

File No. 220641

Committee Item No. 2

Board Item No. 9

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Rules Committee

Date Nov. 14, 2022

Board of Supervisors Meeting

Date December 6, 2022

Cmte Board

<input type="checkbox"/>	<input type="checkbox"/>	Motion
<input type="checkbox"/>	<input type="checkbox"/>	Resolution
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ordinance
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Legislative Digest
<input type="checkbox"/>	<input type="checkbox"/>	Budget and Legislative Analyst Report
<input type="checkbox"/>	<input type="checkbox"/>	Youth Commission Report
<input type="checkbox"/>	<input type="checkbox"/>	Introduction Form
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Department/Agency Cover Letter and/or Report
<input type="checkbox"/>	<input type="checkbox"/>	Memorandum of Understanding (MOU)
<input type="checkbox"/>	<input type="checkbox"/>	Grant Information Form
<input type="checkbox"/>	<input type="checkbox"/>	Grant Budget
<input type="checkbox"/>	<input type="checkbox"/>	Subcontract Budget
<input type="checkbox"/>	<input type="checkbox"/>	Contract/Agreement
<input type="checkbox"/>	<input type="checkbox"/>	Form 126 - Ethics Commission
<input type="checkbox"/>	<input type="checkbox"/>	Award Letter
<input type="checkbox"/>	<input type="checkbox"/>	Application
<input type="checkbox"/>	<input type="checkbox"/>	Form 700
<input type="checkbox"/>	<input type="checkbox"/>	Information/Vacancies (Boards/Commissions)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Correspondence

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Completed by: Victor Young Date Nov 10, 2022

Completed by: _____ Date _____

[Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment]

Ordinance amending the Administrative Code to require Board of Supervisors approval of a policy governing for the funding, acquisition, and use of certain law enforcement equipment consistent with the criteria set forth in state law, and approving the Police Department's Use of Equipment Policy.

NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
Additions to Codes are in *single-underline italics Times New Roman font*.
Deletions to Codes are in ~~*strikethrough italics Times New Roman font*~~.
Board amendment additions are in double-underlined Arial font.
Board amendment deletions are in ~~strikethrough Arial font~~.
Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Background and Findings.

(a) On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 ("AB 481), requiring law enforcement agencies to obtain approval from their applicable governing body for the funding, acquisition, and use of certain law enforcement equipment.

(b) AB 481 requires the Police Department to obtain Board of Supervisors approval for use of certain existing equipment acquired prior to January 1, 2022. The list of covered law enforcement equipment includes:

(1) Unmanned, remotely piloted, powered aerial or ground vehicles.

(2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this category.

(3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a

1 breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and
2 motorized dirt bikes are specifically excluded from this category.

3 (4) Tracked armored vehicles that provide ballistic protection to their occupants
4 and utilize a tracked system instead of wheels for forward motion.

5 (5) Command and control vehicles that are either built or modified to facilitate
6 the operational control and direction of public safety units.

7 (6) Weaponized aircraft, vessels, or vehicles of any kind.

8 (7) Battering rams, slugs, and breaching apparatuses that are explosive in
9 nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram
10 designed to be operated by one person, are specifically excluded from this category.

11 (8) Firearms of .50 caliber or greater. However, standard issue shotguns are
12 specifically excluded from this category.

13 (9) Ammunition of .50 caliber or greater. However, standard issue shotgun
14 ammunition is specifically excluded from this category.

15 (10) Specialized firearms and ammunition of less than .50 caliber, including
16 assault weapons as defined in Sections 30510 and 30515 of the California Penal Code, with
17 the exception of standard issue service weapons and ammunition of less than .50 caliber that
18 are issued to officers, agents, or employees of a law enforcement agency or a state agency.

19 (11) Any firearm or firearm accessory that is designed to launch explosive
20 projectiles.

21 (12) "Flashbang" grenades and explosive breaching tools, "tear gas," and
22 "pepper balls," excluding standard, service-issued handheld pepper spray.

23 (13) Taser Shockwave, microwave weapons, water cannons, and the Long
24 Range Acoustic Device (LRAD).

1 (14) The following projectile launch platforms and their associated munitions:
2 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM)
3 weapons.

4 (15) Any other equipment as determined by a local governing body or a state
5 agency to require additional oversight.

6 Notwithstanding the law enforcement equipment listed in subsections (b)(1)
7 through (15), law enforcement equipment or "covered equipment" under AB 481 does not
8 include general equipment not designated as prohibited or controlled by the federal Defense
9 Logistics Agency.

10 (c) AB 481 requires the Police Department to submit to the Board of Supervisors a draft
11 Law Enforcement Use of Equipment Policy for the covered equipment as described in
12 subsection (b). At a minimum, the Law Enforcement Use of Equipment Policy shall address:

13 (1) A description of each type of covered equipment, the quantity sought, its
14 capabilities, expected lifespan, and product descriptions from the manufacturer of the
15 equipment.

16 (2) The purposes and authorized uses for which the Police Department
17 proposes to use each type of covered equipment.

18 (3) The fiscal impact of each type of covered equipment, including the initial
19 costs of obtaining the equipment and estimated annual costs of maintaining the covered
20 equipment.

21 (4) The legal and procedural rules that govern each authorized use.

22 (5) The training, including any course required by the Commission on Peace
23 Officer Standards and Training, to ensure the full protection of the public's welfare, safety, civil
24 rights, and civil liberties and full adherence to the Law Enforcement Use of Equipment Policy
25 prior to the use or deployment of covered equipment.

1 (6) The mechanisms to ensure compliance with the Law Enforcement Use of
2 Equipment Policy, including which independent persons or entities have oversight authority,
3 and, if applicable, what legally enforceable sanctions are put in place for violations of the
4 policy.

5 (7) The Police Department's procedures by which members of the public may
6 lodge complaints or concerns or submit questions about the use of each specific type of
7 covered equipment, and how the Police Department will ensure that each complaint, concern,
8 or question receives a response in a timely manner.

9 (d) Under AB 481, the Police Department must seek the Board of Supervisors'
10 approval prior to engaging in any of the following:

11 (1) Requesting covered equipment made available pursuant to Section 2576a of
12 Title 10 of the United States Code.

13 (2) Seeking funds for covered equipment, including, but not limited to, applying
14 for a grant, and soliciting or accepting private, local, state, or federal funds, in-kind donations,
15 or other donations or transfers.

16 (3) Acquiring covered equipment either permanently or temporarily, including by
17 borrowing or leasing.

18 (4) Collaborating with another law enforcement agency in the deployment or
19 other use of covered equipment within the territorial jurisdiction of San Francisco.

20 (5) Using any new or existing covered equipment for a purpose, in a manner, or
21 by a person not previously approved by the Board of Supervisors.

22 (6) Soliciting or responding to a proposal for, or entering into an agreement with,
23 any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in
24 the use of, covered equipment.
25

1 (7) Acquiring covered equipment through any means not provided by this
2 paragraph.

