San Francisco Police Department Needs Clearer Guidance and More Proactive Governance for Better Use-of-Force Data Collection and Reporting

Executive Summary   October 5, 2020

City Services Auditor, Office of the Controller   Department of Police Accountability

WHY WE DID THIS AUDIT

Law enforcement officers must use **force** under some circumstances, but some necessary force can result in pain, injury, or death to a subject. In other circumstances, force may be unnecessary or excessive. The San Francisco Police Department must accurately collect **use-of-force data** to:

- **Build public trust.**
- **Identify trends** in compliance with its use-of-force policy.
- **Understand** factors that contribute to using force.
- **Gain insight** into officer bias in using force.
- **Meet reporting mandates.**

WHAT WE FOUND

Objective: The audit assessed the adequacy and effectiveness of the department's collection and reporting of use-of-force data in calendar year 2017.

- **Officers report uses of force reasonably accurately**.
- **The department does not analyze its data** to monitor departmentwide **compliance with policy**, to gain insights into the role **bias** plays in using force, or to **identify training needs**.
- **Public reports need improvement**.

HOW WE DID IT

Used statistical random samples to be **95% certain that what we found is true for all use-of-force incidents**. Received a court order allowing review of incidents with *juvenile subjects*, which are usually excluded from such evaluations.

Reviewed:

300 *use-of-force incidents* with a police report, supervisory evaluation, and station log.

269 incidents in which *subject resistance* but no force was reported.

1,369	**291**	**28**	**428**
supervisory evaluation forms	station log pages	supervisors interviewed	officer survey responses

Policy gray areas led to officers underreporting and overreporting force.

Process weaknesses led to undercounting and overcounting uses of force.

Inadequate data analysis led to missed opportunities to:

Report out department-wide policy compliance.	Understand factors increasing likelihood of force.	Gain insight on the role of officer bias in using force.

Weak public reports hinder transparency and adequacy of information available to decision-makers.

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Policy Gray Areas

5.6% incidents unreported

0.3% incidents overreported

Policy gray areas led to officers underreporting and overreporting force. The department should issue supplemental guidance to clarify:

Physical control holds when there is an injury, but it is not a result of the force, or if it is unclear whether it included a strong enough impact to qualify as a strike (hit, kick, etc.).

Pointing a firearm when it is pointed at a subject near or in a vehicle with other people.

The Police Department's 2020 policy changes expand the required reporting in these two areas.

Process Weaknesses

1 incident overcounted

3.3% incidents undercounted

Missing and misfiled documentation

Process weaknesses led to undercounting and overcounting uses of force. The department should implement and improve control processes to ensure each use of force has all required documentation and an accurate record in the use-of-force database.

- An estimated 25-82 incidents entered in use-of-force logs were not in the database because they did not get to the end of the process:

Evaluation & Log → Review → Approval → Transmittal → Data Entry

- 1 of 1,365 database entries was a duplicate of another entry.
- 2 of 1,337 encounters captured on evaluation forms were combined with related incidents and not counted as separate instances.
- Missing evaluation forms (1%), log pages (6%), and log entries (2%).

Inadequate Analysis

Missed opportunities to:
- ✓ Monitor compliance
- ✓ Inform force reduction efforts
- ✓ Mitigate bias

Inadequate data analysis led to missed opportunities for transparency and data-driven decisions. The department should use data to monitor compliance with its use-of-force policy, better understand factors contributing to using force, and gain insight into officer bias. Such analysis might answer:

- **Are uses of force evaluated quickly?** Of evaluations with dated approvals, it took an average of 36 days from incident to approval.
- **Is force justified and proportional to resistance?** Police departments in other jurisdictions use data to support the level of force used and the justification for using force.

Weak Public Reports

Do not align with best practices

Weak public reports hinder transparency and adequacy of information available to decision-makers. The department should align its Early Intervention System (EIS) and Administrative Code Chapter 96A.3 (96A) reporting with best practices to meet the stakeholders' needs, and fully comply with its policy requirements for monthly and annual use-of-force data reporting.

	EIS	96A
Context to interpret data	✗	⊖
User needs satisfied	✗	✓
Key points summarized	✗	⊖
Visualization of data	✗	⊖
Open data available	✗	✗

- ✓ Complies
- ⊖ Partly Complies
- ✗ Does not Comply

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