

SAN FRANCISCO POLICE DEPARTMENT

Chapter 96A Executive Summary Quarter 2 2020 Report



**William Scott,
Chief of Police**



Safety with Respect

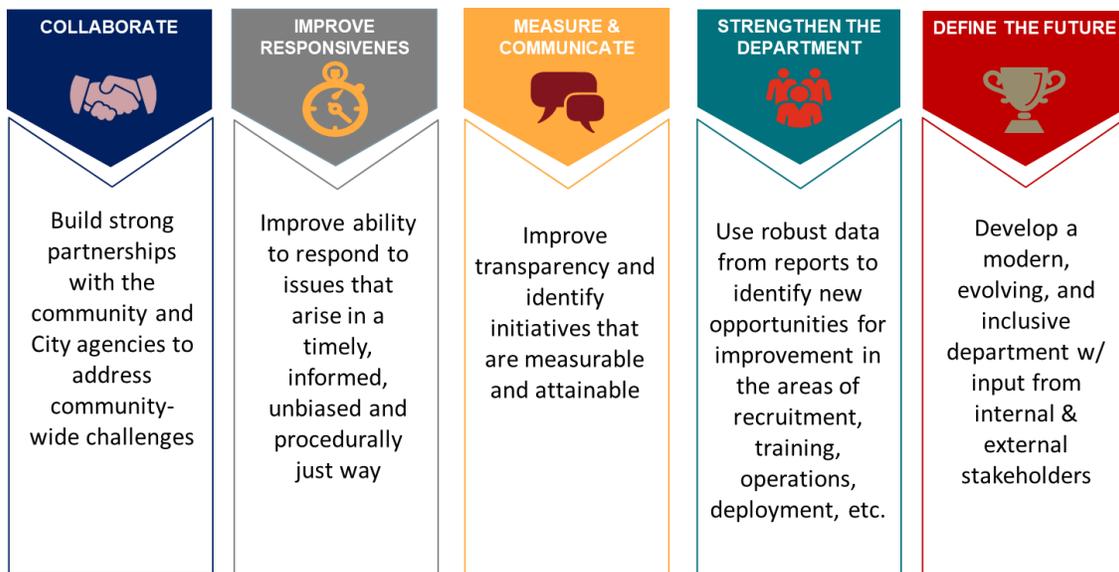
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The Racial and Identity Profiling Act of 2015 (AB953) took effect on January 1, 2016 and requires California law enforcement agencies to collect and report data to the California Attorney General. The requirements of the bill include any complaints alleging racial or identity profiling and detailed demographic data for traffic and pedestrian stops.

Furthermore, in 2016 the City and County of San Francisco passed an ordinance and established Administrative Code Sec. 96A (Law Enforcement Reporting Requirements) which specified reporting requirements for the San Francisco Police Department (hereafter, 'the Department'). The Chapter 96A Report was developed to meet the quarterly requirements and includes data pertaining to stops, searches, arrests, use of force and alleged bias-related complaints.

The data presented in this report is used to evaluate the effectiveness of current reforms undertaken by the San Francisco Police Department and identify additional opportunities and innovative approaches for improvement that align with the Department's Strategic Initiatives. This report uses hit-rate analysis to provide a snapshot of the quarter; however, it does not provide in-depth analysis. The data included in this report covers the time period: April 1, 2020 – June 30, 2020.

STRATEGIC INITIATIVES



The questions of discrimination and racial bias have been well documented over the years and prevalent across different domains such as employment, education, healthcare and criminal justice, including policing. Statistics continue to show the racial disparities in which people of color, particularly Black males, are overrepresented throughout our criminal justice system. Bias remains an institutional issue but various studies suggest that some of these disparities can be attributed to implicit biases or stereotypes.

To address the issue of biased policing, many agencies, including the San Francisco Police Department, are being proactive and have already begun making policy changes and improvements to training. Social psychologists have emphasized that bias can only be successfully mitigated if new interventions incorporate a fundamental understanding of implicit bias and provide a foundation on how to recognize and manage such bias so that they do not influence officers' behaviors.

WHAT IS IMPLICIT BIAS?

Implicit biases are the attitudes or stereotypes that affect our understanding, actions, decisions, and judgements in an unconscious manner. Science proves that bias, whether positive or negative, is part of the human experience and result from how the brain processes, stores, and recalls information. The brain builds mental associations based on our cultural environment and life experiences to form expectations about what is going to happen next. Some of those expectations become reinforced over time and ultimately influence our behaviors and decision-making (Eberhardt, Goff, Purdie, Davies, 2004).

When individuals encounter circumstances that are stressful and unfamiliar, the brain may trigger negative emotional responses which can lead to unwanted negative bias. In tests, scientists can see our brains reacting positively or negatively to the different images from the environment around us. Such studies have demonstrated that simply seeing someone's face/ethnicity can stimulate thoughts, emotions, and conceptual associations (Payne, Cheng, Govorun, and Steward 2005). Dr. Jennifer Eberhardt, a Social Psychologist at Stanford University, suggests that these associations are bidirectional, indicating that various thoughts, emotions, and concepts are often associated to ethnicity and race. While mental mapping is essential to the human experience, implicit bias studies have demonstrated a societal problem of correlating race and crime together (*Eberhardt, Goff, Purdie, Davies, 2004*).