3 (e) Under AB 481, the Board of Supervisors may approve a policy governing the
4 funding, acquisition, and use of covered equipment only if it determines ~~that the equipment~~
5 ~~meets~~ all of the following:

6 (1) The equipment is necessary because there are no reasonable alternatives
7 that can achieve the same objectives of officer and civilian safety.

8 (2) The proposed Law Enforcement Use of Equipment Policy will safeguard the
9 public's welfare, safety, civil rights, and civil liberties.

10 (3) If purchasing the covered equipment, the equipment is reasonably cost
11 effective compared to available alternatives that can achieve the same objective of officer and
12 civilian safety.

13 (4) Existing covered equipment complies with the Law Enforcement Use of
14 Equipment Policy, or if previous use did not comply with said policy, corrective action has
15 been taken to remedy nonconforming uses and ensure future compliance.

16 (f) Under AB 481, the Police Department must submit an annual report for the covered
17 equipment within one year of receiving Board of Supervisors approval of the Law Enforcement
18 Use of Equipment Policy, and annually thereafter for as long as the covered equipment is
19 available for use. The annual Law Enforcement Equipment Report ("covered equipment
20 report") shall be publicly posted and, at a minimum, include the following information for the
21 immediately preceding calendar year for each type of covered equipment:

22 (1) A summary of how the covered equipment was used and the purpose of its
23 use.

24 (2) A summary of any complaints or concerns received concerning the covered
25 equipment.

1 (3) The results of any internal audits, any information about violations of the
2 covered equipment use policy, and any actions taken in response.

3 (4) The total annual cost for each type of covered equipment, including
4 acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other
5 ongoing costs, and from what source funds will be provided for the covered equipment in the
6 calendar year following submission of the annual covered equipment report.

7 (5) The quantity possessed for each type of covered equipment.

8 (6) If the Police Department intends to acquire additional covered equipment in
9 the next year, the quantity sought for each type of covered equipment.

10 (g) Under AB 481, within 30 days of submitting to the Board of Supervisors and publicly
11 releasing the annual covered equipment report, the Police Department shall hold at least one
12 public meeting regarding the covered equipment report and use therein.

13 (h) AB 481 requires the Board of Supervisors to review any ordinance approving the
14 funding, acquisition, or use of covered equipment, annually, and determine whether to renew
15 the ordinance consistent with applicable law. If the Board of Supervisors determines that a
16 type of covered equipment identified in that annual Law Enforcement Equipment Report has
17 not complied with state law, the Board of Supervisors shall either disapprove a renewal of the
18 authorization for that type of equipment or require modifications to the Law Enforcement Use
19 of Equipment Policy to comply with state law.

20
21 Section 2. The Administrative Code is hereby amended by adding Chapter 96HG,
22 consisting of Section 96HG.1, to read as follows:

23 **CHAPTER 96HG: POLICE DEPARTMENT EQUIPMENT POLICY**

24 **SEC. 96HG.1 FUNDING, ACQUISITION, AND USE OF CERTAIN POLICE EQUIPMENT.**

1 (a) Pursuant to California Government Code Sections 7070 et. seq, the Police Department is
2 required to obtain Board of Supervisors' approval of a Use of Equipment Policy prior to seeking
3 funding for, acquisition of, and use of certain law enforcement equipment.

4 (b) The Police Department shall submit a draft Use of Equipment Policy to the Board of
5 Supervisors for approval. Thereafter, the Police Department shall review the approved Law
6 Enforcement Use of Equipment Policy and submit a report regarding the covered equipment within one
7 year of receiving Board of Supervisors approval, and annually thereafter for as long as the covered
8 equipment is available for use. The Police Department shall hold a public hearing on the Use of
9 Equipment Policy and annual report prior to submitting the annual report to the Board of Supervisors
10 for its review and approval. The Use of Equipment Policy and annual report shall be publicly
11 available and posted on the Police Department's website for at least thirty days prior to said hearing.

12 (c) The Board of Supervisors may only approve the Use of Equipment Policy governing the
13 funding, acquisition, and use of certain law enforcement equipment consistent with the criteria set forth
14 in state law, referenced in subsection (a).

15 ~~(d) A copy of the Police Department's Use of Equipment Policy is on file with the Clerk~~
16 ~~of the Board of Supervisors in File No. _____, the file for the ordinance establishing~~
17 ~~this Chapter 96G.~~

18
19 Section 3. Approval of Use of Equipment Policy.

20 (a) The Police Department's Use of Equipment Policy is on file with the Clerk of the
21 Board of Supervisors in Board File No. 220641. That policy includes an inventory of the
22 Police Department's equipment subject to AB 481, the uses of such equipment, the fiscal
23 impact of such equipment, the legal and procedural rules governing its use, the training that
24 must be completed before the equipment may be used, the mechanisms to ensure
25

1 compliance with the policy, and the procedures by which members of the public may register
2 complaints or concerns about the equipment.

3 (b) The Board of Supervisors hereby determines that the equipment identified in the
4 Use of Equipment Policy is necessary because there is no reasonable alternative; the policy
5 will safeguard the public's welfare, safety, civil rights, and civil liberties; the equipment is
6 reasonably cost effective; and prior use of the equipment complied with any policy that was
7 previously in place.

8 (c) The Board of Supervisors hereby approves the Use of Equipment Policy, with the
9 following modification: Section 1.A.5 ("Unmanned, remotely piloted, powered ground vehicle
10 (ground): Authorized Use") is amended to replace the words "outweighs any other force option
11 available to SFPD" with "officers cannot subdue the threat after using alternative force options
12 or de-escalation tactics or conclude that they will not be able to subdue the threat after
13 evaluating alternative force options and de-escalation tactics. Only the Chief, Assistant Chief
14 of Operations, or Deputy Chief of Special Operations may authorize the use of robots as a
15 deadly force option."

16
17 Section 34. Effective Date. This ordinance shall become effective 30 days after
18 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
19 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
20 of Supervisors overrides the Mayor's veto of the ordinance.

21
22 Section 45. Undertaking for the General Welfare. In enacting and implementing this
23 ordinance, the City is assuming an undertaking only to promote the general welfare. It is not
24 assuming, nor is it imposing on its officers and employees, an obligation for breach of which it
25 ///

1 is liable in money damages to any person who claims that such breach proximately caused
2 injury.

3 APPROVED AS TO FORM:
4 DAVID CHIU, City Attorney

5 By: _____/s/_____
6 ALICIA CABRERA
Deputy City Attorney

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REVISED LEGISLATIVE DIGEST

(11/29/2022, Amended in Board)

[Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment]

Ordinance amending the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain law enforcement equipment consistent with the criteria set forth in state law, and approving the Police Department's Use of Equipment Policy.

Existing Law

On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 ("AB 481"), requiring law enforcement agencies to obtain approval from their applicable governing body for a policy governing the funding, acquisition, and use of certain law enforcement equipment. AB 481 requires the Police Department to obtain Board of Supervisors approval of the use of certain existing equipment acquired prior to January 1, 2022.

