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POLICE DEPARTMENT
HEADQUARTERS
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WILLIAM SCOTT
CHIEF OF POLICE

October 25, 2022

Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B Goodlett Pl
San Francisco, CA 94102

President Walton and Members:

Re: SF Administrative Code 19B.7, Written Exigency Report: Interagency Operation and Use of Unmanned Aerial Support (“UAS” or “Drone”) on September 16, 2022.

SF Admin. Code 19B (“19B”) was enacted in August 2019. Under 19B.7, the San Francisco Police Department (“SFPD” or “Department”) is required to report to Board of Supervisors the acquisition or use of the Surveillance Technology, as defined by Chapter 19B, in exigent circumstances.

While the SFPD did not acquire, use, or manage the use of Surveillance Technology on September 16, 2022, the Department did benefit from support, situational awareness, and information provided by the Unmanned Aerial Support (UAS) owned and operated by Alameda County Sheriff’s Office (“ACSO”) in Oakland, California and separately, UASs owned by Fairfield Police Department (“FPD”) in Fairfield, California.

As the Department partnered with ACSO and FPD and a Surveillance Technology was used during this operation, the Department is issuing this 19B.7. written exigency report to the Board of Supervisors. As required, this exigency report provides an overview to confirm the following:

- The use of the Surveillance Technology was solely to respond to an exigent circumstance;
- The use of the Surveillance Technology ceased within seven days;
- Data from the Surveillance Technology was not retained by SFPD, except as required by law; and
- Data from the Surveillance Technology was not disclosed to a third party, except as required by law.

Use of the Surveillance Technology was solely to respond to the exigent circumstance:

An ongoing investigation by SFPD’s Community Violence Reduction Team (“CVRT”), Investigations Bureau, determined that a known subject of an arrest warrant had ties to two residences, one in Fairfield and the other in Oakland, California. CVRT members obtained search warrants for both residences seeking firearms and evidence of membership in a violent criminal organization.

Due to certain factors derived from the investigation, a risk-assessment and analysis by SFPD’s Tactical Unit determined that these were high-risk operations where there was potential for imminent danger of death or serious physical injury to any person involved.

The following are some of the factors that qualified the search and arrest warrant execution as a high-risk operation:

1. Known information, including the criminal history, of the wanted suspect.
2. Known information regarding other individuals likely present at the location(s).
3. The target locations were tied to a subject believed to be involved in multiple shootings where multiple firearms were used.
4. SFPD gathered intelligence that revealed that the target location was believed to be a stash house for weapons and used by a known and violent criminal organization.
5. It was determined that the target locations of the search warrants offered numerous escape routes. This did not allow for containment; the failure to contain target locations during high-risk warrants can contribute to suspects evading detention/arrest, the use of force including officer involved shootings, the loss of evidence, and can put neighboring residents in significant danger.
6. There were a high number of individuals seen entering and exiting the target locations during the investigation period which further challenged containment of the target location.

On September 16, 2022, SFPD's Tactical Unit executed the high-risk search warrant on the Oakland residence while FPD's Tactical Unit executed the high-risk search warrant on the Fairfield location. During the execution of the warrant in Oakland, SFPD attempted to take the suspect into custody resulting in him fleeing the area on foot. With the assistance of Oakland Police Department, SFPD set up a wide perimeter. Given the need to immediately locate and arrest the suspect, ACSO responded to the scene and deployed their UASs. The ACSO UASs were able to help locate the suspect inside the perimeter where he was then taken into custody.

The Oakland and Fairfield operations resulted in the arrest of numerous individuals and the seizure of four assault short-barrel rifles, two pistols, three high-capacity magazines, one ten round magazine, and numerous rounds of unfired cartridges in multiple calibers. No injuries were sustained by individuals inside the target location, by bystanders, or by officers involved.

The use of the Surveillance Technology ceased within seven days:

ACSO and FPD operated the UASs and were able to provide information to the officers on scene. In Oakland, ACSO and SFPD officers benefited from live optical information from the UASs for forty-five (45) minutes on the morning of September 16, 2022. The ACSO ceased deployment of the UASs for this specific operation on September 16, 2022. Similarly, in Fairfield, FPD and SFPD officers benefited from live optical information from the UASs for thirty (30) minutes on the morning of September 16, 2022. The FPD ceased deployment of the UASs for this specific operation on September 16, 2022.

Retention of data from the Surveillance Technology:

Neither the ACSO nor the FPD UASs transmitted still photos or video footage to SFPD and as such, there was no surveillance technology data to be retained. ACSO and FPD did transmit to SFPD situational awareness information received from the UASs which was provided both verbally and over radio communications.

Data from the Surveillance Technology was not shared with a Third-Party:

Neither the ACSO nor the FPD shared still photos or video footage from their UASs with SFPD. SFPD did not record, receive, retain, file, or share video or still photos from the UASs with another party.

This written report summarizes the use of Surveillance Technology under Section 19B.7 to the Board of Supervisors as required within 60 days following the inception of the exigent circumstances.

SF Admin Code 19B.7

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Respectfully submitted,



WILLIAM SCOTT

Chief of Police

cc: Police Commission

SF Committee on Information Technology