Most police officers have good intentions and try to perform their jobs fairly without allowing bias to affect their actions; however, they may be more susceptible to stereotype-biased judgements because they are often operating under stressful and ambiguous circumstances. With limited time to make decisions and react, the mental associations linking social groups and concepts (e.g. Blacks and other minorities with violence and crime) are likely to influence their actions. Over time this can lead to a racial disparity for rates of stops, searches, arrests, and use of force.

INTERVENTIONS

Dr. Lori Fridell, author of “Producing Bias-Free Policing: A Science-Based Approach”, states “Because police are human, they have biases; because they have biases, every agency needs to be proactive in producing bias-free policing.” Research has provided great insight into the causes of biased policing, and although most intervention programs lack the evidence needed to prove their effectiveness and sustainability, social psychologists encourage law enforcement agencies to engage in the interventions below:

1. **Training Officers-** Many law enforcement agencies now provide trainings on concepts that include racial/implicit bias, community-oriented policing, and cultural competence. This is the most feasible intervention, however, there is little evidence to support the effectiveness of such programs and they are not systematically evaluated (Paluck & Green, 2009). In addition to training required for all City employees, SFPD implemented mandatory training for topics including: Implicit Bias, Procedural Justice/Principled Policing, Critical Mindset and Coordinated Response (CMCR), and Crisis Intervention. Since 2019, 1,329 SFPD officers (58.6%) have completed CMCR training which has provided them methods to improve critical decision making to resolve high-risk interactions.
2. **Policy Changes to Reduce Discretion-** Policies can be changed to reduce the amount of discretion officers have in their decisions involving civilians. This intervention reduces the probability that stereotypes will influence officers’ behaviors. In 2016, Department General Order 5.01, Use of Force, was updated to prohibit the use of the carotid restraint and shooting at moving vehicles as well as made the pointing of a firearm a reportable use-of-force incident. It is currently also being amended to require additional tracking to include when an officer exhibits or draws a firearm but is not pointed at a subject.

In addition, SFPD has updated Department General Order 5.17, which instructs officers to be cognizant of “bias by proxy” which occurs when a civilian places a racially motivated call for service. This amendment is the first of its kind in California and is the final stages of approval

3. **Intergroup Contact-** One of the most feasible, effective interventions is to engage in non-negative contact with members of other ethnic groups (i.e., developing affinity through familiarity). Recent findings of intergroup studies suggest that meeting the four following criteria leads to the greatest reduction in bias: equal status between the two groups, common goals, intergroup cooperation, and support of the authorities. These factors (along with institutional support in the form of structured programming) will reduce racial bias and improve community relations (Pettigrew & Troop, 2006). SFPD’s Community Engagement Division was reorganized in 2017 to more effectively promote community policing and proactively engage communities through relationship building, community events, and working with leaders on a variety of special programs. Several initiatives were developed and/or expanded including the reimplementation of the Chief’s Advisory Forums. These forums, which represent the many diverse communities within the City, meet regularly with the Chief of Police to discuss concerns and develop solutions to issues specific to their communities. In the second quarter of 2020, Chief Scott engaged with various community groups following the George Floyd incident to provide information, discuss police reform efforts, answer questions from the community, listen to community members, and discuss ways that SFPD and the community could work together.
4. **Collecting Data and Adopting New Technology-** Collecting data on civilian stops and use of force with subject demographics allows law enforcement leaders to have more robust data to help understand the scope of bias within their departments. This intervention has become more prevalent within recent years but there are still challenges with how the data is being analyzed (Glaser, Spencer, Charbonneau, 2016). SFPD began tracking and reporting use of force and stop data in 2016 as required by the passing of the local ordinance establishing Administrative Code Chapter 96A. In 2018, the local reporting requirements were changed to align with those of the State mandated under AB 953, the Racial and Identity Profiling Act of 2015. At that time, the Department adjusted data collection practices and reporting guidelines to meet these requirements.

5. **Stereotype Replacement-** The practice of identifying responses that are based on stereotypes and reflecting on why it occurred and replacing it with an unbiased response.
6. **Banning Racial Profiling-** Most agencies have explicitly banned racial profiling but this is hard to enforce and may also be ineffective, as officers may still engage in this behavior. The Department has long had a best-practice policy that prohibited biased policing and has sent an even further improved policy, developed with input from community stakeholders, to the Police Commission for consideration.
7. **Individuation-** The process of learning specific information about your colleagues and friends of a different ethnic group. This prevents stereotypic assumptions and enables positive associations based on personal relationships.
8. **Diversifying Police Force-** Having a diverse department can help strengthen community relations and promote individuation. Diversity does not only refer to race and gender, it includes other characteristics such as religion, language, sexual orientation, and cultural background. SFPD prides itself on the diversity among the personnel in the Department, and is constantly seeking ways to continue to grow the numbers and include all types of people among the workforce. Efforts to diversify the SFPD workforce have resulted in an applicant pool of recruits entering the Police Academy that averaged 71% non-white between the years 2016-2019; a drastic increase from the 48% average from 2007-2016.
9. **Rotating Police Assignments-** This process would provide officers with more opportunities to interact and develop relationships with members of the community who come from different racial and cultural backgrounds.

With all of these efforts in place for several years in the San Francisco Police Department, several indicators have emerged suggesting that improvements have been made since the Department was reviewed by the US Department of Justice.

