3rd Quarter 2015 OIS Report

# Firearm Discharge Review Board
# &
# Officer-Involved Shooting Investigations

*October 5, 2015*

# Firearm Discharge Review Board

The FDRB last convened on July 1, 2015 (2nd Quarter 2015).

The 3rd Quarter 2015 Firearm Discharge Review Board convened on Tuesday, September 22, 2015 to review four completed investigations:

- OID 003-15
- OID 004-15
- OIS 13-005
- OIS 13-007

# Composition of 3rd Quarter 2015 FDRB

## Tuesday, September 22, 2015

Voting Members

- **Deputy Chief Mikail Ali**, Chair *(Administrative Bureau)*
- **Deputy Chief Michael Redmond** *(Operations Bureau)*
- **Deputy Chief Garret Tom** *(Special Operations Bureau)*
- **A/Deputy Chief Kenwade Lee** *(Airport Bureau)*

Advisory Members

- **Commissioner Julius Turman** *(Police Commission)*
- **Director Joyce Hicks***(Office of Citizen Complaints)*
- **Captain Greg Yee** *(Training Division)*
- **A/Captain William Braconi** *(Risk Management Office)*
- **Sergeant Andy Ting** *(SFPD Rangemaster)*

# Officer Involved Discharge 004-15

Incident: June 14, 2015
Location: 1400 Block of Oakdale Avenue
Finding: In Policy

At approximately 1818 hours, uniformed patrol officers assigned to Bayview Station responded to a residence on the 1400 block of Oakdale Avenue to follow up on a call to 9-1-1. As officers made their way to the front of the residence, a pit bull dog emerged and charged at the officers, biting one officer on his right hand and buttocks. The officer fired at the dog to stop the attack. The dog was mortally struck and retreated.

# Officer Involved Discharge 003-15

Incident: July 27, 2015
Location: Fulton Street, Between Larkin and Hyde Streets
Finding: In Policy

At approximately 18:44 hours, uniformed officers assigned to Northern Station were patrolling in the Civic Center area. The officers observed activity by several subjects consistent with a narcotics transaction and began to approach them. As they approached, a male subject stood up to walk away, releasing his control of a pit bull dog. The dog charged one of the officers who backed up, drawing his weapon. The officer retreated until his path was blocked by a vehicle. He fired at the attacking dog. The dog broke off his attack and sprinted away.

# Officer Involved Shooting 13-005

Incident: April 7, 2013
Location: 17th and Valencia Streets
Finding: In Policy

At approximately 0200 hours, uniformed officers assigned to Mission Station responded to a report of a large fight occurring in the area of 17th and Valencia Streets, in the area of Mission Station. Witnesses stated that one of the men involved was armed with a gun. Responding officers saw a fight involving approximately 10 males, and one man was pointing a handgun at others involved in the physical altercation. The officer moved to a tactically advantageous position with a clear backdrop before ordering the suspect to drop his gun. The suspect failed to comply and turned toward the officer, pointing his weapon the officer. The officer then fired at the suspect, who was struck and taken into custody. A second person involved in the altercation was also struck.

# Officer Involved Shooting 13-007

Incident: July 30, 2013

Location: Larkin and O'Farrell Streets

Finding: In Policy

At approximately 22:11 hours, plainclothes officers assigned to the Violence Reduction Team headed to the area of Larkin and O'Farrell Streets to follow up on a report of an armed subject in the area. While enroute, the officers heard the sound of gunfire, followed by a second series of gunfire. Officers arrived and saw a suspect near the east side of the intersection of Larkin and O'Farrell, shooting westward in the direction of several other people, including a man who dragging a second man, limp and prone, out of the street. The officer fired at the shooting suspect, but missed (no one was struck by this gunfire). The suspect fled eastbound on O'Farrell Street and was apprehended following a brief foot chase.

# Next FDRB

The 4th Quarter 2015 Firearm Discharge Review Board is tentatively scheduled to convene:

## Tuesday, December 22, 2015

# Status of Open Officer-Involved Shooting Investigations

# OIS Investigations Update

The previous OIS Quarterly Report was presented to the Police Commission on August 5, 2015. Since that report:

- **Two (2) OIS investigations** (OIS 13-005 and 13-007) were presented to the FDRB, signed off by the COP, presented to the Police Commission in a summary letter report, and completed. These cases are closed.
- **Two (2) OIS investigations** opened (OIS 15-005 and 15-006). OIS 15-005 is under review by the Office of the District Attorney of San Mateo County; OIS 15-006 is an active criminal investigation with the San Mateo Police Department.

# Open OIS Cases Summary

As of October 5, 2015, there are **fifteen (15) open OIS investigations**:

- **Thirteen (13) criminal investigations** are currently being conducted and reviewed by the Office of the District Attorney of San Francisco. The District Attorney's charging decisions in these cases are pending. The corresponding SFPD administrative investigations are tolling.
- **One (1) criminal investigation** is being reviewed by the Office of the District Attorney of San Mateo. The District Attorney's charging decisions in these cases are pending. The corresponding SFPD administrative investigations are tolling.
- **One (1) criminal investigation** is under investigation by the San Mateo Police Department.

# Open OIS Investigations—2013

| Case | In Policy? | Investigation Status |
|---|---|---|
| **13-003** (3/15/13) | TBD | Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision. |
| **13-005** (4/7/13) | **Y** | Presented to 3Q 2015 FDRB. Summary report completed and submitted to Police Commission. **CLOSED**. |
| **13-007** (7/20/13) | **Y** | Presented to 3Q 2015 FDRB. Summary report completed and submitted to Police Commission. **CLOSED**. |
| **13-008** (10/27/13) | TBD | Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision. |

# Open OIS Investigations—2014

| Case | In Policy? | Investigation Status |
|---|---|---|
| **14-001** (1/12/14) | TBD | Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision. |
| **14-002** (2/4/14) | TBD | Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision. |
| **14-003** (3/8/14) | TBD | Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision. |
| **14-005** (9/26/14) | TBD | Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision. |
| **14-006** (10/7/14) | TBD | Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision. |
| **14-007** (11/6/14) | TBD | Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision. |
| **14-008** (12/3/14) | TBD | Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision. |

# Open OIS Investigations—2015

| Case | In Policy? | Investigation Status |
|---|---|---|
| **15-001** (1/4/15) | TBD | Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision. |
| **15-002** (1/4/15) | TBD | Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision. |
| **15-003** (2/26/15) | TBD | Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision. |
| **15-004** (3/17/15) | TBD | Homicide Detail awaits a formal charging decision from the Office of the D.A., who is drafting internal report and charging decision. |
| **15-005** (7/26/15) | TBD | **Criminal and administrative investigations opened 7/26/15. Criminal investigations by SMCO and DA-SM. Chief's decision whether to return officer to duty presented to Police Commission on 8/5/15. District Attorney of San Mateo reviewing investigations; drafting report and charging decision.** |
| **15-006** (7/26/15) | TBD | **Criminal and administrative investigations opened 9/18/15. Criminal investigations by SMPD. Chief's decision whether to return officer to duty presented to Police Commission on 10/7/15.** |

# Thank You