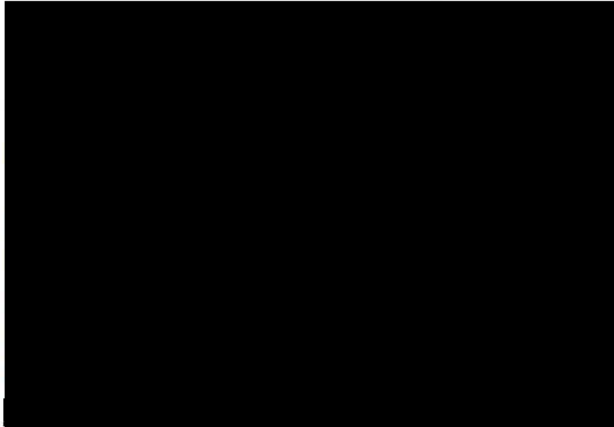


FW: Recommendation 9.3



From: Tanya Koshy [REDACTED]

Sent: Thursday, October 24, 2019 4:47 PM

To: Dorantes, Jennifer (POL) [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: Recommendation 9.3

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Dear Acting Captain Dorantes:

Cal DOJ has completed its review of the Recommendation 9.3 package that SFPD submitted as part of the collaborative reform process. Recommendation 9.3 is that all notified responders should be required to notify the Department of Emergency Management (DEM) of the times of their arrival to the scene of an officer-involved shooting (OIS).

After reviewing the package and information provided by SFPD, Cal DOJ finds as follows:

Response to 9.3 package: SFPD issued Department Bulletin 17-108, which requires any person from an outside agency arriving to the scene of an OIS to identify themselves to an officer that controls access to the scene. That officer must then broadcast the person's scene arrival to dispatch. Department Bulletin 17-108 expired in 2019 and was reissued as Department Bulletin 19-108. Department Bulletin 19-108 suffices for purposes of this Recommendation; however, consistent with Department General Order 3.01.11, SFPD should also place this Department Bulletin on its website.

SFPD also created an Investigative Services Detail (ISD) Call-Out Notes form in June 2019 that includes a "notification" section that captures each partner/responder's scene arrival. During a call out, a member of ISD will be tasked with filling out this portion of the Call-Out Notes. The document is then turned over to the Internal Affairs Department and kept along with the Everbridge event report notification printout that shows the list of people notified of an OIS. ISD will also, within 10 business days of an OIS, review and reconcile the DEM's Computer Aided Dispatch (CAD) from the OIS, as well as the "Notifications" section of the Call-Out Notes to ensure that a permanent record is maintained

of when people arrive on-scene. In addition, the officer-in-charge of the ISD will periodically review the investigative OIS files to ensure that this record is present, complete, and retained in the file.

Based on the above, Cal DOJ finds that SFPD is substantially compliant with this Recommendation.

Please let us know if you have any questions or would like to discuss this further. Thank you.

Tanya

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Hillard Heintze File Review Recommendation # 9.3

Finding # 9	The SFPD is inconsistent in providing timely notifications to all external oversight partners following an officer-involved shooting.
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Recommendation # 9.3	All notified responders should be required to notify the Department of Emergency Management of the time of their arrival. This will create a comprehensive permanent record of the time of notifications and responses of the units to the scene.
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Recommendation Status	Complete	Partially Complete	In Progress
	Not Started	No Assessment	

Summary

Compliance Measures 1, 2, 3 and 4 are met. Unit Order 19-001 Use of Everbridge Notification by DOC Personnel for Officer Involved Shootings, published July 2019, maintains prior policy regarding notification procedures of first responders to an OIS event. Since publication of the policy there have been no events requiring use of the DOC notification procedures. However, the policy requires the DOC to maintain a permanent record of the notifications and to conduct periodic review of the records to ensure notifications were made, and remedial action was taken where necessary. The response to this recommendation is sufficient to designate it as Complete; however, the Hillard Heintze team in Phase III will monitor the department’s notification procedures to ensure the practices are institutionalized.

Compliance Measures		Status/Measure Met
1	Policy requiring all notified OIS responders to notify DEM of time of arrival at scene.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
2	Permanent record of notifications maintained.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
3	Evidence of continual review/improvement loop.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
4	Evidence of supportive and remedial actions if deficiencies are found.	√ Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Administrative Issues

The recommendation file in PowerDMS for 9/3 will need to be updated with the additional information provided by Captain Hart on October 10, 2019 prior to forwarding to Cal DOJ for review in regards to substantial compliance.