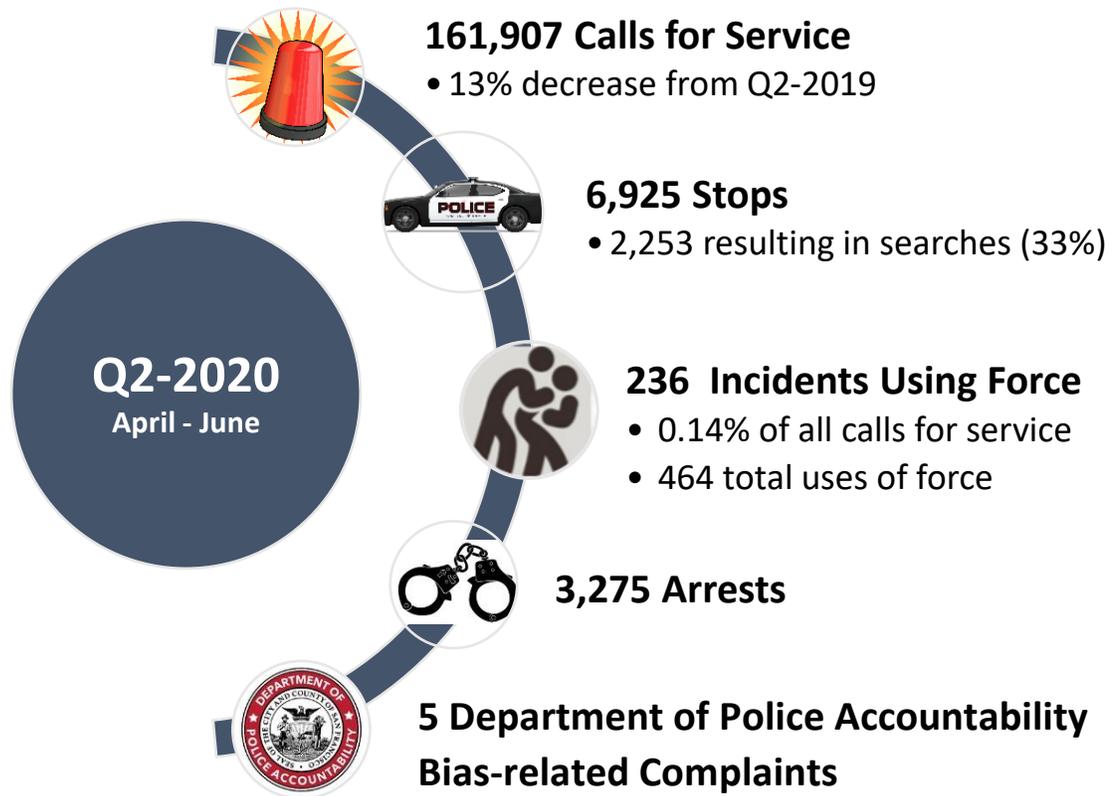
- I. Since the 1st quarter of 2016, total uses of force has decreased by 53% (952 to 451). More specifically, pointing of a firearm has decreased by 67% (648 to 213).
- II. When the USDOJ reviewed the Department, they found that search rates among African Americans were much higher than Whites, while the yield rates from these searches were much lower for African Americans than Whites. As shown by data contained in this report, this is no longer true. SFPD is encouraged by this as an indicator that officers are relying on behaviors of those they interact with to determine the type and level of enforcement necessary. SFPD believes that the training and policies, and resulting increased awareness, has driven these results.

- III. Continued incremental reductions in the representation of African Americans among those stopped, searched, arrested, and in which force was used against them.

The San Francisco Police Department will continue to take the necessary steps to address the issue of biased policing. The Department understands that implementing interventions will increase awareness and result in a substantial reduction of the effects of implicit bias throughout our workforce. As leadership continues to re-evaluate policies and seek new, innovative ways to better serve our diverse communities, we look forward to building new partnerships with experts in the field so that we can develop a better understanding of this ongoing issue.

REFERENCES

- Eberhardt, J.L., Goff, P.A., Purdie, V.J. (2004). Seeing Black: Race, Crime, and Visual Processing. *Journal of Personality and Social Psychology*
- Glaser, J., Spencer, K.B., Charbonneau, A.K (2016). Implicit Bias and Policing. *Social and Personality Psychology Compass*
- Staats, C., Capatosto, K., Tenney, L., Mamo, S. (2017). State of the Science: Implicit Bias Review 2017 Edition.
- Pettigrew, T.F., Tropp, L.R. (2006). A Meta-Analytic Test of Intergroup Contact Theory. *Journal of Personality and Social Psychology*
- Fridell, L. (2017). Producing Bias-Free Policing: A Science- Based Approach
- Paluck, E.L., Green, D.P., (2009). Prejudice Reduction: What Works? A Review and Assessment of Research and Practice
- Payne, B.K., Cheng, C.M., Govorun, O., Steward, B.D. (2005). An Inkblot for Attitudes: Affect Misattribution as Implicit Measurement. *Journal of Personality and Social Psychology*



