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CITY AND COUNTY OF SAN FRANCISCO
POLICE DEPARTMENT
HEADQUARTERS
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WILLIAM SCOTT
CHIEF OF POLICE

March 5, 2021

Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B Goodlett Pl
San Francisco, CA 94102

President Walton and Members:

Re: S.F. Administrative Code 19B.7, Exigency Report: Interagency Operation and Unmanned Aerial Support (UAS/Drone) Involvement on January 5, 2021

SF Admin Code 19B (“19B”) was enacted in August 2019. Under 19B.7, the Department is required to summarize the acquisition or uses of Surveillance technology under exigent circumstances. While the SFPD did not operate, use, acquire, borrow, or manage the use of Surveillance technology on January 5, 2021, the Department did benefit from support provided by the Alameda County Sheriff's Office (ACSO) when executing a high-risk search warrant on January 5, 2021, and we are providing this information out of an abundance of caution. We do not believe this activity falls within 19B.2.

On January 5, 2021, ACSO members operated an Unmanned Aerial Support (UAS) owned by their Department. At no time did SFPD members operate, use, or acquire, borrow, or manage the UAS directly, but SFPD members did benefit from situational awareness observations and information provided by ACSO’s UAS. The observations were communicated by ACSO members to SFPD via public safety communication radio channels.

As the Department partnered with ACSO and a surveillance technology, as defined by SF Admin Code 19B, was present during this operation the Department is issuing a 19B.7. Exigency Report to the Board of Supervisors.

As required, this exigency report will provide an overview to confirm the following:

- Use of the Surveillance Technology was solely to respond to an exigent circumstance within the meaning of 19B.1
- The use of the Surveillance Technology ceased within seven days
- Data from the Surveillance Technology was not retained by SFPD
- Data from the Surveillance Technology was not disclosed to a third party

Use of the Surveillance Technology was solely to respond to the exigent circumstance:

Per SFPD General Order 5.14, SFPD Tactical Unit submitted an interagency operations request to the Alameda County Sheriff's Office (ACSO) for assistance with serving a high-risk search warrant of a subject in Oakland, Ca. An SFPD investigation determined that the subject of the warrant was suspected of committing violent felony crimes in San Francisco. Due to certain factors derived from the investigation, this was determined to be a high-risk operation. The following are some of the factors that rendered execution of the search and arrest warrant as a high-risk operation that warranted a well thought out plan as the threat and risk assessment is high:

1. The warrant was to be served on individuals allegedly involved in a felony armed robbery where a firearm and knife were used.
2. The firearm used in the crime was not recovered and presumed to still be with the suspects.
3. It was determined that the terrain at the rear of the target location of the search warrant execution did not allow for containment; the failure to contain target locations during high-risk search warrants can contribute to suspects evading arrest/detention, use of force between officer and subject, loss of evidence and can put neighboring residents in danger.
4. The presence of dogs in all the adjacent rear yards compromised the safety of the Containment and Entry Teams and presented the undesirable potential of an additional security threat if the dogs behave in a dangerous or vicious way.

On January 5, 2021, the SFPD Tactical Unit executed the high-risk search warrant where the use of the ACSO UAS was necessary to protect or save lives of not only the subject of the warrant but of neighbors, bystanders, or officers and was deployed as subject did not initially comply. The ACSO UAS provided an ability to observe a location which was inaccessible by officers due to terrain and proximity to neighbors or potential bystanders; create time and distance between subjects and officers if circumstances escalated or intensified, and; to mitigate risk to members of the public if suspects were to flee from the rear exit. This situation was an emergency involving imminent danger of death or serious physical injury to the subject of the warrant, the community, and law enforcement officers involved in the execution of the search warrant.

The use of the Surveillance Technology ceased within seven days:

ACSO operated the UAS and were able to provide situational awareness information to SFPD Tactical Unit members via radio communications which allowed a proportional response from SFPD, resulting in the safe surrender of the subject. No injuries were sustained by the subject of the warrant, bystanders or officers involved.

The SFPD Tactical Unit benefited from the radio communications from ACSO to SFPD based on live optical information from the ACSO UAS for 35 minutes on January 5, 2021. SFPD and its Tactical Unit did not receive any additional information from the ACSO UAS outside the 35 minutes of its deployment for this specific operation.

Data from the Surveillance Technology was not retained:

ACSO deployed their UAS for situational awareness during a high-risk warrant service only. No information was used for evidence or investigative purposes. The ACSO UAS did not transmit still photo or surveillance video to SFPD and as such there was no data retained from the UAS during this operation. ACSO transmitted all situational awareness information that the UAS provided to them over public safety radio communication.

Data from the Surveillance Technology was not shared with a Third-Party:

ACSO shared their observations from their UAS camera with SFPD over radio communications. As radio communications were the mechanism used for data sharing, there was no other way for SFPD to retain, file or share information from the Surveillance Technology with another party.

This written report summarizes the acquisition and/or use of Surveillance Technology under Section 19B.7 to the Board of Supervisors within 60 days following the inception of the exigent circumstances.

Respectfully submitted,



WILLIAM SCOTT

Chief of Police

cc: Police Commission
SF Committee on Information Technology