

BOARD of SUPERVISORS



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MEMORANDUM

TO: Chief William Scott, Police Department
Kate Sofis, Director, Office of Economic and Workforce Development
Patrick Mulligan, Director, Office of Labor Standards Enforcement
Dr. Grant Colfax, Director, Department of Public Health
Chief Jeanine Nicholson, Fire Department

FROM: Alisa Somera, Clerk, Public Safety and Neighborhood Safety Committee
Board of Supervisors

DATE: April 14, 2022

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Safety Committee has received the following hearing request, introduced by Supervisor Mandelman on April 5, 2022:

File No. 220368 Hearing - Public Safety at Fast Food Restaurants

Hearing on public safety and calls for service at fast-food restaurants; and requesting the Police Department, Office of Economic and Workforce Development, Office of Labor Standards Enforcement, Department of Public Health, and Fire Department to report.

You are receiving this referral since your department is being requested to present and report when this matter is agendaized for a hearing.

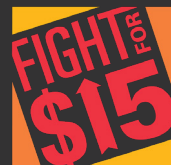
If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or to alisa.somera@sfgov.org.

c: Diana Oliva-Aroche, Police Department
Lili Gamero, Police Department
Lisa Ortiz, Police Department
Lisa Pagan, Office of Economic and Workforce Development
J'Wel Vaughan, Office of Economic and Workforce Development
Greg Wagner, Department of Public Health
Dr. Naveena Bobba, Department of Public Health
Sneha Patil, Department of Public Health
Ana Validzic, Department of Public Health
Theresa Ludwig, Fire Department



BEATEN, STABBED, SILENCED:

**VIOLENCE IN CALIFORNIA'S
FAST-FOOD INDUSTRY AND
WORKERS' FIGHT FOR A VOICE**



December 2021

FOREWORD

We commend the Fight for \$15 and a Union for this careful analysis designed to document the nature of violence incidents that workers in the fast food sector routinely encounter on the job. The work may be of particular importance to advocates and policy-makers focused on building a more equitable California, as the vast majority (80%) of California's 550,000 fast-food workers are Latino/Latina, Asian and Black, and two-thirds are women.

The team gathered data from 911 calls for 643 fast food establishments in nine California cities between 2017 and 2020 to determine the number and most common types of incidents reported to local police jurisdictions. The findings from these call records are supplemented with accounts from fast food workers who have experienced assaults, harassment, or threats on the job. These accounts offer additional insights into the types of workplace arrangements and interpersonal dynamics that can lead to violence incidents.

This research is the first body of work to our knowledge that delves into the prevalence of violence in California's fast-food industry. We applaud the methods and the effort this report puts into obtaining and analyzing 911 call records—which is no easy feat. Their clear and thorough presentation of their findings is laudable, and their research methods, including acknowledgement of the limitations of the data and results, are well detailed in an appendix included in the report.

The findings from this report establish a valuable foundation for subsequent research into this issue—to determine how rates of violence in fast food establishments compare to other public-facing businesses; to estimate the frequency of underreporting of violence incidents; to explore variations by establishment size, business type, and geography; and to consider how the frequency and nature of violence incidence in fast food restaurants may have changed in the context of the COVID-19 pandemic, when workers were often responsible for enforcing mask mandates and/or vaccination requirements among customers.

This report underscores the urgent need for violence prevention strategies in fast food and other retail sectors. Given the fissured nature of the fast-food industry, it is critical that policy makers seek innovative solutions that bring all stakeholders, including frontline workers, together to solve issues like workplace violence in the fast-food industry. The report lifts up how essential it is to give voice and power to the workers who best know how to make fast food restaurants safer for themselves and for customers.

Kevin Riley

Director, UCLA Labor Occupational Safety and Health Program (LOSH)

Laura Stock

Director, UC Berkeley Labor Occupational Health Program (LOHP)

Ken Jacobs

Chair, UC Berkeley Center for Labor Research and Education

EXECUTIVE SUMMARY

Fast-food companies promote their restaurants as family-friendly places to eat and gather, and pride themselves on offering “America’s best first job.”¹ Fast-food workers tell a grimmer story, however – a story of restaurants plagued with criminal activity, where workers are regularly assaulted, robbed, spit on, yelled at, sworn at and told to go back to “their country.” Sixty percent of California fast-food workers are Latino/Latina, 80 percent are people of color, and 68 percent are women.² In their reality, borne out by data from local police departments and media reports, violent activity at fast-food restaurants across California generates tens of thousands of 911 calls a year. This violence comes at a high cost to workers, the community and local public safety budgets, while fast-food corporations fail to take the steps necessary to improve the situation.

In this report, we explore the crisis of violence in the fast-food industry through the lived experience of California’s fast-food workers as well as through the analysis of 911 call records and media reports, and we propose common sense solutions. We argue that fast-food corporations must take responsibility for this crisis and share the burden of solving it alongside their franchisees. We also argue that fast-food workers must play a central role in forging these solutions. Both of these remedies are incorporated into legislation currently pending in the California legislature, AB 257. The bill gives fast-food workers, franchisees and franchisors all a seat at the table in shaping industry-wide workplace standards, including safety regulations.

The threats that fast-food workers face on the job are dire. One McDonald’s worker was jumped by a man he’d inadvertently bumped with a dust pan and beaten to the point of concussion. Another was choked behind the register by a customer who’d previously been arrested for smoking crack in the restaurant. A young KFC worker was shot with a BB gun outside the drive-through and management offered little support. Other workers with The Fight for \$15 and a Union describe being held up at gun point, battered through the drive-through window, stalked by angry customers and verbally threatened. Media reports echo these first-hand accounts, detailing shootings, stabbings, robberies and beatings at fast-food



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I asked a customer to wear a mask and she said no and called me a fucking bitch and threatened to kill me. I told the manager and the manager said I should just be quiet and respectful. **Veronica Gonzalez**

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restaurants, involving workers as well as customers and bystanders. The pandemic has only exacerbated the problem by putting workers in the position of enforcing mask mandates. Few of these locations employ security officers, which leaves fast-food workers to deal with violence on their own, often late at night and without proper training.

Our analysis of 911 calls made from fast-food locations in major cities throughout California shows that many of these restaurants experience high rates of violent activity, including assault, sexual assault and theft. Across 643 locations in nine cities, we identified 77,200 violent or threatening incidents over a four-year period.³ More than one in eight of these incidents involve assault. Drug activity and weapons are also prevalent, as are criminal trespassing, public intoxication and indecent exposure. Many of these restaurants generated hundreds of calls within the four-year span – as many as seven per week. These 643 locations represent only a fraction of the roughly 29,000 fast-food establishments in the state, meaning that the full scale of the violence fast-food workers face in California is significantly broader.⁴

Fast-food companies like McDonald’s, Jack in the Box, Carl’s Jr. and Burger King have failed to take meaningful action to improve this situation, despite repeated calls from workers to do so. The failure of these companies to even acknowledge, much less prevent, the dangers these workers face on the job every day equates to a failure to value Black and brown lives. It is a failure that goes to the very top, as illustrated by McDonald’s CEO Chris Kempczinski’s appalling response, in April 2021, to two then-recent shootings – one of a 7-year-old girl in a McDonald’s drive-through in Chicago and the other of a 13-year-old boy by Chicago police. In a text exchange with Chicago Mayor Lori Lightfoot, Kempczinski cast blame for both murders not on the drive-through shooter or the police but on the victims’ parents, saying: “With both, the parents failed those kids which I know is something you can’t say. Even harder to fix.”⁵ This astounding degree of insensitivity and misjudgment filters through the entire industry’s response to this problem. Such attitudes underscore the need for real oversight and a real voice for workers to help implement meaningful, enforceable standards.

The Numbers

The Fight for \$15 and a Union collected 911 call records involving fast-food locations in nine of the largest cities in California, with a focus on four well-known brands: McDonald’s, Jack in the Box, Carl’s Jr. and Burger King. Across 643 locations, we identified 77,200 violent or threatening incidents that resulted in a call to 911 for police assistance between 2017 and 2020. Many of these locations generated hundreds of calls within the four-year span – as many as seven per week. McDonald’s locations alone accounted for 47,600 calls. These 911 call records reveal the degree to which many fast-food restaurants across the state struggle with violent activity on a regular basis.

Total Violent or Threatening Incidents by Brand, 2017-2020

City	Burger King	Carl's Jr.	Jack in the Box	McDonald's	Total
Fresno	765	772	596	4,176	6,309
Long Beach	379	893	1,554	3,413	6,239
Los Angeles	2,075	2,095	2,476	11,863	18,509
Riverside	190	1,127	1,353	2,569	5,239
Sacramento	825	635	906	6,031	8,397
San Diego	474	446	2,636	2,445	6,001
San Francisco	1,465	591	911	5,989	8,956
San Jose	986	369	1,430	2,275	5,060
Stockton	877	618	2,172	8,842	12,509
Total All Cities:	8,036	7,546	14,034	47,603	77,219

Source: City police departments

A significant fraction of these incidents – 13 percent – involve physical or sexual assault. In total, we identified 10,000 calls related to assault and sexual assault at these locations between 2017 and 2020. In some cities, the fraction of assault-related calls is much higher. In San Francisco, for example, 32 percent of the violent or threatening calls involve assault. In San Diego, it's 22 percent, and in Los Angeles, 16 percent. Assault includes physical attacks, fights, shootings, stabbings, kidnappings, child abuse, domestic violence and elder abuse, among other offenses. Many of these incidents involve the use of a deadly weapon. Sexual assault includes rape, sexual battery and child molestation.