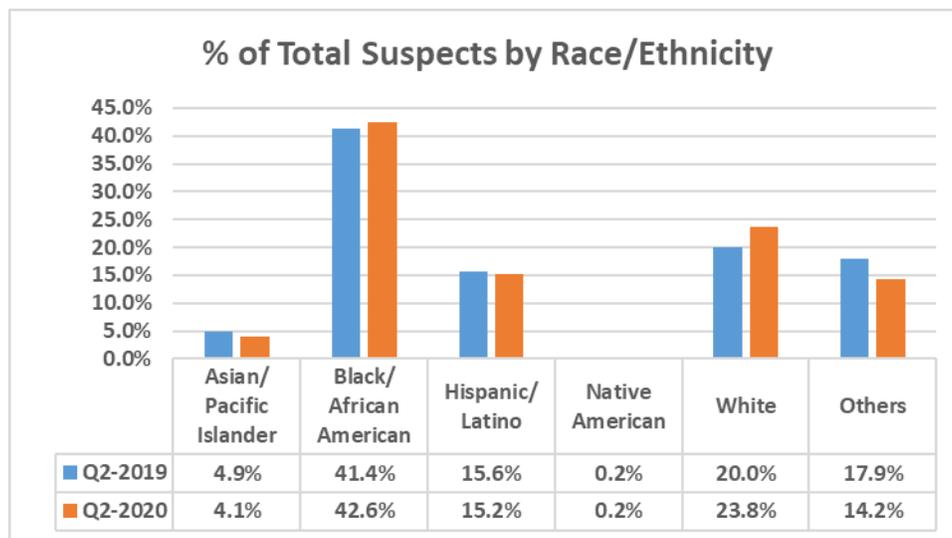
On March 7, 2020, Mayor London Breed and the San Francisco Department of Public Health issued a Public Health Order due to the COVID-19 pandemic. The order prohibited large events and public gatherings, and was followed by a second order directing all San Francisco residents to shelter in place, except for essential business purposes. Due to this situation, an overall decline in stops, searches, crimes, arrests, and calls for service, occurred during Q2-2020.

On May 31, 2020, Mayor Breed declared a Local Emergency following nation-wide protests for the death of George Floyd. Peaceful protests were held throughout the city, however there were also many incidents of violence and vandalism. Mutual aid was provided from state wide law enforcement agencies to assist in the response to civil unrest, looting and property damage during the period: 05/31/20 – 06/06/20.

SUSPECTS OBSERVED AND REPORTED

The suspect information provided includes descriptions that are generated by members of the public or observed by department members, and documented in police incident reports.

SUSPECTS by Race/Ethnicity					
April 1, 2020 - June 30, 2020					
DESCRIPTION	April	May	June	Q2 2020	% of Total Suspects Q2 2020
Asian/ Pacific Islander	78	86	80	244	4.1%
Black/ African American	703	905	923	2531	42.6%
Hispanic/ Latino	280	309	313	902	15.2%
Native American	2	4	4	10	0.2%
White	430	487	497	1414	23.8%
Others	267	312	268	847	14.2%
Total	1,760	2,103	2,085	5,948	100.00%

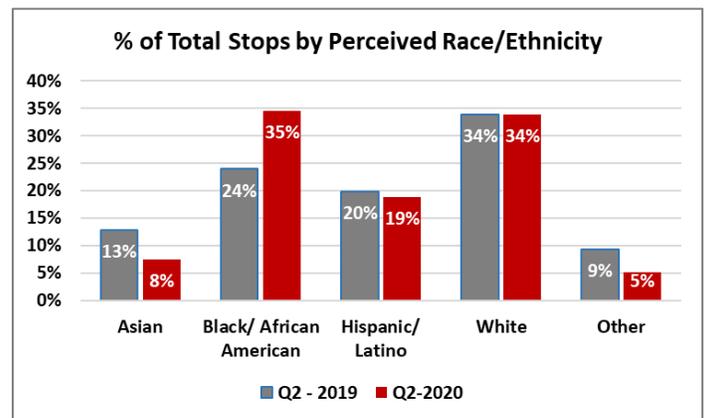
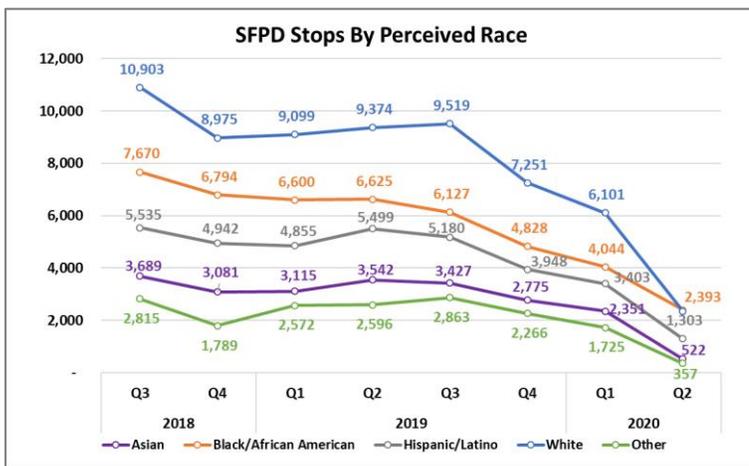


Note: Subject data is extracted from incident reports via the Person Schema of Crime Data Warehouse via Business Intelligence tools.

Search criteria includes results in which Person Type = "Suspect." Records with Unknown Race/Ethnicity data are not included.

STOPS AND SEARCHES – Sec. 96A.3(a)

A total of 6,925 stops were recorded during Q2-2020, a 75% decrease from the prior year. Of those stops, 2,253 resulted in searches (33%). Black/African American subjects accounted for 35% of all stops and 37% of all searches. White subjects accounted for 34% of stops and 33% of searches.



