

From: [Gabriel Martinez](#)
To: [REDACTED]
Subject: Recommendation 11.2
Date: Tuesday, February 2, 2021 8:48:40 AM

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Dear Acting Captain Altorfer,

Our office has completed its review of the materials related to Recommendation 11.2 that were submitted to us as part of the collaborative reform process. This package focused on SFPD reviewing and implement lessons learned from firearm discharge incidents in training and policy. After reviewing the package and information provided by the Department, the California Department of Justice finds as follows:

Recommendation 11.2: SFPD should update existing programs and develop training to address policy gaps and lessons learned. The Training and Education Division should work with the FDRB (Firearm Discharge Review Board) and Homicide Detail to create a presentation to inform Department personnel about key issues that contribute for officer discharge incidents and to help mitigate the need for firearm discharge incidents.

Response to 11.2: On May 9, 2019, SFPD published Department Bulletin 19-100, “New Training Division Unit: Field Tactics / Force Options.” The Bulletin established the Field Tactics / Force Options Unit (FTFO) within the Training Division. Under the Bulletin, the FTFO will provide training-based analysis of use of force incidents, including firearm discharges. The FTFO’s Procedural Manual specifies that any incident subject to formal review (including the Firearm Discharge Review Board) will be reviewed by FTFO for analyzing SFPD training needs.

The FTFO writes incident summary reports that include a review of the involved officer’s training, a review of the use of force and tactics, and recommendations for trainings/suggestions for alternative actions. The review board spans relevant personnel across the organization, and includes representatives from FTFO, the Crisis Intervention Team, and Rangemaster (for incidents involving firearms). The FTFO analysis is presented to Command Staff members and investigators at the Firearm Discharge Review Board.

SFPD has continued to review and make updates to training to cover any gaps or refresher courses it identifies as needed, such as implementing a Limited English Proficient scenario in the Critical Mindset Coordinated Response training and issuing Active Attacker and Traffic Stop trainings and materials in March of 2020. SFPD also implements policies supporting these trainings as well as addressing policy gaps, such as issuing Department Notice 19-224, “Communication Priorities,” (issued November 18, 2019) addressing radio communications issues raised in an FTFO review, and Department Notice 20-011, “Modifications to California's Use of Force Standard (AB 392),” (February 3, 2020), integrating new State use-of-force requirement in SFPD policy.

Based upon all the above, the California Department of Justice finds that SFPD is in

substantial compliance with this recommendation. Please let us know if you have any questions or would like to discuss further. Thank you.

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Finding #11: The Firearm Discharge Review Board is limited in scope and fails to identify policy, training, or other tactical considerations. The FDRB is a good practice but has devolved to essentially determining whether the shooting officer's actions were consistent in policy. However, several other layers of authority also conduct this determination. The FDRB is better served following its policy mandate to ensure that the Department is continually reviewing its training, policy, and procedures as they relate to officer-involved shooting incidents.

Recommendation # 11.2: SFPD should update existing programs and develop training to address policy gaps and lessons learned. The Training and Education Division should work with the FDRB and Homicide Detail to create a presentation to inform Department personnel about key issues that contribute for officer discharge incidents and to help mitigate the need for firearm discharge incidents.

Response Date: 08/26/20

Executive Summary:

The San Francisco Police Department formally launched the Field Tactics Force Options (FTFO) Unit in May 2019. **[Attachment #1: "DB 19-100, New Training Division Unit: Field Tactics / Force Options."]** DB 19-100 states, "The FTFO Unit is responsible for providing training oversight, consistency and guidance with respect to the application of field tactics and force options by sworn members during encounters with suspects." In addition, the FTFO Unit is responsible for the review of specific critical incidents, including Officer-Involved Shootings and Officer-Involved Discharges. **[Attachment # 2: "FTFO Procedural Manual."]**

The unit reviews the incidents to assess the tactical and use of force decisions, to determine if actions taken were consistent with training and expectations, and to identify and address individual and/or organizational training deficiencies. The analysis is vetted with all training disciplines, when the various training silos review and contribute to the consensus analysis and recommendations that are derived from such reviews.