Also included in our analysis are calls involving other, less dramatic threats, such as theft or criminal damage to property, and disturbances of the sort that could potentially erupt into violence. These include, among other things, drug activity, gang activity, verbal threats (including terrorist threats), suspicious persons or vehicles, prowling, stalking, or the refusal to leave a property when asked – essentially anything alarming enough to prompt someone to call 911 for help. Public intoxication and indecent exposure are particularly frequent disturbances at these locations, as is the presence of weapons. We did not include in our analysis 911 calls for medical emergencies and traffic violations, or call records lacking sufficient detail to determine whether they were violent or not.

The totals vary widely by city, both in terms of the number of locations and the number of incidents per location. Los Angeles has highest number of locations by far, and thus also the highest number of incidents. San Francisco and Stockton have far fewer locations but the highest number of incidents per location (407 and 404 respectively), followed by Sacramento (215). The primary factor driving the high rate in these cities is a significant number of problem locations, several of which generate multiple 911 calls per week. The 20 most violent locations in our analysis are listed in the following table.

Twenty Most Violent Locations

Brand	Address	City	Total Violent or Threatening Incidents 2017-2020
McDonald's	322 S. Center St.	Stockton	2,213
McDonald's	1423 N. Center St.	Stockton	1,571
McDonald's	3006 K St.	Sacramento	1,092
McDonald's	4515 Pacific Ave.	Stockton	1,039
McDonald's	200 Richards Blvd.	Sacramento	1,002
McDonald's	611 W. Martin Luther King Blvd.	Stockton	889
McDonald's	1100 Fillmore St.	San Francisco	800
McDonald's	3355 E. Hammer Ln.	Stockton	768
McDonald's	345 Bayshore Blvd.	San Francisco	752
McDonald's	1009 N. Wilson Way	Stockton	733
McDonald's	609 Market St.	San Francisco	699
McDonald's	302 Potrero Ave.	San Francisco	657
McDonald's	10141 Magnolia Ave.	Riverside	653
McDonald's	2599 Long Beach Blvd.	Long Beach	642
McDonald's	640 Long Beach Blvd.	Long Beach	641
McDonald's	2801 Mission St.	San Francisco	626
Carl's Jr.	1 Hallidie Plaza	San Francisco	591
McDonald's	2331 Broadway	Sacramento	583
McDonald's	441 Sutter St.	San Francisco	570
McDonald's	3143 W. Benjamin Holt Dr.	Stockton	564

Source: City police departments

Fast-food restaurants – often referred to in the industry as quick-serve restaurants (QSR) – are known for being uniquely susceptible to criminal activity.⁶ In addressing the question of “why quick-serve restaurants are vulnerable to crime,” the Restaurant Loss Prevention Security Association (RLPSA) puts it this way: “QSRs are often open late at night, many operate on a 24-hour-a-day schedule. ... QSRs can attract tired or stressed patrons in need of a quick meal, but these off-peak hours of operation can also invite unstable or irritated customers onto the QSR premises. Finally, these eateries present a convenient access to fast getaway thoroughfares or dark alleyways, have an abundance of cash on site, and often have inexperienced staff in their employ. These factors add up to the perfect target for ill-willed criminals.”⁷ Among the mitigation measures advised by RLPSA are lighting, visibility, employee preparedness and a security plan tailored to the particular circumstances of the restaurant, such as location and clientele.

Our analysis suggests that fast-food restaurants in California are seriously lagging in these measures, despite the fact that, as RLPSA notes, “failing to provide ‘reasonable and adequate’ security can be considered negligent management.”⁸

The Impact

The violence occurring at fast-food restaurants in California has a devastating impact on fast-food workers, 68 percent of whom are women and 23 percent of whom are under the age of 18.⁹ Several Fight for \$15 workers report sustaining serious physical injuries at work, including concussions, lacerations, BB pellet wounds and bruises. They've been choked by customers, pulled by the hair, grabbed at or pushed, and hit with food or other projectiles. News reports provide additional accounts of workers being stabbed or beaten. Many more workers describe living in fear as a result of threats from customers or being emotionally shaken by violent incidents they witnessed.

Workers report feeling traumatized by these violent incidents for months after they take place, without support or understanding from employers. One McDonald's worker from San Jose, Olivia Garcia, was verbally accosted by a man through the drive-through window for not giving him his food for free. He called her a "fucking bitch" and told her to "go back to her country." When she closed the window to protect herself, he ran around to the front of the restaurant and began banging on the locked door. "I have not been able to go back to work at this store permanently because of the trauma from this incident," Garcia says. "I have depression, panic attacks, anxiety attacks. Often I can't sleep at night, and then I fall asleep during the day. I am seeing a therapist and taking medication. McDonald's did not offer any help with my treatment for coping with this incident."

The violence in fast-food restaurants doesn't only impact the workers and customers unlucky enough to be present during these incidents, it also comes at significant public expense. In some cases, cities have been so burdened by managing the crime at a particular fast-food location that they have utilized public nuisance laws to force operational changes on those locations, or even to close them altogether. In justifying such a drastic action, city officials cite not only public safety concerns but the also financial burden of endless police calls. When the City of Santa Monica brought a public nuisance case against a local McDonald's in 2018, for instance, the police department stated: "Businesses that permit widespread disruptive and criminal activities create unacceptable drains on the City's law enforcement resources, disrupt neighborhoods and harm public safety."¹⁰ Instead of taking responsibility for the problem by hiring security officers to help prevent or manage these violent situations, these companies rely on the far more expensive local police, passing the costs on to the public.

A Path For Change

As this report documents, fast-food companies regularly neglect to provide private security officers, even in high crime areas or through the late night hours. They design their stores in such a way that an angry, mentally ill or criminally motivated person can get into kitchens and other employee areas unimpeded. They fail to provide employees with training on how to handle these violent incidents. And all too often, they refuse to provide medical treatment for injured workers, let alone mental health support. Fast-food corporations, furthermore, fail to provide their franchisees with the resources they need to do any of the above. By failing to take action in the face of this chronic problem, these companies are endangering their employees, predominately women and workers of color, as well as their customers while burdening local governments with the cost of maintaining public safety.

McDonald's, 1100 Fillmore St, **800 incidents**
McDonald's, 345 Bayshore Blvd, **752 incidents**
McDonald's, 609 Market St, **699 incidents**

McDonald's, 3006 K St, **1,092 incidents**
McDonald's, 200 Richards Blvd, **1,002 incidents**
McDonald's, 2331 Broadway, **583 incidents**

Sacramento

McDonald's, 322 S. Center St, **2,213 incidents**
McDonald's, 1423 N. Center St, **1,571 incidents**
McDonald's, 4515 Pacific Ave, **1,039 incidents**

San Francisco

Stockton

McDonald's, 1739 E. Divisadero St, **491 incidents**
McDonald's, 1718 W. Olive Ave, **423 incidents**
McDonald's, 368 E. Shaw Ave, **299 incidents**

San Jose

McDonald's, 2353 McKee Rd, **257 incidents**
Jack in the Box, 148 E. San Carlos St, **246 incidents**
McDonald's, 1299 E. Santa Clara St, **216 incidents**

Fresno

McDonald's, 10141 Magnolia Ave, **653 incidents**
McDonald's, 2242 University Ave, **420 incidents**
McDonald's, 10952 Magnolia Ave, **351 incidents**

McDonald's, 4680 Lincoln Blvd, **443 incidents**
McDonald's, 4000 S. Figueroa St, **439 incidents**
McDonald's, 690 S. Alameda St, **373 incidents**

Los Angeles

Riverside

McDonald's, 2599 Long Beach Blvd, **642 incidents**
McDonald's, 640 Long Beach Blvd, **641 incidents**
McDonald's, 5020 Long Beach Blvd, **366 incidents**

Long Beach

San Diego

Jack in the Box, 721 E. San Ysidro Blvd, **355 incidents**
McDonald's, 1414 University Ave, **309 incidents**
McDonald's, 3805 Midway Dr, **261 incidents**

Workers know what's required to improve this dangerous situation. They need a voice in the matter, as well as a path to secure the changes needed to make their workplaces safer. And fast-food corporations need to do their part, giving franchisees the resources they need to implement these changes. AB 257, would help on both accounts. AB 257 would give workers a seat at the table, allowing them to recommend improvements based on their extensive on-the-ground experience, while at the same time holding fast-food corporations accountable for these problems, and for supporting their franchisees to solve them. Fast-food workers deserve to feel safe in these restaurants.

