also over time developed the infrastructure to communicate to communities following shootings in a way that is transparent and mindful of the trauma and fear that such shootings sow.

SFPD has also provides training, in the form of its Critical Mindset Coordinated Response training, that incorporate scenarios in prior SFPD and other agency officer involved shooting incidents (OIS). The training emphasizes that each officer has a specific role in a critical incident response, which focuses each officer’s decision-making and eliminates what SFPD calls the degradation of an officer’s thinking. Cal DOJ recognizes that Jenson Hughes has observed SFPD over a number of years, since it first assessed SFPD, and defers to its positive assessment of SFPD’s

training and its determination that SFPD's continued investment in training will lead to the reduction in the use of force.

SFPD has provided data analyses reflecting a steady decline in uses of force, and shootings in particular, in the past several years. As one example, also highlighted by Jenson Hughes, SFPD used to have an average of eight shootings per year and that average has declined to three.

Implementation of this recommendation, and other recommendations related to use of force, is critical for SFPD's legitimacy within its communities. For that reason, Cal DOJ is heartened by SFPD's substantial compliance with this recommendation but recognizes that ensuring SFPD sustains implementation will be the responsibility of SFPD's communities and oversight bodies.

If you have any questions, please do not hesitate to reach out.

Thank you,

Tanya Koshy (she/her)
Deputy Attorney General
Police Practices Section
California Department of Justice

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Finding #1 **The majority of deadly use of force incidents by SFPD involved persons of color.**

- Rec # 1.1** The SFPD must commit to reviewing and understanding the reasons for the disparate use of deadly force. Specifically, the SFPD needs to:
- Partner with a research institution to evaluate the circumstances that give rise to deadly force, particularly those circumstances involving persons of color;
 - Develop and enhance relationships in those communities most impacted by deadly officer-involved shootings and monitor trends in calls for service and community complaints to ensure appropriate police interaction occurs as a matter of routine police engagement;
 - Provide ongoing training for officers throughout the department on how to assess and engage in encounters involving conflict with a potential for use of force with a goal of minimizing the level of force needed to successfully and safely resolve such incidents.

Recommendation Status

Complete **Partially Complete** **In Progress**
Not Started **No Assessment**

Summary

This is an original file review, included as part of Project Plan 1. SFPD has committed to ensuring the disparities reflected in police use of force are better understood and addressed within the organizational framework of policy, training and implementation. While not perfect in execution, substantial progress has been made to identify that the department has engaged in addressing the goals of this recommendation and ensuring the forward commitment to continued engagement. The work conducted on the understanding of police use of force is consistent with the overarching goals of Project Plans #1 & #2 – the continued reduction for the need and reliance upon use of force when responding to calls for service. In particular, with the goal of this recommendation, understanding and reducing the reliance on use of force when encountering a person of color and engaging more fully with communities of color. With regards to the work on this recommendation, SFPD demonstrates analysis and understanding of the impact of police use of force in communities of color.

With regard to Compliance Measure #1 – SFPD has identified a series of engagements, internal and with external partners, notably the Center for Policing Equity (CPE), that demonstrates the commitment to understanding disparate police action. This partnership continues as does ongoing data transparency and internal research and review of use of force factors with the goal of reducing the need to rely upon police use of force. SFPD has committed to educating its command members through training on "race and reconciliation" as a way to improve overall awareness and understanding of the impact of race on police force decisions, as well as general engagement.

As for Compliance Measure #2 – the CPE partnership is a demonstrated commitment by SFPD. It continues to open its data through its data portal as well. As evidence, a change in SFPD policy regarding when a weapon was drawn arose in part from a CPE finding. SFPD has invested in internal research and analysis regarding use of force generally which supports the larger goal of overall reduced use of force.

As for Compliance Measure #3 – SFPD committed early on to a best practice of providing information and updates involving a use of force in the area where the incident occurred. These meetings often engage issues

beyond the specific incident and the department has been consistent in its commitment. The department's work in this area has been with traditional community service providers, including those who are seen as challenging the SFPD to include Wealth and Disparities. SFPD was an early law enforcement supporter of Black Lives Matter, with official recognition through the Police Commission. The department has worked to bring community into its race reconciliation work. Some of this work has emerged into longer lasting partnerships such as ongoing work in the Tenderloin community. The department has continued to hold districts accountable for partnerships at the community level. As with policing generally, this work continues to have challenge. Long-term success of the reform goals and implementation require SFPD to continue its focus on the community's role in understanding police use of force decisions and the impact of these actions on the community.

As for Compliance Measure #4 – the department utilizes data other than CAD to determine police interaction, including data provided by DPA regarding complaints, community survey and the work ongoing relative to analysis of use of force and its outcomes. There are future plans to use data in the management dashboard to help assess and identify interaction in communities more broadly. The department has expanded its efforts, and re-activation of the Chief's meetings should also bolster the level of engagement that is the goal of this recommendation. As with all of the community engagement called for under the assessment, SFPD's ongoing commitment to broad engagement will help ensure it continues to progress in its goal of being a model police department.

