

**San Francisco Chief of Police William Scott
Talking Points and Briefing Book**

Jan. 20, 2022 OIS Town Hall Remarks



Safety with Respect

**SFPD Headquarters
Conference Room 1025
Monday, Jan. 31, 2021 —1500 hours**

Prepared Remarks

Welcome

Good afternoon.

We are here today for a Virtual Town Hall regarding an officer-involved shooting that occurred on the morning of Thursday, January 20, 2022, at the International Terminal of San Francisco International Airport.

Before proceeding, I'd like to announce to our viewing and listening audience that we have American Sign Language interpretation services here this afternoon to assist those who are deaf or hard of hearing. This Town Hall is also being translated into Spanish and Cantonese for members of our community who speak those languages.

On Mr. Szeto

Today's presentation will include details from an officer-involved shooting incident that ended tragically, claiming the life of Mr. Nelson Szeto. He was 37 years old.

In the San Francisco Police Department, we recognize that our duty as sworn law enforcement officers imposes no more solemn obligation on us than to honor and respect the sanctity of human life.

We also know that, as police officers, we are sometimes required to use force — including, at times, deadly force — in the performance of our duties.

Without suggesting a premature conclusion on the appropriateness of the use of force in this particular incident, I *can* express on behalf of all of us in our department our sincere condolences to Mr. Szeto's family, his friends and loved ones for the loss of life they've suffered.

We also recognize that officer-involved shootings can have traumatic effects on members of our communities — especially for individuals, family members and loved ones of those who've suffered trauma from their *own* encounters with the criminal justice system, whether in San Francisco or elsewhere.

To any viewers who experience trauma from this incident — whether from descriptions, videos or images we will present during this Town Hall — please know that help is available to you. You may can contact the San Francisco Department of Public Health’s crisis line at (415) 970-3800 for trauma services.

Outline of Town Hall

Here is what we hope to accomplish today.

First and foremost, in the San Francisco Police Department's aspiration to be a national model of 21st century policing, we work to earn the trust of those we serve by committing to transparency and to the tenets of procedural justice — in this process, and in this Town Hall presentation.

Procedural justice depends on the legitimacy of police as well as our entire criminal justice system. With these town halls, we work to embody the foundational tenets of what procedural justice is all about.

- We will release facts known to us, at this time, about this incident;
- We will do so in a manner that is impartial and neutral.
- We will answer questions from members of the public as well as members of the news media; and

- We will listen to public feedback.

Commander Paul Yep will be presenting the facts of this case in a few minutes. Before turning the floor over to him, however, I want to emphasize that this incident is subject to multiple independent and ongoing investigations. As such, there may be some information we cannot release at this time, either...

- Because the release of certain information is prohibited by law; or
- Because the release of certain information could compromise an ongoing investigation; or
- Because certain facts have not yet been established with certainty; in other words, we are not able to release unconfirmed information.

The Scene at SFO

Next, Commander Paul Yep's presentation will include a detailed verbal narrative of the facts as we know them as well as audio and video content from the officer involved shooting incident.

- SFPD Specialist officers who responded to the scene were wearing department-issued body-worn cameras, which were activated at the time of the incident. Consistent with our Body-Worn Camera Policy, Department General Order 10.11, you will see Body-Worn Camera (BWC) video from those officers from multiple perspectives.
- Currently SFPD officers assigned to the Airport Bureau do not deploy with body-worn cameras, so there is no Body-Worn Camera video from those officers. Please note that discussions between SFPD and SFO officials to deploy Airport Bureau officers with Body-Worn Cameras had already begun prior to this incident and are ongoing.
- Surveillance video in the SFO International Terminal also captured the incident from multiple perspectives and will be included in Commander Yep's presentation.

Commitment to Transparency

At the San Francisco Police Department, our commitment to full transparency has guided our officer-involved shooting investigations and town halls for several years now.

Although our practices *predate* the enactment of many police transparency and accountability laws in California, we believe our approach has remained consistent with the letter and spirit of reforms implemented by...