AB 481 requires the Police Department to submit to the Board of Supervisors a draft Law Enforcement Use of Equipment Policy for approval. Within one year of Board of Supervisors approval of the policy, and annually thereafter for as long as the covered equipment is available for use, the Police Department is required to review the approved Law Enforcement Use of Equipment Policy and submit a report regarding the covered equipment. The Police Department must hold a public hearing on the Use of Equipment Policy and annual report prior to submitting the annual report to Board of Supervisors for its review and approval. The Use of Equipment Policy and annual report shall be publicly available and posted on the Police Department's website for at least thirty days prior to said hearing.

AB 481 requires the Board of Supervisors to annually review any ordinance approving the policy governing the funding, acquisition, or use of covered equipment, and determine whether to renew the ordinance consistent with applicable law. If the Board of Supervisors determines that a type of covered equipment identified in that annual Law Enforcement Equipment Report has not complied with state law, the Board of Supervisors shall either disapprove a renewal of the authorization for that type of equipment or require modifications to the Law Enforcement Use of Equipment Policy to comply with state law.

Amendments to Current Law

The proposed ordinance would require the Police Department to comply with the requirements of AB 481 by obtaining approval from the Board of Supervisors of a policy governing the funding, acquisition, and use of certain law enforcement equipment.

As amended in the Rules Committee on July 11, 2022, the proposed ordinance would also approve the Use of Equipment Policy submitted by the Police Department and available in Board File No. 220641

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LONDON N. BREED
MAYOR

CITY AND COUNTY OF SAN FRANCISCO
POLICE DEPARTMENT
HEADQUARTERS
1245 3RD Street
San Francisco, California 94158



WILLIAM SCOTT
CHIEF OF POLICE

May 16, 2022

Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B Goodlett Pl
San Francisco, CA 94102

President Walton and Members:

Re: SFPD Compliance with California Assembly Bill 481, Government Code 7070-7075

CA Assembly Bill 481, Government Code 7070-7075, was enacted in January 2022. Under AB 481, the San Francisco Police Department ("the Department") is required to submit policies summarizing the funding, acquisition or uses of equipment defined by Government Code 7070 (c) to the Board of Supervisors for review and approval. In addition, the Department is required to post the draft use policy on our public website. This letter confirms both the draft use policy submission and public posting requirement on the Department website. The enclosed submission to the Board of Supervisors relates to the Department equipment inventory acquired by the Department prior to January 1, 2022.

Government Code 7070(c) defines the equipment as the following:

- (1) Unmanned, remotely piloted, powered aerial or ground vehicles.
- (2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.
- (3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.
- (4) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- (5) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- (6) Weaponized aircraft, vessels, or vehicles of any kind.
- (7) Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.
- (8) Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.
- (9) Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.
- (10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.
- (11) Any firearm or firearm accessory that is designed to launch explosive projectiles.

May 16, 2022

(12) "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.

(13) Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD).

(14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.

(15) Any other equipment as determined by a governing body or a state agency to require additional oversight.

The following constitutes a list of qualifying equipment acquired by the Department prior to January 2022:

Government Code 7070 Equipment	SFPD Inventory
<p>(1) Unmanned, remotely piloted, powered aerial or ground vehicles.</p> <p>*Note – all systems in SFPD inventory are ground vehicles</p>	<p>REMOTEC F5A REMOTEC F6 REMOTEC RONS QinetiQ TALON QinetiQ DRAGON RUNNER IROBOT FirstLook Recon Robotics Recon Scout ThrowBot (All items also governed by SF Admin Code 19B)</p>
<p>(2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.</p> <p>&</p> <p>(3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.</p>	<p>Lenco BearCat with a Patriot 3 Liberator Ramp System</p>
<p>(5) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.</p>	<p>Ford Eagle MH, 2001 Ford Eagle MH, 2002 Ford E-350 Van, 1992 Freightliner MT-55, 2012 Freightliner Sprinter Van, 2011</p>
<p>(7) Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.</p>	<p>Energetic Breaching Tool Kinetic Breaching Tool Pan Disrupter (attached to a robot) Ballistic Breacher Rounds</p>

Government Code 7070 Equipment	SFPD Inventory
(12) "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray.	Flash Bangs Pepperball Systems
(13) Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD).	LRAD
(14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons.	40mm Launcher 12 Gauge (GA) Pump-Action Shotgun 12GA Super-Sock Bean Bag Model 2581 CTS 4556 OC Impact CTS 4556 OC Impact CTS 4340 OC Liquid Barricade CTS 4441 OC Powder Barricade CTS 4530 CS Impact CTS 4330 Liquid Barricade CTS 4431 Powder Barricade CTS 4557 Foam Baton CTS 5230 Baffled Canister CTS 6210 White Smoke Canister

AB 481 contains a list of equipment covered by the legislation that does not necessarily indicate the equipment was provided by the federal government as surplus equipment. The items in the Department's inventory are used as a component of overall best practices for law enforcement agencies throughout the country responding to critical or prolonged incidents where in many cases the alternatives are limited to use of Department issued firearms and increased potential for loss of life. Loss of the items listed in the Department inventory would jeopardize the safety of visitors, residents, and peace officers within the jurisdiction of the city and county of San Francisco.

The Department members are required to comply with Department General Orders (DGOs) approved by the Police Commission or other Department written directives while using these tools. A finding of a member's non-compliance with Department written directives and/or officer misconduct results in discipline. Depending on the severity of the allegation of misconduct, the Chief may impose discipline of up to 10-day suspension or the Chief or the Department of Police Accountability ("DPA") may elect to file charges with the Police Commission for any penalty greater than the 10-day suspension. Any discipline sought must be consistent with principles of just cause and progressive discipline and in accordance with the SFPD Disciplinary Guidelines.

The Department seeks the Board of Supervisors review and approval of the continued use and maintenance of the current inventory of equipment subject to the provisions of AB 481. When there are plans to fund, acquire, or use new equipment subject to the provisions of AB 481 not listed in the current inventory, the Department will submit a use policy for the Board's consideration.

May 16, 2022

The members of the San Francisco Police Department are committed to excellence in law enforcement and are dedicated to the people, traditions, and diversity of our city. In order to protect life and property, prevent crime and reduce the fear of crime, we will provide service with understanding, response with compassion, performance with integrity and law enforcement with vision. Our highest priority is the protection of human life. While crime prevention is our principal goal, we should vigorously pursue those who commit serious crimes.

We look forward to receiving your feedback and discussing our draft use policy with Board members and members of the public at a future public hearing.