As for Compliance Measure #5 – this is an area in which the SFPD has exceed the substantial compliance goals. The Field Tactics and Force Options Unit (FTFO) was an early success in the department's reform path. It continues to grow in its focus and skill. By way of example, the department provides information the Critical Mindset Coordinated Response training scenarios that incorporate outcomes in prior SFPD and other agency officer involved shooting incidents (OIS). The team analyzes the factors within an OIS to identify data-based information to incorporate into the overall use of force training. It also uses nationally recognized research and published information to inform the training focus for SFPD officers. The Jensen Hughes team has engaged with FTFO over the years and have seen the progression of the work on training and how it is responsive to emerging issues and developing training to address it. We recognize the work of SFPD on this issue and we anticipate its continued investment in training as the leading support for the reduction in the necessity to use of force.

As for Compliance Measure #6 – SFPD data identify while there is a reported reduction in the use of force overall, force used against African American/Black people had the most measurable reduction in pointing a firearm. Additionally, the evidence provided by SFPD – and as observed by the monitoring team – was one of continued improvement since 2016. The internal controls and review of use of force have improved to include a training and analysis unit that updates and improves training continuously rather than following a standard use of force training curriculum. Partnership with CPE has improved policies and the department itself has acted to address issues to understand and reduce both disparity and use of force, for example the policy that booking photos will no longer be shared. For the three years leading into the original assessment, SFPD averaged over eight officer involved shooting incidents annually, since 2020, that average is closer to three – this equates to less harm for the officers and the public. Trends can alter quickly, so the focus of the department is key in ensuring ongoing reduction of harm and success in implementing tools that allow for different outcomes than an officer-involved shooting incident.

It is notable that this one of the most recent recommendation files to be completed. The compliance with this recommendation has truly been evolutionary since the initial assessment report. This bodes well for future compliance as a matter of organizational investment – this was not a one and done approach. Rather, the SFPD continues to review, refine and adapt its approach to disparity in the use of force by SFPD officers.

The Jensen Hughes teams recommends a determination of substantial compliance for this recommendation and it is a pivotal foundational document for the support of the use of force project plans.

Compliance Measures		Status/Measure Met
1	Commit to reviewing and understanding the reasons for the disparate use of deadly force.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2	Partner with a research institution to evaluate the circumstances that give rise to deadly force, particularly those circumstances involving persons of color.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3	Establish regular and continuous relationships with the goal of enhancing those relationships in communities most impacted by deadly officer-involved shootings.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4	Monitor calls for service and community complaints to ensure appropriate police interaction occurs as a matter of routine police engagement	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
5	Provide ongoing evidence-based training for officers throughout the department on how to assess and engage in encounters involving conflict with a potential for use of force with a goal of minimizing the level of force.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
6	Continual review/improvement loop to assess goal outcomes.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A



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Finding # 1: The majority of deadly use of force incidents by SFPD involved persons of color.

Recommendation # 1.1

The SFPD must commit to reviewing and understanding the reasons for the disparate use of deadly force. Specifically, SFPD needs to:

- partner with a research institution to evaluate the circumstances that give rise to deadly force, particularly those circumstances involving persons of color;
- develop and enhance relationships in those communities most impacted by deadly officer-involved shootings and monitor trends in calls for service and community complaints to ensure appropriate police interaction occurs as a matter of routine police engagement;
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Response Date: 03/27/2024

Background

SFPD's response to this recommendation addresses separately the two major elements of it – deadly use of force and disparate police contact. By making the necessary improvements to each, including use of force more generally, SFPD will yield improvements to the intersection of the two - disparities in the use of deadly force. With this approach in mind, this response provides support for each of these two elements. A more thorough discussion of this concept is included in ([Attachment 1](#)) rather than expanded upon here.

Disparities Framework

Drawing on the research of academic partners, SFPD has compiled a framework of the factors that these academics suggest contribute to disparities. Imbedded in that framework is a series of solutions which have been, or are being, implemented. These strategies are intended to reduce the impact that those contributing factors have in continued disparate contact with the African American community. Many of the strategies can be found in the recommendation responses provided these last five to six years and many of those have been further improved upon. Because this framework is the foundation of SFPD's disparities mitigation approach, a slide deck and link to the recorded presentation is provided as ([Attachment 2](#)).

Use of Force Approach

The approach to addressing deadly use of force is equally analytical and is one in which constant review and improvement is the primary purpose. The details of this approach require no background and are found in the responses to the compliance measures below.

Where necessary, the remainder of this response is organized as it is in this section, with a section for each of the two elements of disparate contact and use of deadly force.



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Compliance Measures:

1) Commit to reviewing and understanding the reasons for the disparate use of deadly force.

Disparities

Building the framework to address disparities across all police action is just one way in which SFPD demonstrates its commitment to reviewing, understanding, and addressing disparities.¹ Other ways SFPD is demonstrating this commitment, include the following:

- Ongoing Center for Policing Equity (CPE) partnership (current MOU is **Attachment 3**)
- “Race and Reconciliation” series
- data transparency – publicly sharing data and analyses that indicate disparities in San Francisco police action

The ongoing partnership with CPE represents a significant commitment to understanding and addressing disparate police action. CPE’s National Justice Database (NJD) initiative seeks to collect data which serves as the foundation for research to determine the causal factors of disparate police contact. The very nature of the partnership with CPE is to participate in the massive research project, which is working towards the answers to this question and more generally, the causal factors contributing to disparate police contact.

