Department of Police Accountability

1st Quarter Report

PRESENTED TO:

The Honorable London N. Breed, Mayor
The Honorable Norman Yee, President, San Francisco Board of Supervisors
Members, the San Francisco Board of Supervisors
Acting President Damali Taylor and Members, the San Francisco Police Commission
San Francisco Police Chief William Scott.

2020
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The first quarter of 2020 was a period of transition and unprecedented change for the Department of Police Accountability (DPA). Much of the quarter was spent preparing for an office move to 1 South Van Ness Avenue. The new location is adjacent to the Van Ness train station and outfitted with modern interview rooms and lobby complaint terminals. The move occurred over a weekend in _month__ and was accomplished without any interruption to DPA’s services.

Within two weeks of relocating, however, the DPA was forced to transition to a virtual work environment to accommodate shelter-in-place orders related to the COVID-19 pandemic. Because of improved technology systems implemented over the past few years, the DPA was able to quickly and seamlessly adapt to remote work.

Through all this change, the DPA continued fulfilling its core mission of providing independent and impartial law enforcement oversight for the San Francisco Police Department (SFPD) by advancing ongoing investigations remotely and by accepting new complaints online, by mail, and by phone.
The DPA received an adjusted total of 204 complaints of police misconduct and closed 282 complaints. In the 204 new complaints, 471 allegations were made against 320 officers. The DPA proved misconduct in 10 complaints against San Francisco police officers, which is a 6% Improper Conduct (Sustained) rate. The DPA mediated 13 cases during the first quarter.

**Spotlight: Cases**

The DPA received a complainant from the San Francisco Police Commission based on issues identified by a City anti-bias instructor. The instructor expressed deep concerns about pervasive racism within the Police Department after teaching anti-bias classes to officers for more than two years.

The DPA investigated several officer-involved shooting.
Findings

Allegations on Types

Complaints by District

*The DPA was unable to identify the officer through reasonable investigative steps.*
Findings

Case Findings by Allegation

Improper Conduct Findings by Allegation
Findings

Cases Opened by Quarter

Cases Closed by Quarter
**Findings**

### How Complaints Were Received

**Officer with Complaints by District**

*The DPA was unable to identify the officer through reasonable investigative steps.*
## Complainant Demographics

<table>
<thead>
<tr>
<th>Complaints</th>
<th>Number</th>
<th>Percent</th>
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</thead>
<tbody>
<tr>
<td>Complainants</td>
<td>199</td>
<td>98%</td>
</tr>
<tr>
<td>Anonymous Complainants</td>
<td>5</td>
<td>2%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>204</td>
<td>100%</td>
</tr>
</tbody>
</table>

### Race/Ethnicity

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Number</th>
<th>Percent</th>
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</thead>
<tbody>
<tr>
<td>Asian</td>
<td>11</td>
<td>5%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>46</td>
<td>23%</td>
</tr>
<tr>
<td>Hispanic or Latinx</td>
<td>12</td>
<td>6%</td>
</tr>
<tr>
<td>White</td>
<td>59</td>
<td>29%</td>
</tr>
<tr>
<td>Other</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>Declined to State</td>
<td>73</td>
<td>36%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>204</td>
<td>100.00%</td>
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</tbody>
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### Gender

<table>
<thead>
<tr>
<th>Gender</th>
<th>Number</th>
<th>Percent</th>
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</thead>
<tbody>
<tr>
<td>Female</td>
<td>65</td>
<td>32%</td>
</tr>
<tr>
<td>Male</td>
<td>84</td>
<td>41%</td>
</tr>
<tr>
<td>Genderqueer / Gender Non-binary</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>Transgender</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>Declined to State</td>
<td>53</td>
<td>26%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>204</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

