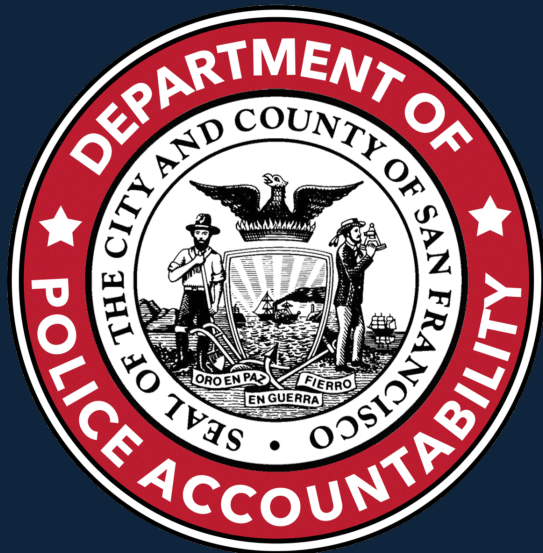


DPA Sheriff Cases 2021 -2022

Presenter

Marshall Khine





2022 Overview

Cases Opened

Cases Closed

Demographics

Improper
Conduct Cases

2022 Overview

42%

Cases Sustained*

11%

Deputies Sustained*

20%

Allegations Sustained*

416 Hr.

Video footage
reviewed

12

Cases Closed

21

Cases Opened