Other researchers have indicated an inability to identify these causal factors as well. (**Attachment 4**) is a summary of comments/statements from academic experts indicating that this body of research does not have the answers.

SFPD’s commitment to reviewing disparate police contact is also demonstrated by the Quarterly Activity and Data Report (QADR) that is produced by SFPD, and for which one quarter from 2023 is included as (**Attachment 5**). Since the earliest iterations of this report, previously referred to as the “96A” report, the analyses have shown disparities in each type of police contact. However, SFPD continues to produce, and share with the public, these reports, even beyond the expiration of the applicable section of the Administrative Code. SFPD is also continuously seeking other metrics which may provide more context.

SFPD is shifting the stops portion of that report to a public-facing, interactive, online dashboard, further improving transparency. The underlying stops data are now available on the City’s open data [website](#).² Not only does this sharing of data

¹ SFPD’s framework to address disparities is mentioned in the background section and discussed in Attachment 2, including a link to a video of a presentation of that framework to the San Francisco Police Commission.

² https://data.sfgov.org/Public-Safety/Police-Department-Stop-Data/ubqf-aqzw/about_data



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demonstrate transparency, it also potentially allows individuals and organizations outside of SFPD to identify, or assist in identifying, underlying causes. Publishing the data publicly in its raw form, or in an analyzed state, demonstrates SFPD's commitment to acknowledging that the disparities exist, to understanding the causes, and ultimately, to addressing it.

Another way SFPD is demonstrating its commitment to understanding the reasons for disparities is through a monthly "Race and Reconciliation" meeting. These meetings include all Command Staff and are scheduled for six hours each. In the ongoing series, either, or both, an educational lecture or a discussion and working session regarding a policy or other operational issue. The educational components include a lecture from a key member of the San Francisco Community, or relevant other external representative, or a video relevant to the topic. The working session may include the discussion of policy or practice under development or revision, a review of data, or another issue surfacing for SFPD personnel such as California's Racial Justice Act and its impact. This program is intended to illustrate how disparate treatment impacts San Franciscans historically and how it manifests in data. See ([Attachment 6](#)) for agendas of the sessions.

Organizational change management theory suggests that making changes in an organization first requires an understanding of what issues or problems exist. Through these sessions, with the presentation of data and lectures, awareness and knowledge has grown among the Command Staff. It has normalized conversations about disparities and made the topic more comfortable to discuss - a problem to be solved, rather than an embarrassing statistic that can't change.

Deadly Use of Force

SFPD's commitment to identifying the causal factors of deadly Use of Force centers on continuously and consistently reviewing tactics. SFPD established the Field Tactics Force Options Unit (FTFO) at the San Francisco Police Academy, which is tasked with reviewing every Officer Involved Shooting and with feeding back their findings into improved trainings for all personnel.

This unit develops and trains the use of force modules of the Academy's curriculum, along with the recurring and mandatory training provided to already tenured personnel. FTFO also develops specialized training, such as Critical Mindset/Coordinated Response. (CMCR). A full "course catalog" of FTFO offered courses is included in ([Attachment 7](#)).

CMCR provides officers concrete tools to, and scenario-based practice for, slowing a situation down by making a plan, assigning roles, obtaining equipment, and/or ensuring coverage of both lethal and less-lethal force options. The scenarios are designed to represent a variety of circumstances most encountered in San Francisco and at higher risk of resulting in the use of deadly force.



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FTFO is also responsible for reviewing officer involved shootings to assess situations encountered and tactics deployed. If and when they discover common themes, they problem solve around those themes, which is infused back into an improved training curricula. FTFO also analyzes use of force data to understand any common factors that might increase the risk of officer involved shootings or other adverse interactions.

The qualitative approach used by FTFO is likely the best approach to understanding and reducing the instances of the use of deadly force. Because the use of deadly force is an infrequent occurrence, developing a quantitative research method is extremely difficult and being able to draw conclusions about the causes is next to impossible. The qualitative reviews of the circumstances allow FTFO to provide concrete training to prevent the circumstances that may result in an officer involved shooting. These reviews are thorough, but also allow for easy updates to use of force training, creating a nimble approach to continuous and timely improvement.

2) Partner with research institution to evaluate the circumstances that give rise to deadly force, particularly those circumstances involving persons of color.

In 2018, SFPD developed and issued a Request for Information/Interest (**Attachment 8**) in order to solicit academic researchers who might have an interest in identifying the circumstances that give rise to deadly force. SFPD received no responses. However, as noted previously, SFPD engaged with CPE in 2017 and entered into an MOU to add SFPD data to their National Justice Database. Upon adding these data to their database, they performed an analysis of each of SFPD's stops (both vehicle and pedestrian) and use of force data sets.