Perceived Race / Ethnicity	STOPS			SEARCHES		
	Q2-2019 (n=27,636)	Q2-2020 (n=6,925)	%Δ from Q2-2019	Q2-2019 (n=4,869)	Q2-2020 (n=2,253)	%Δ from Q2-2019
Asian	12.8%	7.5%	-41.2%	6.4%	5.3%	-17.6%
Black/ African American	24.0%	34.6%	44.1%	39.6%	36.5%	-7.7%
Hispanic/ Latino	19.9%	18.8%	-5.4%	21.8%	21.6%	-0.7%
White	33.9%	33.9%	0.0%	28.7%	33.1%	15.4%
Other	9.4%	5.2%	-45.1%	3.6%	3.5%	-3.1%

Note: "Perceived" identifiers are used to categorize demographic information specific to Stop Data Collection System

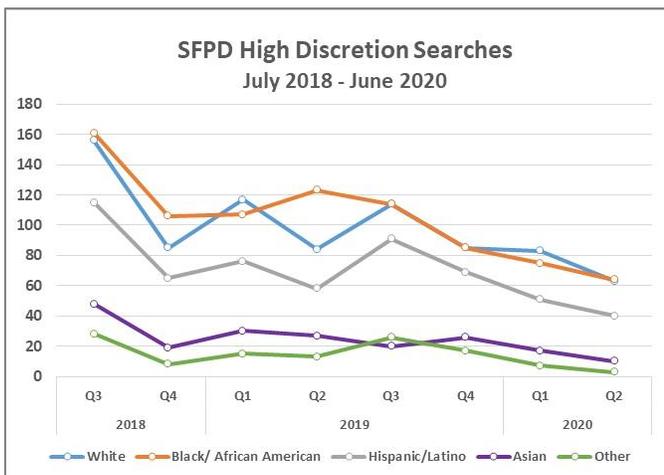
SEARCHES BY LEVEL OF DISCRETION – Sec. 96A.3(a)

The Department classifies the various types of searches into three categories: high discretion searches, required searches, and other searches. High discretion searches are those that require an officer to ask and receive consent to search. Consent given searches are those where officers have the most flexibility in determining who to search, and include only those occurrences where consent is the only basis provided. Required searches include those that occur as a result of a search warrant, arrest or vehicle inventory. Other searches have a variable range of discretion and include reasons such as officer safety, suspected weapons, visible contraband, evidence of crime, etc.

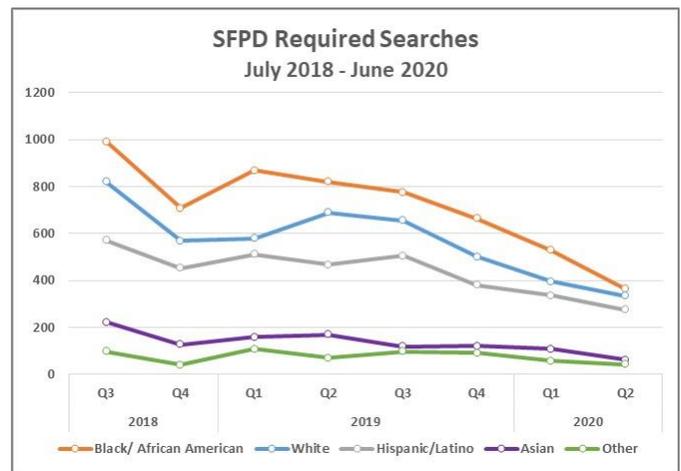
High Discretion Searches	Required Searches*	Other Searches
<ul style="list-style-type: none"> ▫ Consent given 	<ul style="list-style-type: none"> ▫ Search warrant ▫ Incident to arrest ▫ Vehicle Inventory 	<ul style="list-style-type: none"> ▫ Officer safety/safety of others ▫ Suspected weapons ▫ Visible Contraband ▫ Odor of contraband ▫ Canine detection ▫ Evidence of crime ▫ Emergency ▫ Suspected violation of school policy ▫ Condition of parole/probation/ PRCS/ mandatory supervision

Incidents with more than one cause for search may be included in multiple categories. There were 2,253 total searches conducted in Q2-2020:

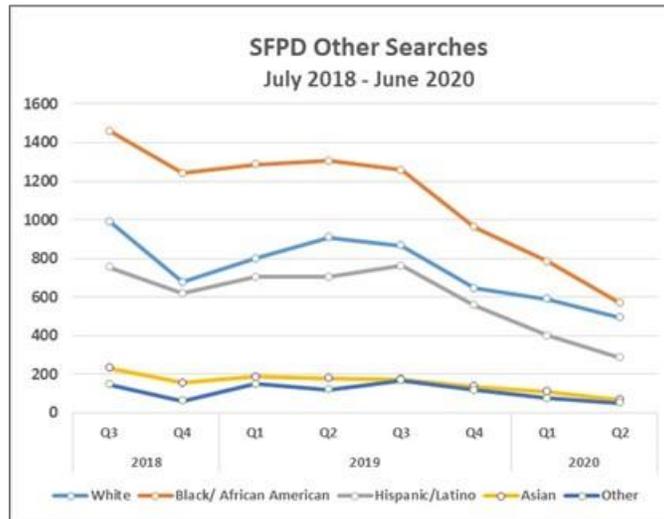
- High Discretion Searches: 180 (8%)
- Required Searches: 1,075 (47%)
- Other Searches: 1,470 (65%)



High discretion searches have decreased 41% overall since Q2-2019.