100

Allegations Investigation

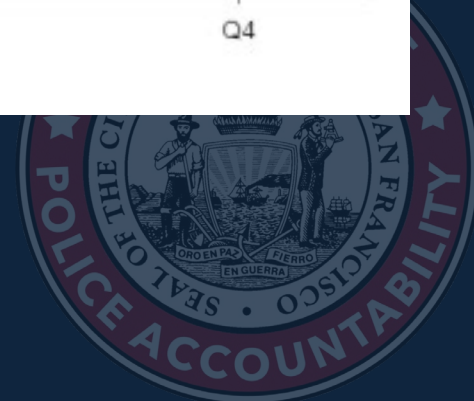
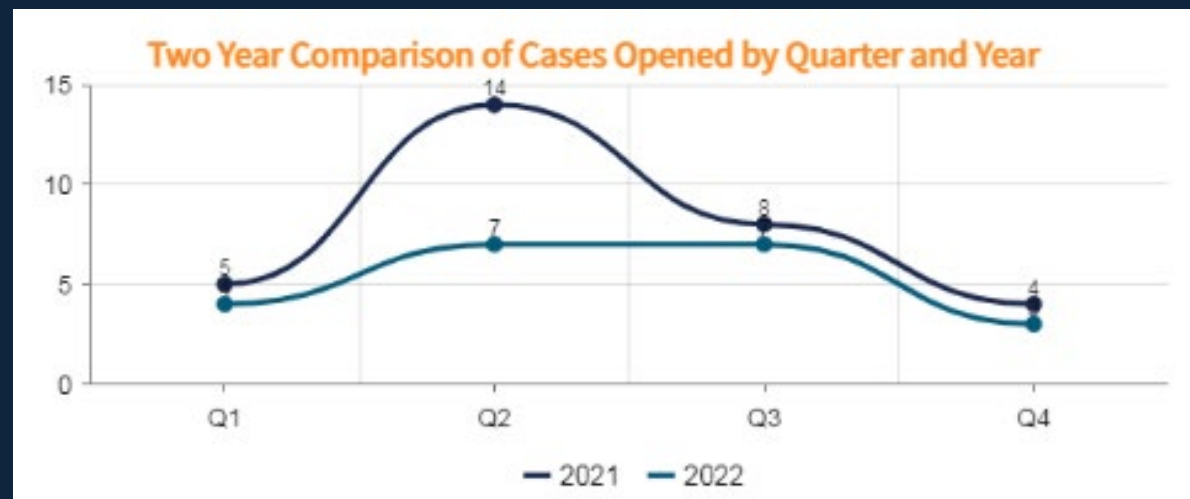
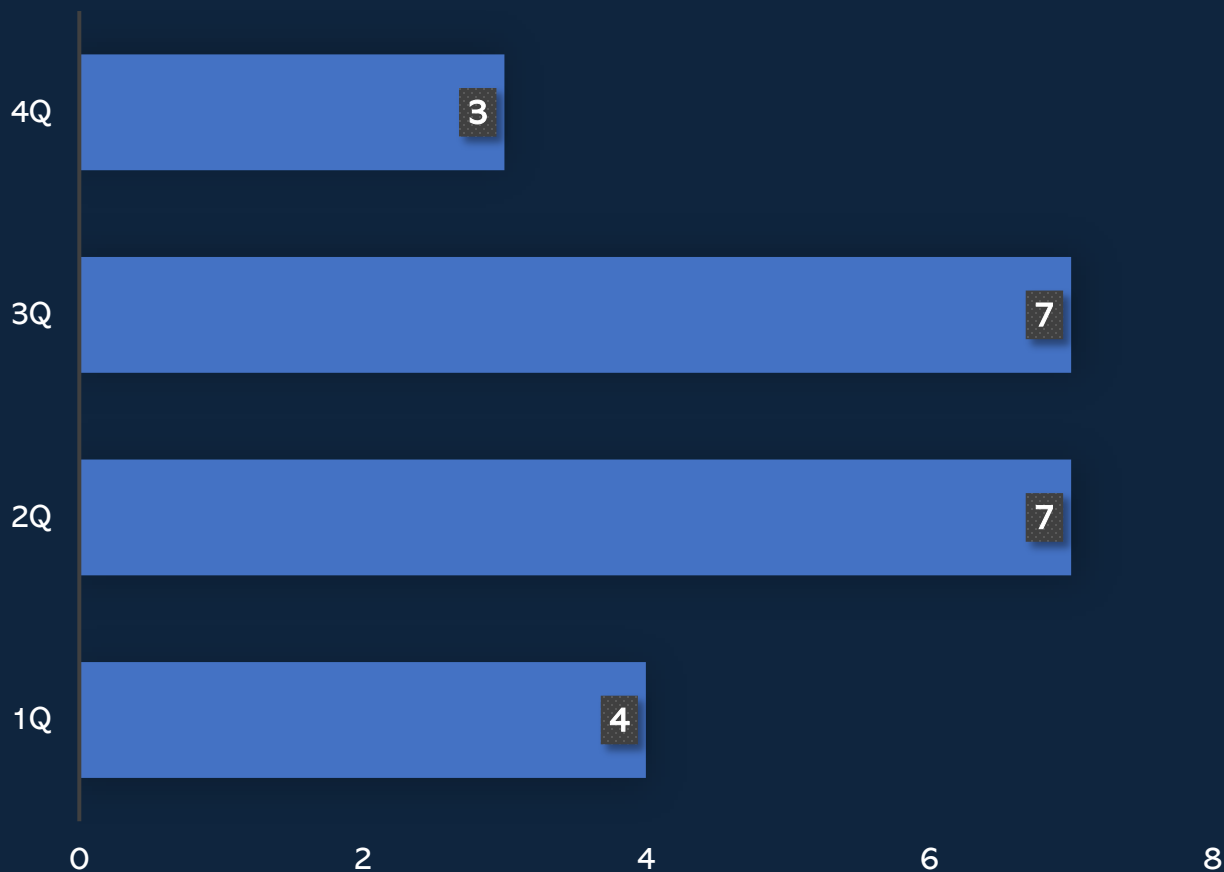
99

Deputies
Investigated

*Based on DPA's Investigative Findings



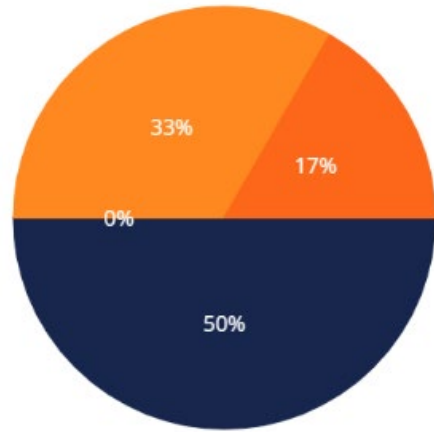
Cases Opened (2022 Compared to 2021)



Cases Closed (2022 Compared to 2021)