BEATEN, STABBED, SILENCED: VIOLENCE IN CALIFORNIA'S FAST-FOOD INDUSTRY AND WORKERS' FIGHT FOR A VOICE

"YOU DON'T FEEL SAFE"

The accounts that fast-food workers share about the violence they face going to work every day are deeply distressing. In interviews with The Fight for \$15 and a Union, as well as complaints made to CalOSHA and public health departments across the state, these workers relate being physically assaulted, held up at gunpoint, cursed at, spit on and subject to racist tirades on a regular basis. They describe an environment under constant threat, with customers jumping the front counter of restaurants, climbing in through the drive-through, barging into the kitchen through the back door, throwing rocks through windows, and kicking and banging on locked doors. Some of this violence involves criminal activity such as a robbery attempt or a drug deal. Much of it is irrational and random, however, an enraged response from a belligerent customer directed at a worker who is simply doing his or her job.

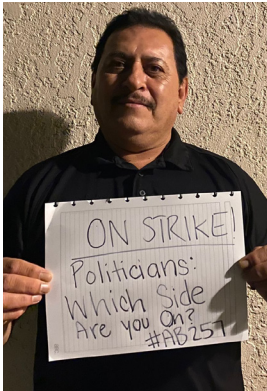
A Prevalence Of Assault

In August 2021, Juan Sandoval, a 65-year-old maintenance worker at a McDonald's restaurant in downtown Los Angeles (245 North Soto Street), was struck in the face by a man who'd approached him in the parking lot to ask about a parking sign. Sandoval passed out after hitting his head on the ground and was later hospitalized. Also in mid-2021, at a McDonald's restaurant in San Francisco (1100 Fillmore Street*), a man who claimed he'd been recently released from prison for killing someone and who'd been previously arrested for smoking crack inside the restaurant, attacked one of the cashiers on the night shift. Though several managers were present, none intervened. It was a 15-year-old fellow cashier who jumped in to stop the man from choking her. In the second half of 2020, a single McDonald's location in Oakland (2520 East 12th Street) was held up twice at gunpoint, and a drive-through worker was grabbed by the hair while a customer reached in to try to steal money from the register. These are just a few of many equally shocking stories.

Olivia Garcia, a McDonald's worker in San Jose (1150 South De Anza Boulevard), describes a

* This location ranks seventh on the list of most violent locations in the state, according to our analysis, with 800 violent or potentially violent incidents.

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Workers are subjected to violence from customers at this store almost daily. Management is well aware of it, yet there is no security officer here to protect us. Customers regularly get violent in the drive-through and on at least two occasions we have been physically assaulted at work. Management’s response is to tell us to stay out of the conflict if we can and to stay inside the restaurant, but part of my job is to clean the parking lot at 5 a.m., I cannot stay inside. **Juan Sandoval**

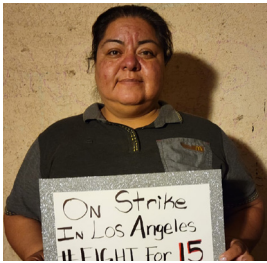
morning in 2018 when a customer at the drive-through grew angry over the price of his order. “He said the prices are too high,” she recounts. “He said, ‘You are a manager. You should give it to me for free.’ I told him I couldn’t do that. He said: ‘What are you doing here you fucking bitch? Go back to your country.’ I think he may have been on drugs or be mentally ill. He kept cursing. I told him, ‘Don’t talk to me like that.’” The man then got out of his car and came up to the window, yelling. When Garcia closed the window to protect herself, he ran around to the front door, which was locked at that hour, and started hitting and kicking the door. “He was saying things like, ‘Are you afraid? Come outside – see what happens to you,’” she recalls. “I took what he was saying as a threat on my life.”

In this as in several other cases, the worker received no support by management but was actually blamed for the incident. The manager told Garcia that she “didn’t deal with the situation well and was not too smart.” The owner of the restaurant, Peter Ou, was angry because the customer had called to report her. “The owner said, ‘You were disrespectful.’ I said, ‘No, he was disrespectful to me.’ I told the owner we need a security officer in the store, and he laughed and said he didn’t even have security officers in stores in more dangerous neighborhoods.” Garcia says she’s not been able to return to work since shortly after the incident, that she can’t sleep at night and suffers from anxiety attacks.

Perla Hernández, a Burger King worker from Campbell (49 West Hamilton Avenue), met with a similar response from management when a man with a knife broached the lobby of her restaurant. “I was working in the kitchen in the late afternoon. Looking out from the kitchen to the register area I saw a bunch of people yelling and running,” she says. “I saw that one of the guys had a big knife and was waving it. I was really scared. I was afraid he might jump the counter and get inside the kitchen. It is not hard to do that. ... [The manager] did not call the police. I asked him why he didn’t. I said, ‘That was a big knife – it’s a really dangerous weapon. What if one of those guys hurts us?’ [The manager] said, ‘Shut up – nothing happened.’ I think the owners of this store don’t want to call the police because it makes the store look bad.”

One McDonald’s location in South Los Angeles, at 101 West Manchester Avenue, exemplifies the industry’s failure to address what can become a decades-long problem with violent activity. Over the four-year period of our analysis, 2017 through 2020, this location was the fourth most violent in the city, generating 53 assault-related 911 calls. It is clear from worker accounts, however, that the problem long predates our analysis. One worker who’s been at

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A few years ago when I was in the drive-through by myself a man pulled up to the open window with a gun and said if I didn't give him the cash in the register he would shoot me. I couldn't open the register so he took the whole register.

Fanny Velazquez

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this location for 23 years, Leonidas Davila, recounts an incident early in his time there when he inadvertently bumped a customer with a dustpan:

I said excuse me, that was an accident, but the man got angry at me and began to yell at me and became very aggressive. The manager made the man leave, but the manager did not call the police. When I went outside to clean, the man was waiting for me, hiding behind a car, and he started beating me, hitting me twice in the head, knocking me to the ground and giving me a concussion. A young customer saw what was happening to me and he ran outside and fought the man off of me so that I could get back inside the restaurant. The manager saw what was happening but did not call the police. I had to ask the manager to call the police, and when he did reach the police, he just gave me the phone, as if he had no responsibility for safety at the store.

I was not offered any medical care, and I just had to keep working, even though I felt dizzy and unbalanced and like I was going to pass out. My head hurt for several days after that. I got a restraining order against the man, but he still kept coming back to the store and he watched me like he wanted vengeance against me, and I had to keep telling the manager that the man was back inside the store so that they would ask him to leave. I don't think management should have allowed the man to keep coming inside the store.

On another occasion, Davila, who handled maintenance at the restaurant, was told by his manager to remove a man who'd been causing problems in the bathroom. "I told the manager that I was not security," Davila says, "but the manager told me that it was my job to throw the man out of the store because I was in charge of maintenance." In response, the man attacked Davila with an iron tool that was used for compacting trash. Some cashiers rushed in to pull the man off of Davila, but the manager did not call the police or offer medical care. "These incidents happened a long time ago," Davila says, "but McDonald's hasn't done anything to improve the situation. It has been 20 years and we still have the same problems."

Several years ago, another worker at the same location, Fanny Velazquez, was held up at gun point while working at the drive-through window and told she'd be shot if she didn't hand over the cash in the register. A coworker who was also in the restaurant at the time, Victor Bonilla, said that the staff was in shock but expected to go on as usual. "We kept working like nothing happened," he says. "We were nervous but we kept working. We were not offered any kind of support, nothing at all."

These attacks are not isolated incidents. Media reports include numerous additional accounts

of fast-food employees coming to harm at the hands of would-be thieves, angry customers or disturbed individuals. A few examples:

- In March 2021, a KFC worker in Los Angeles was shot in the chest with a BB gun outside the drive-through window.¹¹ Though she was hurt and bleeding, the store manager refused to call for medical assistance, just gave her some alcohol and a bandage, expecting her to finish the remaining six hours of her shift. After she missed the next day of work to see a doctor, management reduced her hours.
- In June 2020, a 23-year-old parolee climbed through the drive-through window of a Carl's Jr. restaurant in Moreno Valley and emptied the cash register while threatening employees with a gun.¹²
- In 2018, a man tried unsuccessfully to get into a Lakewood Jack in the Box through the drive-through window at around 2 a.m., when only the drive-through was open, then used a tire iron to smash a door and entered that way.¹³ Only two workers were inside the restaurant at the time. While one ran out to call 911, the suspect struck the other worker on the head with the tire iron and took the cash drawer.
- Also in 2018, two men robbed five different patrons at gun point inside a McDonald's in Ventura, while also physically moving a worker around the business in an attempt to find more cash.¹⁴
- In 2017, an 18-year-old McDonald's worker in southeast Fresno was stabbed in the back by a man who'd been loitering outside the restaurant.¹⁵ The worker, who was female, was taking a bag of food out to a waiting car when the man struck.
- In 2016, a McDonald's worker in the town of Greenfield, in Monterey County, was stabbed four times with a screwdriver after refusing to comply with a man who attempted to rob him at the drive-through window.¹⁶

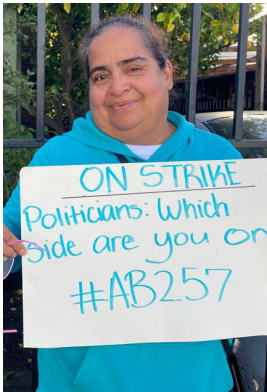
"These things happen and we tell the manager and nothing changes," says Daniela Rodriguez, a McDonald's worker from Berkeley (1998 Shattuck Avenue). "Sometimes they don't bother to call the police, and if they do call, the police normally don't come, or they come after an hour when the person has already fled. There hasn't been private security at this store in a long time."