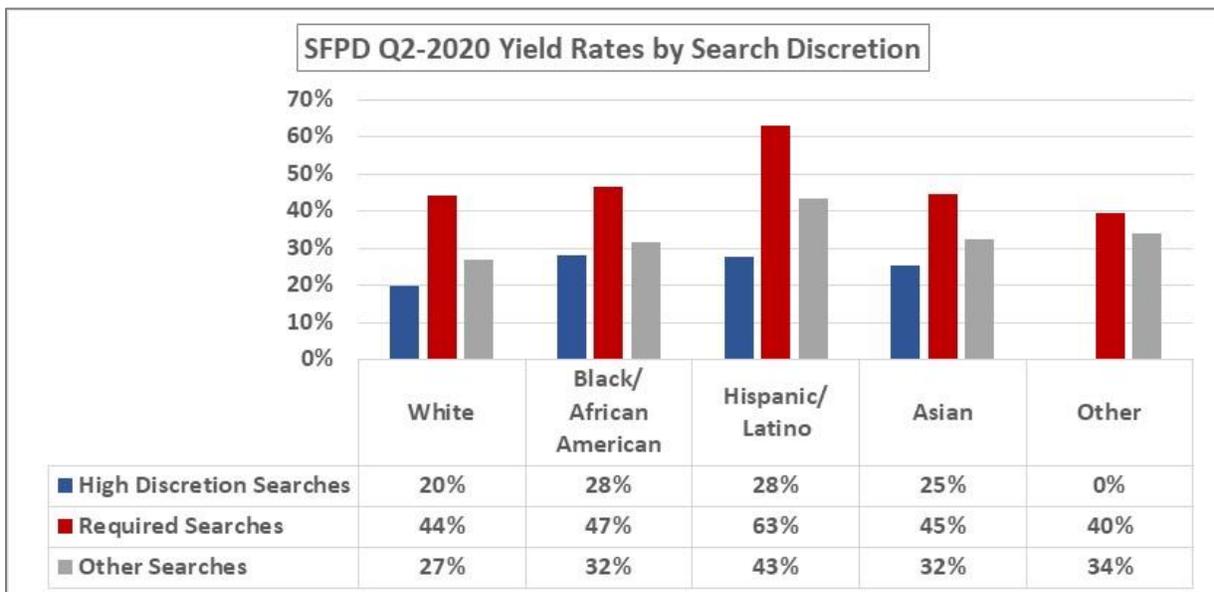


Required searches have decreased by 51% overall since Q2-2019.



Other searches have decreased 54% overall since Q2-2019.

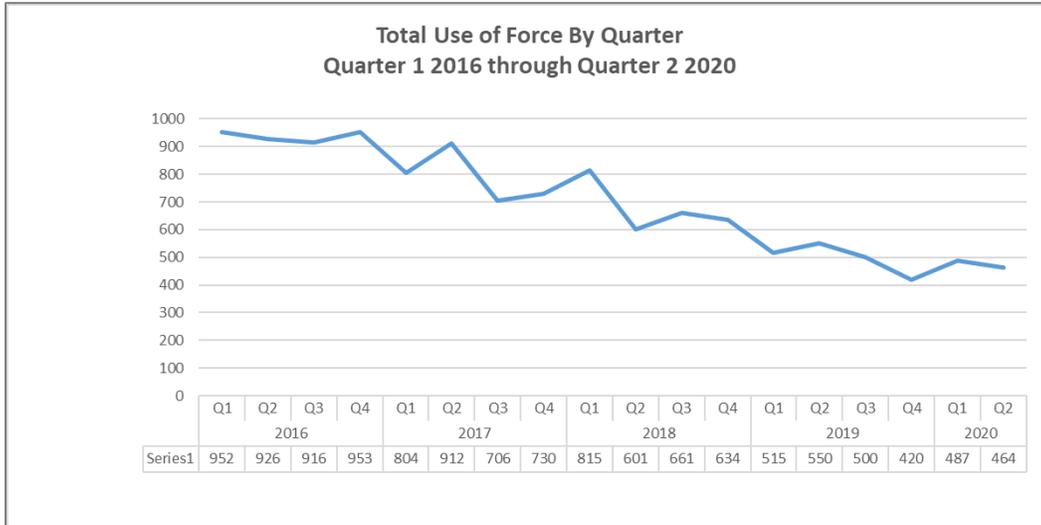
SEARCH YIELD RATES



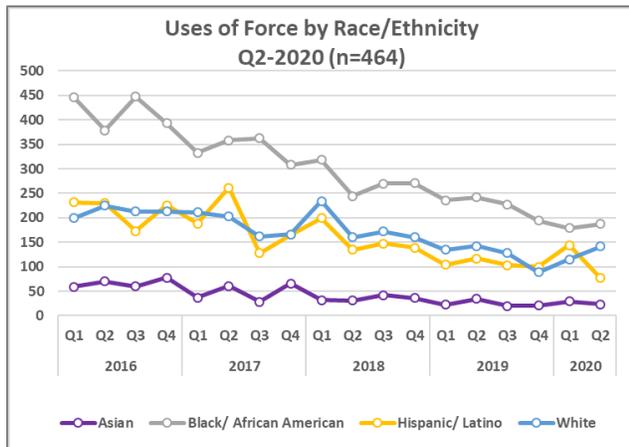
- Total yield rate for all searches was 36%
- Total yield rate of “High Discretion” searches was 26%
- Total yield rate of “Required Searches” was 50%
- Total yield rate of “Other Searches” was 34%

USE OF FORCE – SEC. 96A.3(b)(1)

Since the 1st quarter of 2016, total uses of force have decreased by 51% (952 to 464). More specifically, pointing of a firearm has decreased by 66% (648 to 221).



