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# SFPD Response to Public Concerned with Video of Incident Involving the Mental Health Detention

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We have received emails from around the country expressing concern with regard to an edited video (only 11 minutes of the 30 minutes captured) of an incident that took place on August 4 here in San Francisco involving the mental health detention of a man with a lower leg prosthesis.

What the video failed to show were the interactions that led to our officers having to subdue the individual on the sidewalk. This is unfortunate because a full and complete record would have shown that this particular person had been behaving erratically to the point he was a danger to himself and others. He had made threatening gestures to people on the street with sticks (again, not crutches); he failed to follow police instructions when they responded to put down the sticks he was swinging about; and he put his own safety at risk by stepping into the flow of traffic. These were all indications of a potential mental health crisis. Officers made the judgment call that this behavior did not require an arrest but instead that the individual should be detained for a mental health evaluation because all indications were that he was a danger to either himself or others. Once the individual was controlled and it was safe for medical personnel to attend to him, an ambulance was

called to the scene and he was transported to our county medical facility for mental health evaluation.

**(A summary of what our investigation has determined to date is attached below).**

Much has been said in several of the emails we've received have been about how the email writer(s) see the San Francisco Police Department. With that in mind, we wanted to take a minute to speak to our core values at the San Francisco Police Department.

First and foremost we want there to be no misunderstanding, we care deeply about treating everyone that lives, works, or visits San Francisco with dignity and respect. As the edited video that has been circulating leaves out important contextual information about what led up this police interaction, we understand why this video has gotten people's attention and been cause for such upset and we apologize for that. Our officers are trained to respect both civil and human rights. We are looking at this incident, as we do with many incidents, to see what we may learn so we can be better.

We have the largest contingent of Crisis Intervention Team trained officers in the country and more are being trained. We will continue to work with our Crisis Intervention Team (CIT) members to see what we can add to our training program to best ensure that our officers continue to have the tools they need for the safest and most effective of interactions with all members of the public. It is worth noting that we recently became the only department in the country that now has CIT as part of our basic academy curriculum so no officer leaves our academy without CIT training.

We are committed to always using the minimum amount of force necessary, especially when dealing with those in crisis. San Francisco has a significant homeless population, many of whom have one or more disabilities including mental health disabilities. San Francisco police officers encounter hundreds of people each day with possible mental health conditions, with over 300+ individuals a month requiring evaluation by qualified medical health professionals as they might well pose danger to themselves and/or others into mental health evaluation. Part of what we do is we help these individuals get the mental health services they so desperately need. The vast majority of our contacts with people in crisis involve no police use of force at all

because we train our officers to de-escalate. The San Francisco Police Department never wants to be seen any other way than as men and women here to help people – all people.

### **Summary of our investigation (to date) of the entire interaction:**

On August 4, 2015, at approximately 12:10 PM, officers were in the area of UN plaza when they observed a male subject in a possibly altered mental state, waving sticks (there were no crutches, as it was suggested, involved in this interaction) around with no regard for other people within the area. The officers also observed citizens pointing towards the subject. Because the subject demonstrated a possible danger to others, officers decided to contact the subject.

Upon arriving at the scene, officers asked the subject to put the sticks down, at which point he refused. While speaking to the subject, he continuously walked away from officers while also raising the sticks above his head in a threatening manner. The subject then stepped into oncoming traffic on Market Street. Officers continued to verbally instruct him to return to the side walk so he would not get struck by a vehicle. The subject stated to the officers, “I don’t care if I get hit by a car.”

Due to the subject’s statements about not caring if he was hit by a car, his actions with the two sticks around other citizens, his aggressive behavior, and fearing for public safety, officers determined this individual was a danger to himself and to others. Once officers determine the subject was in an altered mental state, the subject fit the criteria for a mental health detention. Under section 5150(a) of the Welfare and Institutions Code, peace officers have the authority to detain an individual for a mental health evaluation if the person is a danger to himself, others, or unable to care for himself due to a mental health condition.

As the subject was still in possession of the sticks and had previously demonstrated threatening motions with them, per department policy, officers requested an Extended Range Impact Weapon (ERIW) to the scene. The ERIW is a less-lethal use-of-force option that shoots a bean bag round. Circumstances permitting, the ERIW can be used when an individual is armed with a weapon or object that can inflict injury and refuses to comply with verbal orders. Upon arrival of the ERIW, the subject dropped the sticks. At no time was an ERIW round deployed.

Now that subject was no longer armed with a weapon, officers attempted to place him into handcuffs. The subject pulled his arms away, and as he was resisting the officers, the subject fell forward. Still having their hands on him, the officers allowed the subject's body weight to take him to the ground in a controlled manner.

As the video shows, the officers used their body weight to subdue the subject by attempting to hold him still. The subject continued to fight the officers, kicking them with both legs and attempting to bite one officer on the leg. The officer was able to move his leg before the subject could complete the bite. Due to the fact that a hostile crowd was forming while officers were taking the subject into custody, officers requested back-up units for crowd control.

Once the scene was rendered safe for medical personnel, an ambulance was called to the scene to treat the subject.

Officers had already determined the subject was in an altered mental state. Instead of arresting the subject for assault on a peace officer, the officers proceeded with the mental health detention to have the subject receive necessary medical care and assistance. The subject was brought to a local hospital for a mental health evaluation. The subject was not arrested and no charges were brought against him.

Chief Suhr and Captain Ewins of Tenderloin Station are committed to investigating this incident thoroughly to determine if there were any violations of Department policies and procedures. Regardless, staff will examine this incident to determine if training can be further developed to do things differently - better. The incident has also been forwarded to the Office of Citizen Complaints for an independent review.

This incident will be investigated thoroughly to determine if there were any violations of Department policies and procedures. To conduct the most thorough investigation, we are attempting to gather further video in the area that shows the entire contact (all 30 minutes) involving this individual and the officers. We encourage anyone who saw this incident and/or has any such evidence to contact the San Francisco Police Department via email or by calling our Anonymous Tip Line at (415) 575-4444.

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