Harassment And Threats

In addition to battery and armed robbery, fast-food workers face a range of threats that, while less dangerous, are still harrowing. With disturbing frequency, workers recount being verbally harassed or insulted by customers, spit on, cursed at, or hit with food or drinks or other objects. "About twice a week, angry customers who are unhappy with the food or the service throw drinks and food at us and spit on the cashiers," says Maria Pinzon, a McDonald's worker from Oakland (2520 East 12th Street). The pandemic has only exacerbated the problem by compelling workers to uphold mask mandates.

Often, fast-food workers are called upon to manage difficult situations involving the local homeless population, many of whom rely on fast-food restaurants for shelter, bathroom facilities and cheap food. Sometimes, workers report, these individuals lock themselves in the

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There have been five armed robberies at this store. I was there [for three of them]. All three happened in 2020, one after the other. ... These armed robberies affected me a lot. I couldn't control my anxiety, and I get panic attacks. I still get panic attacks. I haven't received any treatment for this. I wasn't given any information about benefits or programs that I might access to help me deal with the impact of these robberies. **Maria Pinzon**

bathroom to shower, for drug use or to sleep, often remaining in there for hours at a time. Sometimes they disturb other customers by asking for money or obstructing public areas. Through the pandemic, when many restaurants closed their lobbies, these individuals lost their means of purchasing food at all since workers are not allowed to serve pedestrians through the drive-through window, and many grew understandably frustrated. In the absence of broader social solutions – or, at the very least, trained security officers – it falls to workers to ask these individuals to leave, which can result in aggressive activity or violence if they refuse.

Most workers receive no training at all in how to manage aggressive behavior. Some say they've been shown videos that advise them merely to refrain from engagement. Worse, workers are instructed in many cases to just take the abuse. "I asked a customer to wear a mask," recounts Veronica Gonzalez, a Jack in the Box worker from Alameda (1257 Park Street), "and she said no and called me a fucking bitch and threatened to kill me. I told the manager and the manager said I should just be quiet and respectful."

Inadequate Safety Measures

The safety measures these restaurants employ to protect workers from violence and harassment are inadequate at best, workers say. "The managers have told us to run to the bathroom or out the back door when there is violence going on," says Evelia Domingo Martin, a Jack in the Box worker from Oakland (532 Hegenberger Road), "but these things happen fast and there isn't always time to react. ... At night, they lock the lobby so the angry customers can't get in, but it is still scary because the angry customers try to force open the drive-through window or the front door, and I never know if they have a gun or some other weapon." Trained security officers would help to deter this behavior, and would be in a better position to manage it when it occurred. But many restaurants provide no security at all. Some do employ security officers but only for certain shifts, or they hire officers who are poorly trained or ineffectual.

The physical layout of these restaurants also leaves workers vulnerable to violence. A McDonald's worker in Sacramento (3773 Northgate Boulevard⁺), Kcharlee Hughes, recounts a morning in August 2021 when she was working in the kitchen and a DoorDash delivery driver ran into the kitchen to get away from someone with a gun in the front. He pushed her into the fryer, very near the hot grease, causing her to twist her ankle. There was an opening in the counter, so there was no impediment to his running straight into an area where a dozen people were working.

"I've always said that having that opening in the counter means there is no way to protect us from dangerous situations," she says. "The company remodeled the store a couple of years ago, not long before COVID. There had been a swinging door between the front and the kitchen. Now there is just an opening between the counter with cash registers and the counter for picking up orders. Also, now some of the chairs are moveable – not bolted to the floor. After this incident I took note of that because I might have to use one of those chairs to defend myself some time."

Media Reports

The violent environment detailed in these accounts is not only a problem for fast-food workers. Many of these restaurants become hotbeds of trouble for the community at large, putting local residents – including children and elders – at risk. A survey of news stories detailing incidents of violence at fast-food restaurants in California between 2017 and 2020 yields dozens of reports of attacks, shootings, stabbings, kidnappings and robberies involving customers and bystanders as well as workers. At least 26 people died in violent incidents in or just outside fast-food restaurants in that period, according to this coverage, at least 16 of them by gunshot and five by stabbing. Some of these incidents involve robbery attempts or altercations between people already known to each other, but many appear to be completely random.

- An 89-year-old man was attacked from behind, punched several times, stabbed and nearly killed while washing his hands in a Garden Grove McDonald's bathroom in 2018, after saying "good morning" to the suspect in passing.¹⁷ Police initially believed the attack was connected to a robbery, but later said the motive was unknown.
- A man in his 70s was stabbed in the face in an unprovoked and apparently random attack in a Burger King in Burbank in 2018.¹⁸ A nearby customer pulled the attacker off the man and continued to struggle with him. Ultimately, the attacker also sustained life-threatening injuries.
- A mother and her 15-year-old son were in a Burger King drive-through in Stockton in December 2020 when a gunman walked up to their car and shot several times into the passenger window.¹⁹ The 15-year-old later died from his injuries.
- A woman, apparently in collusion with her boyfriend, tried to shoot her boyfriend's 11-month-old baby inside a San Leandro McDonald's in 2017 but missed.²⁰ The baby was in his mother's arms at the time.

⁺ This location is the fifth most violent in Sacramento, according to our analysis, with 380 violent or threatening incidents.

- Three men in a pickup truck hit a car parked in a McDonald's parking lot in El Cajon.²¹ While the drivers got out to discuss the crash, one of the truck's passengers chased one of the car's passengers and stabbed him in the neck. The three men then fled in the truck.
- A fight broke out between two men in the parking lot of a Modesto McDonald's.²² When one of the men was knocked to the ground, a woman associated with the other man drove over his legs in her car and fled, leaving him bleeding in the parking lot with two broken legs.
- A driver intentionally ran over and killed a homeless man in a Carl's Jr. parking lot in Riverside in 2017, then attempted to flee.²³
- On a single day in September 2018, two different men were shot and killed in two different Jack in the Box parking lots, one in Long Beach and one in San Diego.²⁴
- An off-duty sheriff's deputy was shot in the head and killed at the counter of an Alhambra Jack in the Box in 2019 in what officials believe was a random attack by a man who'd killed another man an hour earlier at another location.²⁵

Incidents like these are traumatic for everyone involved. Jose Ramirez, a McDonald's worker at a particularly violent location in San Francisco – 1100 Fillmore, which ranks seventh on our list of most violent locations, with 800 violent or threatening incidents – witnessed a shooting in the parking lot of that restaurant in 2015 in which one of the victims collapsed just 12 feet from where he stood. “I was so scared that I was trembling,” Ramirez says. “I had never seen something like this before. Someone died in front of me and I feared for my own life in that moment too. I felt very shaken up when I got home after that shift.” Despite the shock, however, he and his coworkers were expected to go on working. “We were short staffed that day which meant that there was no way the manager would let us leave or close,” he says. “They generally never got involved or worried about anyone when things like this happened.” This was only one of multiple shootings Ramirez knew of at the restaurant in recent years.

Taken together, these accounts illustrate the human dimension of the data. Every one of the 77,200 violent or threatening incidents identified in our analysis involved a human being who was threatened, frightened or alarmed enough to call the police for help. Many of these incidents could be prevented with improved security and store design, their impact minimized by appropriate training and support for workers.

The workers know this. As Leonidas Davila says of the McDonald's at 101 West Manchester Avenue: “We need more security at the store. This McDonald's is open 24 hours, but there is only security during part of the day and incidents happen at any hour. The managers and politicians and the government and everybody needs to hear directly from the workers about the violence and the suffering that is going on in the kitchens to create these hamburgers that people enjoy.”

911 DATA

We analyzed 911 call data from 643 fast-food locations across four brands – Burger King, Carl’s Jr., Jack in the Box and McDonald’s – in nine cities over a four-year period, 2017 through 2020. These nine cities constitute roughly 24 percent of the state population.²⁶ For each city, we looked at all the locations within the jurisdiction of a given city’s police department except those contained within an airport, shopping mall, stadium or university campus.

These 643 fast-food locations generated a total of more than 77,200 violent or threatening incidents over the course of the four-year span, including shootings, stabbings, assaults and sexual assaults, as well as threats of the sort that could potentially erupt into violence. These include, among other things, drug activity, gang activity, verbal threats (including terrorist threats), suspicious persons or vehicles, prowling, stalking, or the refusal to leave a property when asked. McDonald’s locations account for 47,600 of these incidents, Jack in the Box for 14,000, Burger King for 8,000 and Carl’s Jr. for 7,500. We did not include in our analysis 911 calls for medical emergencies and traffic violations, or call records lacking sufficient detail to determine whether they were violent or not. Eighty percent of all the call records we received were violent or threatening. (For details, see the Methodology section.)