To truly understand the causal factors of disparate use of deadly force, the most likely analytical method to yield concrete answers would be a linear regression model. This type of analysis would require many facts (called "independent variables") for no less than hundreds of incidents of officer involved shootings or officer involved discharges. Data for many of the requisite independent variables is collected outside of SFPD or not collected at all. In San Francisco, assuming a data set of the requisite size would be at least 200 incidents, the timeframe for analysis would look back several decades. Given that the method of collection, definition of each, and the views and approaches for government intervention for any variable, have all likely changed multiple times over, the data set is likely to be inadequate to be of any use.

CPE Analysis and Recommendations

CPE's solution to this was to expand the data set, as noted in their report, "The Science of Justice: San Francisco National Justice Database City Report ("City Report," **Attachment 9**):

"SFPD indicated specific interest in examining deadly force incidents more closely. Given that there were only 14 instances



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in the dataset in which a firearm was discharged (representing fewer than 0.5% of all records in the analysis), we provide additional analysis of incidents that had the potential for deadly force by focusing on those that involved the pointing or discharge of a firearm.”

CPE’s analysis controlled for a limited number of factors, but those that were relevant to influencing firearm pointing as a use of force. The dependent variable, in this case, was whether a firearm was pointed at a person and all uses of force were considered.

In CPE’s model, five of the nine factors showed influence over whether a firearm would be pointed. They were:

- had an altered mental state,
- were homeless,
- whether the officer was injured,
- whether the subject was armed, and
- whether a person subject to firearm pointing was African American.

Of note, CPE did not address the assumption that drawing and/or pointing a firearm was a strong predictor of the likelihood of an officer involved shooting occurring, nor whether it was a stronger predictor than the other factors found to have statistical impact on the pointing of a firearm. Latinx and Asian were also measured factors but were not found to influence whether officers pointed a firearm, nor was officer age found to influence firearm pointing to any significance. The first three characteristics listed above reduced the likelihood that the individuals would be the subject of firearm pointing. The other two increased the likelihood. As the report suggests:

“A use-of-force encounter is 1.57 times as likely to involve an officer pointing or discharging a firearm if the community member is described as armed by officers. Community members who the officer reports to be in an altered mental state or to be homeless are less likely to have a firearm pointed at or used on them than those not in an altered state or homeless. This model suggests that when an encounter between a community member and an SFPD officer involves a use of force, Black individuals are 1.21 times more likely than White individuals to have a firearm pointed at ... them.”

CPE recommended that SFPD update its policy on drawing a firearm to align with the standard that, at the time, was in place for pointing a firearm:

“General Order 5.01 currently states that an officer may point a firearm only when the officer has a "reasonable perception of a substantial risk that the situation may escalate to justify deadly force." General Order 5.01 provides, however, that an officer may



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draw a firearm whenever the officer "has reasonable cause to believe it may be necessary for [the officer's] own safety or for the safety of others." We recommend that SFPD update General Order 5.01 to align requirements for drawing a weapon with the existing higher standard for pointing a firearm. In other words, we recommend that SFPD amend General Order 5.01 policy to add that officers may only draw or point their firearms if they reasonably believe that there is a substantial risk that the situation may escalate to the point where deadly force may be justified."

After the death of George Floyd and subsequent Nationwide civil unrest, the Police Commission and Chief Scott sought to adjust 5.01, which was completed in early 2022, and went into effect in November 2022, with further changes. This policy required that, "[a]n officer may draw, exhibit, or point a firearm in the line of duty when an objectively reasonable officer, based on the totality of circumstances, would believe there is a specific and articulable threat of serious bodily injury or death, or that the situation may escalate to justify the use of deadly force." The policy also required that the threat be documented in the incident report.

While this policy doesn't align exactly, as suggested by CPE, to the same standard as pointing a firearm requires, it does raise the threshold to require an articulable threat of serious injury or death.

FTFO

SFPD also established the Field Tactics and Force Options Unit (FTFO) in order to review the tactical and environmental circumstances influencing officer involved shootings. With early information from their review, they developed Critical Mindset Coordinated Response (CMCR) – a scenario-based training to give officers additional tools for responding to high-risk incidents. See ([Attachment #10](#)) for a description of the course.

Where CPE's recommendation would have reduced the frequency of officers drawing or exhibiting a firearm, FTFO's method of reviewing on-scene tactics, has been another method that has reduced the frequency of pointing a firearm. FTFO reviews incidents to identify patterns and develops new tactics to address negative patterns which are incorporated into use of force trainings. These approaches are intended to mitigate in-field circumstances that result in officers detecting a threat and ultimately drawing and firing their weapon. Rather than each officer making independent decisions, officers work together to understand the totality of the environment and circumstances and divide up assignments into smaller roles, each to address a particular area of risk.

