

SAN FRANCISCO PUBLIC DEFENDER

MANOHAR RAJU – PUBLIC DEFENDER
MATT GONZALEZ – CHIEF ATTORNEY



San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall
San Francisco, CA 94102

November 28, 2022

Re: Item 28 on the Board of Supervisors Agenda Tomorrow—Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment

Dear President Shaman Walton and Supervisors:

Tomorrow during your regular Board of Supervisors meeting, you will vote on whether to authorize the San Francisco Police Department (SFPD) to use so-called “killer robots.” The SFPD has justified their request by suggesting that the robots can be used instead of its personnel to “enhance the safety of the community and officers.” This is a false choice, predicated on fear mongering and a desire to write their own rules. The Board should reject that false choice and SFPD’s request to for the reasons set forth below.

To start, allowing SFPD the ability to kill community members remotely will make San Francisco an outlier and cuts against the progressive values this City has long stood for. The Oakland Police Department recently backed away from a similar proposal after significant public backlash. Other states—including Virginia, Maine, and North Dakota—have banned weaponizing similar remote-control devices. Even manufacturers of these devices have publicly opposed attaching weapons to them.¹

Those jurisdictions have rightfully rejected the use of robots to kill members of the community because, like the robots at issue in this policy, they are dehumanizing and militaristic as experts have long observed.² The streets of San Francisco are neither a battlefield nor a war zone, and the fact that SFPD is contemplating using explosive devices *instead of* a shotgun, say, is egregious.³ The consequences of allowing SFPD to treat the streets as if they are because of an underdeveloped policy could be severe, especially considering SFPD’s long history of using excessive force—particularly against people of color.

¹ <https://www.bostondynamics.com/open-letter-opposing-weaponization-general-purpose-robots>.

² <https://www.npr.org/2022/11/28/1139523832/san-francisco-considers-allowing-law-enforcement-robots-to-use-lethal-force>.

³ <https://www.sfgate.com/bayarea/article/san-francisco-police-lethal-robots-17616522.php>.

Adult Division - HOJ
555 Seventh Street
San Francisco, CA 94103
P: 415.553.1671
F: 415.553.9810
www.sfpdpublicdefender.org

Juvenile Division - YGC
375 Woodside Avenue, Rm. 118
San Francisco, CA 94127
P: 415.753.7601
F: 415.566.3030

Juvenile Division - JJC
258A Laguna Honda Blvd.
San Francisco, CA 94116
P: 415.753.8174
F: 415.753.8175

Clean Slate
P: 415.553.9337
www.sfpdpublicdefender.org/services

Community Justice Center
P: 415.202.2832
F: 415.563.8506

Bayview Magic
P: 415.558.2428
www.bayviewmagic.org

MoMagic
P: 415.567.0400
www.momagic.org

The proposed policy touts the devices for their ability to enhance officers' situational awareness. While this may be true for reconnaissance purposes, the screen displaying a robot's camera view would offer less situational awareness than a human in the room would have precisely at a time when an officer would decide whether to use deadly force. To be clear: SFPD has historically had no difficulty using deadly force against members of the community. Despite these concerns, SFPD appears to have no plan in place for these devices or for contingencies related to them—for example, the policy is silent on who is responsible if a robot malfunctions and shoots an unintended person, is hacked and detonates prematurely— and so the public is left to take this department at its word that the robots will be used in “rare and exceptional circumstances.” That is cold comfort.

Tools beg to be used. If the SFPD is empowered to deploy a tool, the reason to use it—no matter how dehumanizing—will emerge. The SFPD has already dramatically expanded its policing power by accessing private surveillance footage. The Board should stand against this sweeping, unnecessary expansion of police power and reject SFPD's request to deploy killer robots.

I respectfully request that the Board require the SFPD to revise Section 5 “Authorized Use” of its Law Enforcement Equipment Policy⁴—and revert to the original language Supervisor Aaron Peskin proposed—as follows:

The robots listed in this section shall not be utilized outside of training and simulations, criminal apprehensions, critical incidents, exigent circumstances, executing a warrant or during suspicious device assessments. ~~Robots will only be used as a deadly force option when risk of loss of life to members of the public or officers is imminent and outweighs any other force option available to SFPD.~~ Robots shall not be used as a Use of Force against any person.

Brian Cox

Brian Cox
Deputy Public Defender
Director, Integrity Unit
(415) 575-6401

⁴ <https://sfgov.legistar.com/View.ashx?M=F&ID=11449771&GUID=9FC57C5A-6E68-4485-A989-632C3837B909>.