Respectfully submitted,



MICHAEL REDMOND

Acting Chief of Police

For

WILLIAM SCOTT

Chief of Police

Encl: Draft Law Enforcement Use of Equipment Policy for Equipment Acquired Prior to January 2022

#	AB 481 Recommended Edits	pg. number	Date	Supervisor	SFPD Response	SFPD Explanation
R1	<p>Section A.4 "Purpose": Change the following sentence "A remotely controlled unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and officers." to read:</p> <p>"A remotely controlled unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and officers by providing ground support and situational awareness for law enforcement operations."</p>	3	11/4/22	Peskin	Included/Accepted redline	
R2	<p>Section A.5 "Authorized Use": Change the following sentence "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." to read:</p> <p>"The robots listed in this section shall not be utilized outside of training and simulations, criminal apprehensions, critical incidents, exigent circumstances, or during suspicious device assessments. Robots shall not be used as a Use of Force against any person."</p>	3	11/4/22	Peskin	Revised and accepted	<p>SFPD has revised to read: "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 are imminent and outweigh any other force option available to SFPD"</p> <p>Robots are often used as an alternative to a TAC officer approaching a home during a high risk search warrant. The robot creates distance between a potentially dangerous situation and an officer's body. Robots can also be used to deploy a breaching apparatus or less lethal options such as chemical agents. This deployment would fall under a "use of force" action. The recommended edit would remove SFPD's ability to create distance during some of the more dangerous and precarious situations TAC officers encounter. LAEs must be prepared to address scenarios where mass casualties are a potential and must be thwarted. In some cases deadly force against a threat is the only option to mitigate those mass casualties.</p>
R3	<p>Section B.5 "Authorized Use": Change from "To protect and safely transport SFPD personnel to active scenes. Used by Tactical and Specialist Teams" to read:</p> <p>"To protect and safely transport SFPD personnel to active scenes. Used only by Tactical and Specialist Teams when authorized by Command officers for:</p> <ul style="list-style-type: none">• mobile physical cover in incidents involving actual or threatened violence or when reasonable suspicion, based on articulable facts, exists that violence will occur using firearms or explosives;• Vehicle blocking for incidents involving armed and unresponsive persons in vehicles;• Medical emergencies and disaster responses, when the armored vehicle's capabilities are necessary to prevent loss of life. <p>Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements."</p>	5	11/4/22	Peskin	Revised and accepted	<p>SFPD has revised to read: "To protect and safely transport SFPD personnel to active scenes. Used only by Tactical and Specialist Teams when authorized by commissioned officers:</p> <ul style="list-style-type: none">• mobile physical cover in incidents involving actual or threatened violence or when reasonable suspicion, based on articulable facts, exists that violence will occur using firearms or explosives; or any other deadly weapon;• Vehicle blocking for incidents involving armed and unresponsive persons in vehicles;• Medical emergencies and disaster responses, when the armored vehicle's capabilities are necessary to prevent loss of life." <p>Changing "command staff" to "commissioned officers" which are rank of Lieutenant and above as time wasted with too much bureaucracy may result in lives lost. SFPD TAC requires the ability to be agile and deployed quickly. We have moved the sentence relating to logging and reporting to the "Annual Report" Section of this policy (p. 20)</p>
R4	<p>Section C.5 "Authorized Use": deletion of "Battering ram on the BearCat may be used during a search/arrest warrant service after the prior approval of a magistrate."</p>	6	11/4/22	Peskin	Revised and accepted	<p>SFPD revised authorized use to read: "Entry apparatus on the BearCat may be used to allow personnel to enter or extract victims or suspects. Authorized to be used in high-risk tactical situations where de-escalation methods were unsuccessful or would be futile and other force options would jeopardize the safety of the public and officers. Used by Tactical and Specialist Teams See comments in Bear Cat, above"</p>
R5	<p>Section D.6. "Fiscal Impact": Is the Ford E-350 Van, 1992 still in use?</p>	7	11/4/22	Peskin	Yes	
R6	<p>Section E.4. "Purpose": add "if negotiation, de-escalation or other alternatives to entry are not possible." to the end of para 1.</p>	8	11/4/22	Peskin	Included/Accepted redline	
R7	<p>Section E.5. "Authorized Use": include "Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements."</p>	9	11/4/22	Peskin	Revised and accepted	<p>Moved this to the Annual Report section of the us policy so it applies to all items.</p>
R8	<p>Section F.2. "Quantity": Request for model names</p>	10	11/4/22	Peskin	Included/Accepted redline	<p>While model/make names are not clearly required by AB 481/Gov Code § 7070 and not readily available for all products listed in this use policy, we have updated to include the model names when available.</p>

#	AB 481 Recommended Edits	pg. number	Date	Supervisor	SFPD Response	SFPD Explanation
R9	Section F.5 "Authorized Use": include "Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements."	10	11/4/22	Peskin	Revised and accepted	Moved this to the Annual Report section of the use policy so it applies to all items.
R10	Section F.6.: "Fiscal Impact": "need to specify if this is a bundle or if purchased separately costs"	10	11/4/22	Peskin	Included/Accepted redline	confirmed that this cost is associated with a bundle.
R11	Section F.7.: "Legal and Procedural Rules": Tactical Unit Order 11-02: Use of Chemical Agent where is this public? Tactical Unit Order 21-02: Pepperball Systems where is this public?	11	11/4/22	Peskin	Will be posted publicly	Per Ca Penal Code § 13650, SFPD must post on its website all current standards polices and operating procedures that would otherwise be made available during a PRA. The Unit Order should be posted subject to redactions any information that could compromise the officer's safety or reveal tactical information. The department is reviewing, redacting if necessary and will publicly post.
R12	Section G.1: "Description": needs model name	11	11/4/22	Peskin	Included/Accepted redline	While model/make names are not clearly required by AB 481/Gov Code § 7070 and not readily available for all products listed in this use policy, we have updated to include the model name "LRAD-Model 100X".
R13	Section G.1: "Description": Revised description to delete the direction beam of sound as the department is no longer allowed to use in this way. Now the description reads as follows: "LRAD -Model 100X: A device that can be used as a specialized loudspeaker system that produces sound at a high power for directional communication communicating at a distance. LRAD sound is directionally focused toward the intended individual person or groups."	11	11/4/22	SFPD	Included/Accepted redline	
R14	Section G.4. "Purpose": change the purpose from "LRAD is used as a safe deterrent against hostile crowds or individuals committing violent acts: to read as follows: "LRAD is used as a safe deterrent against hostile crowds or individuals committing violent acts evidence shows it can lead to hearing loss/not safe"	11	11/4/22	Peskin	Revised and accepted	The Department revised the Purpose to read as follows: "LRAD is an amplified communication device used by law enforcement agencies to communicate to the public, suspect(s), hostile crowds, or during disaster management."
R15	Section G.5. "Authorized use": change " LRADs may only be utilized as a public address system for commercial purposes. Any other use is not authorized." to read as follows: "LRADs may only be utilized as a public address system only for (1) Disaster or city-wide emergency management or (2) rescue operations including missing or lost persons at no louder than 120db." Regarding the sentence "Any other use is not authorized."- If we use this not authorized language here than we have to use it in other places. Also this conflicts with stated purpose	11	11/4/22	Peskin	Revised and accepted	SFPD revised the language to read as follows: "LRADs may only be utilized as a public address system only for (1) Disaster or city-wide emergency management (2) rescue operations including missing or lost persons (3) Dispersal Orders or (4) During Critical Incident to communicate to suspect(s)." SFPD deleted the following sentence: "Any other use is not authorized" SFPD removed the previous required approvals as the system will no longer utilize the deterrent tones.
R16	Section G.5. "Authorized Use": include "Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements."	12	11/4/22	Peskin	Revised and accepted	Moved to the Annual Report section of the use policy so it applies to all items.
R17	Section G.7. "Legal and Procedural Rules": Tactical Unit Order 21-01: Use of Extended Range Impact Weapons During Crowd Control - Not publicly available? Tactical Unit Order 04-03 Use of Chemical Agents ? Not publicly available?	12	11/4/22	Peskin	Will be posted publicly	Per Ca Penal Code § 13650, SFPD must post on its website all current standards polices and operating procedures that would otherwise be made available during a PRA. The Unit Order should be posted subject to redacting any information that could compromise the officer's safety or reveal tactical information. The department is reviewing, redacting and will post online.