### Age

<table>
<thead>
<tr>
<th>Age</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-13 (by an adult)</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>14-18</td>
<td>1</td>
<td>0.0%</td>
</tr>
<tr>
<td>19-30</td>
<td>31</td>
<td>15%</td>
</tr>
<tr>
<td>31-40</td>
<td>26</td>
<td>13%</td>
</tr>
<tr>
<td>41-50</td>
<td>37</td>
<td>18%</td>
</tr>
<tr>
<td>51-60</td>
<td>33</td>
<td>16%</td>
</tr>
<tr>
<td>61-70</td>
<td>21</td>
<td>10%</td>
</tr>
<tr>
<td>71-80</td>
<td>3</td>
<td>1%</td>
</tr>
<tr>
<td>Over 80</td>
<td>2</td>
<td>1%</td>
</tr>
<tr>
<td>Declined to State</td>
<td>50</td>
<td>25%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>204</td>
<td>100%</td>
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The DPA’s Mediation Program began the year in a strong position. The number of mediations doubled in 2019 compared with the previous year, 2018.

The increased demand for mediations continued in the first quarter and despite disruptions caused by the COVID–19 pandemic, the number of completed mediations in the first quarter of 2020 equaled the number completed in the same period in 2019.

Spotlight: Mediation

Through the San Francisco Department of Human Resources Fellows Program, the mediation team received valuable assistance from four Fellows, who worked on the development of a Certification Program specifically designed to train DPA mediators in law enforcement practices and policies. The project is ongoing and involved identifying grant and philanthropic funding to support this certification specialty.

Director of Mediation Sharon Owsley presented at a public forum on the processes, procedures and goals of mediating community complaints. The forum was held to inform the public about our agency’s DPA’s activities and provide transparency in operations.
Mediation

Meditations

- NEW ELIGIBLE CASES
- CASES MEDIATED
- OFFICER INELIGIBLE
- OFFICERS OFFERED
- OFFICERS DECLINED
- COMPLAINANTS OFFERED
- COMPLAINANTS DECLINED
- CASES RETURNED
- MEDIATIONS PENDING

Ethnicity of Complainants Who Participate in Mediation

- Asian: 1
- Black or African American: 2
- Latinx: 1
- Multiracial: 0
- White: 4
- Other: 0
- Unknown: 1
Policy work is an essential aspect of the DPA's mission. While disciplining of individual officers is essential to law enforcement management, the DPA's policy work directly impacts the entire police force and the community it serves. The San Francisco City Charter requires the DPA to present quarterly recommendations concerning SFPD’s policies or practices that enhance police-community relations while ensuring effective police services.

Spotlight: Policy Work

- (Proposed) Department General Order for Police Interactions with Deaf and Hard of Hearing Individuals.
- (Proposed) Domestic Violence and Stalking Manual for SFPD Patrol Officers
- (Proposed) Domestic Violence Department General Order revisions

https://sfgov.org/dpa/policy-recommendations
Outreach

The DPA’s Outreach program connects our department with the Community.

The program aims to improve public understanding of the DPA’s services, goals and accomplishments. Our Program has increased community engagement by providing San Francisco diverse communities with vital information about local conditions, policy issues, efforts to enhance equity, and plans to create better programs with transparent outcomes. These efforts are strengthening bonds by creating opportunities for community members, and agencies to learn about the DPA.

Spotlight: Outreach

DPA 101, Mediation and Budget Presentation

DPA Chief of Staff Sarah Hawkins and Mediation Director Sharon Owsley gave a presentation on DPA’s mission and functions, award-winning Mediation program, and budget plans for the next fiscal year at the San Francisco Library.

DPA Investigator Natalie Chan, translated and helped create DEM COVID-19 Prevention Flyers in English and Chinese.

DPA Attorney Tinnetta Thompson gave a Presentation on DPA’s mission at the SFFN-member partnership meeting for stakeholders in the Family Support field families, community-based organizations, public departments, and private foundations.
In 2019, Senate Bill 1421 (SB1421) changed California public records law to make thousands of previously confidential police misconduct investigation records subject to public disclosure. The newly disclosable records fall under these four categories of cases and allegations:

- Officer-involved shootings
- Officer use-of-force resulting in death or great bodily injury
- Proven allegations of sexual assault with a member of the public
- Proven allegations of dishonesty in reporting, investigating, or prosecuting crimes and officer misconduct investigations

When SB1421 went into effect, the DPA immediately received comprehensive requests for all disclosable records. To comply with these requests, DPA staff undertook a systematic manual review of 37 years of historical files and identified approximately 3,000 potentially disclosable allegations.

