

**THE SAN FRANCISCO POLICE DEPARTMENT
ADMINISTRATIVE CODE CHAPTER 96A
EXECUTIVE SUMMARY
Use of Force and Arrest Report per 96A.3
October 1, 2016 to December 31, 2016
4th Quarter**

SUMMARY

As part of the national conversation on police reform, including accountability and transparency in law enforcement, accurate data collection has taken center stage. In the forefront is whether specific identifying characteristics (race, gender, and ethnicity) play a role in the outcome of encounters between law enforcement officers and members of the public, especially as it relates to the level of force used, the rate of arrest, and/or the propensity to search an individual.

In order to evaluate the effectiveness of the reforms undertaken by the San Francisco Police Department (the Department), and more importantly, to ensure procedural justice is evenly applied throughout all neighborhoods within our city, the Department has done a thorough analysis of the processes in place for collecting data as required by recently passed legislation (California AB 953 and San Francisco Administrative Code 96A). Although the data collection continues to involve manually inputting use of force data directly from incident reports, the goal is to have the process fully automated by spring 2017.

As required under Administrative Code 96A, Law Enforcement Reporting Requirements, the Police Department is submitting this report under Sec. 96A.3, for the fourth quarter of 2016 (October, November, December). The report contains information relating to Arrests and Use of Force, including the following information:

Sec. 96A.3.

- (b) For Use of Force
 - (1) The total number of Uses of Force;
 - (2) The total number of Uses of Force that resulted in death to the person on whom an Officer used force; and
 - (3) The total number of Uses of Force broken down by race or ethnicity, age, and sex.

- (c) For arrests:
 - (1) The total number; and
 - (2) The total number broken down by race or ethnicity, age, and sex.

This quarterly report will be available to the public on the Department's website as part of an ongoing commitment to transparency. Once the process is fully automated, the datasets used to generate the reports will be published alongside the report to provide the information in a searchable format.

SEC. 96A.3(b) - USE OF FORCE

Over the past two years, the Department has redirected much of its efforts and resources to what is referred to as the reengineering of the use of force. This past quarter, the Department implemented its new Use of Force policy (Department General Order 5.01), which prohibits Officers shooting at moving vehicles and from using the Carotid restraint hold. The Department also continued to focus on training its officers on the importance of the proportionality of the use of force (using only that force which is reasonable to perform one's duties), as well as effective communication and de-escalation techniques with an emphasis on safeguarding the sanctity of life, dignity, and liberty of all persons.

The Department continues to expand its commitment to the Crisis Intervention Team (CIT) concept and has trained 691 sworn and 14 non-sworn personnel in the updated training curriculum as of January 2017. Included in this number are probationary officers, veteran officers, and members of the Command Staff. The Crisis Intervention Department General Order (DGO 5.21) governing the CIT program was implemented January 19, 2017. The Department continues to work in close partnership with other City agencies and major stakeholders in the development of the CIT training program, including the National Alliance on Mental Illness (NAMI), The Mayor's Office on Disability Counsel, San Francisco Mental Health Association, the Homeless Coalition, District Attorney's Witness and Victim Program, and the San Francisco Public Defenders Office among other advocates and associations.

As the CIT program moves forward, the goal of the Department is to provide CIT training to all members, including recruit police officers, deploy the team concept throughout all districts, and instill in all officers the importance of the guardian mentality. The Academy introduced a Crisis Intervention Field Tactics class with an emphasis on de-escalation and plans to complete training for all members within 18 months.

Circumstances where Use of Force may be necessary:

The use of force must be for a lawful purpose. Officers may only use reasonable force options in the performance of their duties in the following circumstances:

- To effect a lawful arrest, detention, or search.
- To overcome resistance or to prevent escape.
- To prevent the commission of a public offense.
- In defense of others or in self-defense.
- To gain compliance with a lawful order.
- To prevent a person from injuring himself/herself. However, an officer is prohibited from using lethal force against a person who presents only a danger to himself/herself and does not pose an immediate threat of death or serious bodily injury to another person or officer.

Levels of Force:

Officers shall strive to use the minimum amount of force necessary to accomplish their lawful purpose.

A. *Low Level Force.* The level of control necessary to interact with a subject who is or displaying passive or active resistance. This level of force is not intended to and has a low probability of causing injury.

B. *Intermediate Force.* This level of force poses a foreseeable risk of significant injury or harm, but is neither likely nor intended to cause death. Intermediate force will typically only be acceptable when officers are confronted with active resistance and a threat to the safety of officers or others. Case law decisions have specifically identified and established that certain force options such as OC spray, impact projectiles, K-9 bites, and baton strikes are classified as intermediate force likely to result in significant injury.