Descriptive Statistics Results

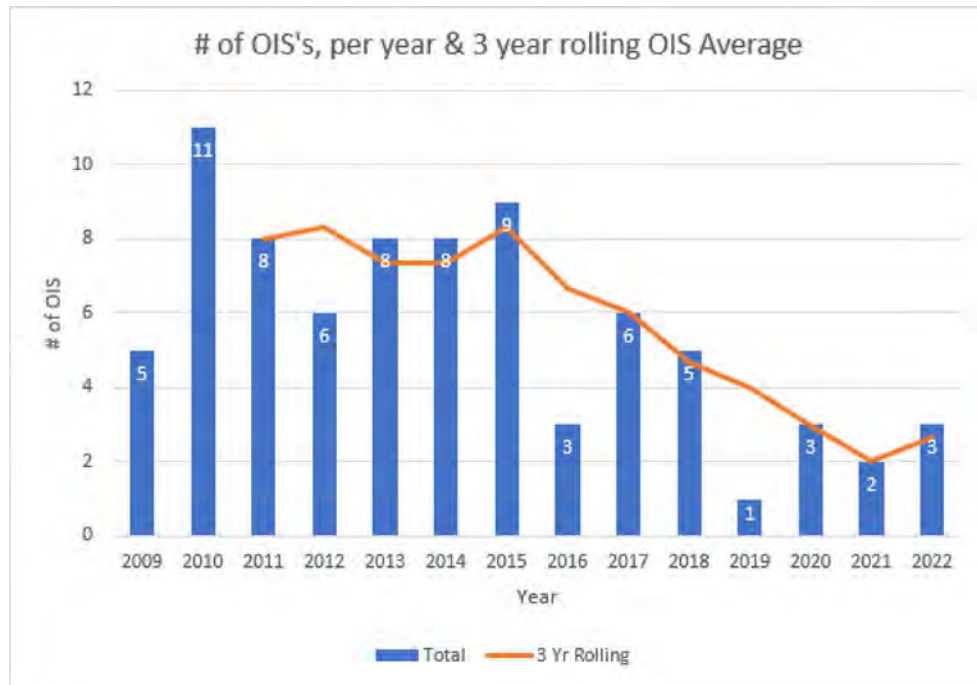
SFPD monitors the results included in QADR and has seen dramatic improvements to the totality of uses of force since 2016, which is driven by the reductions in "pointing of a



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firearm.” Pointing of a firearm explains 78% of the rate of decline of use of force. Further, SFPD has noted a faster rate of decline in the quantity of uses of force in which African Americans were the subject. The rate of decline for African Americans explains 42% of the rate of decline for all uses of force. As a result, the rate of decrease in which African Americans are the subjects of firearm pointing, explains the highest proportion of the entire rate of decrease of all uses of force for people of any racial or ethnic background – 33% of the rate of decline. For reference, the total proportion of uses of force in which African Americans were the subject of firearm pointing was 24%.³

SFPD’s ability to analyze these data and monitor trends, without the complexity of the academic approach is still informative to the degree that these trends do show progress. They show substantial progress specifically with respect to the cross section of circumstances that most often give rise to the disparate uses of deadly force – force used against African Americans in which firearm pointing occurred. For instance, if looking at a rolling three-year average of officer involved shootings for the period 2011-2022, we see:



With the variability of the number of officer involved shootings, the rolling three-year average smooths out the outliers and demonstrates a clearer trend.

³ This review covered data collected from 2017-2022. Data was not analyzed for 2023 or 2024 because the data sets from that time period contain two to three different UoF reporting standards. The change to the standard(s) resulted in reporting increases that are impossible to separate in a routine way. These data are still analyzed and presented in the QADR and have yet to show much in the way of trends, given the short time that the new standard has stopped adjusting.



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With the ongoing and re-engaged partnership with CPE, SFPD is eager to find out whether the indicators in the trend data are consistent with CPE's analytical rigor.

3) Establish regular and continuous relationships with the goal of enhancing those relationships in communities most impacted by deadly officer-involved shootings.

In 2022 and 2023, OIS occurred in Tenderloin, Richmond, Bayview, Mission, and Southern. Tenderloin, Mission, Bayview, and Southern are Police Districts in which many OIS have occurred, and consistently, they are the busiest Stations in the City. The relationships SFPD has established with these, and many other, communities have ensured key information is disseminated to the community affected.

In 2023, officers were involved in four OIS in as many months which, paired with an early rumor that one of the individuals who was killed was unarmed, put the City at risk of civil unrest. The community engagement efforts and the relationships that were already built allowed SFPD simply to engage those relationships to establish and use communication channels with the effected communities. SFPD listened to the requests of the community to have additional community meetings and proceeded with meetings at the Bayview and Tenderloin stations.

SFPD has established relationships both with CBOs and with individuals. Relationships with CBOs are helpful in many types of specific discussions, but the individual, more informal relationships are what has worked to build trust among the community, to ensure that community members are heard, and, as a result, prevent community members from having to use public demonstrations to be heard.

CBOs

SFPD has built relationships with community based organizations, such as SFSAFE, Wealth and Disparities in the Black Community, California Partnerships, local Boys and Girls Club clubhouses, and others. Some of these relationships are ongoing, while others have lapsed, and yet others have yet to begin.

SFPD has included members of the community on its Sojourn to the Past trips. A list of organizations which have sent representatives is attached, along with a notation for those organizations that are based in traditionally African American neighborhoods or work primarily with the African American community (**Attachment 11**). Again, at the individual level, members of each cohort remain in contact, having recognized that they each share the same motivation improving the lives of, and serving, San Franciscans. For example, a member of the CRI team and the 2023 spring Sojourn cohort has remained in contact with two CBO Executive Directors, Shakira Simley and Renard Monroe. He reached out to them in support of the work of implementing the Community Policing Project Plan.