With thousands of documents and media files in queue for individual review and redaction by legal staff, the DPA anticipates that it will take several years to fulfill the comprehensive requests already received under SB1421. To date, the DPA has reviewed approximately 200 cases, 45% of which were deemed disclosable. For each case with disclosable information, the DPA manually reviews all records within the casefile and redacts certain portions that cannot be disclosed by law.
**SB 1421**

**Update:**

- Potentially disclosable allegations remaining to be reviewed: 2156
- Total Files Produced: 51
- Files Pending Production: 48

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**SB 1421 Process**

1. **#1** Receive request
2. **#2** Legal Assistant reviews cases and flags disclosable allegations
3. **#3** Attorney reviews cases
4. **#4** Legal Assistant sends materials for transcription
5. **#5** Legal Assistant redacts documents
6. **#6** Attorney reviews redactions
7. **#7** Redacted files are packaged for production
8. **#8** Files disclosed

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**The figures above are estimates due to case record management systems before 1990.**
Audit

To fulfill a San Francisco Charter mandate to periodically audit the Police Department, DPA engaged the Office of the Controller’s City Services Auditor (CSA) to assess whether the Police Department adequately and effectively collects and reports use-of-force data.


- This interim report relates to one of the audit’s five subobjectives, and focuses on the transparency and clarity of the Police Department’s publicly issued reports of use-of-force statistics.

- The interim report found that the Police Department complies by including all necessary elements required by use-of-force reporting mandates but can improve clarity and provide more context in its Early Intervention System Quarterly Report (EIS Report) and Administrative Code Chapter 96A.3 Report (96A Report).

The DPA is a General Fund department, meaning its operations and services are entirely supported by the City & Country’s General Fund budget. During the first quarter of the calendar year, and in line with the City’s annual budget cycle, the DPA closely monitored its actual expenditures against budget. This analysis informs budget planning for the next fiscal year.

Spotlight: Budget

January
The DPA prepared the 6-Month Report, which summarizes and compares actual spending with remaining project budget to anticipate surplus and deficits through the end of the fiscal year.

February
On February 21, the DPA submitted budget documentation for Fiscal Years 2020-21 and 2021-22 as part of the City’s two-year budget cycle. The DPA met the Mayor’s requested sustainability and efficiency reductions of 3% and 6% respectively for both fiscal years.

March
In preparation for the 9-Month Report, which is an update to the 6-month report, the DPA conducted another comprehensive analysis of its actual spending compared with remaining budget funds. In addition, the DPA began working closely with the Mayor’s Budget Office and Controller’s Budget & Analysis Division to address the financial challenges imposed by the COVID-19 public health crisis.
Budget

INSIGHTS:

- Salaries and benefits comprise 78% of the DPA's budget.
- Non-personnel operating uses make up 11% of the DPA's budget.
- Material & Supplies are 3% of the DPA's budget.
- 8% of the DPA's budget is used to reimburse other Departments for services such as printing and technical support.

DPA Budget FY 2019-20

- Mandatory Fringe Benefits: 2,616,354
- Materials & Supplies: 378,704
- Non-Personnel Services: 1,113,358
- Programmatic Projects: 160,000
- Salaries: 6,414,499
- Services of Other Dept: 875,051

55.5%  22.6%  7.6%  3.3%  9.6%  1.4%
The DPA’s primary concern is the health and safety of our employees, the community, and its partners. We are committed to sharing our responsibility to “Stop the Spread” of COVID-19 and maintain business continuity to ensure that new complaints may be filed and investigated without disruption. Like many Bay Area agencies, we are closely monitoring information provided by the Centers for Disease Control and Prevention (CDC) and City guidance. We are continually adapting our plans to reflect the updated guidelines and evolving situation of COVID-19.

In order to meet new public health and safety requirements, the DPA re-configured its office space to allow for social distancing. In addition, digital technology allows the DPA to conduct meetings, interviews, and meditations online and by phone.

To further support the community, the DPA will continue to deploying staff members to serve as Disaster Service Workers for the City’s COVID-19 pandemic response.

We at the DPA hope that everyone stays healthy and well during these trying times.