C. *Deadly Force.* Any use of force substantially likely to cause serious bodily injury or death, including but not limited to the discharge of a firearm, the use of an impact weapon under some circumstances, other techniques or equipment, and certain interventions to stop a subject's vehicle, such as vehicle deflections.

Force Options:

The force options authorized by the Department are physical controls, personal body weapons, chemical agents, impact weapons, extended range impact weapons, vehicle interventions, K-9 bites and firearms. These are the force options available to officers, but officers are not required to use these force options based on a continuum. While deploying a particular force option and when feasible, officers shall continually evaluate whether the force option may be discontinued while still achieving the arrest or lawful objective.

The following tools and techniques are not in a particular order nor are they all inclusive.

- Verbal Commands/Instructions/Command Presence
- Control Holds/Takedowns
- Impact Weapons
- Chemical Agents (Pepper Spray, OC, etc.)
- K-9 (Dog) Bite
- Vehicle Intervention (Deflection)
- Personal Body Weapons.
- Firearms
- Impact Projectile

Documenting the Use of Force:

Members are required by policy to immediately notify supervisors following a use of force incident, which is then documented and evaluated by the supervisor.

Staff have redesigned the use of force reporting and evaluation forms to include all the elements and data fields required by state and local legislation. These forms were issued on January 9, 2017. One of the key changes beside the automation of the process is that the data/information will be submitted no later than three business days following a use of force incident, compared to the previous protocol which required reporting on the 1st and 15th of every month.

Members of the Risk Management Office (RMO), the unit responsible for tracking and maintaining all data relating to use of force incidents, continue to review data by district stations and specialized units. RMO, which includes staff assigned to the Internal Affairs and the Early Intervention System (EIS) Unit, will collect and analyze the use of force data and post a monthly use of force statistics and analysis (i.e., under what circumstance was it used, type/level of force, and subject/officer demographics) on the Department's website.

Detailed use of force reports, including by district and officer, are generated and forwarded to the Chief of Police and Deputy Chiefs for review. The final reports will be provided to commanding officers for review with district captains and unit supervisors as a means to monitor and identify concerns immediately. The Department is currently looking to partner with a research university to conduct analysis of the data when sufficient data exists to conduct comparisons, identify best practices and to look for any trends. The Chief is also developing a program which will expand on existing process to audit station captains monthly, on their units' performance, use of force, stops, and other metrics.

SEC. 96A.3 (b) (1) - TOTAL USES OF FORCE BY TYPE OF FORCE

The vast majority of police contacts with members of the public do not result in a use of force. In the fourth quarter of 2016, the Department responded to 158,357 calls for service. Of those contacts, force was used in 365 incidents which represents less than one percent (0.23%) of the Department's total contacts. these 365 incidents, 472 Officers reported using force on 475 Subjects resulting in 951 documented uses of force. There were 6,137 arrests during this period.

Uses of Force	Oct.	Nov.	Dec.	Total	Percentage
Pointing of Firearms	293	190	218	701	73.70
Physical Control	39	66	60	165	17.30
Strike by Object/Fist	15	21	12	48	5.00
OC	4	1	3	8	.80
Impact Weapon	5	8	5	18	1.80
ERIW	1	1	0	2	.50
Carotid	0	0	0	0	0.00
Vehicle Deflection	0	0	0	0	0.00
Firearm	0	0	0	0	0.00
Other**	4	1	4	9	.90
Total	361	288	302	951	100%

** Other may include use of a diversionary device or an injury resulting from handcuffs.

During the fourth quarter of 2016, pointing of a firearm accounted for 701 of the total 951 uses of force employed. Pointing of a firearm is only a reportable force option when the weapon is pointed directly at a subject.

Use of Force Incidents outside San Francisco.

During this quarter, eight incidents, accounting for 33 uses of force, occurred outside the city of San Francisco as indicated in the below chart. These arrests were the culmination of investigations of crimes committed in San Francisco. 91% of the force used was pointing of firearms, refer to pages 68 and 80 of the report for a detailed breakdown.

Outside SF Use of Force Incidents, 2016 4 th Quarter			
Date	Uses of Force	Call Type	Outside Location
10/01/2016	2	Warrant Arrest	Hayward
10/25/2016	6	Search Warrant	Antioch
10/26/2016	2	Robbery Arrest	South San Francisco
10/14/2016	1	Search Warrant	Daly City
11/03/2016	3	Search Warrant	Oakland
11/03/2016	9	Warrant Arrest	Brisbane
11/09/2016	7	Search Warrant	Pittsburg
11/22/2016	3	Robbery Arrest	Sunnyvale

SEC. 96A.3(b)(2) USE OF FORCE RESULTING IN DEATH

- During this reporting period, there were **no** incidents where firearm discharges resulted in death to a member of the public or a sworn officer.