[Attachment #3A: "Sample FTFO Interdisciplinary Review Meeting" and Attachment #3B: "FTFO Incident Review 19-008"] These reviews may result in identification of training issues that are addressed in a variety of ways. For example, Department Notice 19-224, "Communication Priorities" addresses issues raised by the FTFO review in the attached sample. **[Attachment # 4: DN 19-224, "Communication Priorities"]**

In addition, the involved officer(s), along with other officers and supervisors who responded to the critical incident, are brought together and provided with "refresher training" to discuss and review tactical principles; introduce new policies and techniques; and address other



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issues that may be relevant. **[Refer to Section D of “FTFO Procedural Manual.” (Attachment #2)]**

Scenarios and discussions used in FTFO courses are frequently adjusted to address identified concerns. For example, when Body Worn Camera (BWC) manipulation was deficient in an OIS incident, inert BWC’s were added to the Department simulators, so officers could practice their manipulation under stressful conditions.

The FTFO’s analysis is presented to Command Staff members and investigators at the Firearm Discharge Review Board, which reviews all SFPD Officer Involved Shootings and Discharges.

Compliance Measures:

1) Coordination amongst the identified groups to ensure the outcomes for this recommendation.

The Homicide Detail once performed a criminal investigation of the officer involved in OIS incidents. This function is now performed by the Office of the District Attorney, which is not under the auspices of the San Francisco Police Department; is not compelled to share information with the agency under investigation; and has no direct connection to the SFPD Training Division.

Available materials for review are provided to the FTFO Unit/Training Division by the Internal Affairs Division. IAD and FTFO maintain open lines of communication, coordinating scheduling and information, with sensitivity for protecting the integrity of the respective administrative-policy analysis and the administrative-training review. Training recommendations derived from this process are forwarded and presented to the only after they have been vetted through the various training disciplines of the Training Division.

Completed reviews are shared with Risk Management after interdisciplinary training review, through the process of the Firearms Discharge Review Board.

2) Ongoing review of discharge incidents.

The Field Tactics Force Options Unit is tasked with reviewing critical incidents, including Officer-Involved Shootings and Officer-Involved Discharges, from the perspective of training. Individual and organizational lessons are identified. This results in adjustments to training, refresher training and announcements, or policy or tactics. The review may also validate the efficacy of current training or techniques. **[Refer to Attachment # 2, FTFO Procedural Manual.]**



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3) Update of existing programs or policies, as needed.

Training programs and policies related to use of force are updated to reflect changes in law, priorities, and/or changes in tools or techniques. Sergeant Bugarin's email directing a scenario modification in the IACP-acclaimed Critical Mindset Coordinated Response (CMCR) course is an example of this. **[Attachment #5, "Email - Scenario Change – LEP"]**.

Another example of policy review and updated training in response to changes in California use of force laws is the AB392 response. The FTFO Unit prepared analysis of the revised law and its corresponding effect on policy. A notice was developed and distributed to all members **[Attachment # 6, DN 20-011]**. In addition, the unit has presented training based on a POST-certified update course to introduce the concepts and standards of the new law to members. **[Attachment #7, AB392 Course Announcement]** The unit simultaneously updated its existing use of force training course to accurately incorporate and promote changes in the law, including CMCR, LD 20-Use of Force/De-Escalation, and Force Options Simulations.

4) Develop training to address policy gaps and lessons learned when needed.

As the AB392 and CMCR course examples above illustrate, training is developed to address gaps and lessons related to use of force training, including the use of firearms.

5) Evidence of presentations aimed at informing SFPD members.

Attachment #5, ("Email - Scenario Change – LEP"), Attachment # 6, [DN 20-011], and Attachment # 7, [AB392 Course Announcement] are examples of presentations aimed at informing SFPD members, as is Attachment 4, which addressed a communications concern identified in during an OIS review by the FTFO Unit; as well videos prepared by the unit to address high risk circumstances frequently associated with use of lethal force incidents.

