

# **San Francisco Police Department Firearm Discharge Review Board Report & In-Custody Death Review Board Report**



**CITY & COUNTY OF SAN FRANCISCO**

**Police Department**

5/11/22

# Firearm Discharge Review Board

In the 4<sup>th</sup> Quarter of 2021, the Firearm Discharge Review Board reviewed the following completed Officer-Involved Shooting and Discharge cases.

- OIS 18-002
- OIS 20-002
- OIS 20-003
- OID 001-21
- OID 002-21

### Officer-Involved Shooting 18-002

On March 6<sup>th</sup>, 2018, at approximately, 22:30 hours, officers from Mission Station were driving on 21<sup>st</sup> Street, in a marked patrol vehicle. They were approaching Capp Street when they were flagged down by several people in the intersection.

Two Hispanic males approached the marked vehicle yelling, “Pistola, pistola!” while pointing to the suspect who was running away. The officers observed the suspect running south on Capp Street from 21<sup>st</sup> Street. The officers immediately notified dispatch of the situation.

The officers followed the suspect and observed him jump into the open trunk of an occupied vehicle. The officers maneuvered their marked vehicle behind the suspect vehicle and initiated a traffic stop, activating their overhead lights, but the suspect vehicle began to drive away. Numerous officers responded to assist.

The suspect vehicle eventually pulled over and the driver complied with the initial officers' orders, exited the vehicle and was detained.

### Officer-Involved Shooting 18-002 (cont'd)

The suspect, who was lying in the trunk holding the trunk lid open, did not comply with the officers' orders. The officers attempted to isolate and contain the suspect in the trunk. They established a buffer zone; obtained resources; engaged in communication; and tactically positioned themselves.

Using the patrol vehicle's public announcement system, a Spanish speaking officer gave the suspect in the trunk multiple commands in English and Spanish to exit. The suspect refused to comply. An officer on scene grabbed an Extended Range Impact Weapon "ERIW" and gave the suspect the "Red Light" warning that was repeated by officers on scene. One "ERIW" round was deployed, striking the suspect in his leg.

Several seconds after, the suspect presented his left arm (which was previously concealed behind his person) and pointed a gun at the officers. The suspect yelled out "Fxxx you" as he simultaneously fired one round at the officers. The officers fearing for their lives and to stop the threat fired their weapons at the suspect.

### Officer-Involved Shooting 18-002 (cont'd)

After firing their weapons, the officers reassessed the situation. The officers heard a female screaming and observed someone raise their hands from the backseat of the vehicle. Commands were given for the female to exit the vehicle, but she was unable to. The officers immediately formulated a plan, utilized shields, approached the vehicle, and safely placed the female into custody.

Other officers on scene removed the suspect from the trunk and began CPR until relieved by medics. The suspect was pronounced deceased at the scene.

**Recommendation to COP:** Use of Firearm—In Policy  
Tactical Positioning— Out of Policy

### Officer-Involved Shooting 20-002

On the morning of April 21, 2020, Tenderloin Officers were dispatched to 540 Jones Street regarding a report of a subject trespassing in the lobby of the Pierre Hotel. The suspect was reported to be waving a 2x4 piece of wood and possibly in possession of a knife. The suspect was reported to have locked himself in the front lobby area.

The first officers on scene advised dispatch they were CIT (Crisis Intervention Team) trained and were responding with an ERIW (Extended Range Impact Weapon).

The officers entered the hotel and observed the suspect inside the enclosed clerk's office with a large piece of wood. An officer spoke with the suspect through the open plexiglass enclosure. The officer attempted to get the suspect to exit the office, but the suspect refused the officer's request.

The officers observed the suspect was bleeding from his hand. An ambulance was requested to respond to their location. Officers continued talking to the suspect in an attempt to calm him down. The suspect told the officers he was not going to come out.

The officers requested additional units respond to their location for assistance. Numerous officers arrived on scene including a Lieutenant and two Sergeants.

The initial officers continued talking to the suspect in an attempt to gain his cooperation without success. A Sergeant took over speaking to the suspect and attempted to persuade him to surrender peacefully but the suspect refused to exit the office.

### Officer-Involved Shooting 20-002 (cont'd)

An SFFD medic also attempted to convince the suspect to exit the office. The medic explained that she wanted to provide medical help. The suspect would not cooperate and refused to exit. Officers continued speaking with the suspect, but he was uncooperative and refused to exit the office. A hotel case worker also attempted to speak with the suspect, but he would not cooperate.

