Weekly Report to the
San Francisco Police Commission
April 26th - May 2nd, 2020

City & County of San Francisco
Department of Police Accountability

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Investigations

The DPA closed 146 cases in the last three months, bringing the total closed cases for the year to 369 (65% higher year-to-date than the same time last year). Of the 369 cases closed this year; 130 cases were closed after the Shelter-in-Place Order went into effect on March 13th, 2020. The DPA has sustained 15 cases year-to-date, which is 50% lower than the same period last year. Of the 38 cases older than nine months, 15 cases are tolled.

Year to Date Comparison

<table>
<thead>
<tr>
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<th>2020</th>
<th>2019</th>
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<tbody>
<tr>
<td>Cases Opened</td>
<td>271</td>
<td>247</td>
</tr>
<tr>
<td>Cases Closed</td>
<td>369</td>
<td>223</td>
</tr>
<tr>
<td>Current Investigations</td>
<td>334</td>
<td>311</td>
</tr>
<tr>
<td>Cases Sustained</td>
<td>15</td>
<td>30</td>
</tr>
<tr>
<td>Cases Past 270 Days</td>
<td>38</td>
<td>30</td>
</tr>
<tr>
<td>Cases Mediated</td>
<td>15</td>
<td>9</td>
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</tbody>
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Mediations

In the face of the COVID-19 Shelter-in-Place Order, the Mediation Division successfully pivoted from in-person mediations to conducting online mediations via Microsoft Teams. The Mediation Division held three Remote Mediation Preparation trainings on April 13th, 2020 and April 14, 2020. In the training, the mediators learned how to access Microsoft Teams (MS Teams) and its features and functions. The mediators also learned the protocol for obtaining the agreement for Confidentiality during the mediation. The mediation division will continue to train mediators and provide one-on-one guidance as needed.

This month seven cases were mediated using the remote platform, which increased our total number of completed mediations to 16 cases year-to-date, compared to nine cases year-to-date in 2019. The reported satisfaction rate among participants was equal to our in-person
mediations. Additionally, participants provided a faster response to scheduling request. When using MS Teams.

The Mediation Division is confident that high-quality mediation services can be delivered online between complainants and law enforcement through training, attention to the participant's technology needs, and active participation by the Mediation Division.

**Operations**

The DPA adapted operations to accommodate the changing needs caused by COVID-19. The DPA's transition to virtual and remote work environments was seamless due to technology improvements such as the DPA's Salesforce Case Management System, an upgraded Microsoft Office Suite (which includes Microsoft Teams), and a Cisco Virtual Private Network (VPN).

Although the DPA's doors are closed, the Department continues to receive and process complainants via an online complaint portal, phone, mail.
SB1421

The DPA continues to work on SB 1421-related tasks. The Shelter-in-Place Order delayed document review due to case files inaccessible online. The DPA staff are testing an online portal system for request and public access to SB 1421 documents. A volunteer attorney and the DPA's second Julius Turman Fellow will begin previously scheduled fulltime SB 1421 document review when the Shelter-in-Place lifts. Additionally, two new legal assistants will be devoted to SB 1421 fulltime when they join the DPA on June 1st.

- Total Case Files Reviewed: 2,126
- Total Files Produced: 52
  - Total Officer-Involved Shooting Files Produced: 4
- Pending Production: 48
- Onsite Files Pending Secondary Review: 225
- Storage Files Pending Secondary Review: 2,575

Outreach

Due to the City's Shelter-in-Place order, the DPA's ability to outreach has been severely limited. Despite these limitations, the DPA has made efforts to outreach by participating in virtual community meetings. The DPA has also delivered brochures to Mission and Tenderloin stations.

The DPA translated the 'Know Your Rights' brochures and the DPA brochures in Modern Standard Arabic which are located on the DPA website. In addition, the DPA outreach staff will be distributing the brochures to all SFPD stations.

Know Your Rights Brochures - https://sfgov.org/dpa/youth
The DPA Complainant Brochures - https://sfgov.org/dpa/

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1 Identified as disclosable. Undergoing first or second level redactions.
2 Identified as potentially disclosable. File has been ordered from storage and in queue awaiting initial review.
3 Approximate total cases for review based on metadata, which includes categories of allegations.
Policy

The DPA’s policy work has focused on providing suggested revisions to SFPD’s Department General Orders (DGO). The United States Department of Justice’s 2016 assessment of SFPD found that many of SFPD’s DGOs are from the mid-1990s and recommended updating all DGOS to aligned with "current laws and statutes, community expectations, and national best practices every three years." (See DOJ’s Assessment of SFPD, Finding 70 and Recommendations 70.1-70.4; https://publicintelligence.net/doj-sfpd-reform/)

The DPA has suggested revisions to the Field Training Program, Critical Incident Evaluation and Notification, Physical Evidence and Crime Scene, Early Intervention System, Investigation of Officer-Involved Shootings and Discharges Department General Orders, to name a few. Highlights of suggested revisions are below.

- **Review of Serious Incidents Involving Police Trainees.** The DPA suggests a review process for designated types of force incidents that analyzes a police trainee's and field training officer's decision-making and tactics in light of SFPD's training, policies and procedures and makes written recommendations as to individual officer conduct as well as training and policy suggestions for the Field Training program, Academy training and SFPD as appropriate. This recommendation and the one below arise from two officer-involved shootings involving police trainees.

- **Ensuring Police Trainees Are Not Working Beyond Their Expertise and Training.** The DPA recommends that Field Training Officers (FTOs) not voluntarily respond with a trainee to a call for service involving high risk activities (e.g. active shooter, vehicle pursuit, robbery with a gun) when another officer is equally available to respond immediately. The DPA recommends that if an FTO responds with a trainee to a critical incident, the FTO shall notify the commanding officer of the FTO's of the trainee’s presence and seek authorization from the commanding officer for any duties the trainee may assume.

- **Requiring an After-Action Report for Critical Incidents.** The DPA recommends expanding the list of Critical Incidents in DGO 8.01 and requiring after every critical incident, that SFPD's Field Tactics and Force Options Unit facilitate a debriefing with
involved officers and provide an "After Action" written report. The debriefing and written report should analyze the critical incident in light of SFPD's training, policies and procedures and make written recommendations concerning the training, policy, weapons, supervision and any other relevant area.
HOW TO FILE A COMPLAINT

THE DPA'S DOORS ARE CLOSED UNTIL FURTHER NOTICE AS A HEALTH AND SAFETY PRECAUTION.

During this time, the DPA staff will continue to process complaints filed through the DPA website, email, mail and telephone messages.