During the 2nd quarter of 2020, the Department responded to 161,907 total calls for service. Department officers were assaulted 45 times and force was used in 236 incidents which represented 0.14% of all calls for service. Of those 236 incidents, force was used 464 times by 255 officers against 313 subjects. **No uses of forces resulted in death during the 2nd quarter of 2020.**



Race/Ethnicity	Uses of Force Q2-2019 (n=548)	Uses of Force Q2-2020 (n=451)	%Δ from 2019
Asian	6%	5%	-1%
Black/African American	44%	40%	-4%
Hispanic/Latino	21%	17%	-5%
White	26%	30%	5%
Other	3%	8%	5%

40% of the total uses of force were against Black/African American subjects, 30% were against White subjects, and 17% were against Hispanic/Latino subjects.

TYPES OF FORCE USED

Total Uses of Force decreased by 16% from the second quarter of 2019. Pointing of a firearm, physical control, ERIW, and striking by object/fist are the top four types of force used and account for 93% of total Uses of Force.

Uses of Force	Q2-2019	Q2-2020	% Change
Pointing of Firearms	275	221	-20%
Physical Control	153	92	-40%
ERIW	13	72	454%
Strike by Object/Fist	62	45	-27%
OC (Pepper Spray)	21	16	-24%
Impact Weapon	18	17	-5%
Others	8	1	-86%
Total	550	464	-16%

USE OF FORCE RESULTING IN DEATH – SEC. 96A.3(b)(2)

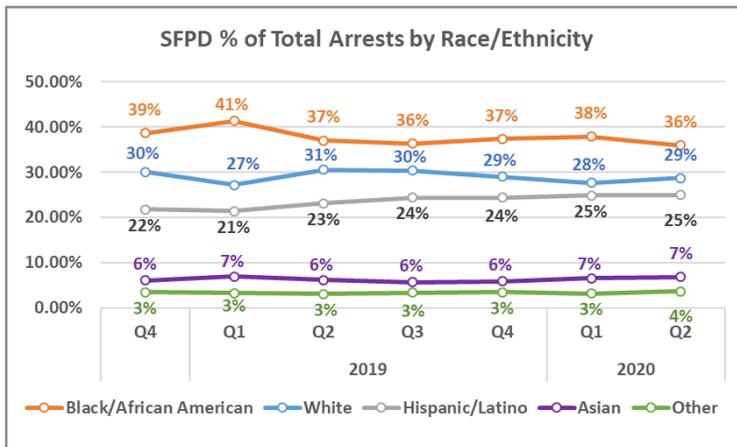
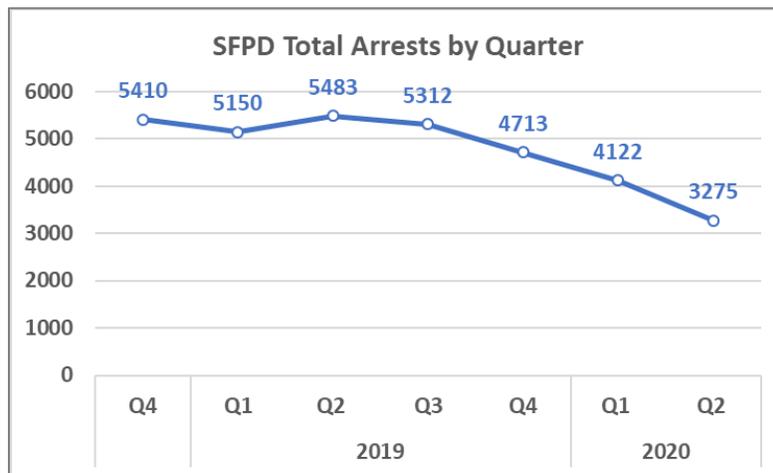
There were no Use of Force incidents or Officer Involved Shootings (OIS) resulting in death during the 2nd quarter of 2020. Although not a requirement of Chapter 96A, the following officer involved shooting, which did not result in the death of a subject, is included in the interest of transparency.

Case #	Subject Name:	Race/Sex:	Date:	Time:	Location:
200251504	O'Bannon, Thomas	BM	04/21/20	06:37	540 Jones St.
Original Call:			Officers Using Force		Total # of Uses of Force
Person with a knife (219)			13		16

On April 21, 2020, at approximately 6:36 AM, officers responded to a call on the 500 block of Jones Street regarding a report of a person with a knife. Officers arrived on scene and made contact with the subject who was armed with a weapon. During this contact, an officer-involved shooting occurred. A foot pursuit ensued and the subject ran into a building on the 300 block of Ellis Street and barricaded himself inside the building. The SFPD Tactical Unit and the Crisis/Hostage Negotiation Team arrived on the scene to assist with resolving the incident peacefully.