The totals vary widely by city. Los Angeles has the highest number of incidents by far (18,509), but also has the highest number of locations (259); its rate of incidents per location, by contrast, is comparatively low. San Francisco and Stockton, with comparatively fewer locations, have the highest number of incidents by location – more than 400 each – followed by Sacramento. In considering the impact of violence on fast-food workers as well as on a city’s resources, it is important to look at both dimensions. (See Appendix A for a total violent or threatening incidents by city and by brand.)

Violent or Threatening Incidents Per Location, 2017-2020

	Burger King	Carl’s Jr.	Jack in the Box	McDonald’s	Average, All Brands
Fresno	77	48	54	190	107
Long Beach	95	89	120	310	164
Los Angeles	52	55	39	101	71
Riverside	63	113	113	257	150
Sacramento	165	71	113	355	215
San Diego	59	23	69	79	63
San Francisco	244	591	304	499	407
San Jose	76	41	95	84	79
Stockton	175	124	241	737	404
All Cities	85	64	81	184	120

Source: City police departments

At many of these locations, 911 calls occur multiple times per week. While some of the variance between cities is likely attributable to variations in policing policies and procedures – some cities may have more capacity than others to respond to a wider range of calls, for



Management didn't ask me or any of my coworkers about ways to make the store safer before they remodeled. They aren't concerned about how to make us safer. They are only concerned about making production better. **Kcharlee Hughes**



example – the more decisive factor is the presence in certain cities of numerous chronically violent locations. In San Francisco, for instance, 16 out of 22 fast-food locations generated the equivalent of more than one violent or threatening 911 call per week throughout the four year span. Eight out of these locations generated more than two per week. In Stockton, 16 out of 31 locations generated more than one call per week, and nine generated more than two per week.

Percentage of Locations With More Than One Violent or Threatening Incidents Per Week

City	%
San Francisco	72.7%
Stockton	51.6%
Sacramento	35.9%
Long Beach	28.9%
Riverside	17.1%
Fresno	15.3%
San Jose	14.1%
Los Angeles	5.4%
San Diego	5.2%



Source: City police departments

More than one eighth of all the violent or threatening incidents – 13 percent – involve assault. In some cities, this fraction is much higher. In San Francisco, for example, 32 percent involve assault. In San Diego, it's 22 percent, and in Los Angeles, 16 percent. Assault includes physical attacks, fights, shootings, stabbings, kidnappings, child abuse, domestic violence and elder abuse, among other offenses. Many of these incidents include the use of a deadly weapon. While the level of detail available on these incidents varies by cities, we were able to identify among assault calls at least 18 murders, seven shootings, 10 stabbings and 62 incidents of kidnapping.²⁷

Sexual assault, while less common, is also prevalent. Of the 103 incidents of sexual crime (excluding prostitution) detailed in the data, at least 53 are explicitly designated rape, sexual battery or sexual assault, and at least 21 involve minors.²⁸

Violent or Threatening Incidents by Incident Category, All Brands, 2017-2020

	Alarm	Assault	Criminal Damage to Property	Criminal Trespass	Disturbance	Sexual Assault or Other Sex Crime	Theft	Threat
Fresno	21	144	95	545	3,022	0	599	1,883
Long Beach	62	612	256	2,725	1,738	13	450	383
Los Angeles	742	2,938	608	1,714	11,163	5	1,276	63
Riverside	114	362	112	138	3,534	27	416	527
Sacramento	358	720	158	0	6,016	0	389	756
San Diego	22	1,317	75	67	3,888	30	442	160
San Francisco	322	2,850	315	2,504	1,025	2	730	1,208
San Jose	206	387	5	267	3,407	17	334	437
Stockton	21	533	229	2,320	7,351	9	682	1,364
Total	1,868	9,863	1,853	10,280	41,144	103	5,318	6,781
% of Total	2.4%	12.8%	2.4%	13.3%	53.3%	0.1%	6.9%	8.8%

Source: City police departments

The largest incident category for most fast-food locations in our analysis is disturbance. This includes a wide variety of generally disruptive and threatening activities, including narcotic activity, indecent exposure, public intoxication, prostitution, disputes between individuals, refusal to leave a property, resisting arrest, screaming, cruelty to animals, “malicious mischief” and “unknown trouble.” While not every disturbance results in actual violence, a location that racks up dozens or even hundreds of these calls in a year, as many do, is an inherently threatening place for those who work there. When a customer is drunk, selling drugs, exposing himself, yelling at another customer, refusing to leave or screaming, the potential for violence is always high for the employee who is forced to confront that customer.

Among the four brands included in our analysis, McDonald’s stands out, accounting for 62 percent of all the incidents we identified. McDonald’s locations in these nine cities generated 47,600 such calls from 2017 through 2020, including 5,800 calls related to assault, 2,900 related to theft and nearly 60 related to sexual assault. While McDonald’s does have a higher number of locations in these cities than the other brands, this difference does not fully account for its high number of incidents. McDonald’s also has far more violent or threatening incidents per location – 184 – than any other brand. Of the top 20 most violent locations in the state, 19 are McDonald’s locations.

Violent or Potentially Violent Incidents Per Location by Brand, 2017-2020

Brand	Total Locations	Total Violent or Threatening Incidents	Violent or Threatening Incidents per Location
McDonald’s	259	47,603	184
Burger King	94	8,036	85
Jack in the Box	173	14,034	81
Carl’s Jr.	117	7,546	64
All Brands	643	77,219	120

Source: City police departments

THE PUBLIC COST

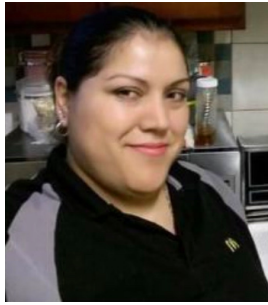
The cost of these 911 calls is high, for the communities who bear the brunt of aggressive policing and as well as for the public that funds this enormous police response. There are certainly times when police action is needed, and workers do report feeling frustrated at their employers' unwillingness to call 911 in violent situations. But there are also times when alternatives are warranted. To protect workers and their communities as well as to lower the cost to public budgets, it is imperative that corporations like McDonald's employ the resources they have at their disposal to provide a safe environment well before police are needed. Employing trained security officers, adjusting hours of operation, making changes to these stores' layout and lighting, ensuring appropriate staffing levels, and providing proper training and support for workers – as well as providing franchisees with the means to do all these things while still remaining profitable – would all go a long way toward reducing the cost of violence at these restaurants.

The Cost To The Community

The cost to a community of calling the police when their presence is not necessary can be extremely high, particularly for communities of color. When police are called to resolve low priority issues like noise complaints, or noncriminal matters involving substance abuse, homelessness or mental health crises – matters for which they often lack the proper training – the results can be disastrous. As the Center for American Progress writes in a 2021 report on 911 call response: “These calls for service can result in unnecessary uses of force, justice system involvement, and other adverse outcomes for civilians, as well as put a strain on public safety resources. Moreover, the harmful effects from these interactions have not been felt equally by all Americans: Communities of color have disproportionately experienced heavy police presence, high rates of arrest, and unduly harsh enforcement tactics. The growth of policing has also negatively affected people with behavioral health disorders and disabilities, whose medical conditions are too often treated like a crime.”²⁹

Research shows that calls for service stemming from even minor incidents can have serious repercussions for certain populations. In a 2021 report on police use of force in California, the Public Policy Institute of California found that Black Californians are about three times more likely than the general population to be seriously injured, shot or killed by the police.³⁰ Among those treated for non-fatal gunshot wounds from a police encounter, the same report found, more than four in 10 were diagnosed with a mental health condition, an alcohol- or substance-related disorder, or both. A KQED review of officer-involved shootings in San Francisco found that 58 percent of those killed by police in that city had a mental illness that was a contributing factor in the incident.³¹ Low-priority calls also have a high likelihood of resulting in justice system involvement for Black people, who are disproportionately arrested for low-level and noncriminal infractions.³²

There is a growing consensus across the country that police are being asked to do too much in managing problems pertaining to substance abuse, homelessness and mental health. Police officers themselves have even recognized the limits of their effectiveness in managing what are effectively societal rather than criminal problems. The International Association of Chiefs of Police acknowledges in a 2018 manual, for example, that “the mere presence of a law enforcement vehicle, an officer in uniform, and/or a weapon ... has the potential to escalate a situation” when an individual is in crisis.³³



The way it is now, if someone speaks up about anything, management treats you like a problem. It would make a difference if workers had a real voice about safety at the store, and if we could all come to agreement on how to make the store safer. My coworkers don't want to say anything because they don't want to get fired. **Juana Camarena**

San Francisco Fire Department Captain Simon Pang, who is leading the effort to develop a crisis response team in San Francisco as an alternative to police response in noncriminal cases, puts it this way: The police are “handling these calls the best they can, but the fact remains that because of the traditional system, which is in place out of inertia, you have law enforcement officers responding to nonviolent, noncriminal calls for service for people whose needs are largely social, behavioral or mental. And that’s just not right. The time is now to rethink the entire process so that we can get personnel who are better suited to help people” in those kinds of crises.