- **Attachment # 8A (Active Attacker Video);**
- **Attachment # 8B (Department Bulletin 20-025, Active Attacker Training Video);**
- **Attachment # 8C (Active Attack Training Power Point Slides Highlights;**
- **Attachment # 8D (Active Attack Response Sheet); and**
- **Attachment #9 (Traffic Stops Video)**



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The unit also provides “Office Hours” training for units—both in house or roll call—to present updates and new information. [Attachment #10 Open Hours presentation curriculum] Information produced both internally and by nationally recognized subject matter experts is also statically presented to members on department computer desktops.

- Attachment # 11A, VRP Folder on Department Desktop
- Attachment # 11B, VRP Folder Sample, “Pre-suasion Principles: Tactical Decision-Marking Tool;
- Attachment # 11C, FTFO Use of Force Report Checklist

6) Review to determine impact of training on OIS.

The average of Officer Involved Shootings are down since the DOJ’s Collaborative Reform Initiative was released; this is also true of Use of Force.

FTFO reviewed available SFPD Officer Involved Shooting (OIS) data from January 1, 1999 to June 30, 2020 (Q3 2020) to derive the normal range for these incidents. In identifying OIS incidents for this purpose, FTFO applied the current definition (formalized in Department General Order 5.01 and first established on August 28, 2009 in DB 09-239) to all Officer-Involved uses of a firearm. In the reviewed period, SFPD averaged approximately 8.38 suspect-involved OIS per year, establishing a standard deviation of 3.74 over the 20-year period. In other words, when looking at two decades of historical data, SFPD has averaged roughly eight OIS incidents (+/-4) per year. Thus any year with a number outside the historic average range (i.e., between 4.64 and 12.12 per year) would be a statistical anomaly. In other words, when OIS’s total either less than four or more than twelve in a single year, it represents a statistically significant deviation from the 20-year norm. In calendar year 2019, the SFPD had two Officer-Involved Shootings; in calendar year 2020 (to date), the Department has had one. These numbers are well below the normal historical range and statistically significant.

The FTFO Unit was initially staffed in November 2018, building upon a foundation set by the Physical Training/Defensive Tactics (PT/DT) and Crisis Intervention Training (CIT) Units. In 2017, following the December 21, 2016 revision of Department General Order 5.01, PT/DT and CIT developed a 20-hour course and began training all Department members on the new policy, including a day of practical scenarios intended to enhance officer’s de-escalation skills, officer safety, and tactical decision making. The training curriculum and delivery utilized the expertise of Tactical Division, CIT, and PT/DT members. Similarly, FTFO initiated cross-disciplinary, consistent and vetted use of force training, spearheaded by its Critical Mindset Coordinated Response (CMCR) curriculum. The unit was fully staffed and formally launched in May of 2019, and has integrated all training disciplines in curriculum assessment and development to ensure



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that such training is consistent and properly emphasizing particular aspects of changes in the law or preferred tactics. It is also to ensure that such training is responsive to identified trends and new threats confronting officers. Use of Force training—coordinated and vetted through other units providing or overseeing aspects of use of force training, including: PT/DT, CIT, the Recruit Training Office (RTO), Field Training Office (FTO), Physical Training/Defensive Tactics Unit (PT/DT), Continuing Professional Training (CPT), and Emergency Vehicle Operations Course (EVOC) Unit—consistently delivers these themes in the relevant components of their training.

A core emphasis of FTFO use of force training has been to reduce the use of deadly force options at critical incidents, when that force option is sufficiently presented, and to prepare for alternative options and actions through leadership, communication, and tactical decision making. Utilizing “discretionary” time effectively to employ or enhance de-escalation techniques is part of this, including distance and cover awareness to enhance available time. For this reason, use of force training placed greater emphasis on the deployment and use of the Extended Range Impact Weapon (ERIW) at complex, high risk incidents. This intermediate force option, which is the Department’s “bean bag” option, enables officers to attempt to entice cooperation or coerce submission from behind cover, at a safe distance. Officers are educated in related tactical options and techniques, such as the advantages of utilizing a low-ready position when appropriate to provide officer safety with improved visual acuity. In addition, FTFO constantly reinforces the importance of role assignments, so that all officers on scene are not necessarily a lethal option. With sufficient deadly force deployed, officers are trained to assume other necessary functions, such as ERIW, arrest team, and “react” team to respond to changes in the totality of circumstances and reduce effects of stress-induced arousal. The various training disciplines coordinate their training to ensure that these messages are delivered consistently in use of force training.