Compliance Issues

SFPD should identify a process for ensuring the accuracy of outside agency notification rosters.



Collaborative Reform Completion Memorandum

Finding # 9: The SFPD is inconsistent in providing timely notifications to all external oversight partners following an officer-involved shooting.

Recommendation # 9.3: All notified responders should be required to notify the Department of Emergency Management of the time of their arrival. This will create a comprehensive permanent record of the time of notifications and responses of the units to the scene.

Response Date: 07/27/2019

Executive Summary: Department Operations Center Unit Order 19-001 was been approved by Deputy Chief Redmond on 07/16/2019. This Order has been expanded and updated to include the outstanding compliance measures.

Compliance Measures:

- 1) **Policy requiring all notified OIS responders to notify DEM of time of arrival at scene.**
-According to Hillard Heintze, this Compliance Measure is met.
- 2) **Permanent record of notifications maintained.**
-This Compliance Measure is addressed in the Unit Order on Page 2 under the heading "OIS Log Printing, Routing, Supervisory Review, and Storage." In addition, SFPD's Internal Affairs Division has created a "Table of Contents" checklist for their OIS files. This checklist ensures that the assigned Investigator has included all of the required documents for the file and provides a checklist for Department attorneys and superiors to double-check the work; deficiencies will be spotted and easily remedied. Section 4 of the Table of Contents is titled: "DEM" (Department of Emergency Management). Under the heading, DEM documents and audio discs that are required include: "Certified CAD (Computer Aided Dispatch)" and "Recorded...radio." Both of these are permanent records of when responding (including Everbridge-notified) personnel arrive on scene.
- 3) **Evidence of continual review/improvement loop.**
-On 5/8/2017, Unit Order 17-001 (Use of Everbridge Notification by DOC Personnel for Officer Involved Shootings) was issued. On 7/16/2019, Unit Order 19-001 was issued to reflect the updated changes and improvements on procedures. Unit Order 19-001 includes new sections and/or language on the following topics:
 - OIS Log Printing, Routing, Supervisory Review, and Storage
 - Everbridge Administration Procedure
 - Training and Auditing Procedure



Collaborative Reform Completion Memorandum

Since the implementation of Unit Order 19-01 on 07/16/2019, there were no events that require the activation of Everbridge. Please continue to monitor for additional support on evidence supporting this continual review/improvement loop effort.

4) Evidence of supportive and remedial actions if deficiencies are found.

-This Compliance Measure is addressed in the Unit Order on Page 2 under the heading "OIS Log Printing, Routing, Supervisory Review, and Storage," as well as Page 3 under the heading "Training and Auditing Procedures."

Since the implementation of Unit Order 19-01 on 07/16/2019, there were no events that require the activation of Everbridge. Please continue to monitor for additional support on evidence supporting this continual review/improvement loop effort.

Supplemental Document Request:

Requested Documents	Responsive Document and Why
Evidence of review or OIS dispatch records to confirm notifications of scene arrival.	<p>Investigative Services Detail (ISD) Call-Out Notes was created on 06/2019 to capture critical information during an Officer Involved Shooting, In-Custody Death or Use of Force involving Great Bodily Injury. In this electronic PDF document, there is a "notification" section that captures notification date and time, notification source, and arrival time by key internal and external partners including ISD, Independent Investigations Bureau (IIB)/DA, Internal Affairs Division, Department of Police Accountability, Crime Scene Investigations, Public Information Officer, Behavioral Science Unit, Medical Examiners Officer, and Hospital. During a call out, a member of the ISD unit will be tasked with filling out the document at the Command Post. Once the document is filled out, it will be turned over to the Internal Affairs Division OIS Team, where it will be kept along with a copy of the Everbridge report.</p> <p>SFPD and the District Attorney's Office (DA) signed a Memorandum of Understanding (MOU) which made the</p>



Collaborative Reform Completion Memorandum

	<p>DA responsible for the criminal investigation of an Officer Involved Shooting. SFPD Homicide Detail will not have possession of OIS related files. Everbridge notification reports will be placed with the Internal Affairs OIS File. Please refer to Table of Contents Template and MOU.</p>
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Form 2001 written on 9-17-18

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