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The Violence Reduction Initiative Unit works with nonprofits and community members to interrupt the activities of individuals who are likely to initiate, or retaliate after, shooting incidents. The pilot program started in the Bayview District. Although the work is intended to prevent gun violence in the community, this approach builds trust in the community and a tighter relationship with an organization that is intimately familiar with the community and individuals therein.

Finally, at the request of community members in the Tenderloin in 2022, SFPD started meeting with them regarding the unsafe, unsanitary, and inhumane conditions on the streets of the Tenderloin neighborhood. From these discussions, an aligned and coordinated approach was developed to address these conditions and has begun to improve conditions. See ([Attachment 12](#)) for a synopsis PowerPoint of the Drug Market Agency Coordination Center.

The Tenderloin and Bayview neighborhoods had not experienced OIS in several years leading up to 2023. After an OIS in each neighborhood, SFPD's relationships and established trust helped calm nerves. In both Districts, Chief Scott and each District Captain also hosted community meetings after these OIS specifically for those communities. At the Bayview community meeting, a key leader in the community sat at the front of the room, with Chief Scott and the District Captain, and gave his perspective on the shooting and the deceased member of the community that was subject to the OIS. See ([Attachment 13](#)) for descriptions provided by Commander Eric Vintero and Acting Commander Arran Pera.

Community relationships also helped diffuse tensions during the 2020 Black Lives Matter (BLM) protests. Individual relationships with leaders in the community were key to this outcome. A description of the efforts of Director Diana Aroche and Chief Scott, in direct conversations with BLM organizers, to foster peaceful protests during that summer is in ([Attachment 14](#)). Additionally, after gathering input from BLM organizers and other African American community leaders, Director Aroche and Chief Scott worked with Police Commission members to develop and pass a resolution in support of BLM.

4) Monitor calls for service and community complaints to ensure appropriate police interaction occurs as a matter of routine police engagement.

Although SFPD does not routinely monitor or review CAD data for appropriate police interactions, SFPD has other processes in place that provide similar insight. A more detailed discussion of CAD data and why these data can't provide support for this compliance measure is provided in ([Attachment 15](#)). SFPD's other activities that monitor for appropriate police action are:

- Review of complaints by Captains
- Community surveying
- Disparities dashboard



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In its response to Recommendations 65.1 and 65.2, SFPD demonstrated that it was providing Captains information on trends in complaints received by DPA. The quarterly Henderson reports serve as the mechanism for communication of these trends and one is included as (Attachment 16). Captains review these reports and assess whether any trends are notable and provide a quarterly report to the Deputy Chief of Field Operations outlining any necessary action plan to mitigate trends, as specified in Bureau Order 20-05 (Attachment 17).

In addition to these two ongoing methods, SFPD recently conducted community survey in the Fall of 2023. The results of this survey are included as (Attachment 18). Several questions in the survey address aspects of appropriate police action, as provided below:

- To what extent do you agree or disagree that police officers in your neighborhood can be relied on to be there when you need them?
- To what extent do you agree or disagree that the police in your neighborhood take time to listen to people?
- To what extent do you agree or disagree that the SFPD officers de-escalate or reduce the tension in high stress situations?
- To what extent do you agree or disagree that the police in your neighborhood only use force when necessary?
- To what extent do you agree or disagree that the police in your neighborhood treat people with respect?
- Based on your personal experience, what best describes your encounter with the SFPD? None, few, equal numbers, most, or all officers treated me with respect.

For this series of questions, (Attachment 19) rearranges the results, grouped by the Citywide results, as well as each of the individual districts which have been most impacted by OIS – Southern, Bayview, Tenderloin, and Mission.

Members of the Strategic Management Bureau presented this information to all Captains in a virtual All Hands meeting. The agenda and presentation are attached as (Attachment 20).

In addition to the actions of officers, respondents to the survey were asked a series of questions about SFPD's responsiveness to addressing problems that arise in the community, its ability to address different types of crime, feelings of safety, and whether they see and/or want more police officers in their community. For District Captains, it's a roadmap for addressing issues that the community wants to see SFPD work on and provides insight on whether officers are treating the community with respect.

Some key observations of the survey were:



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- a. Tenderloin shows displeasure with the use of force by police, but also shows that they trust the police to address crime and will be responsive in addressing public safety issues surfaced by the community.
- b. Mission shows a desire for more police and dissatisfaction with response and results, which are survey results that would be expected at the busiest District Station with the largest gap in staffing.
- c. Bayview shows a desire for more police presence and general dissatisfaction for the circumstances most linked to low staffing but simultaneously satisfied with the job that is done when it can be done.
- d. ALL show that the majority of people agree or strongly agree that police treat them with respect.

Another way in which SFPD will be monitoring appropriate police action is through the use of the Management Dashboard and ongoing QADR reporting. The Management Dashboard, discussed in Project Plan 4, will identify individuals whose biases manifest in disparate treatment of any one demographic group.