#	AB 481 Recommended Edits	pg. number	Date	Supervisor	SFPD Response	SFPD Explanation
R18	Section H. Specialized Firearms: Delete in its entirety	12, 13, 14	11/4/22	SFPD	Accepted	AB 481 defines this section as: "Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.". The Department did not initially include this section in the May 16, 2022 draft as the Range and TAC defined these as "standard issue service weapons", however the Department had not received confirmation from general counsel at that time. As other LEA's across California began to include this category in their AB 481 use policies, the Department followed suit and included in the July draft for added transparency. Recently the Department received confirmation from general counsel that this use policy should exclude these weapons if the Chief of Police defined them as "standard issue service weapons". Upon review of additional recommendations provided by Supervisors and by community members, the Chief of Police conferred with members and confirmed that these weapons have remained standard issue service weapons as they are procured by the Department and issued to members. There are LEA's that allow their members to procure these types of weapons on their own, and are eligible for reimbursement, for use during active duty. This is not the case for SFPD and as such, this section has been deleted.
R18	Section H.4. "Purpose": Deleted "Nationwide, violent offenders outgun law enforcement and high-powered weapons continue to be weapon of choice for violent offenders confronting law enforcement and innocent civilians. In 2016, long guns (rifles, etc.) were used in 40% of firearms related line- of -duty deaths. From 1988 to -August 2019, more than 85% of mass public shootings have occurred in gun-free zones, like the workplace, schools, churches, and shopping malls where law enforcement may be in the vicinity and waiting for SWAT deployment is not timely. "	13	11/4/22	Peskin	Accepted	See response to R18
R20	Section H.5. "Authorized Use": Change the use from "During large critical incidents/active shooter or incidents where an armed suspect is threatening the public or officers and where there may be a need to defeat body armor. To be used to effectively control a scene with increased distance between officer and subject allowing more time to deploy other force options." to read as follows: "During active shooter or incidents where an armed suspect with body armor is threatening the public." Peskin highlighted with a question: "To be used to effectively control a scene with increased distance between officer and subject allowing more time to deploy other force options."	14	11/4/22	Peskin	Declined	See response to R18 As this section has been deleted, a response may not be necessary, however, as written this recommendation could limit all officers, including patrol, to only use these weapons when they know an active shooter or suspect has body armor on. Knowledge or confirmation of body armor is not a feasible expectation. These firearms are also currently used as lethal cover for ERIW deployment when distance is more advantageous to officers. As these weapons are more accurate than handguns, and able to be used at greater distances they are more effective at addressing incidents where high-powered weapons are being used by subjects which limits the potential of injuring bystanders or other unintended targets.
R21	Section H.5. "Authorized Use": include "Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements."	14	11/4/22	Peskin	Revised and accepted	Moved this to the Annual Report section of the us policy so it applies to all items.
R22	Section I.4. " Purpose": delete "This can potentially prevent a deadly force encounter." and include "if de-escalation or negotiation is unsuccessful.	15	11/4/22	Peskin	Declined	SFPD has revised para 1 of the purpose to read: "The 40mm launcher affords the ability to use less lethal chemical agents and impact munitions. This is designed to fire a projectile to temporarily incapacitate a subject. The use allows officers to address a threat from a greater distance and provides a less-lethal force option when appropriate per DGO 5.01. The bean bag shotgun is a less-lethal weapon that also allows officers to confront a dangerous suspect at a longer distance when used in accordance with DGO 5.01." Use of firearm is not dependent on unsuccessful de-escalation or negotiation. Use of a less lethal tools does not guarantee that a firearm will not be used but it does decrease the likelihood. Using a less lethal is an alternative to firing a service weapon but is still considered use of force. All members must adhere to Police Commission approved DGO 5.01 where procedures and appropriate uses are outlined.
R23	Section I.4. " Purpose": delete "When deployed, they provide a less lethal force option and significantly reduce the risk of injury to citizens, suspects, and police officers." -Not a purpose	15	11/4/22	Peskin	Declined	As chemical agents are defined as less lethal force options by law enforcement agencies, deleting this sentence eliminates the purpose of the use from the policy.

