

1 [Affirming Support for the Use of Force Policy Recommendations by the San Francisco Police
2 Commission and the United States Department of Justice]

3 **Resolution affirming the San Francisco Board of Supervisors' support for the Use of**
4 **Force policy unanimously agreed upon by the San Francisco Police Commission and**
5 **urging the San Francisco Police Officers Association to implement the Use of Force**
6 **policy unanimously agreed upon by the San Francisco Police Commission.**

7
8 WHEREAS, The United States Department of Justice (DOJ) was invited by Mayor
9 Edwin M. Lee on January 21, 2016 to intervene and review, among other things, the Use of
10 Force strategies of the San Francisco Police Department; and

11 WHEREAS, In the June 2016 publication of the San Francisco Police Officers
12 Association (SFPOA) Journal, SFPOA President Martin Halloran wrote in reference to the
13 officer-involved shooting of Jessica Williams, who was killed while her car was in motion, that
14 “the death resulted from a failure to comply with lawful commands and an exhaustion by
15 police of all reasonable options. Instead, those deceased persons chose to resist and assault
16 the officers who were simply doing their jobs the way they were taught, using the tools issued
17 to them, and following orders;” and

18 WHEREAS, Mr. Halloran recognized that his officers “were simply doing their jobs the
19 way they were taught;” and,

20 WHEREAS, Following extensive stakeholder meetings, the San Francisco Police
21 Commission unanimously approved and updated the Department’s 1995 Use of Force policy
22 on June 22, 2016, given officer-involved shootings that sparked public outrage and raised
23 questions about the ethics, excessive force, and racial disparities resulting from the existing
24 Use of Force policy; and

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1 WHEREAS, The DOJ released its findings and recommendations on October 12, 2016,
2 which included Finding 23 and Recommendation 23.1, which read as follows: “Finding 23: [...]”
3 The department’s pending draft order on use of force allows shooting at vehicles when there
4 is an immediate threat of death or injury by means other than the vehicle. Recommendation
5 23.1: The SFPD should immediately implement this provision of the draft policy;” and

6 WHEREAS, The same prohibition has been adopted successfully by large metropolitan
7 police departments including New Orleans, Las Vegas, Philadelphia, Washington DC
8 Metropolitan Police Departments and has been recommended by the International Association
9 of Chiefs of Police; and

10 WHEREAS, On October 12, 2016, Mayor Lee stated that he was “proud to report that
11 the San Francisco Police Department will accept and implement every, single
12 recommendation” from the DOJ and that these reforms are necessary and “important steps
13 forward” to restoring trust between police and constituents; and

14 WHEREAS, Despite more than five months of negotiations, the work between the San
15 Francisco Police Commission and the SFPOA has come to an impasse; and

16 WHEREAS, The SFPOA is refusing to accept the prohibition against shooting at
17 moving vehicles as recommended by the Police Commission and the Department of Justice;
18 and

19 WHEREAS, local Use of Force policies are a community-level intervention to hold
20 police accountable; and

21 WHEREAS, On December 1, 2016, the SFPOA released a misleading video that
22 represented “Trump-like fear mongering” in an ad dramatizing instances when they believe
23 shooting at moving targets in vehicles might be necessary; and

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1 WHEREAS, In every case where a person was killed in an SFPD officer-involved
2 shooting, the officers were found to have acted within policy; however, a number of cases
3 created controversy and tensions between communities and the police; and

4 WHEREAS, The objective of the DOJ investigation was to update antiquated policing
5 laws that must evolve with the values of 21st century policing and San Francisco; and

6 WHEREAS, We are in a critical moment when we must stand fearlessly in the face of
7 falsehoods and propaganda when it comes to defending our identity as a City; and

8 WHEREAS, Effective public safety efforts rely on good community-police relations
9 based on mutual trust, transparency, and accountability; and

10 WHEREAS, The SFPOA and the Police Commission still have disagreements about
11 the Use of Force policy that we encourage them to work to resolve; and

12 WHEREAS, Shooting at moving vehicles is widely seen by experts, including the DOJ
13 and President Obama’s Task Force on 21st Century Policing, as ineffective and dangerous for
14 the shooter, the target, and for bystanders; now; therefore, be it

15 RESOLVED, That the San Francisco Board of Supervisors stands firmly in its support
16 for the Use of Force policy unanimously agreed upon by the San Francisco Police
17 Commission ; and, be it

18 FURTHER RESOLVED, The San Francisco Board of Supervisors urges the San
19 Francisco Police Officers Association to implement the Use of Force policy unanimously
20 agreed upon by the San Francisco Police Commission

21 FURTHER RESOLVED, That the Board of Supervisors affirms its commitment to equal
22 justice under the law and continues to work with the community and local and federal public
23 safety departments to review local ordinances, officer training, and policies to address the use
24 of excessive force and to ensure transparency and accountability within public safety
25 departments.