- Although not a requirement of Chapter 96A.3, the Department will report any intentional discharge of a firearm.
 - During this reporting period, there were no such incidents.

SEC. 96A.3(b)(3) USE OF FORCE BY RACE/ETHNICITY AND GENDER OF SUBJECT

33% of the total uses of force was against Black Male subjects who made up 30% of the arrestees, 20% of the total uses of force was against Hispanic Male subjects who made up 19% of the arrestees, and 19% of the total uses of force was against White Male subjects who made up 24% of the arrestees.

Race & Gender	Number of Subjects	Total Uses of Force	Percentage
Asian Female	8	10	1
Asian Male	36	67	8
Black Female	37	82	8
Black Male	157	313	33
Hispanic Female	15	23	3
Hispanic Male	96	202	20
Unknown Female	3	6	1
Unknown Male	15	37	3
White Female	18	29	4
White Male	90	182	19
Unknown Race & Gender	0	0	0
Total	475	951	100%

Uses of Force by Age of Subject.

The data indicates that force is used more often on persons between the age of 18 and 29. Force was used on 27 subjects under the age of 18. The Department has mechanisms in place to determine whether the level of force used was appropriate.

Age	Number of Subjects	Total Uses of Force
Unknown	1	1
Under 18	27	60
18-29	225	472
30-39	118	229
40-49	63	109
50-59	30	62
Over 60	11	18
Total	475	951

Use of Force by Age of Officer, October-December 2016.

Data indicates that Officers between the ages 30-39 are most likely to use force. This age range accounts for 30% of the Departments sworn officers and the age group most likely to be on patrol.

Age	Officers Using Force	Total Uses of Force	Dept. Demographic
Unknown	0	0	0
22-29	164	329	265
30-39	206	449	636
40-49	74	128	738
50-59	26	43	445
60 and Over	2	2	30
Total	472	951	2114

Uses of Force by Race/Ethnicity and Gender of Officer

In comparing the race/ethnicity and gender of officers who used force during this period against the demographics of the Department, there is little variance. Officers may use force more than once in the quarter which explains why the uses of force are higher than the number of officers using force.

Race & Gender	Officers Using Force	Percent	Total Uses of Force	Percent	Dept. Demographic	Percent
Asian Female ***	10	2	19	2	43	2
Asian Male ***	89	19	175	18	429	20
Black Female	7	1	13	1	41	2
Black Male	30	6	80	8	149	7
Hispanic Female	10	2	14	1	54	3
Hispanic Male	64	14	140	15	277	13
Other Female **	2	0	2	0	6	0
Other Male **	12	3	30	3	22	1
White Female	25	5	34	4	177	8
White Male	223	47	444	47	916	43
Total	472		951		2114	

** Includes ethnicity outside DOJ definitions and American Indian

*** Asian includes Asian and Pacific Islander

Race/Ethnicity and Gender of Subject upon whom Force was used.

The number of subjects upon whom force was used is less than the total number of force reported as officers may use more than one type of force on a subject. Example; An officer may first point a firearm at a subject believed to be armed. Once the subject drops the weapon, the officer may then have to resort to physical force to effect the arrest of the subject. Males are more likely to be involved in an incident in which force is used.

Race & Gender	Number of Subjects	Total Uses of Force	Percentage
Asian Female	8	10	2
Asian Male	36	67	8
Black Female	37	82	8
Black Male	157	313	33
Hispanic Female	15	23	3
Hispanic Male	96	202	20
Unknown Female	3	6	1
Unknown Male	15	37	3
White Female	18	29	4
White Male	90	182	19
Unknown Race & Gender	0	0	0
Total	475	951	

Uses of Force by Number of Officers and Number of Subjects Involved.

In this quarter, most of the uses of force involved only one subject. However, in incidents where officers anticipate a resistive subject, they will request assistance or wait for additional officers to arrive on scene before attempting to take the subject into custody.

Number of Subjects Involved	Total	Number of Officers Involved	Total
1 Subject	538	1 Officer	208
2 Subjects	184	2 Officers	213
3 Subjects	116	3 Officers	148
4 Subjects	48	4 Officers	146
5 Subjects	23	5 Officers	94
6 or More Subjects	42	6 or More Officers	142
Total	951	Total	951

Uses of Force by Call Type.

To further evaluate why officers use force, the Department collected data on the type of call for service to which an officer was responding wherein force was used.