#	AB 481 Recommended Edits	pg. number	Date	Supervisor	SFPD Response	SFPD Explanation
R24	Section I.4, "Purpose": include "Chemical agents shall not be used to disperse any assembly, protest or demonstration, except as permitted under California Penal Code Section 13652(b). Projectile launch platforms and their munitions shall not be aimed or fired at a person’s head, neck, throat or vital organs nor fired closer than 20 feet nor shall then be used against children, elderly persons or persons only engaged in passive resistance."	15	11/4/22	Peskin	Revised and accepted	SFPD modified this revision slightly to align with department policy: "Chemical agents shall not be used to disperse any assembly, protest or demonstration, except as permitted under California Penal Code Section 13652(b) and DGO 5.01. Projectile launch platforms and their munitions shall be used in accordance with Police Commission approved DGO 5.01". The Police Commission has approved the policy that dictates how projectiles, chemical agents and ERIW's are used and reported on. Referring to the DGO instead of pulling sections from the DGO allows the Police Commission to maintain their authority to update/modify DGOs without requiring an amendment to an ordinance.
R25	Section 1.5 "Authorized use": Delete "De-escalation tool not likely to inflict serious injury."	16	11/4/22	Peskin	Accepted	
R26	Section 2. Definitions: change text from "Exigent Circumstances: An emergency involving imminent danger of death or serious physical injury to any person or destruction of property or evidence that requires the immediate use of equipment subject to the provisions of AB 481." : to read as follows: "Exigent Circumstances: An emergency involving imminent danger of death or serious physical injury to any person"	17	11/4/22	Peskin	Revised and accepted	The recommended definition mirrors the definition in SF Admin Code 19b but that legislation's concern is focused on the civil liberties impacts around PII collection and data sharing. The equipment subject to AB 481 are not collecting PII and are instead used to disperse or control unusually dangerous and spontaneous events where typical SFPD patrol responses are not sufficient. The recommended language would prohibit SFPD TAC from addressing hostile crowds destroying buildings or property (ex: Jan 6th insurrection, seizing an SFPD station or city hall). The proposed revision does not align with the SFPD accepted definition listed in several DGOs that were approved by the Police Commission. The acceptance of the language would necessitate multiple revisions to Department policies, manuals and trainings requiring additional review from the Department of Police Accountability and subsequent Police Commission hearings leading to adoption. SFPD and most law enforcement agencies defer to exigent circumstance definitions that include property destruction, destruction of evidence or lean on the reasonable belief of an officer that immediate action is necessary. SFPD offers to delete "destruction of evidence" from this definition and the inclusion of language pulled from approved DGOs.
R27	Section 3- Acquiring or Seeking Funds: Change section to read as follows: "Should stock of equipment listed in this Use Policy has reached significantly low levels, has been exhausted, needs maintenance or replacing, or if there exists an objectively reasonable expectation that stock may reach significantly low levels, the Department shall immediately notify the Board of Supervisors. The Department is authorized to acquire additional stock of items listed in this Use Policy from other law enforcement agencies of California Governor’s Office of Emergency Services (“CalOES”) in the event of an designated emergency when approved by the Chief of Police or designee"	18	11/4/22	Peskin	Revised and accepted	The Department agrees to notify the BOS of low stock, however the language is unclear whether the notification allows the department to maintain or purchase replacements of current inventory. The department proposed language that clearly defines the authority to purchase approved equipment . The section now reads as follows: "When stock of equipment listed in this Use Policy has reached significantly low levels, has been exhausted, needs maintenance or replacing, or if there exists an objectively reasonable expectation that stock may reach significantly low levels, the Department shall immediately notify the Board of Supervisors when new stock, maintenance or replacements have been procured by the Department. If costs to replace or maintain equipment approved through this use policy, are estimated to exceed \$10 million, the Department will seek BOS approval as required."
R28	Section 4- Compliance & Sanctions: Add the following language: "AB481 requires this policy to include “the mechanisms to ensure compliance with the military equipment use policy, including which independent persons or entities have oversight authority.” The San Francisco Board of Supervisors has ultimate oversight authority over compliance wit this policy."	18	11/4/22	Peskin	Revised and accepted	This use policy, if approved by ordinance, will only be applicable to SFPD members. SFPD member compliance to written directives, policies, procedures and trainings are not overseen by the Board of Supervisors. Gov Code 7070(d)(6) asks the LAE to list the mechanism to ensure compliance with the military equipment use policy but does not name the governing body (BOS) as having ultimate authority over all facets of compliance. The BOS does not have authority to discipline SFPD members of non-compliance with Department policy and does not have oversight over discipline proceedings. The BOS does however have the authority to, based on review of an annual report, determine whether each type of equipment identified in the approved use policy was used according to approved standards as set forth in Gov Code 7071(d). The BOS then has the authority to either renew, disapprove or modify the authorization for the use policy to resolve the lack of use compliance. The Department has modified the requested language to adhere to Gov Code 7072 . The new language has been included in the Annual Report section (p. 20).
R29	Section 4- Compliance & Sanctions: Add the word "complaints" in the concerns and inquiries paragraph.	19	11/4/22	Peskin	Accepted	
R30	Section 5-Collaboration with Outside Law Enforcement Agencies: Change "Equipment not listed in this Law Enforcement Use of Equipment Policy shall not be used by any other law enforcement agency or member in this jurisdiction unless there is an approved interagency operation in compliance with SFPD DGO 5.14, an exigent circumstance or the equipment subject to the provisions of AB 481 is approved for use in accordance with this policy." to read as follows: "Military Equipment not listed in this Law Enforcement Use of Equipment Policy shall not be used by any other law enforcement agency or member in this jurisdiction unless the equipment subject to the provisions of AB 481 is approved for use in accordance with this policy."	19	11/4/22	Peskin	Revised and accepted	The Department does not refer to any of the equipment listed in the proposed use policy as "military equipment" as most if not all are used as de-escalation or rescue tools and were not provided to SFPD by the federal government. The Department has no authority to define the actions of other LEAs in this jurisdiction and as such cannot prohibit outside agency or mutual aid agencies use of equipment defined by AB 481. It is not feasible to seek BOS approval before the emergency use of equipment owned by outside agencies as the use would be in response to an urgent or large scale event requiring public safety interagency collaboration. The Department proposes the following language: "Equipment not listed in this Law Enforcement Use of Equipment Policy shall not be used by any other law enforcement agency or member in this jurisdiction unless there is an approved interagency operation in compliance with SFPD DGO 5.14, an exigent circumstance requiring deployment of mutual aid partners or the equipment subject to the provisions of AB 481 is approved for use in accordance with this policy."

