

San Francisco Police Department Disciplinary Review Board Presentation



CITY & COUNTY OF SAN FRANCISCO

Police Department



Presented By:

Assistant Chief Robert Moser.....San Francisco Police Department

Chief of Staff Sarah HawkinsDepartment of Police Accountability



First Quarter 2021 Disciplinary Review Board Findings and Recommendations

Friday, March 19th, 2020

Members present:

Voting Board Members

Assignments

- Assistant Chief Robert Moser (Chair).....Chief of Staff
- Deputy Chief Gregory McEachern Operations Bureau
- Deputy Chief Gregory YeeAdministration Bureau

Advisory Board Members Assignments

- Commissioner Cindy Elias.....Police Commission
- Chief of Staff Sarah HawkinsDepartment of Police
Accountability



Aggregate Trends Identified by DPA (Q4 2020)

Body Worn Camera: Violations of the Body Worn Camera policy by officers were the most common violations found by DPA in their investigations.

Fourth Amendment: The second trend noted were cases where officers conducted searches and seizures that were in violation of current laws pertaining to the Fourth Amendment.



Aggregate Trends Identified by IAD (Q4 2020)

Care / Use / Loss of Department Property: The most common violations identified in the quarter were investigations that stemmed from Members' care / use / loss of Department property.

Alcohol Related Offenses (off-duty): Three cases were identified in the quarter involving off-duty alcohol related offenses.

Duties of Patrol Officers (DGO 1.03): Two cases were presented to the Board wherein members failed to properly investigate an incident or failed to take an incident report.



Policy Failures Identified by SFPD & IAD (Q4 2020)

IAD had no cases in the Fourth Quarter that resulted in “policy failure” findings.

DPA discussed one case with a “policy failure” finding:

The incident was an officer involved shooting in which the suspect was barricaded inside of a recreational vehicle. DPA recommended that Department General Order 8.02 *Hostage and Barricaded Suspect Incidents* be updated to include policy for incidents when a barricaded suspect shoots at officers. Chief of Staff Hawkins noted that the update of this DGO is underway, and the recommendations have already been discussed between the Department and DPA.



Training Failures Identified by DPA & IAD (Q4 2020)

IAD had no cases in the fourth quarter that resulted in a training failure finding.

DPA identified one case with training and policy failure finding:

The incident involved officers called to the scene of a person allegedly under the influence of hallucinogenic narcotics. The individual was standing in a roadway and exhibiting aggression and delayed speech. Medics on scene assessed the person and determined they were alert and oriented enough to decline medical treatment. The medics would not transport the individual absent a 5150 W&I hold being placed by the officers. The officers did place a 5150 W&I hold on the individual. DPA found that training and the guidance in DGO 6.14 failed to provide guidance to officers when an individual's intoxication level may be equivalent to a mental health disorder. They recommended the policy be updated to provide such guidance.



Proposed DRB recommendations:

Recommendation #1: Provide quarterly and annual DPA complaint trend reports to the Station Captains and the Captain of the Training Division.

Recommendation #2: Provide the POA with a report to detail all training regarding the Body Worn Camera that members receive.

Recommendation #3: Create a component of the Police Commission meeting, wherein the Commissioners could address the officers and require officers on their training day to watch the Commission meeting and the relevant agenda item.



DRB Recommendations:

Recommendation #4: Create Roll Call Training specific to SFPD supervisors to assist them with their duties. This roll call training is driven by complaint trends identified (ex. BWC, LEP, 4th Amendment issues) that will assist supervisors to remind subordinates about the importance of adhering to policy. From this, the engaged supervisor is less likely to receive “Failure to Supervise” complaints.

Recommendation #5: Revise policy on DGO 6.14 to provide guidance to officers on how to determine if a subject's intoxication level may require a 5150 W&I detention.



Next Step Outcomes and Inputs:

The 2nd Quarter 2021 Discipline Review Board will be held on 07/12/2021.