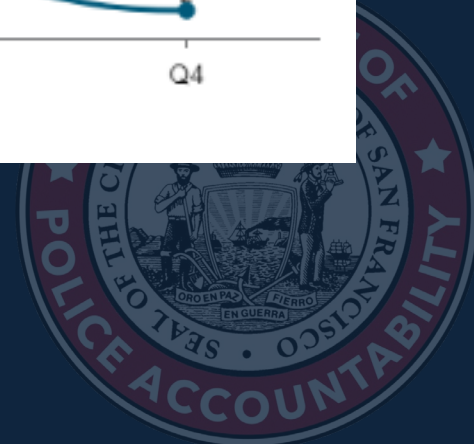
Cases Closed by Quarter

Total = 12



■ 1Q 6 ■ 2Q 0 ■ 3Q 4 ■ 4Q 2

Two Year Comparison of Cases Closed by Quarter and Year



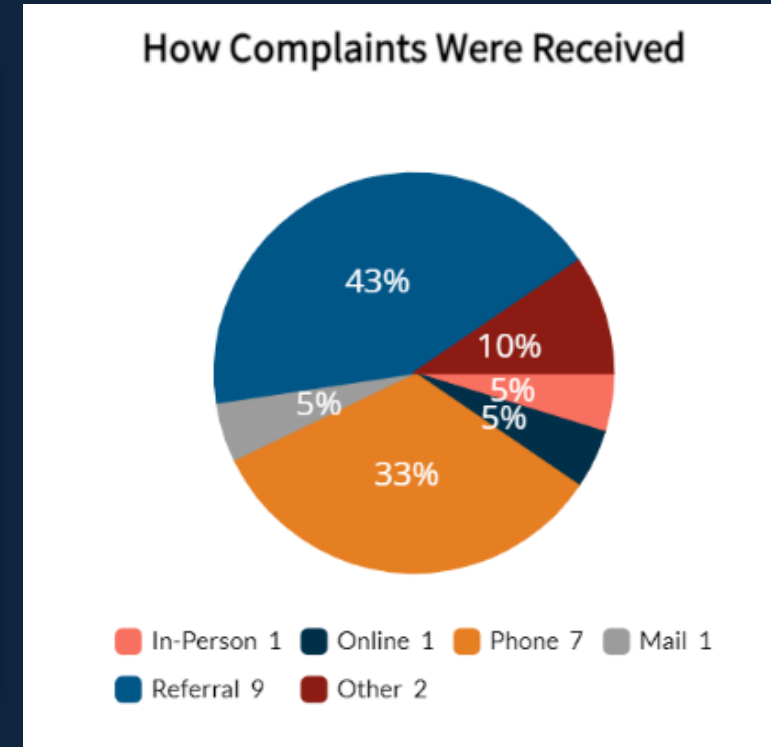
2022 Demographics

Race/Ethnicity	#	%
Asian	0	0%
Black or African American	8	38%
Hispanic or Latinx	0	0%
White	3	14%
Other	3	14%
Declined to State	7	33%
Total	21	100.00%

Age	#	%
1-13 (by an adult)	0	0%
14-16	0	0.0%
17-19	0	0.0%
20-30	7	33%
31-40	4	19%
41-50	1	5%
51-60	5	24%
61-70	1	5%
71-80	1	5%
Over 80	0	0%
Declined to State	2	10%
Grand Total	21	100%