#	AB 481 Recommended Edits	pg. number	Date	Supervisor	SFPD Response	SFPD Explanation
R31	Section 6-Annual Reporting: Subsection (1), include a summary of which equipment was used, the frequency of use, and the purpose of its use, and the outcome of the incident, including whether injuries were sustained	20	11/4/22	Chan	Accepted	
R32	Section 6-Annual Reporting: Subsection (1), include the date, time and location(s) of such use together with report and incident numbers.	20	11/4/22	Peskin	Declined	The summary already requires the frequency and reason for use. The date/time/incident and report numbers included in the annual report present an administrative burden that SFPD cannot commit to as this would require a manual search through crime data warehouse and will require additional FTEs to track. The data itself may also reveal specific information leading to victims and witness identification.
R33	"SFPD’s proposed policy leaves many of its weapons with very loosely defined authorized use. These could allow weapons that have a non-escalatory or non-lethal purpose be authorized for use outside that purpose. In addition to limiting these broad authorizations, two additional recommendations: 1. Clearly identify which weapons may be used for Use of Force (including lethal force) 2. Make any use that is not authorized by policy be prohibited"	all	10/31/22	American Friends Service Committee	Already included	The Department has listed the SFPD DGO 5.01 Use of Force in the "legal and procedural rules" category under each respective type of equipment that may be involved with use of force incidents. If DGO 5.01 is not listed in that legal and procedural rules section, the equipment is not considered or tracked under use of force. Listing prohibitions are not required per AB 481 and creating authorized uses that are too narrow may create unintended consequences where SFPD cannot respond to critical incidents that the Department or this governing body cannot pre-determine, pre-define or imagine in advance. Domestic terrorism, active shooters, large scale emergencies and other exigent circumstances are not daily occurrences, but can impact a large metropolitan area like San Francisco and its law enforcement agency will need to be nimble and prepared in those instances.
R34	Align receipt of annual report with annual budget process. San Francisco should follow neighboring cities Berkeley and Oakland in setting a specific delivery date of its annual report (which the state law only requires to be delivered “within one year of approval”). Oakland requires the first annual report be delivered by March 15. By setting a similar March deadline, SFPD will not only be able to avoid a rush before the last minute, it will also be able to deliver a smaller initial report, confirm earlier in the process whether it is tracking all the information required by law, and provide context for its requested budget for the next fiscal year.	20	10/31/22	American Friends Service Committee	Declined	The SF City and County annual budget cycle begins for Departments in February of each year and ends in July. This recommendation would require SFPD to provide an "annual report" two or three months after BOS approval of the AB 481 use policy. Oakland and Berkely are used as examples to support this recommendation yet Oakland's AB 481 policy is still in draft form as their Militarized Equipment Ad Hoc Committee is still convening meetings to discuss. According to the Berkeley Police Department draft policy, Manual 709, the annual report section 709.7 states that BPD annual report will be submitted within one year of city council approval, and annually thereafter for as long as the military equipment is available for use, pursuant to Government Code § 7072. This does not align with the recommendation's assertion of budget alignment. As a reminder, the SFPD proposed use policy represents items the SFPD acquired before January 2022. Many items have been in SFPD's possession dating back to the 90s and early mid-2000s. The estimated annual cost to the department for maintenance or related ammunition is approx. \$111,000 and paid for through the operational budget and not identified though an itemized list. Because of this, the Department does not see a clear benefit to the public by providing a supplemental report that will not provide itemized information, does not align with the AB 481 annual report requirement and does not clearly align with BOS annual review pursuant to Government Code 7071(e)(1).
R35	Include the following in the annual report: How many personnel devoted and how many hours toward training on each weapon? What was the cost of that personnel time? How many hours were devoted by all personnel towards cleaning rifles? Towards cleaning or maintenance on each weapon? Were any of the above at an overtime rate?	20	10/31/22	American Friends Service Committee	Declined	See response to R18. SFPD does not have Human Resource Management System (HRMS) time codes to delineate the work sworn members do while on duty. There is no consistent way to track or report on the tasks listed in this recommendation as they are part of daily on-duty activities. As sworn members are salary employees of the City & County of SF, paid by the General Fund, there are not multiple ways to bill for regular work hours, which means there is no compelling reason to track in the suggested manner. Please see "Training" section in each category of AB 481 equipment to track the hours required for deployment purposes.
R36	Section 3- Acquiring or Seeking Funds: SFPD’s proposed policy would allow SFPD to acquire equipment without prior Board of Supervisor approval if it has an unanticipated reduction in any of its stock. If this happens, this is exactly the situation in which more oversight is needed, not less. The public has a right to know why that supply was unexpectedly depleted, how it was used, and whether to expect similar levels of use in the future. As the law states: “The public has a right to know about any funding, acquisition, or use of military equipment by state or local government officials, as well as a right to participate in any government agency’s decision to fund, acquire, or use such equipment.” Unrestricted restocking moves counter to the public transparency provided by the law	18	10/31/22	American Friends Service Committee	Revised citing Charter Authority	The proposed AB 481 use policy does not allow SFPD to purchase <i>all</i> equipment subject to the provisions of AB 481 without BOS approval. This section applies to items listed in the proposed policy itself and are already in SFPD's current inventory and once approved subject to annual review by the BOS. Pursuant to AB 481, the annual report requires SFPD to include the "total annual cost for each type of equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the equipment in the calendar year following submission of the annual equipment report." It is the Department's opinion that AB 481 includes this carve out as it recognizes the LEA's need to re-stock, maintain or upgrade current inventory once use policies are approved by the governing body. The proposed use policy allows the department to maintain, replace or purchase ammunitions or equipment (if the overall use policy is approved by the BOS) without additional BOS hearings and approvals. AB 481 does not change a Department Head's charter authority to authorize all requisitions for the purchase of materials, supplies and equipment required by the Department. The costs of most of the equipment listed in this use policy range between \$1,000- \$300,000, while the annual maintenance costs for all items is approximately \$111,000. Individual purchases at these amounts are not typically under the purview of the BOS. The BOS must, however, approve all city department procurements estimated to exceed \$10 million. If BOS approves continued use of current inventory of equipment subject to AB 481, the SFPD Department Head/Chief of Police should maintain the authority to approve procurement or maintenance costs for his/her department needs.

#	AB 481 Recommended Edits	pg. number	Date	Supervisor	SFPD Response	SFPD Explanation
R37	Section 2- Definitions: Include a definition for "high-risk tactical situations" and include information relating to "high-risk warrants" as these are mentioned in the BearCat, breaching apparatus and flashbang sections but not explained.	18	11/9/22	Peskin	Accepted	The Department agrees with this recommendation and has included a definition of high-risk tactical situations which includes information relating to high-risk warrants.
R38	Section F7- Flash bang/Pepperball Legal and Procedural Rules: include CA Penal Code Section 13652 (AB 48).	18	11/9/22	Peskin	Accepted	The Department agrees with this recommendation as a reference to CA Penal Code 13652 was included in the 11/04/22 draft of the use policy, however it was placed only in the Authorized Use section. The Department corrected this and included in the Legal and Procedural Rules section under flashbangs and projectile launch platforms and their associated munitions.
R39	Section H-Specialized Firearms: Reinstate this section, excluding the long guns assigned to patrol as they are considered standard issue service weapons.	12	11/9/22	Peskin	Accepted	The Department agrees with this recommendation and has reinstated all long guns historically assigned to Spec Ops and removed 375 weapons used daily by patrol. The AB 481 definition of specialized firearms excludes "standard issue service weapons that are issued to officers of a law enforcement agency". The Department maintains that all long guns used by patrol are standard issue service weapons.
R40	Section 3- Acquiring or Seeking Funds: Clarify that the Department may purchase, replace or maintain existing equipment listed in this use policy without additional BOS approval during the period between use policy approval and annual report review.	18	11/9/22	Peskin	Accepted	The Department has clarified that this section relates only to existing equipment that is listed in the proposed use policy. Any and all new equipment categories, not captured in this use policy, must be proposed to and approved by the governing body through a use policy before the Department acquires or procuring that category of equipment.
R41	Section 4- Compliance & Sanctions: Include which independent persons or entities have oversight authority.	19	11/9/22	Peskin	Accepted	The Department agrees with this recommendation and has added a reference to the Police Commission and the Department of Police Accountability's Charter authority relating to SFPD.
R42	Align AB 481 annual report with budget process.	20	11/14/22	American Friends Service Committee	Declined	The city's budget process starts in December each year when the Mayor issues budget instructions to Departments to balance gaps between revenue and spending. In January the Departments solicit public feedback on budget priorities. Initial submissions are due in February. Budget outlook update is issued in March by Controller, BOS and BLA. The Mayor's budget priorities for the next two years are issued in May along with interim legislation on revenue spending for city departments. The nine-month budget status report is issued by the Controller's office in mid-to late May. A series of hearings are held until end of July when final legislation for city department revenue and spending and staffing are approved. Budget allocations become available after August of each year. As the budget process runs for nine months of the year, and does not align with AB 481's annual reporting requirement, the Department has declined this recommendation. Further, the items listed in this use policy fall under the Department's overall operating budget expenditures allocated to POL Admin, POL-FOB, POL-SOB or are funded under Materials and Supplies. Equipment subject to AB 481 are not broken out into individual line items specifying AB 481 expenditures. Because of the city department budget uses & sources reporting structure, this recommendation if implemented, would not provide additional information or transparency to the public.
R43	Clearly state specific authorized uses of firearms listed in the policy.	13 & 14	11/14/22	American Friends Service Committee & member of the public	Already listed in use policy	The specialized firearms legal and procedural section refers to SFPD DGO 5.01. Members of the public can find this document posted on the SFPD website by clicking on "Your SFPD" then "Policies" then click "General Orders" and scroll down to "5.01". The AB 481 use policy hyperlinks to this SFPD DGO. Specific and detailed authorized uses for firearms are listed from page 13-16 of DGO 5.01. The DGO was approved by the Police Commission at a public hearing. The unintended consequence of including specific DGO language in the AB 481 use policy ordinance, is the elimination of the Police Commission's sole authority over DGO update approvals as the Department or the Commission would now need to seek amendments to the ordinance itself before having the ability to update department general orders. The Department does not believe this is the intention of AB 481 which is why the DGO is listed in the use policy as a reference which allows the Police Commission to update as needed without seeking ordinance amendments to this AB 481 use policy, once approved.



