

Officer Involved Shooting Town Hall Meeting

Remarks from William Scott, Chief of Police

(Town Hall date: October 19, 2020; regarding an Officer Involved Shooting that occurred on October 10, 2020.)

Good afternoon, we are here this afternoon for a virtual Town Hall Meeting regarding an Officer Involved Shooting that occurred on October 10, 2020, in the city and county of San Francisco. Before I move forward, I must say that sadly this incident resulted in a tragic outcome; the loss of life of Mr. Cesar Antonio Vargas. Our deepest condolences go out to Mr. Vargas' family and friends for their loss.

Next, I would like to announce to our viewing and listening audience that we have sign language interpretation services here this afternoon to assist persons who are deaf or hard of hearing. Also, this Town Hall is being translated in Spanish and Cantonese for members of the community who speak those languages.

We recognize the traumatic impact that officer involved shootings have on members of our communities at large. With that said, to any of our viewers or member of the community who are experiencing trauma from this incident or from the information or images presented during this Town Hall you can contact the San Francisco Department of Public Health Crisis line at 415/970-3800 for trauma services.

With that said, here is what we hope to accomplish today:

1. First and foremost, tonight is about transparency. It is our intention to release of known facts involving the incident in a non-judgmental way. As we release the facts, I'd like to emphasize that this is an ongoing investigation and as such that there are some facts that we can-not release today because we either do not have the answers at this point and/or the release of certain information is prohibited by law or could compromise the investigation.

Next, there was body worn camera footage that captured this incident. For those of you here tonight who may not be familiar with the San Francisco Police Department's Body Worn Camera policy, Department General Order 10.11, it states the following in part:

It is the goal of the San Francisco Police Department to release BWC recordings to the greatest extent possible unless disclosure would:

- a. Endanger the safety of a witness or another person involved in the investigation.
- b. Jeopardize the successful completion of an investigation, or
- c. Violate local, state and/or federal laws, including but not limited to, the right of privacy.

Those three standards determine whether it is appropriate to release body worn camera footage.

In this case, based on an assessment of those three standards, we have determined that it is appropriate to release body worn camera footage of this incident this afternoon.

I'd like to remind everyone that video evidence is only a portion of the evidence to consider when making both legal and administrative conclusions on an officer involved shooting. While video recordings obtained from body worn cameras, or any other recording device, provide an objective record of the recorded event, it is understood that video recordings provide a limited perspective. In fact there are many other factors to consider, including witness statements, physical evidence, forensic analysis to name a few.

We are releasing video evidence at this stage of the investigation for transparency and not in an effort to make final conclusions. Although transparency has been the mantra of our Officer Involved Shooting investigations for several years now, this level of transparency is consistent with recently passed California transparency legislation Senate Bill 1421.

All of the information that we are releasing in this Town Hall, including the video footage, will be posted on the SFPD website at SanFranciscoPolice.org and made available to the public.

2. The San Francisco Police Department directives mandate that we release the name of the officer or officers involved in an Officer Involved Shooting within 10 days of the incident unless there are safety concerns. In this case we have conducted a safety assessment and have not discovered any safety concerns. Therefore the names of the officers will be released later in this presentation by Commander Robert O'Sullivan.

3. Next, I would like to explain the investigative process for Officer involved Shootings.

San Francisco has a multi-agency response to officer involved shootings and each agency's investigation is independent.

First immediately after an Officer Involved Shooting occurs, representatives from The San Francisco Police Department, Investigative Services Detail, The District Attorney's Office Independent Investigations Bureau (also known as IIB), and the Department of Police Accountability (also known as DPA) are all notified. All notified agencies send the appropriate representatives to respond to the

scene to conduct their respective independent investigations.

As far as this investigation goes, there are five investigative processes.

First, the SFPD Investigative Service Detail is the investigative unit responsible for investigating the underlying criminal activity that lead up to the officer involved shooting. In this case the underlying criminal activity involved allegations of a carjacking with a deadly weapon (a knife) which you will hear about shortly.

The second investigative process is the SFPD Internal Affairs Division. Internal Affairs Division is responsible for conducting an administrative investigation to determine if the involved officers met the standards and requirements of SFPD Policy. The Investigative Services Detail and Internal Affairs investigations run parallel but each has a distinct focus and each maintains an internal firewall to comply with legal standards and requirements.

The third investigative process is that of the San Francisco District Attorney's Office, Independent Investigations Bureau or (IIB). IIB is involved from the onset of the investigation to determine the legality of the Officer Involved Shooting. Based on their independent investigation and review, The District Attorney of the County of San Francisco will make the final decision as to

whether the involved officers' actions complied with the laws of the State of California.

The fourth investigative process is the investigation of the Department of Police Accountability. The DPA is mandated by ballot measure D (June 2016) to investigate all San Francisco Police Department incidents in which a SFPD officer discharges a weapon within the course and scope on their duties and that discharge results in injury to or death of the subject.

The fifth investigative process is that of the Medical Examiner's Office. The medical examiner has the responsibility of conducting an on scene investigation as well as custody of and collection of evidence from the deceased person if an Officer Involved Shooting results in a fatality. The medical examiner also has the responsibility to conduct an autopsy to determine cause of death and report the findings. As I stated at the beginning of this presentation this incident sadly resulted in a loss of life hence the San Francisco Medical Examiner responded to the scene and is conducting an independent investigation regarding cause of death.

Now Commander Robert O'Sullivan will discuss the facts of this incident, including the facts you will see shortly from video evidence.

We will then hear any comments you may have.

Thank you.