Complainants	#	%
Complainants	21	100%
Anonymous Complainants	0	0%
Total	21	100%

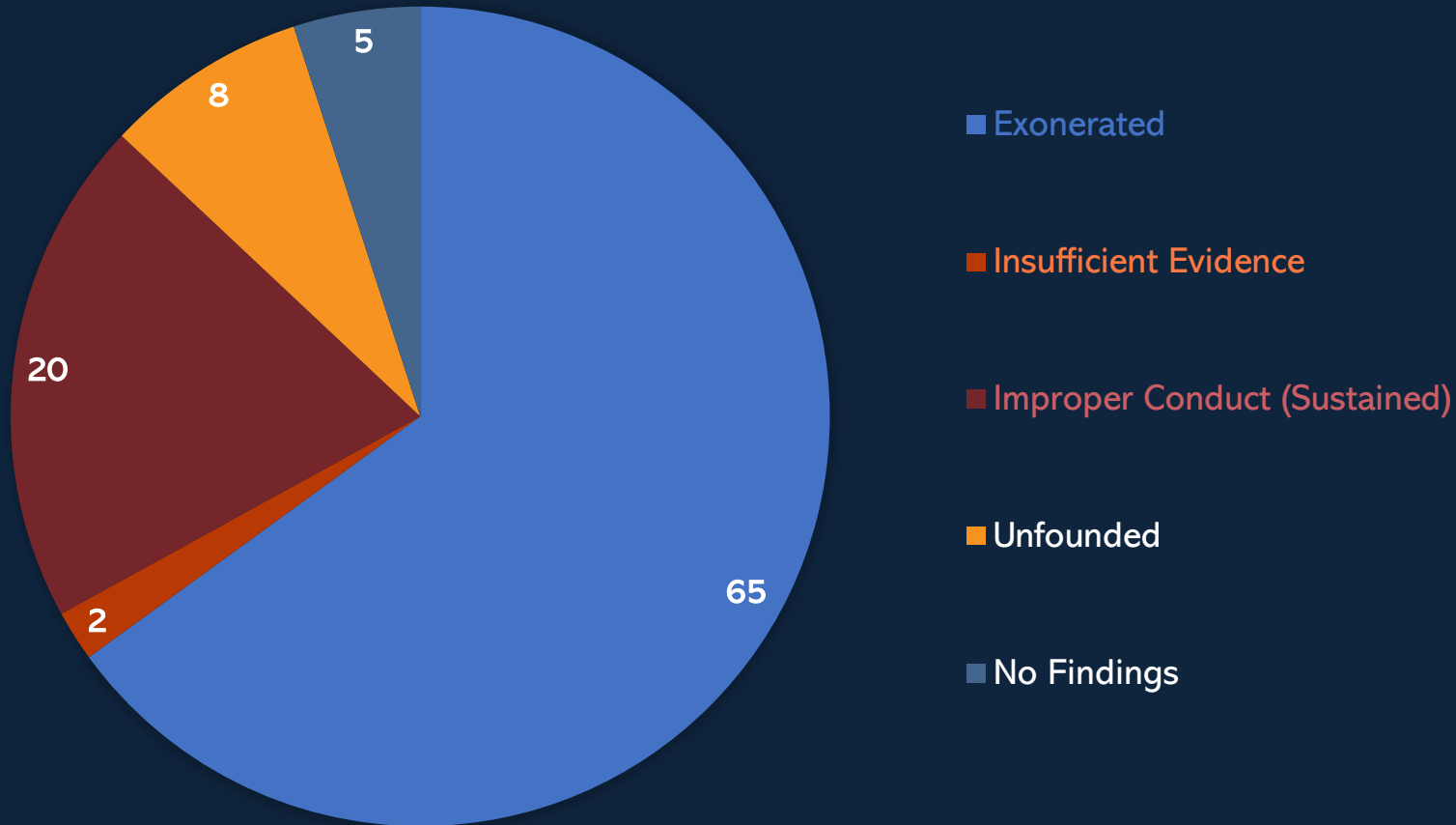
Gender	#	%
Female	2	10%
Male	14	67%
Genderqueer / Gender Non-binary	0	0%
Transgender	1	5%
Declined to State	4	19%
Grand Total	21	100.00%



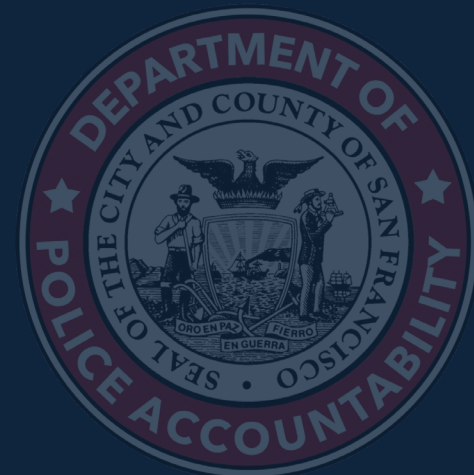
Most (67%) of the complaints provided some type of demographic data. Most complaints were received by either referral from SFSO (43%) or phone (33%).