ARRESTS – SEC96.A.3(c)(1)

There were 3,275 arrests during the Q2-2020, a 40% decrease from Q2-2019. White subjects accounted for 29% of all arrests, while Black/African American subjects accounted for 36%.



Percentage of Total Arrests			
Race/ Ethnicity	Q2-2019 (n=5,483)	Q2-2020 (n=3,275)	%Δ from 2019
Asian	6%	7%	1%
Black/ African American	37%	36%	-1%
Hispanic/Latino	23%	25%	2%
White	31%	29%	-2%
Unknown	3%	4%	1%

* Detailed data regarding age groups and gender can be found in the full report

ARRESTS BY DISTRICT

It's important to note that arrests made by Department members at San Francisco International Airport are investigated by, and reported as part of San Mateo County data and are not included in the City totals. The "Outside SF" category includes arrests made by Department members outside the jurisdiction of the City and County of San Francisco.

District	Q2 2019	Q2 2020	% change
Co. A - Central	746	428	-43%
Co. B - Southern	659	518	-21%
Co. C - Bayview	462	323	-30%
Co. D - Mission	921	472	-49%
Co. E - Northern	518	399	-23%
Co. F - Park	249	84	-66%
Co. G - Richmond	221	133	-40%
Co. H - Ingleside	393	214	-46%
Co. I - Taraval	279	142	-49%
Co. J - Tenderloin	958	541	-44%
Outside SF	77	21	-73%
Total	5,483	3,275	-40%

DEPARTMENT OF POLICE ACCOUNTABILITY – SEC 96A.3(f)

The Department is required to obtain information from the Department of Police Accountability (DPA) relating to the total number of complaints received during the reporting period that it characterizes as allegations of bias based on race or ethnicity, gender, or gender identity. The Department also is required to include in its report the total number of complaints DPA closed during the reporting period that were characterized as allegations of bias based on race or ethnicity, gender, or gender identity, as well as the total number of each type of disposition for such complaints.

Cases Received in Q2-2020

Type of Case	# of Cases
Racial Bias	5
Gender Bias	0
Both Racial and Gender Bias	0
TOTAL	5

5 officers were named for allegations of racial bias.

Case Closures and Dispositions in Q2-2020

Type of Case	Sustained	Mediated	Unfounded	No Finding	Insufficient Evidence	Proper Conduct	Referral	TOTAL
Racial Bias	0	1	1	2	2	1	1	8
Gender Bias	0	1	0	0	0	0	0	1
Both Racial and Gender Bias	0	0	0	0	0	0	0	0
TOTAL	0	2	1	2	2	1	1	9

9 Officers were named in those 9 cases.

* Closures include cases received in previous quarters.

BIAS-RELATED COMPLAINTS RECEIVED BY SFPD, AND INVESTIGATED BY THE DEPARTMENT OF HUMAN RESOURCES

As part of the Department’s commitment to transparency, the Department also reports on all bias-related complaints received by the Department and forwarded to the Department of Human Resources (DHR) for investigation. Closed cases may include complaints received in previous quarters. Bias-related complaints are referred to as Employment Equal Opportunity (EEO) cases by DHR.

Q2-2020 Bias Cases Received

EEO Cases Received	Q2-2020
Age / Race / Religion and Gender Discrimination	0
Disability Discrimination	1
Hostile Work Environment	0
Gender Discrimination	1
Race Discrimination	1
Race / Sex Discrimination	0
Retaliation	1
Sexual Harrassment	0
Sexual Orientation	1
Total	5

5 employees were named in the above cases

Q2-2020 Case Closures and Dispositions

Type of Case	Administrative Closures			Sustained	TOTAL
	Respondent Counseled	Rejected	Insufficient Evidence		
Gender Discrimination	0	0	1	0	1
Medical Discrimination	1	0	0	0	1
Race Discrimination	0	0	2	0	2
Sexual Harassment	1	0	0	0	1
Harassment/ Non-EEO	0	1	0	0	1
TOTAL	2	1	3	0	6

Source: SFPD Risk Management EEO Quarterly Report



DATA SOURCES: San Francisco Police Department's Crime Data Warehouse, accessed via Business Intelligence Tools; San Francisco Police Department Early Intervention Systems Administrative Investigative Management Database; San Francisco Police Department Airport; San Francisco Police Department Internal Affairs/Equal Employment Opportunity Division; San Francisco Department of Emergency Management; San Francisco Department of Police Accountability; California Department of Justice Stop Data Collection System

Notes:

Use of Force data was queried on July 22, 2020. Any incidents not entered into the EIS database (via BI Tools) on that date were not available for inclusion in this report

Crime Data Warehouse Incident Database was used for the arrest data included in this report. San Francisco Police Department does not have an arrest database. Approximately 2% of arrests are duplicates. This is where an arrestee is entered on a supplemental report differently than the original incident report. District counts use the "District" field from the Incident Division Occur Dimension, which is not necessarily the actual district of arrest. District of Arrest is not available. This report includes a count of persons booked or cited for an incident in which an initial or supplemental report listed an occurrence date value within the queried quarters. Actual Date of Arrest for persons booked or cited is not available. Not all citations are included in Crime Data Warehouse - only those in which an incident report was generated.