For approximately one hour, officers spoke with the suspect and asked him to exit the enclosed office area. The suspect began to strike the plexiglass window with the wooden board. The suspect also opened what appeared to be an electrical panel behind the desk and began attempting to damage the device.

The Lieutenant and a Sergeant formulated a plan to take the suspect into custody.

A team of officers led by a Sergeant gained access to the back door area. The Sergeant opened the back door of the office as verbal commands were given to the suspect. The officers attempted to take the suspect into custody. As the officers attempted to make entry into the office, the suspect began swinging the wooden board out of the door towards the officers. The suspect lost control of the wooden board as an officer took it from his grasp. The suspect withdrew back into the office. Officers ordered the suspect to stop resisting but he did not comply with their orders.

The suspect retrieved a screwdriver and brandished it. Officers then deployed OC spray and an ERIW, but it was not effective in gaining compliance from the suspect.

### Officer-Involved Shooting 20-002 (cont'd)

The suspect exited the office, while still holding the screwdriver in his hand. Officers in the back room ran out of the building as the suspect pursued them with the screwdriver in hand.

As the officers exited onto the sidewalk, an officer tripped over a chair and fell onto the sidewalk. The officer quickly stood up and ran toward the street to gain distance from the suspect, who continued to advance toward the officer with the screwdriver still in his hand. The suspect reached towards the officer with the screwdriver while pursuing him. The officer feared he would be stabbed and discharged his department-issued firearm at the suspect.

The suspect was not struck and fled on foot to Glide Memorial Church. The suspect barricaded himself in the basement of the church. The SFPD Crisis Negotiations Team (HNT) and Tactical Unit (TAC) arrived on scene and took over the incident. The suspect was later taken into custody and transported to ZSFGH.

**Recommendation to COP:** Use of Firearm - In Policy

Use of BWC- In Policy

Investigation of Officer-Involved Shootings – In Policy



### Officer-Involved Shooting 20-003

On October 10, 2020, at approximately 11:26 PM, Southern Officers responded to a report of a carjacking with a knife at Market and Gough Streets. Witnesses observed the suspect approach a Toyota Prius at the intersection of Market Street and Valencia Street and stop in front of it. The Prius was occupied by a female driver. Per the driver, the suspect shouted something to the effect of “kill me bxxxx.”

The suspect jumped onto the hood of the Prius. The suspect proceeded to jump up and down on the windshield causing it to shatter as the female driver was seated inside her vehicle. Fearing for her life, the female driver attempted to exit her vehicle to flee to safety. When she opened her driver side door, the suspect jumped off her vehicle and pulled her driver door wide open. The suspect held a knife close to the female driver's face and began to pull her out of the vehicle by the collar of her shirt causing her necklace to break.

The female was able to break away from the suspect and ran away to safety as the suspect entered her vehicle and the vehicle moved a short distance. The suspect then exited the Prius as it rolled unoccupied west on Market Street, eventually coming to a stop on the sidewalk. The suspect fled on foot east on Market Street towards Gough Street. A witness followed the suspect and called 911.

Officers arrived at the scene of the carjacking incident and were directed towards the suspect by witnesses in the area. The witnesses stated the suspect was in possession of a knife. The witnesses told the officers another witness was following the suspect.

The officers drove east on Market to Gough Street where they came in contact with the witness who pointed in the direction of the suspect. Immediately thereafter, the officers observed the suspect look in their direction and run south on Gough Street to east on Colton Street.

### Officer-Involved Shooting 20-003

The officers pursued the suspect with their marked patrol vehicle and informed dispatch they were in pursuit of the suspect. The suspect continued to run east on Colton Street to south on Brady Street to west on Otis Street. As the officers pursued the suspect, it appeared he threw something to the ground. The officers believed the suspect was no longer armed with the knife.

The officers stopped their patrol car at the corner of Brady Street and Otis Street. Both officers exited the vehicle and pursued the suspect on foot westbound Otis Street. The suspect stopped running and turned and faced the officers.

The officers observed the suspect had a knife in his hand and repeatedly ordered him to drop the knife. The suspect did not comply with their commands. The suspect with his left hand, removed the hood of his sweatshirt from his head, took off his glasses, and threw them to the ground. The suspect took steps backward and then sprinted toward one of the officers with the knife in his right hand, while threatening to kill the officer.

While retreating from the suspect both officers discharged their firearms, striking the suspect. The suspect fell to the ground.

The officers immediately broadcast they had been involved in a shooting and requested medical assistance. The officers ordered the suspect several times to place his hands by his side, but he did not comply with their orders.