2022 Case Findings

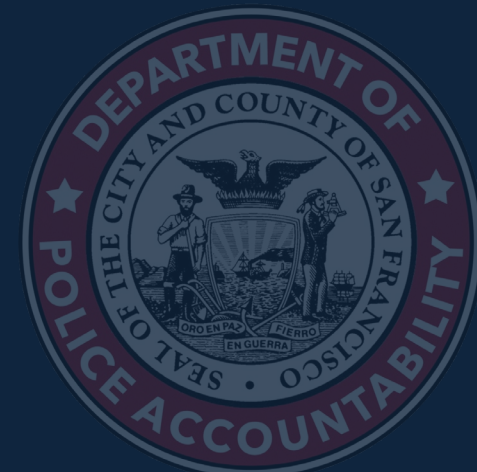


65% of the allegation findings were found to be Exonerated.
20% were Improper Conduct (Sustained) findings.



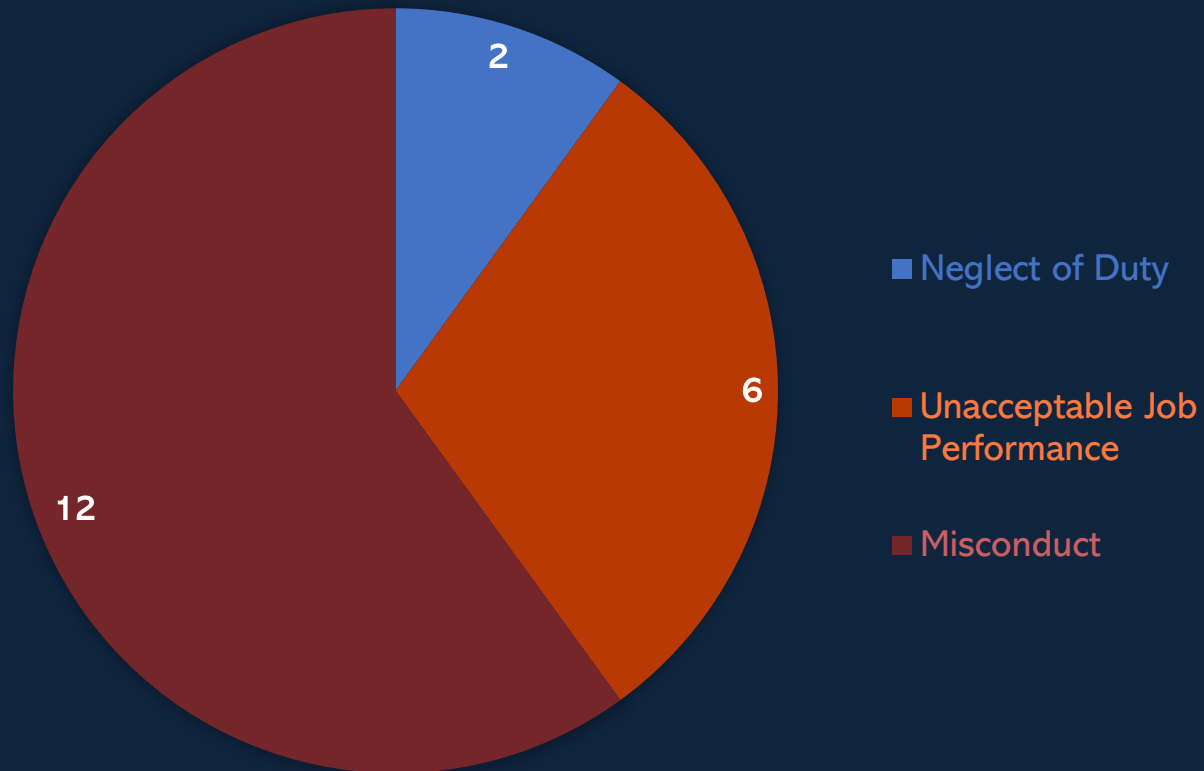
Allegation Findings

Allegation	Sustained Findings	Exonerated	Insufficient Evidence	Unfounded	No Findings	Number of Allegations
Behaved or Spoke Inappropriately	1				1	2
Discourteous Behavior or Statement		1				1
Failed to Supervise		5				5
Failed to Check on Inmate in Safety Cell	6					6
Failed to Conduct Safety Rounds	2					2
Failed to Provide Medical Treatment				3		3
Inaccurately Filled out Round Sheets	2					2
Inaccurately Filled out Safety Cell Observation Sheet	6					6
Inappropriately Withheld Medication		1				1
Violated Americans With Disability Act		2				2
Improper Sexual Touching				1		1
Improperly Used Liquid Chemical Agent		4				4
Improperly Used Safety Cell		7				7
Inappropriately Discharged a Taser		1				1
Inappropriately Disciplined an Inmate	1	4				5
Issued an Invalid Order		1				1
Misrepresented the Truth			2	3		5
Retaliatory Behavior		4			4	8
Unnecessary Force	2	35		1		38