The Financial Cost

The financial cost of excessive policing is also high. In most California cities, included those in our analysis, policing accounts for a significant portion of the city budget. The Public Policy Institute of California found that most California cities spend between \$150 and \$450 per resident on policing. The median amount is \$290 per resident – more than the amount spent on fire protection (\$155), parks and recreation (\$64) and local streets and roads (\$60).³⁴ Responding to 911 calls is a significant portion of what an officer does in a day.

Police Budgets by City

City	Overall Policing Budget (Millions)	% of City Funds Spent on Policing	Total Spent Per Resident	Police Employee to Resident Ratio
Los Angeles	\$1,735	33%	\$420	1:308
San Francisco	\$706	9%	\$604	1:275
San Diego	\$542	34%	\$378	1:537
San Jose	\$473	30%	\$434	1:609
Long Beach	\$265	43%	\$522	1:373
Fresno	\$202	40%	\$367	1:470
Sacramento	\$184	26%	\$295	1:475

Source: Vera Institute of Justice³⁵

Some fast-food locations cost the public far more than others. At one problem McDonald’s location, 730 Stanyan Street in San Francisco, the violence and criminal activity were so bad for so many years that the city opted to close the restaurant altogether.³⁶ Longstanding

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I was working in the kitchen in the late afternoon. Looking out from the kitchen to the register area I saw a bunch of people yelling and running. ... I saw that one of the guys had a big knife and was waving it. I was really scared. I was afraid he might jump the counter and get inside the kitchen. It is not hard to do that. ... [The manager] did not call the police. I asked him why he didn't. I said, 'That was a big knife – it's a really dangerous weapon. What if one of those guys hurts us?' [The manager] said, 'Shut up – nothing happened.' I think the owners of this store don't want to call the police because it makes the store look bad.”

Perla Hernández

efforts by the city attorney to pressure McDonald's and its franchisee, C.C. Yin, into taking responsibility for the problems at the site had failed when a man was shot in front of the restaurant in the middle of the day in 2017.³⁷ Within days of that incident, the San Francisco Board of Supervisors stepped in and purchased the property for \$15.5 million.³⁸ The restaurant finally closed in April 2018, almost three years after the first official efforts by the city to address the problem.³⁹

In Santa Monica, the City Attorney's Office was forced to file a nuisance abatement case against another problem McDonald's location, at 1540 Second Street, in 2018. The city alleged that the restaurant had become a haven for criminal activity in Downtown Santa Monica, generating 847 calls for service in 2017 and 657 in just the first six months of 2018, leading up to the City's action.⁴⁰ According to the Santa Monica Police Department (SMPD), "Calls for service and disruptive activities at [this] McDonald's have been greater than at any other business in Santa Monica, including other 24-hour fast food restaurants." Yet numerous attempts by both SMPD and Code Enforcement to get the business location to clean up the situation "were met with resistance and inaction by McDonald's." The case resulted in a stipulated judgment under which the restaurant was required to cease 24-hour operations, among other changes.

Speaking about this case, Santa Monica Police Captain Darrick Jacob stated: "Businesses that permit widespread disruptive and criminal activities create unacceptable drains on the City's law enforcement resources, disrupt neighborhoods, and harm public safety."⁴¹

By ignoring the violence that plagues many of these locations, and taking no meaningful action to protect their restaurants, corporations like McDonald's are pushing security expenses onto the city, and pushing the responsibility for dealing with these problem day to day onto fast-food workers. These companies need to live up to their promises of being "proud to be a part of the communities we serve"⁴² and "dedicated to making a positive difference in the communities in which our employees, franchisees and guests work and live."⁴³

SOLUTIONS

Fast-food corporations like McDonald's are some of the wealthiest companies in the world. They have the power as well as the resources to improve safety at their locations. Yet while corporate executives sit in their home offices or C-suites, it's fast-food cooks, cashiers and maintenance workers who spend day after day in these restaurants, experiencing this violence and its effects firsthand. Fast-food workers across California are demanding that these corporations take responsibility for the violence that plagues their workplace, and they are demanding a seat at the table alongside their employers to help forge solutions for ending it.

As these workers know, there are steps that fast-food companies could take to address this problem immediately, such as employing trained security officers; adjusting hours of operation; making changes to these stores' layouts and lighting; ensuring appropriate staffing levels, especially at late hours; and providing proper training and support for workers. They could also support their franchisees to take these steps. Fast-food corporations already exert a high level of control over their franchisees' businesses, with detailed standards and rules governing all aspects of a store's design and operations.⁴⁴ It would not be a stretch for these corporations to integrate safety policies into these myriad dictates. It is also well within their power to provide franchisees – in particular those whose stores are located in high-crime neighborhoods – with the flexibility and resources they need to keep their stores safe while remaining profitable.

Instead, these corporations hide behind laws that allow them to limit their liability and thus avoid responsibility for keeping workers and customers safe. Again and again, these corporations claim that the conditions fast-food workers face on the job – including violence – are not their problem. They insist that franchisors and franchisees are not joint employers but independent partners, each with their own separate role, and that franchisors have no say over the terms of employment. A growing body of evidence indicates, however, that they in fact exert a great deal of control by disincentivizing compliance with labor standards – that is, by pressuring franchisees to such a degree that cutting corners with employees is the only way to see a profit.

In the words of legal scholars Andrew Elmore and Kati L. Griffith, writing in *California Law Review*: “Franchisor standards set most revenue and cost variables for a franchise store except for labor costs, and they often impose cost requirements that cut deep into franchisee profit. Franchisees, as a result, have an incentive to violate underenforced workplace laws to increase their profits.”⁴⁵ In fact, they argue, far from having no say at all over the terms of employment, franchisors are often the only party in a position to improve them. “Franchisors that effectively set business practices in franchise stores and select and train franchisees in them are often the only private stakeholder that can consistently deter workplace violations, compensate victims, and make meaningful changes to wages and benefits.”

The data we have collected on violence at fast-food restaurants in California is yet another indication that this is an industry in crisis. Numerous complaints filed by fast-food workers with health departments in California, and a 2021 report by Physicians for Social Responsibility that was based on these complaints, document widespread disregard for COVID-19 health orders, including several cases of fast-food employers forcing workers to come to work with COVID-19 symptoms.⁴⁶ A recent report by the Santa Clara County Wage

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I have never been given training on what to do if there is a violent incident at the store. Sometimes management shows us videos about not getting involved and not reacting to customers, but the problem is much bigger than that. For example, there is no training about what to do if we get attacked. **Leonidas Davila**

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Theft Coalition found that wage theft is also rampant in the industry.⁴⁷ Stealing wages from California’s lowest paid workers has an enormous impact on vulnerable communities and adds to California’s public assistance costs. The failure to address a chronic problem with violence is yet another example of this industry operating irresponsibly.

Violence in fast-food restaurants is ultimately an issue of racial justice. Nearly 80 percent of all California fast-food workers are Latino/Latina, Black or Asian, and 27 percent are foreign-born.⁴⁸ When angry customers hurl insults at workers, they are often explicitly racist in nature. There is a documented history, furthermore, of fast-food corporations passing problem locations onto franchisees of color. A recent lawsuit brought against McDonald’s Corporation by more than 50 of its Black franchisees, for instance, alleges that the company routinely steered Black franchisees to stores with lower sales volume and higher security and insurance costs, without additional support or compensation, resulting in revenues well below the brand-wide average and a notably high attrition rate.⁴⁹ By failing to provide adequate security, training, medical treatment and support to workers affected by violence while simultaneously allowing franchisees of color to flounder in high-crime areas, these corporations are perpetuating a vicious circle that disproportionately harms Black and brown workers and their communities.

Nor are frequent visits by armed police officers an appropriate solution in these cases, given the record of police violence in communities of color, in California as elsewhere. Many of the incidents reported in both the worker accounts and the data involve either spontaneous bursts of aggression that may be more effectively deterred or deescalated by the presence of an on-site security officer, or behavioral health crises better suited to a social worker or mental health professional. These incidents might also be mitigated through improvements in store layout, lighting or operational policies. As the Center for American Progress argued in a recent report on 911 call response: “Unnecessarily dispatching armed officers to calls where their presence is unnecessary is more than just an ineffective use of safety resources; it can also create substantially adverse outcomes for communities of color, individuals with behavioral health disorders and disabilities, and other groups who have been disproportionately affected by the American criminal justice system.”⁵⁰

Workers know what’s needed to improve the dangerous situation at fast-food restaurants, but they lack the power to enact real change. Franchisees who may want to do the right thing are hampered by onerous economic and operational constraints imposed by franchisors. Policy changes are needed to alter the terms of this dynamic. Workers need a voice in the matter,

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When I was working alone in the store I was the victim of a gun robbery. [Now] I do not want to work alone, or at night, and I cannot work alone at night at the store where I was assaulted. The boss at Subway said that it was not normal that I should still be scared. I asked Subway management for support, and they gave me a check for \$140.

