

Disengagement Procedures

X.XX.01 PURPOSE

The purpose of this order is to establish protocols for disengaging from a barricaded/isolated subject, and to establish guidelines for the duties of officers, supervisors, and superior officers. The San Francisco Police Department's highest priority remains safeguarding the life, dignity, and liberty of all persons. The Department is committed to accomplishing this mission by using strategic communication, crisis intervention, and de-escalation tactics, whenever feasible, before resorting to force.

There may be incidents involving a person who is not a threat to officers or others that a responding officer or supervisor believes can be handled more safely using disengagement. This policy recognizes that the legal authority to take a person into custody does not override law enforcement discretion to pursue a safer course of action.

X.XX.02 DEFINITIONS

Barricaded Incident: An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

If the person is not suspected of committing a criminal offense, the incident can be labeled as a Non-Criminal Barricade Incident.

Isolated Subject Incident: An incident where a person is in an open outdoor area (e.g., park or sidewalk) and has minimal contact with the public, and ignores or resist law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Disengagement: The tactical decision to leave, delay contact, delay custody and / or plan to make contact at a different time and under different circumstances.

De-escalation: The process of using strategies and techniques intended to decrease the intensity of the situation. Disengagement is a de-escalation strategy and technique.

Strategic Communication: The use of verbal and non-verbal techniques to aid in controlling a situation and enhancing officer and community safety.

Special Relationships: Special relationships can be created in the following circumstances:

1. The officer makes a representation (express or implied) that is detrimentally relied upon and causes a foreseeable harm. Detrimental reliance occurs when a member's promise or representation reasonably induces a person to rely upon it.
2. The officer engages in an affirmative act that increases the foreseeable risk of harm to the individual.

For example, a special relationship can be created is if an officer promises to care for someone and then then the individual is later injured due to the member's failure of care. As a general rule, law enforcement officers only owe a duty of care to protect members of the general public when they create a special relationship.

X.XX.03 POLICY

Disengagement should be considered when continued contact might result in an undue safety risk to the barricaded/isolated subject, members of the community, and/or department members. Disengagement is a de-escalation strategy. Before disengaging, members who respond to a barricaded/isolated subject incident are reminded to use de-escalation strategies and techniques such as formulate a plan, create distance, use cover, attempt to establish rapport through strategic communication, when feasible. Members should utilize available resources to come to a peaceful resolution before initiating any disengagement procedures. When the risk to the involved subject, members of the community, or responding officers outweighs the need for immediate action, members should consider disengagement to improve officer safety, mitigate threats, maintain public trust, and preserve life.

Examples of disengagement scenarios include, but are not limited to, a person in crisis incident and there are no imminent risks to the public, crimes when the suspect is known and the arrest can be delayed, or crimes when the victim refuses to sign a Citizen's Arrest Form and/or refuses law enforcement services.

XX.XX.04 PROCEDURES

- A. **Officer's Duties** – The senior officer of the first arriving unit is responsible for the command and control of the incident unless a supervisor assigns this responsibility to another member, or a more experienced officer declares and takes responsibility. This officer shall have the latitude and authority to assign any other officers to any assignment or task.

When confronted with a barricaded/isolated subject, members shall follow the below procedures, if feasible:

1. **Observation** – Barring any exigent circumstances, the primary objective of the responding officer(s) will be to observe the incident from a distance, assess the nature of the call, and gather the appropriate personnel and resources. When members are confronted with a barricaded incident in a physical location,

members should not make entry absent a warrant or exceptions to the Fourth Amendment.

2. **Containment** – Begin to establish proper containment of the subject and location.
3. **React Team** – Establish a team of officers to coordinate and react to the situation. A react team is a set of designated officers who react to the changing variables of an incident. The react team can become an arrest team, a chase team, a crisis intervention team, or even a hostage rescue team, given the dynamic circumstances of an event.
4. **Communication** – Attempt to utilize strategic communication with the subject and make reasonable attempts to seek a peaceful resolution. One officer should be responsible, at any given time, for reasonable attempts to establish rapport and engage in strategic communication with the barricaded/isolated subject. If the barricaded/isolated subject refuses or ignores lawful orders, officers shall request for a supervisor to respond to the scene.

If the subject's relatives, roommates, and/or acquaintances are present at the location, reasonable attempts should be made to separate them from the subject. Once the individuals are separated from the subject, officers should attempt to identify these parties and interview them to gain additional information.

- B. **Sergeant's Duties** – Respond to the scene and assume command and control unless relieved by another supervisor or higher-ranking officer. The following considerations are not listed by order of importance.
1. **Resources** – Ensure appropriate resources have been requested to the scene.
 2. **Communication** – Ensure reasonable attempts have been made to communicate with the subject.
 3. **Coordination** – Ensure that both containment and a react team have been established, when feasible.
 4. **Evaluation** – Determine the nature of the incident and whether a criminal offense has occurred. If the barricaded/isolated subject continues to refuse or ignore lawful orders, request that the Lieutenant respond to the scene. If the Lieutenant is not available, request that the District Captain or Night/Weekend Captain respond.
 5. **Notification** – Notify the Department of Emergency Management (DEM) and Department Operations Center (DOC) of the situation via police radio or telephone of the situation.