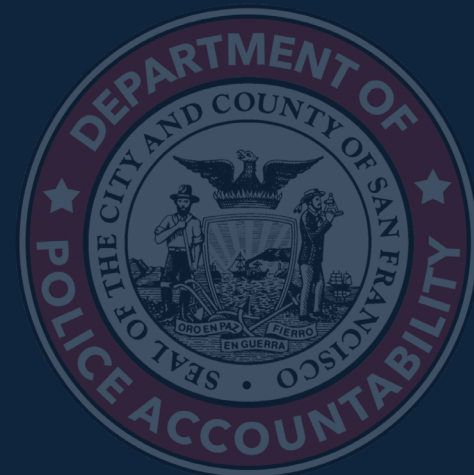
Improper Conduct Findings

Improper Conduct Allegations by Type



In 2022, DPA found Improper Conduct (Sustained) in 20 Allegations (Total of 5 cases).

The most common allegation category is misconduct.



Improper Conduct Findings



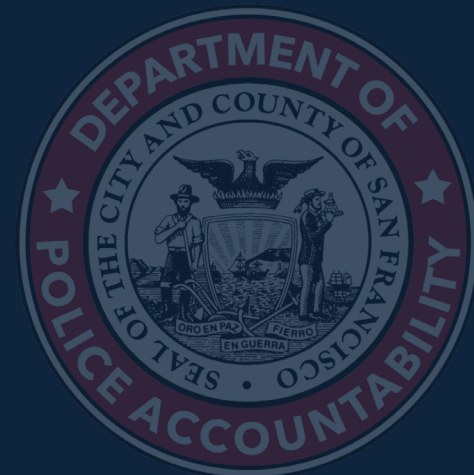
In 2022, the top Improper Conduct (Sustained) allegation subtype was Unacceptable Job Performance – The deputy failed to check on an inmate in a safety cell.

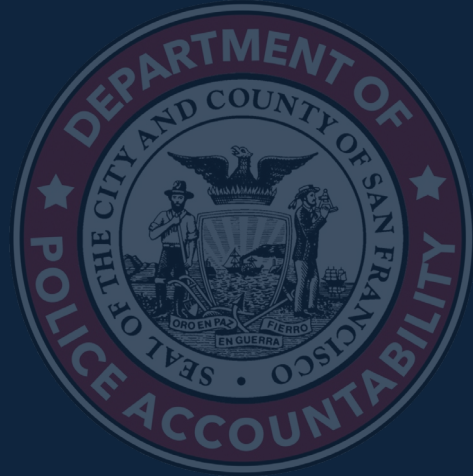
The second highest is Misconduct – The deputy inaccurately filled out round sheets.



DPA Support

- Manage Buildout – Office Space Construction, Workstations, CMS.
 - <https://sf.gov/sheriffs-department-accountability-office-inspector-general>
- Continue Core Investigation Services.
- Continue Payroll, Accounting, IT, and Admin Support for SDOB and SDA/OIG.
- Reporting Stats.
 - <https://sf.gov/resource/2023/reports-policing-complaints-2023>
- Investigations Identified SFSO Training Gaps.
- Developed and Submitted Budget Proposal.
 - Memorialized Critical Needs for a Fully Functional and Independent OIG.
- Launched Online Portal for Complainants to Increase Accessibility.
- Created Informational Literature for SFSO Complaints.
- Obtaining Tools for Investigations.
- Negotiating Additional Areas for Oversight – ICDs and AB481.





Thank you.