Type of Call	Pointing of Firearms	Physical Control	Strike by Obj./Fist	OC	Impact Weapon	ERIW	Carotid	Vehicle Deflection	Firearm	Other	Total	% of Calls
Part I Violent	173	66	12	0	8	0	0	0	0	1	260	27.3%
Part I Property	153	13	4	0	1	1	0	0	0	0	172	18.1%
Person with a Gun (221)	84	1	2	0	0	0	0	0	0	1	88	9.3%
Person with a Knife (219)	10	5	1	0	0	0	0	0	0	0	16	1.7%
Suspicious Person (311/811/601/603/916/917)	78	45	16	4	3	0	0	0	0	3	149	15.7%
Search Warrant/Warrant Arrest	58	6	3	0	0	0	0	0	0	2	69	7.3%
Restraining Order Violation	3	0	0	0	0	0	0	0	0	0	3	0.3%
Terrorist Threats (650)	4	1	2	0	1	0	0	0	0	0	8	0.8%
Disturbance Calls (415/417)	0	0	0	0	0	0	0	0	0	0	0	0.0%
Mental Health Related (5150/800/801)	36	8	2	1	0	1	0	0	0	2	50	5.3%
Aided Case (520)	0	0	0	0	0	0	0	0	0	0	0	0.0%
Homeless Related Call (915/919)	7	1	2	0	0	0	0	0	0	0	10	1.1%
Prostitution (647B)	0	0	0	0	0	0	0	0	0	0	0	0.0%
Vandalism (594)	5	6	0	0	1	0	0	0	0	0	12	1.3%
Field Interview (909)	0	0	0	0	0	0	0	0	0	0	0	0.0%
Alarm/Check on well-being (100/910)	8	8	3	1	2	0	0	0	0	0	22	2.3%
Citizen Holding a Prison (405)	0	0	0	0	0	0	0	0	0	0	0	0.0%
Demonstration (400)	0	0	0	0	0	0	0	0	0	0	0	0.0%
Person yelling for help (918)	0	0	1	2	0	0	0	0	0	0	3	0.3%
Traffic-Related	52	4	0	0	1	0	0	0	0	0	57	6.0%
Unknown	30	1	0	0	1	0	0	0	0	0	32	3.4%
Total	701	165	48	8	18	2	0	0	0	9	951	100.0%

Uses of Force by Reason

Force is used most often to effect a lawful arrest.

Reason for Use of Force	Oct.	Nov.	Dec.	Total
To effect a lawful arrest, detention, or search, or to prevent escape	266	203	232	701
To gain compliance with a lawful order	86	80	64	230
In defense of others or in self-defense	8	4	5	17
To prevent a person from injuring himself/herself, when the person also poses an imminent danger of death or serious bodily injury to another life or	1	1	1	3
Total	361	288	302	951

SEC. 96A.3(c) ARRESTS

The San Francisco Police Department made a total of 6,137 arrests between October 1 and December 31, 2016.

SEC. 96A.3(c)(1) – TOTAL NUMBER OF ARRESTS (BY DISTRICT)

District	Oct	Nov	Dec	Total
Central	269	232	271	772
Southern	316	302	328	946
Bayview	220	167	150	537
Mission	319	367	340	1026
Northern	190	164	208	562
Park	94	68	71	233
Richmond	74	71	62	207
Ingleside	139	153	131	423
Taraval	122	149	123	394
Tenderloin	373	289	317	979
Outside SF	31	14	13	58
Total	2,147	1,976	2,014	6,137

Sec. 96A.3(c)(2) – ARREST BY RACE/ETHNICITY, GENDER, AND AGE:

The arrest breakdown is as follows.

Race	Oct	Nov	Dec	Total	Percentage
American Indian	12	8	13	33	1
Asian	135	134	143	412	7
Black	826	752	725	2303	37
Hispanic	456	445	467	1368	22
White	654	585	593	1832	30
Other	11	12	14	37	1
Unknown*	53	40	59	152	2
Total	2147	1976	2014	6137	100

*Unknown is when a subject refused to provide information or information was unavailable.

Arrests by Gender, October – December 2016

Gender	Oct	Nov	Dec	Total	Percentage
Female	391	369	392	1152	19
Male	1746	1592	1608	4946	80
Unknown	10	15	14	39	1
Total	2147	1976	2014	6137	100%

Arrests by Age, October – December 2016

Age	Oct	Nov	Dec	Total	Percentage
Under 18	96	74	83	253	4
18-29	786	711	758	2255	37
30-39	570	569	550	1689	28
40-49	375	342	339	1056	17
50-59	222	202	195	619	10
Over 60	98	77	89	264	4
Unknown	0	1	0	1	0
Total	2147	1976	2014	6137	100%

This executive summary only contains the quarterly totals for the data required by the Administrative Code 96A. For monthly totals by both District Station Use of Force, and Arrests, please see the entire report.