6. **Command Post** – If necessary, establish an Incident Command Post and notify DEM of its location and a safe avenue of approach.
7. **Specialized Resources** – Assess need for specialized resources such as the Tactical Unit, the Specialists Team, the Hostage/Crisis Negotiations Team (H/CNT), and interpreter/bilingual officer if subject is Limited English Proficient (LEP).

Note: When H/CNT has been activated, the CIT Coordinator will be notified and will contact Department of Public Health Comprehensive Crisis Services (CCS). Members are expected to follow this procedure and not contact CCS directly.

C. Incident Commander's Duties – Assume command and control unless relieved by another supervisor or higher-ranking officer.

1. **Considerations** - The Incident Commander may consider disengagement if the barricaded/isolated subject meets the following criteria:
 - i. Consider the type of crime, if applicable, and evaluate for any imminent risks to the public after disengagement. Members should balance the need to detain/apprehend the subject against the foreseeable imminent risks to the public.
 - ii. Reasonable negotiation/communication attempts have been made and have failed.
 - iii. Tactical options/entry would be considered unreasonable or unacceptable.
 - iv. The risks to third parties are either acceptable or none.
2. **Consultation** - If the above criteria have been met, the Incident Commander may have officers withdraw from the area. Prior to making the decision to disengage, the Incident Commander should consult with the following members, if they are on-scene:
 - i. **Crisis Intervention Team Coordinator or designee** – If there is a mental health follow-up either through the Crisis Intervention Team Unit or CCS clinicians.
 - ii. **Primary Investigative Unit** – If the subject has committed a crime and there are no imminent risks to the public after disengagement, the primary investigative unit may file the appropriate charges under the statute or city ordinance. Members may prepare a warrant and arrest the subject later.

- iii. **Hostage/Crisis Negotiations Team Officer-in-Charge or Team Leader** – To ensure that reasonable negotiation attempts have been made.
 - iv. **Tactical Company Officer-in-Charge or Team Leader** – To consider other tactical options, if appropriate.
3. **Additional Resources** - As members disengage from the incident, they cannot force the relatives, roommates, and/or acquaintances who are present to leave the area, nor can they prevent these persons from assisting the barricaded/isolated subject. The Incident Commander will ensure that any person who lives at the location of the incident and cannot safely return is provided with resource information regarding safe locations to stay.
 4. **Alternative Strategy** - The Incident Commander may leave a team of fixed-post officers or arrange to have officers conduct passing calls at the location. Members are reminded not to make any promises that would create a “special relationship.”

D. Disengagement Advisement – The following advisement should be given to individuals who are directly affected by the incident. The advisement should be documented on Body-Worn Cameras (BWC) or in the incident report.

*“The San Francisco Police Department is giving notice to you (subject, family member, friend, community member), and all persons directly affected by this event that after considering the factors affecting the safety of all concerned, the best course of action is for the department personnel to disengage and withdraw from this incident. **We cannot guarantee your safety once we leave. You need to use your own judgment and take reasonable measures to protect yourself in our absence. If a new emergency develops, call 911.**”*

E. Incident Report - An incident report shall be written, documenting the following where applicable:

1. Efforts to de-escalate the situation prior to disengagement and, if not, why not;
2. If there are and injuries sustained by officers and attempts to render aid;
3. If known, subject injuries including medical assessment or evaluation, and whether the subject refused aid;
4. Reasons for disengagement including the subject’s actions and behaviors;
5. The name, rank, and star number of the member who authorized disengagement;

6. The name, rank, and star number of the member(s) who gave the disengagement advisement;
 7. If known, list any community members who were directly affected by the incident and who voluntarily remained at the location and document why;
 8. If temporary lodging is needed for community members, document any offering of resources, such as Red Cross, Comprehensive Crisis Services, or shelter information; and
 9. If known, intended follow-up strategies.
- F. **Person in Crisis Notification** - If the incident involves a person in crisis, a copy of the incident report shall be forwarded to the Crisis Intervention Team Unit.

References:

- Event Management Manual, SFPD
- DGO 5.01, Use of Force Policy and Proper Control of a Person
- DGO 5.21, The CIT Response to Person in Crisis Calls for Service
- DGO 8.01, Major and Critical Incident Evaluation and Notification
- DGO 8.02, Hostage and Barricaded Suspect
- DN 20-120, Requesting the Hostage/Crisis Negotiation Team
- DN 20-164, Requesting the Tactical Unit/SWAT and Call Out Procedures