Appendix

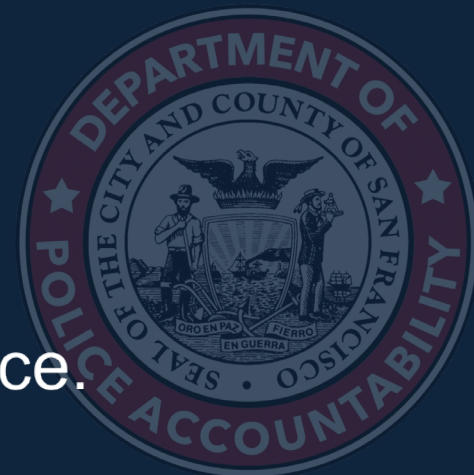
Limited Scope of the DPA's Sheriff Investigations

PRIMARY JURISDICTION OVER SWORN DEPUTIES:

- 1) Use of force causing actual Injury or death.
- 2) Use of a weapon or control device on a person.
- 3) Sexual misconduct.
- 4) Pattern & practice of retaliation, harassment, or bias towards an inmate.
- 5) Reckless disregard for inmate health or safety.

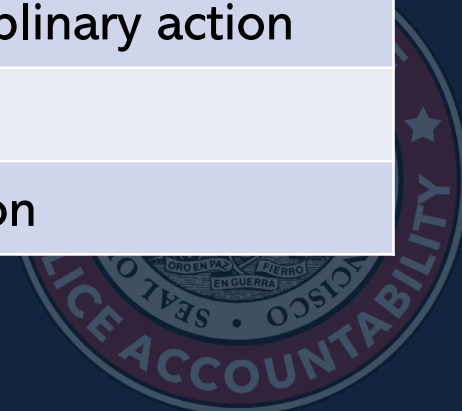
AT THE REQUEST OF THE SHERIFF:

- 1) Suspicious in-custody deaths.
- 2) Deputy involved weapon discharges.
- 3) Off-duty conduct that may bring discredit to the Sheriff's Office.



Differences in Jurisdiction

2020 LOA	SF Charter Section 4.137
Sworn sheriff deputies	All SFSO employees and contractors
Specific serious complaints	All complaints
Additional misconduct at SFSO discretion	No limitation on additional misconduct
Suspicious in-custody deaths at SFSO request	All in-custody deaths
Recommend investigative findings only	Recommend findings and disciplinary action
No subpoena power to conduct hearings	Subpoena power
Access to information by agreement	Requires cooperation



Case Definitions

Neglect of Duty – Type of allegation for the failure to complete a required task.

Truthfulness – Type of allegation for the failure to be always truthful, whether under oath or not.

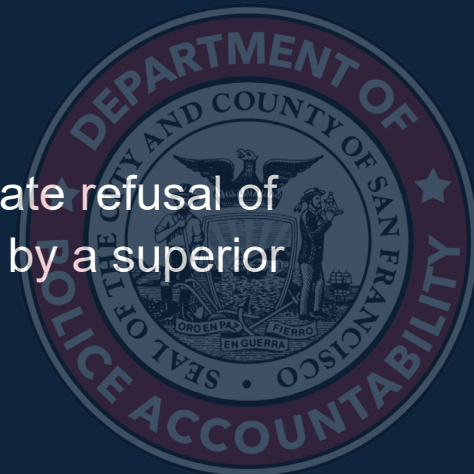
Unacceptable Job Performance – Type of allegation for the failure to discharge an employee's responsibilities, at least at a level to accomplish the department's objectives.

Use of Force – Type of allegation for using more force than was reasonably needed to perform a necessary law enforcement action.

Harassment/Discrimination – Harassment or discrimination on the basis of race, religion, color, national origin, ancestry, disability, medical condition, marital status, sexual orientation, sex, or age including retaliation against a person for making a harassment complaint.

Misconduct – Violation of any department rule or regulation, policy or procedure, or law, or conduct unbecoming a sworn employee or reflecting adversely on the department.

Insubordination – Failure or deliberate refusal of any employee to obey a lawful order by a superior officer.



Case Finding Definitions

Sustained – Finding indicating that evidence from the investigation supports a misconduct finding by a preponderance of the evidence.

Not Sustained – Finding indicating that evidence from the investigation is insufficient to support a misconduct finding.

Exonerated – Finding indicating that evidence from the investigation proves that the complained conduct was justified, lawful, and proper within policy.

Unfounded – Finding indicating that evidence from the investigation proves that the complained conduct did not occur.

No Finding – Finding indicating that the complainant did not provide additional requested evidence, the complainant requested withdrawal of the complaint, the deputy could not reasonably be identified, or the deputy is no longer with SFSO and is therefore no longer subject to SFSO discipline.

Referral – Finding indicating that an allegation was referred to an agency with jurisdiction.

