

## **Our History**

In March 2019, Sheriff Vicki Hennessy asked Department of Police Accountability (DPA) Director Paul Henderson to investigate allegations of unnecessary force and inappropriate female inmate strip searches against sheriff deputies. The DPA accepted approximately 19 cases from late 2018. In the weeks and months following this partnership, the DPA investigated a total of 36 complaints of serious misconduct. The allegations of deputy misconduct occurring in the jails were initially brought to the Sheriff's attention in January 2019 by the San Francisco Public Defender's Office. The San Francisco Examiner and San Francisco Chronicle published reports soon thereafter. In March, Sheriff Hennessy addressed the allegations and her decision to turn the cases over to the DPA in the San Francisco Chronicle, Open Forum, "Even when law enforcement does a good job of investigating itself, many members of the public still feel they can't trust the results of the investigation. By turning over these cases to the Department of Police Accountability, I'm taking a big step toward ensuring trust and transparency in my agency."

## **Training and Scope of Work**

Cases were assigned to four investigators and an attorney at the DPA. Assigned investigators learned SFSD policy, procedure, record-keeping, specialized terms, jail operations, and other information unique to the SFSD. They toured all county jails managed by the SFSD and observed deputies conduct jail operations. The unit attended many of the SFSD CORE classes and met with SFSD Internal Affairs Unit staff regularly to ask questions, accept additional cases, and request and receive records and video. The unit also created original templates for (1) records requests, (2) notices to appear, and (3) case summary reports.

## **Allegations and Findings**

The allegations brought against deputies by the DPA fell under three general categories as defined by SFSD 03-01: Neglect of Duty, Unacceptable Job Performance, and Misconduct. Neglect of Duty allegations included conduct such as failing to document inmate discipline. Unacceptable Job Performance was brought to allege the failure to supervise. Misconduct allegations included conduct such as unnecessary use of force or inappropriate behavior. At the conclusion of these early investigations, the DPA submitted the case summary reports to the SFSD without recommended findings. The Undersheriff made the final determination based on the evidence and disposed each allegation with one of the following findings: Unfounded, Exonerated, Not Sustained, Sustained, or No Finding.

## **Second DPA-SFSO Agreement**

With the retirement of Sheriff Vicki Hennessy, the newly elected Sheriff Paul Miyamoto entered into a new agreement with the DPA to investigate deputy misconduct. Sheriff Miyamoto also changed the name of the San Francisco Sheriff's Department to the San Francisco Sheriff's Office (SFSO). The Letter of Agreement was signed on December 22, 2020 and contained significant changes to the original agreement. The DPA agreed to complete its cases within a nine-month timeframe and would recommend its own findings to the investigations. In the earlier cases, the sheriff's department would develop findings based on the investigation provided to the sheriff's department. Now, the DPA develops its own findings and the SFSO can agree with or dispute those findings. Another change

included the ability for the DPA to accept serious complaints directly from individuals with complaints about sheriff personnel as well as accept referrals from SFSO. The DPA has focused primarily on serious misconduct that includes use of force, sexual misconduct, and dishonesty.

Under the current Letter of Agreement, the DPA has investigated 25 cases of serious misconduct and has come to a “sustained” finding in four of those cases.

### **The Future of Sheriff Oversight**

Voters in November 2020 amended the city and county charter to create the Sheriff's Department Oversight Board (SDOB) and the Sheriff's Department Office of Inspector General as a department under the SDOB. The Office of the Inspector General is expected to take over the day-to-day investigation of deputy misconduct in the coming months and the DPA is excited to ensure a smooth transition to this new model of accountability