In the QADR, SFPD analyzes and reports yield rates on searches. This metric is widely used as an indicator of whether officers' discretion, where they have it, is used appropriately. Specifically, by using objective factors (or other requirements, such as search conditions for probationers) and the accompanying adherence to 4th Amendment training.

Finally, should the community feel that officers are not engaging in appropriate police interaction, SFPD affords many opportunities to provide feedback or communicate in any way they prefer. These include, in part, District Stations' monthly community meetings and Community Policing Advisory Boards, Police Commission meetings, submitting anonymous complaints about individual officers and the Department more generally, participating in Department Advisory Forums, and Chief's Community Policing Advisory Forum, and in responding to a semi-annual community survey.

5) Provide on-going evidence-based training for officers throughout the department on how to assess and engage in encounters involving conflict with a potential for use of force with a goal of minimizing the level of force.

SFPD's Use of Force training and FTFO's philosophy is grounded in academic research surrounding the psychology and brain physiology of stress responses. They train officers that, in critical incidents, lengthening the duration of the initial response slows things down, reducing the "fight or flight" instinct and engages other parts of the brain by requiring analytical/critical thinking. Further, tactical approaches are taught that improve control and path of travel of the situation and the subject.



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Through CMCR training, the assignment of specific roles in a critical incident response go to specific individuals. This reduces the likelihood that any one officer's decision making is degraded because they have too many inputs and resulting decisions, whereas a specific assignment means that the officer only has to decide to take one type of action and only needs to assess the inputs and actions that require taking that type of action.

For example, an officer who is thinking about all of the circumstances, and has all of the tools available for use, has to decide whether to use lethal or less lethal options, to conduct negotiations, or to employ another option, etc. Then they have to decide when to use each and provide themselves with transition time. If an officer is assigned to cover the usage of the Extended Range Impact Weapon (ERIW), the only decision they have to make is when to use the ERIW. Other responding personnel decide when to use other tools to which those officers would be assigned. This training is the result of the application of neuroscientists and psychologists, such as Daniel Kahneman. FTFO offers many training opportunities other than CMCR, as demonstrated in the course catalog that was previously referenced in CM 1.

Other ways in which SFPD and the City and County of San Francisco are focusing on minimizing levels of force used is by SFPD, is simply by redirecting certain types of calls for service to different agencies or by disengaging from an incident altogether.

In the first case, in 2020, CCSF undertook a significant effort to shift low-risk calls to other City agencies entirely. CCSF determined the Fire Department should house a Street Crisis Response Team (SCRT) to handle no-to-low threat calls for persons down, homeless calls, and other persons in crisis but not a threat to public safety. Because the mere presence of a uniformed peace officer can escalate a person's already-heightened state, having these alternative responses can be a small way in which the need for force is removed because the officer is never on scene in the first place. More information on SCRT is provided in (Attachment 21).

SFPD also drafted, and the Commission adopted, DGO 5.24 Disengagement Procedures (Attachment 22). This DGO outlines the circumstances in which officers may leave the scene of an incident before resolution because continued engagement would only serve to increase the potential for harm and there is an ability resolve the incident at a later time.

From the DGO, disengagement is defined as, "[t]he tactical decision to leave, delay contact, delay custody and/ or plan to make contact at a different time and under different circumstances." And, "[e]xamples of disengagement scenarios include, but are not limited to, a person in crisis incident and there are no imminent risks to the public, crimes when the suspect is known and the arrest can be delayed, or crimes when the victim refuses to sign a Citizen's Arrest Form and/or refuses law enforcement services."



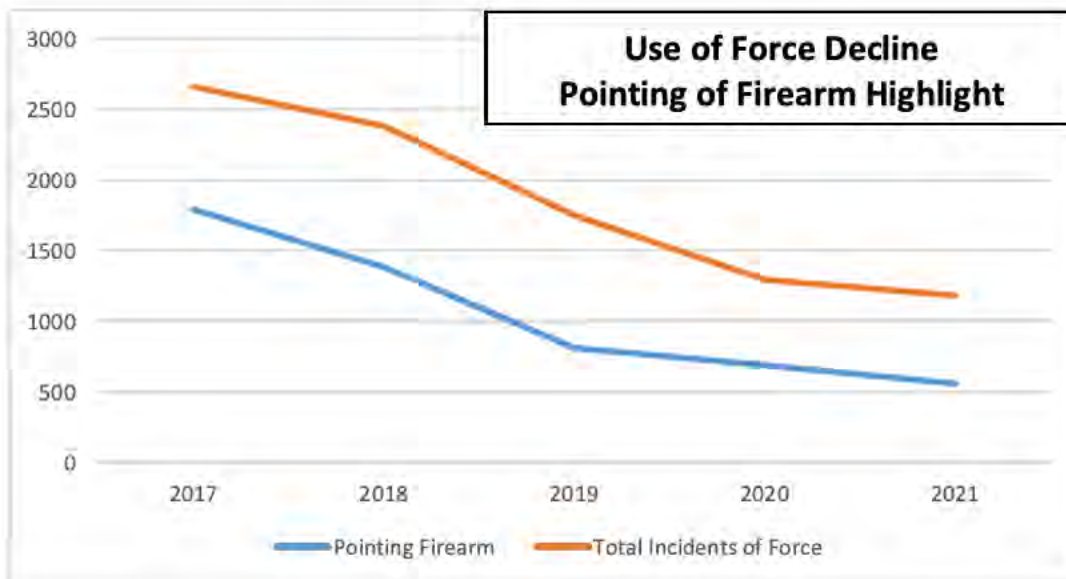
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6) Continual review/improvement loop to assess goal outcomes.