Berta Perez

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as well as a path to secure the changes needed to make their workplaces safer. Franchisees need the resources to implement these changes. Legislation now pending in the California Assembly, AB 257, would help on both accounts. AB 257 would give workers a seat at the table, allowing them to recommend improvements based on their extensive on-the-ground experience, while at the same time holding fast-food corporations accountable for these problems, and for supporting their franchisees to solve them. Neighborhood restaurants like McDonald's, Jack in the Box, Carl's Jr. and Burger King should be places where both employees and customers can expect to be safe.

APPENDIX A: DATA TABLES

Total Violent or Threatening Incidents by Brand, 2017-2020

City	Burger King	Carl's Jr.	Jack in the Box	McDonald's	Total
Fresno	765	772	596	4,176	6,309
Long Beach	379	893	1,554	3,413	6,239
Los Angeles	2,075	2,095	2,476	11,863	18,509
Riverside	190	1,127	1,353	2,569	5,239
Sacramento	825	635	906	6,031	8,397
San Diego	474	446	2,636	2,445	6,001
San Francisco	1,465	591	911	5,989	8,956
San Jose	986	369	1,430	2,275	5,060
Stockton	877	618	2,172	8,842	12,509
Total All Cities:	8,036	7,546	14,034	47,603	77,219

Violent or Threatening Incidents Per Location (Average), 2017-2020

	Burger King	Carl's Jr.	Jack in the Box	McDonald's	Average, All Brands
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Sacramento	358	720	158	0	6,016	0	389	756
San Diego	22	1,317	75	67	3,888	30	442	160
San Francisco	322	2,850	315	2,504	1,025	2	730	1,208
San Jose	206	387	5	267	3,407	17	334	437
Stockton	21	533	229	2,320	7,351	9	682	1,364
Total	1,868	9,863	1,853	10,280	41,144	103	5,318	6,781
% of Total	2.4%	12.8%	2.4%	13.3%	53.3%	0.1%	6.9%	8.8%

Violent or Threatening Incidents by Incident Category by Brand, All Cities, 2017-2020

	Alarm	Assault	Criminal Damage to Property	Criminal Trespass	Disturbance	Sexual Assault or Other Sex Crime	Theft	Threat
Burger King	366	1,247	215	816	3,386	5	651	578
Carl's Jr.	414	929	205	791	3,354	12	520	468
Jack in the Box	207	1,806	380	1,603	7,346	28	956	1,172
McDonald's	861	5,677	1,106	6,334	23,722	57	2,582	3,328
Total	1,848	9,659	1,906	9,544	37,808	102	4,709	5,546

Total Number of Restaurants by City

	Burger King	Carl's Jr.	Jack in the Box	McDonald's	Total
Fresno	10	16	11	22	59
Long Beach	4	10	13	11	38
Los Angeles	40	38	64	117	259
Riverside	3	10	12	10	35
Sacramento	5	9	8	17	39
San Diego	8	19	38	31	96
San Francisco	6	1	3	12	22
San Jose	13	9	15	27	64
Stockton	5	5	9	12	31
Total	94	117	173	259	643

Note: Excludes all locations situated in an airport, shopping mall, stadium, Walmart or university campus.

Fifty Most Violent Locations, All Cities, 2017-2020

Brand	Address	City	Total Violent and Threatening Incidents
McDonald's	322 S. Center St.	Stockton	2,213
McDonald's	1423 N. Center St.	Stockton	1,571
McDonald's	3006 K St.	Sacramento	1,092
McDonald's	4515 Pacific Ave.	Stockton	1,039
McDonald's	200 Richards Blvd.	Sacramento	1,002
McDonald's	611 W. Martin Luther King Blvd.	Stockton	889
McDonald's	1100 Fillmore St.	San Francisco	800
McDonald's	3355 E. Hammer Ln.	Stockton	768
McDonald's	345 Bayshore Blvd.	San Francisco	752
McDonald's	1009 N. Wilson Way	Stockton	733
McDonald's	609 Market St.	San Francisco	699
McDonald's	302 Potrero Ave.	San Francisco	657
McDonald's	10141 Magnolia Ave.	Riverside	653
McDonald's	2599 Long Beach Blvd.	Long Beach	642
McDonald's	640 Long Beach Blvd.	Long Beach	641
McDonald's	2801 Mission St.	San Francisco	626
Carl's Jr.	1 Hallidie Plaza	San Francisco	591
McDonald's	2331 Broadway	Sacramento	583
McDonald's	441 Sutter St.	San Francisco	570
McDonald's	3143 W. Benjamin Holt Dr.	Stockton	564
Jack in the Box	400 Geary St.	San Francisco	532
McDonald's	1739 E. Divisadero St.	Fresno	491
McDonald's	7901 College Town Dr.	Sacramento	466
Jack in the Box	1504 Pacific Ave.	Stockton	455
McDonald's	8020 Lower Sacramento Rd.	Stockton	445
McDonald's	1830 Long Beach Blvd.	Long Beach	443
McDonald's	4680 Lincoln Blvd.	Los Angeles	443
McDonald's	4000 S. Figueroa St.	Los Angeles	439
McDonald's	1718 W. Olive Ave.	Fresno	423
McDonald's	2242 University Ave.	Riverside	420
McDonald's	5411 3rd St.	San Francisco	410
Burger King	819 Van Ness Ave.	San Francisco	397
Jack in the Box	733 W. Charter Way	Stockton	392
McDonald's	1000 E. 4th St.	Long Beach	386
McDonald's	3773 Northgate Blvd.	Sacramento	380
McDonald's	1049 E March Ln.	Stockton	380
McDonald's	1201 Ocean Ave.	San Francisco	379
McDonald's	690 S. Alameda St.	Los Angeles	373
McDonald's	5020 Long Beach Blvd.	Long Beach	366
Burger King	35 Powell St.	San Francisco	364
Jack In The Box	721 E. San Ysidro Blvd.	San Diego	355
McDonald's	101 W. Manchester Ave.	Los Angeles	354
McDonald's	10952 Magnolia Ave.	Riverside	351
McDonald's	145 Jefferson St.	San Francisco	351
McDonald's	2517 Del Paso Blvd.	Sacramento	347
McDonald's	341 S Vermont Ave.	Los Angeles	346
Jack in the Box	920 E Hammer Ln.	Stockton	343
McDonald's	2335 Florin Rd.	Sacramento	338
McDonald's	235 Front St.	San Francisco	337
McDonald's	695 S Western Ave.	Los Angeles	323

APPENDIX B: LOCAL DATA

Most Violent Locations in Fresno

Brand	Location	Total Violent Or Threatening Incidents 2017-2020
McDonald's	1739 E. Divisadero St.	491
McDonald's	1718 W. Olive Ave.	423
McDonald's	368 E. Shaw Ave.	299
McDonald's	4190 N. West Ave.	286
McDonald's	5645 E. Kings Canyon Rd.	278
McDonald's	4505 E. Kings Canyon Rd.	250
McDonald's	4898 E. Kings Canyon Rd.	244
McDonald's	3110 E. Jensen Ave.	221
McDonald's	3115 N. Blackstone Ave.	211
Burger King	481 E. Shaw Ave.	204

Most Violent Locations in Long Beach

Brand	Location	Total Violent or Threatening Incidents 2017-2020
McDonald's	2599 Long Beach Blvd.	642
McDonald's	640 Long Beach Blvd.	641
McDonald's	1830 Long Beach Blvd.	443
McDonald's	1000 E. 4th St.	386
McDonald's	5020 Long Beach Blvd.	366
Carl's Jr.	700 Long Beach Blvd.	300
McDonald's	3302 E. Anaheim Blvd.	280
Carl's Jr.	1670 W. Pacific Coast Hwy.	254
Jack in the Box	1190 E. Pacific Coast Hwy.	248
Jack in the Box	6025 Long Beach Blvd.	240

Most Violent Locations in Los Angeles

Brand	Location	Total Violent or Threatening Incidents 2017-2020
McDonald's	4680 Lincoln Blvd.	443
McDonald's	4000 S. Figueroa St.	439
McDonald's	690 S. Alameda St.	373
McDonald's	101 W. Manchester Ave.	354
McDonald's	341 S. Vermont Ave.	346
McDonald's	695 S. Western Ave.	323
McDonald's	201 W. Washington Blvd.	296
Burger King	5609 Sunset Blvd.	260
Jack in the Box	6407 W. Sunset Blvd.	256
McDonald's	6345 Wilshire Blvd.	252