Additional officers arrived on scene. The officers formed a tactical plan to approach the suspect and took him into custody.

### Officer-Involved Shooting 20-003

The officers rendered aid, including cardiopulmonary resuscitation (CPR) until medics arrived and took over.

The suspect was pronounced deceased by paramedics at the scene.

**Recommendation to COP:** Use of Firearm—In Policy

### Officer-Involved Discharge 001-21

On July 29, 2021, at approximately 0440 hours, a sergeant walked into the restroom of the community room at Richmond Station. The Sergeant wanted to practice magazine exchanges and dry firing to prepare for his range qualification later that morning.

The Sergeant removed and emptied two magazines from his duty belt and removed a loaded magazine from his department-issued firearm. The Sergeant then placed the empty magazines back onto their duty belt to practice for the qualification.

The Sergeant removed his department-issued firearm from his holster and performed his first dryfire. The Sergeant discharged a round into the bathroom mirror shattering it. The Sergeant realized he did not clear the chamber of his firearm prior to dry firing his weapon. No one was injured as a result of the discharge.

The Sergeant's supervisor was notified, and notifications were made of the Officer-Involved Discharge.

**Recommendation to COP:** Improper Conduct

### Officer-Involved Discharge 002-21

On September 23, 2021, an officer completed training with his department-issued rifle at the Lake Merced Range. The officer returned to the Tactical Unit office located at 1700 17<sup>th</sup> Street.

After completing his training, the officer performed weapons maintenance on his rifle in the Firearms Cleaning Station located in the bay of 1700 17<sup>th</sup> Street. This is standard procedure after completing firearms training. The officer said after he cleaned his weapon, he noticed there was issue with the bolt carrier group.

After several attempts to clear the issue, the officer realized he forgot to place the firing pin back into the bolt carrier. The officer, after placing the firing pin back into the bolt carrier, performed a function test and the rifle functioned properly.

The officer left the cleaning station and walked into the Armory Room. In the Armory Room the officer placed a magazine in the well of the rifle. The officer for reassurance that his rifle was working properly, and since he was “On Duty and On Call” for an upcoming evening, wanted to perform a function test with his rifle.

### Officer-Involved Discharge 002-21(cont'd)

Inside the Armory room, the officer picked up his rifle and forgot that a magazine was in the well. He charged his rifle and took the rifle off safety. The officer pulled the trigger causing his rifle to fire which sent a round into the cinder block wall.

The officer said there was no one inside the Armory Room when his rifle discharged. The officer immediately notified his Supervisor of the discharge and notifications were of the Officer-Involved Discharge.

**Recommendation to COP:** Improper Conduct

## In-Custody Death Review Board

In the 4th Quarter of 2021, there were no In-Custody Death cases presented to the In-Custody Death Review Board.

Status of Open Officer-Involved Shooting Investigations  
&  
In-Custody Death Investigations



## Open OIS and ICD Investigations: 2017-2022

Date of Incident	SFDA Declination letter	3304 Date	Investigation Status
OIS 17-001 (01/6/17) 515 Capitol Ave Taraval District	District Attorney filed charges November 2, 2021.	Pending criminal investigation	Active criminal and administrative investigations.
OIS 17-007 (12/01/17) Fitzgerald/Hawes Bayview District	District Attorney filed charges on November 23, 2020.	Pending criminal investigation	Active criminal and administrative investigations.
OIS 19-003 (12/7/19) 3824 23 <sup>rd</sup> Street Mission District	District attorney filed charges December 7, 2020.	Pending criminal investigation	Active criminal and administrative investigations.
OIS 20-004 (11/17/20) Market St at 5 <sup>th</sup> St Tenderloin District	District Attorney declined to file charges, on May 27, 2021.	May 27, 2022	Active administrative investigation.
OIS 20-001 (05/07/21) Varney St @ Jack London Alley Southern District	District Attorney has not rendered a decision.	Pending criminal investigation	Active criminal and administrative investigations.
OIS 21-002 (11/17/21) 917 Folsom Street Southern District	District Attorney has not rendered a decision	Pending criminal investigation	Active criminal and administrative investigations
OIS 22-001 (1/20/22) San Francisco Int'l Airport Airport Bureau	California DOJ Investigating and has not rendered a decision.	Pending Criminal Investigation	Active criminal and administrative investigations
ICD 22-001 (3/16/22) 1432 Halibut Court Southern District	District Attorney has not rendered a decision.	Pending criminal investigation	Active criminal and administrative investigations



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