With the approach to each of the aspects as discussed in the background section – disparities and deadly uses of force - SFPD is seeing substantial results in uses of force and modest results in disparities.

For deadly uses of force, as both CPE and the FTFO unit did, monitoring for pointing of a firearm is a sort of proxy for the likelihood of an OIS occurring. As the frequency of pointing a firearm declines, so does the likelihood of an OIS incident.

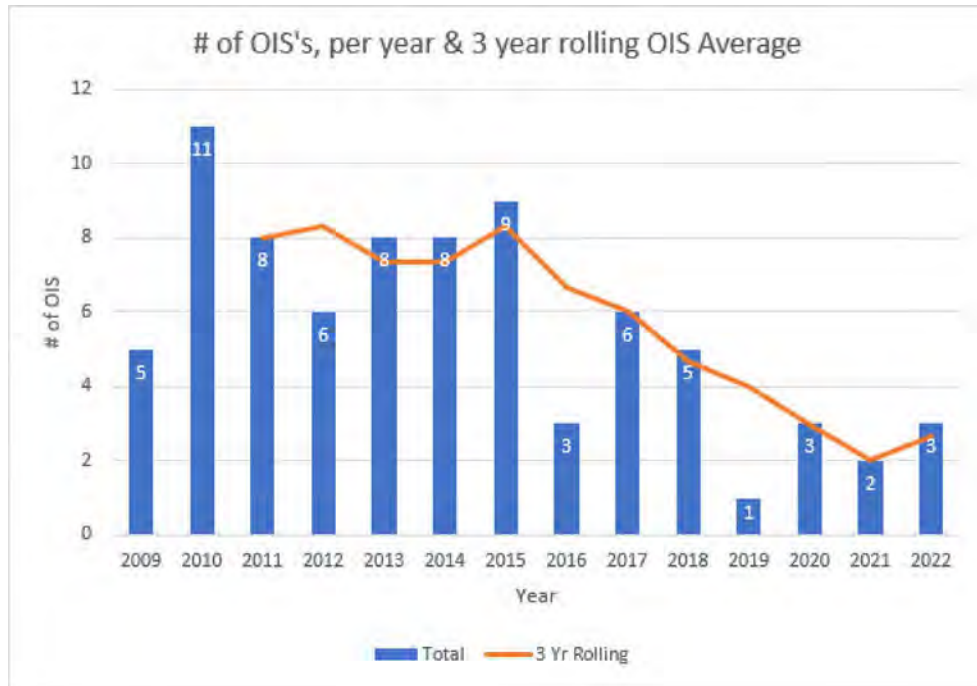
SFPD will continue to monitor its progress in disparities and in use of force. This monitoring and awareness of SFPD's progress is mostly driven by the QADR, in which it demonstrates that African Americans have realized a slightly faster rate of decline in police action than other populations. In addition, it shows the dramatic reductions in uses of force, and, in particular, pointing of a firearm. Some of these results are provided below. In the chart below, firearm pointing is called out in blue, showing how this decline is driving the overall decline in total uses of force.



SFPD also, less frequently, looks at the rolling 3-year average of OIS, as previously provided and provided below again. The demographic breakdown of a rolling 3-year average is provided below as well.



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While the reduction in the rolling 3-year average for African Americans is not as steep as other demographic groups, declines in disparities among other metrics are steepest for African Americans than other populations. See (Attachment 23) for key pages in the Q12023 QADR, which show the per capita rates of decline in stops, searches, and uses of force by race/ethnicity.



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Finally, as discussed in compliance measure four, SFPD's yield rates have improved over time and are comparable, or higher, for African Americans when compared to Whites. As stated in the Phase Three Collaborative Reform Report,

“The assumption among researchers is that if the rate of discovering contraband during searches of a particular identity group is low, then those people are “objectively less suspicious and may be searched, at least in part, because of their perceived identity.

In turn, if the hit/yield rate for a particular identity group increases, that means that officers are using more objective factors – and not a person's perceived identity – to make the decision to search a person. In short, higher hit/yield rates suggest that officers are less likely making a biased decision to search, but are rather using objective factors to inform their decision-making.”

See (**Attachment 24**) for the comparison and trend charts from the Q1 2023 QADR.

Given that the QADR is produced quarterly and continuously reviewed for improved metrics and/or content, SFPD will continue to monitor its progress in both use of force and in disparities.

Additionally, FTFO conducts ad hoc analyses for the purposes of understanding drivers of the escalation of force, but more importantly, continuously reviews trend data and qualitative, incident-level factors that result in uses of deadly force. They perform these reviews for the very purpose of improving Use of Force training and policy development, as well as other types of police action.