Most Violent Locations in Riverside

Brand	Location	Total Violent or Threatening Incidents 2017-2020
McDonald's	10141 Magnolia Ave.	653
McDonald's	2242 University Ave.	420
McDonald's	10952 Magnolia Ave.	351
McDonald's	7474 Indiana Ave.	295
Carl's Jr.	4282 Market St.	280
Carl's Jr.	10010 Magnolia Ave.	206
Jack in the Box	3434 14th St.	206
Jack in the Box	4860 La Sierra Ave.	203
McDonald's	2891 Canyon Springs	193
McDonald's	5010 Van Buren Blvd.	185

Most Violent Locations in Sacramento

Brand	Location	Total Violent or Threatening Incidents 2017-2020
McDonald's	3006 K St.	1,092
McDonald's	200 Richards Blvd.	1,002
McDonald's	2331 Broadway	583
McDonald's	7901 College Town Dr.	466
McDonald's	3773 Northgate Blvd.	380
McDonald's	2517 Del Paso Blvd.	347
McDonald's	2335 Florin Rd.	338
Burger King	5150 Stockton Blvd.	274
McDonald's	4242 Norwood Ave.	263
McDonald's	2985 Freeport Blvd.	257

Most Violent Locations in San Diego

Brand	Location	Total Violent or Threatening Incidents 2017-2020
Jack in the Box	721 E San Ysidro Blvd.	355
McDonald's	1414 University Ave.	309
McDonald's	3805 Midway Dr.	261
McDonald's	4260 Nobel Dr.	255
Jack in the Box	220 W. Washington St.	239
Jack in the Box	1110 C St.	196
McDonald's	1121 Garnet Ave.	194
Jack in the Box	5155 College Ave.	168
McDonald's	1515 Euclid Ave.	157
Jack in the Box	2404 Market St.	154

Most Violent Locations in San Francisco

Brand	Location	Total Violent or Threatening Incidents 2017-2020
McDonald's	1100 Fillmore St.	800
McDonald's	345 Bayshore Blvd.	752
McDonald's	609 Market St.	699
McDonald's	302 Potrero Ave.	657
McDonald's	2801 Mission St.	626
Carl's Jr.	1 Hallidie Plaza	591
McDonald's	441 Sutter St.	570
Jack in the Box	400 Geary St.	532
McDonald's	5411 3rd St.	410
Burger King	819 Van Ness Ave.	397

Most Violent Locations in San Jose

Brand	Location	Total Violent or Threatening Incidents 2017-2020
McDonald's	2353 McKee Rd.	257
Jack in the Box	148 E. San Carlos St.	246
McDonald's	1299 E. Santa Clara St.	216
McDonald's	898 S. Bascom Ave.	186
McDonald's	2040 N. 1st St.	186
McDonald's	1398 W. San Carlos St.	156
McDonald's	585 Tully Rd.	154
Burger King	2170 Monterey Rd.	150
Jack in the Box	697 Curtner Ave.	150
Burger King	3098 Story Rd.	148

Most Violent Locations in Stockton

Brand	Location	Total Violent or Threatening Incidents 2017-2020
McDonald's	322 S. Center St.	2,213
McDonald's	1423 N. Center St.	1,571
McDonald's	4515 Pacific Ave.	1,039
McDonald's	611 W. Martin Luther King Blvd.	889
McDonald's	3355 E. Hammer Ln.	768
McDonald's	1009 N. Wilson Way	733
McDonald's	3143 W. Benjamin Holt Dr.	564
Jack in the Box	1504 Pacific Ave.	455
McDonald's	8020 Lower Sacramento Rd.	445
Jack in the Box	733 W. Charter Way	392

APPENDIX C: METHODOLOGY

We requested 911 call records for all the McDonald's, Jack in the Box, Carl's Jr. and Burger King locations within the jurisdiction of nine city police departments over a four-year period, 2017 through 2020. The nine cities are: Fresno, Long Beach, Los Angeles, Riverside, Sacramento, San Diego, San Jose, San Francisco and Stockton. The requests were made between October 2019 and September 2021. The initial list of locations for each city was compiled based on locations that were operational at the time a particular request was made; some locations may have closed since the requests were made. So as to limit crossover with other establishments, we excluded any location that was enclosed by an airport, shopping mall, stadium, Wal-Mart or university campus. Nineteen locations were excluded for this reason.

While the format of the data we received varies slightly from city to city, all the records contain a few basic elements: a street address, the date and time of the call, and a brief, usually standardized description of the call type (for example, "Vandalism" or "Suspicious Person"). We organized these call type descriptions into nine incident categories: Alarm, Assault, Criminal Damage to Property, Criminal Trespass, Disturbance, Sexual Assault or Other Sex Crime, Theft, Threat and Other. The first eight categories contain incidents deemed to be either overtly violent (such as assault or rape), criminally aggressive (such as theft or property damage), or threatening in a way that could potentially lead to violence (such as disturbance of the peace, narcotic activity or the brandishing of a weapon). The Other category contains all calls deemed not to be violent, criminally aggressive or threatening. These primarily include traffic violations, medical emergencies and accidents.

This system of categorization is necessarily imperfect given the general lack of detail contained in the call type descriptions, as well as natural discrepancies in each police department's – indeed, each individual officer's – approach to record-keeping. For example, an incident that one department or officer might label as "Person sitting/lying on public sidewalk" (which we categorize as Other), another might label as "Disturbance business" (Disturbance). Also, there

may be some overlap between categories based on variations in call type wording. For example, a description that reads “Disturbing the peace unconcealed weapon” could fall into either Disturbance (for the disturbing the peace) or Threat (for the presence of weapon). In such cases, we generally went with the primary designation – in this case, Disturbance. We have made every attempt to resolve these inconsistencies as coherently and transparently as possible.

In general, any comparison between cities should be tempered by the understanding that significant variation exists between police departments on the level of operations as well as on the level record keeping. Departments differ in capacity, in the types of calls they tend to respond to, and in their manner of characterizing those calls for the record. They also differ in their policies for managing and distributing public records. While we have no reason to assume that any of these departments inappropriately withheld records, we also have no way of confirming the comprehensiveness of what we received.

Below are brief descriptions of the type of calls contained in each of the nine categories.

Alarm: Includes calls responding to some type of alarm, generally a burglar alarm.

Assault: Includes physical assault, battery, assault with a deadly weapon, homicide or murder, kidnapping, shootings, stabbings, fights, domestic violence, child abuse or neglect, hit and run with injury, the firing of shots and objects thrown at a vehicle. Also includes suicide and attempted suicide.

Criminal Damage to Property: Includes vandalism, arson and hit and run without injury.

Criminal Trespass: Includes trespassing, prowling, homeless-related calls for service, unlawful lodging, narcotics-related loitering, entry without consent and refusal to leave a property.

Disturbance: Includes disturbance, disturbance of the peace, disturbance involving a weapon, indecent exposure, public intoxication, narcotic activity, disputes, prostitution, screaming, cruelty to animals, vicious animals, aggressive panhandling, welfare checks, premises checks, assistance requests, noise complaints, “unknown trouble” and “malicious mischief.”

Sexual Assault or Other Sex Crime: Includes sexual assault, rape, sexual battery, child molestation, attempted rape, voyeurism and lewd conduct (excluding indecent exposure).

Theft: Includes robbery, burglary, auto theft, petty theft, fraud, forgery, counterfeit money, possession of stolen property, recovery of a stolen vehicle and vehicle tampering.

Threat: Includes criminal threats, bomb threats, terrorist threats, threats of injury, threatening phone calls, suspicious activity or persons, suspicious vehicle, brandishing of weapons, carrying of concealed weapons, gang activity, stake out, restraining order violations, stalking, hate crimes not specified as assault-related and suicide threats.

Other: Includes medical emergencies, ambulance calls, overdoses, deaths not specified as assault-related, missing persons, runaway juveniles, traffic accidents, traffic violations, DUIs, found property or persons, fire response, hazards, illegal dumping, impersonating an officer, citizen complaint investigations, calls for back up, follow up calls, interviews, warrants, unknown complaints or emergencies and calls labeled “other.” Also includes all redacted call type descriptions.

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Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- ☐ 2. Request for next printed agenda Without Reference to Committee.
- ☒ 3. Request for hearing on a subject matter at Committee.
- ☐ 4. Request for letter beginning : "Supervisor inquiries"
- ☐ 5. City Attorney Request.
- ☐ 6. Call File No. from Committee.
- ☐ 7. Budget Analyst request (attached written motion).
- ☐ 8. Substitute Legislation File No.
- ☐ 9. Reactivate File No.
- ☐ 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission

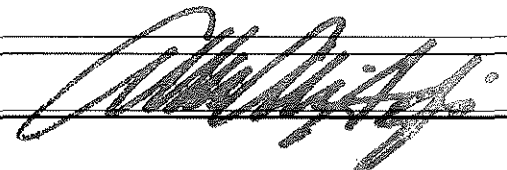
Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Subject:

The text is listed:

A hearing to consider public safety and calls for service at fast-food restaurants. Requesting the San Francisco Police Department, Office of Economic and Workforce Development, Office of Labor Standards Enforcement, Department of Public Health and Fire Department to report.

Signature of Sponsoring Supervisor: 

For Clerk's Use Only