Initial data infers that since the revisions in policy, training, and organization; improved training coordination and consistency imposed; and the delivery of revised, consistent use of force training, members are emphasizing or de-emphasizing force options in accordance with this training (as described above). The Single-day CMCR and the 2019-2020 Force Options Simulation courses rolled out for Continuing Professional Training (CPT) were the initial courses developed and presented through the FTFO Unit, emphasizing the tactics and tools as described above. Preliminary analysis of relevant captured data available through Business Intelligence tools suggests that such training is contributing to a reduction in general Use of Force and in Officer-Involved Shootings, specifically.



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The following tables review historical averages and compare them to the relevant use of force data as derived from the Business Intelligence Unit dashboard.

Table 1. Statistics Related to Use of Force Training Emphases (Annual)

Category	2016	2017	2018	2019	2020*
Count of Reportable Use of Force	3747	3172	2714	1990	493
Incidents with a Reportable UOF	1424	1371	1310	1021	242
Count of Pointing a Firearm	2605	2058	1490	874	262
Incidents with Pointing a Firearm	842	822	641	450	120
Incidents with ERIW Use	13	16	15	27	9

*2020 data is through Q1 2020 (January 1-March 31, 2020)

Table 2. Trends in Relevant Use of Force Statistics

Category	Mean Avg (2016-19)	Standard Deviation	Mean Avg (19-1Q20)	Change in Mean Avg	Change %
Count of Reportable Use of Force (Monthly)	268.00	+/-54.68	166.00	-102.00	-38%
Incidents with a Reportable UOF (Monthly)	113.80	+/-13.04	84.06	-29.74	-26%
Count of Pointing a Firearm (Monthly)	171.00	+/-55.78	76.00	-95.00	-56%
Incidents with Pointing a Firearm (Monthly)	64.00	+/-11.58	38.00	-26.00	-40%
Incidents with ERIW Use (Monthly)	1.22	+/-1.18	2.42	+1.20	+98%
	(1998 through 2018)		(2019-2Q20)		
Officer Involved Shootings (Annual)	8.38	+/-3.74	2.00	-6.38	-76%

RED = The number is outside the standard deviation range (i.e., statistically significant)

*In December 15, 2015, DB 15-255 mandated pointing a firearm at a subject as a reportable use of force. Consequently, this table uses data collected since 01/01/2016 for review of monthly data, since prior data may not have captured information relevant to this analysis.

During the period from January 1, 2016 through December 31, 2018, Officers reported pointing a firearm an average of 64 times per month. However, in the time period of January 1, 2019 through March 31, 2020, the monthly average dropped to 38 times per month. This is noteworthy in that it is 14.42 times below the established low standard deviation (52.42). Similarly, SFPD officers reported using force an average of 113.80 times per month during the same historic period. Since revisions in use of force training were introduced, use of force has fallen to a monthly average of 84.06 times, which is about 16 times fewer per month than the historic low standard deviation (100.76). In another category, the use of ERIW was utilized an average of 1.54 incidents per month before changes in training were implemented. Since January 1, 2019, ERIW usage has increased to a monthly average of 2.42 times. The increase is almost twice the historic mean average and slightly exceeds the historic high end standard deviation (2.40). The deployment of ERIW's at critical incidents to provide effective alternatives to deadly force options has been a point of emphasis in use of force training during the same timeframe.



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More months of data will provide better resolution on the impact of current use of force training. Data collected for a longer period of time is required before the impact of current use of force training upon the use of force and Officer-Involved Shootings can be reliably concluded. Forthcoming updates in technology will help further vet the efficacy of the Department's use of force training. Nonetheless, use of force trends correspond directly to principles taught and promoted in use of force training. While there are likely numerous factors contributing to these promising trends, preliminary analysis suggests that the training revisions and emphases are having the desired impact and appear to be contributing to a decline in general use of force and, in particular, Officer-Involved Shootings. **[Attachment #12, FTFO Data Review Analysis]**