- Senate Bill 1421 (for police transparency); and
- Assembly Bill 1506 (for police accountability).

In fact, because of Assembly Bill 1506 — the California Attorney General’s office is conducting an independent criminal investigation into this officer-involved shooting incident.

As part of this town hall we are pleased to welcome the Chief of the Law Enforcement Division of the California Department of Justice, Chief John Marsh. Chief Marsh will speak to our viewing and listening audience after Commander Yep's presentation and will be available for questions during the question and answer portion of this Town Hall — with the understanding that all investigations regarding this incident are open and ongoing.

Online Access

SFPD's commitment to transparency in this process will also be reflected in our release of information online. Video from this Town Hall — including audio recordings from 911 calls and dispatchers and the video footage I just mentioned — will be posted on SFPD's website, at sanfranciscopolice.org. There it will remain available in perpetuity for public inspection.

San Francisco Police Department directives mandate that we release the names of officers from officer-involved shootings — unless safety concerns argue against disclosure.

In this matter, we identified no safety concerns and Commander Paul Yep will release the names of the officers as part of his presentation.

Investigative Processes and Jurisdictions

- I'd next like to explain the investigative processes for officer-involved shootings. San Francisco has a multi-agency response to these incidents, with each agency's investigation independent of the others.
- This officer-involved shooting incident is no different in terms of multiple agencies investigating independently. However, because the San Francisco International Airport is located in San Mateo County — a different jurisdiction than the City and County of San Francisco — it was initially under the jurisdiction of San Mateo County authorities who activated their OIS protocol.
- Accordingly, notifications were made to...
 - The San Mateo County District Attorney's Office;
 - The San Mateo County Sheriff's Office;

- The San Mateo County Sheriff's Office Forensics Laboratory Division; and
- The San Mateo County Coroner...

...to handle their respective investigations.

- Although the San Mateo County District Attorney's Office under most circumstances has jurisdiction and control over criminal investigations for officer-involved shootings in their county, certain circumstances as outlined by California Assembly Bill (AB) 1506 provide that the California Department of Justice assumes jurisdiction and control over officer-involved shooting criminal investigations in any county in the state of California if the circumstances are determined to align with response protocols as prescribed by AB 1506.
- In this incident, San Mateo District Attorney investigators were the first to arrive on scene and began to conduct their criminal investigation.

- After further discussions between the San Mateo County District Attorney’s Office and SFPD, the California Department of Justice, Division of Law Enforcement, was notified and responded to SFO.
- Cal DOJ’s “California Police Shooting Investigations Team” — also known as CaPSIT Agents — later arrived and were briefed by the San Mateo County District Attorney’s Office and SFPD. At approximately 1:55p.m., Cal DOJ assumed jurisdiction over the criminal investigation as the lead investigating agency.

In addition to these state and San Mateo County authorities, these are the other independent investigations involved:

- The **San Francisco Police Department’s Internal Affairs Division** is responsible for conducting an administrative investigation to determine if the officers who discharged their weapons in the officer involved shootings are in compliance with the standards and requirements of SFPD policy.

- The **San Francisco Department of Police Accountability**, also known as “DPA,” is also conducting an independent administrative investigation. San Francisco voters created DPA — as a successor to the Office of Citizen Complaints — with their passage of Proposition D in the June 2016 election. DPA investigates all SFPD incidents in which any of our officers discharge a weapon within the course and scope of their duties, whenever that discharge results in an individual’s injury or death.

Conclusion and Introduction of Commander Yep

I’d finally like to add that we value community feedback, and we take it very seriously. Based on feedback from prior OIS Town Halls, we will take questions and answer them to the extent we’re able — understanding that this incident remains an ongoing investigation.

We are allocating one hour for public comments and questions after the presentations, and will conclude this Town Hall at 5:30 p.m. or earlier if there are no further questions or public comments.

Thank you for joining us today. I'd now like to introduce
Commander Paul Yep.