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SFPD Statement Regarding Mental Health Detention Recorded on Cell Phone Video

August 19, 2015 | 4:18 PM
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On August 4, 2015 at approximately 12:10 PM, officers were in the area of UN plaza when they observed a 6’4” male subject, known to have a prior history of violence, in a possibly altered mental state, waving sticks 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 repeatedly told 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. 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 his leg and metal prosthetic leg, while also attempting to bite one officer on the leg. The officer was able to remove his leg before the subject could complete the bite. Officers used minimal force to control the subject to prevent further assault or escape. Due to the fact that a hostile crowd was forming while officers were attempting to control him, officers requested additional units for crowd control.

Once the scene was rendered safe for medical personnel, an ambulance arrived 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 the incident thoroughly to determine if there were any violations of Department policies and procedures.

The incident has also been forwarded to the Office of Citizen Complaints for an independent review.

To conduct a thorough investigation, we are attempting to gather further video in the area that shows the entire contact with this individual and the officers. We encourage anyone who saw this incident to contact the San Francisco Police Department via the Anonymous Tip Line at (415) 575-4444.

Thank you for your concerns in the San Francisco Police Department's commitment to protect and serve this world class city of San Francisco.

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