Law Enforcement Equipment Policy

Inventory Acquired Prior to January 2022
Police Department

The City and County of San Francisco values safeguards, including transparency, oversight, and accountability measures, to protect the public's welfare, safety, civil rights, and civil liberties. As required by California Assembly Bill 481, Government Code Section 7070 -7075, the Law Enforcement Use of Equipment Policy Ordinance aims to ensure the responsible use of the Police Department's current inventory (equipment acquired prior to January 1, 2022), and the protection of City and County of San Francisco residents' safety, civil rights, and liberties.

PURPOSE AND SCOPE

Pursuant to the San Francisco Charter, the Police Department is required to preserve the public peace, prevent, and detect crime, and protect the rights of persons and property by enforcing the laws of the United States, the State of California, and the City and County. The Department's mission is to protect life and property, prevent crime and reduce the fear of crime by providing service with understanding, response with compassion, performance with integrity and law enforcement with vision.

Assembly Bill 481 (AB 481), codified at Government Code sections 7070-7075 requires law enforcement agencies in California to obtain approval from the applicable governing body, via adoption of a Law Enforcement Use of Equipment Policy through an ordinance, prior to the law enforcement agency seeking funds, permanently or temporarily acquiring, using new or existing equipment subject to the provisions of AB 481 or collaborating with another law enforcement agency in the deployment of equipment subject to the provisions of AB 481 within the territorial authority of the governing body.

Equipment subject to the provisions of AB 481 do not necessarily indicate equipment that has been provided by the federal government and include, but are not limited to, command and control vehicles and less lethal bean bag projectile launchers. AB 481 identifies 14 categories of equipment. The Department's inventory meets nine of those categories that are listed in this policy.

The Department does not have the following equipment, and as such, have not included in this policy:

- Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Firearms of .50 caliber or greater. However, standard-issue shotguns are specifically excluded from this subdivision.
- Ammunition of .50 caliber or greater. However, standard-issue shotgun ammunition is specifically excluded from this subdivision.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.

The Law Enforcement Use of Equipment Policy defines the way the equipment subject to the provisions of AB 481 acquired by the Police Department prior to January 2022 will be used to support the Department's mission, by describing the intended purpose, authorized uses, and training requirements.

This Use of Equipment Policy applies to all to Department personnel that use, plan to use, procure or share equipment subject to the provisions of AB 481.



Law Enforcement Use of Equipment Policy

Inventory Acquired Prior to January 2022

Police Department

POLICY STATEMENT

The authorized use of current equipment, defined under Government Code 7070-7075, for the Department is limited to the authorized uses outlined in this document and is subject to the requirements categorized in this Use Policy Ordinance.

On an annual basis, the Board of Supervisors will evaluate the annual report required by this Use Policy and if determined necessary, may vote on whether to renew the associated Law Enforcement Use of Equipment Policy.

This Use of Equipment Policy contains authorized uses relating to the current inventory.

SECTION 1: CURRENT INVENTORY POLICY ORDINANCE REQUIREMENTS

A. Unmanned, remotely piloted, powered ground vehicle (ground)	
1. Description	<p>REMOTEC F5A: The Remotec F5A is a heavy-duty robot. It has stair climbing ability and an arm capable of lifting over 85lbs. The F5A can carry/tow a variety of large tools and accessories that smaller robot platforms cannot.</p> <p>REMOTEC F6A: The Remotec F6A is a heavy-duty robot. It has stair climbing ability, an arm capable of lifting 65lbs, a Hazmat probe, and offers multiple communications options, a chassis and manipulator that allow for accessories and tool combinations, and quick-release pneumatic wheels for rapid width reduction.</p> <p>REMOTEC RONS: Remote ordnance neutralization systems otherwise known as explosive ordnance disposal robots.</p> <p>QinetiQ TALON: TALONs are widely deployed for improvised explosive device (IED) and explosive ordnance disposal (EOD), reconnaissance, communications, CBRN (Chemical, Biological, Radiological, Nuclear), HAZMAT, security, heavy lift, defense, and rescue missions.</p> <p>QinetiQ DRAGON RUNNER: Dragon Runners can be hand carried or transported inside a rucksack, and both can be remotely operated from many hundreds of meters away, providing protection and safety to their operators.</p> <p>IRobot FirstLook: FirstLook is a throwable, rugged, and expandable robot that provides immediate situational awareness, performs persistent observation, and investigates dangerous and hazardous material while keeping its operator out of harm's way. FirstLook allows operations where other robots can't fit or maneuver. This rugged, lightweight robot can be inserted into structures and provides operators with visual, audio, and sensor feedback before entry. The robot climbs small obstacles, overcomes curbs, turns in</p>



Law Enforcement Use of Equipment Policy **Inventory Acquired Prior to January 2022** **Police Department**

	<p>place and self-rights when flipped over.</p> <p>Recon Robotics Recon Scout ThrowBot: Throwable micro-robot platform that enables operators to obtain instantaneous video and audio reconnaissance within indoor or outdoor environments.</p>
2. Quantity	<p>17 total. <u>The following five are (5 out of commission not functioning:-12 functioning)</u></p> <p><u>IRobot FirstLook (1)</u></p> <p><u>Recon Robotics Recon Scout ThrowBot (1)</u></p> <p><u>QinetiQ TALON (1)</u></p> <p><u>REMOTEC RONS (2)</u></p>
3. Expected Lifespan	All robots, 8-10 years.
4. Purpose	<p>A remotely controlled unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and officers <u>by officers by providing ground support and situational awareness for law enforcement operations</u>. Only assigned operators who have completed the required training shall be permitted to operate the robots. The Tactical Unit/EOD Special Operations Bureau establish use.</p>
5. Authorized Use	<p>Provide ground support and situational awareness for law enforcement operations. 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 shall not be used as a Use of Force against any person. 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.</p> <p>Use of any robots with audio or video functionality shall comply with authorized uses and prohibitions approved pursuant to Section 19B.2 of the San Francisco Administrative Code.</p> <p><u>Only assigned operators who have completed the required training shall be permitted to operate the robots. The Tactical Unit/EOD Special Operations Bureau establish use. Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements.</u></p>
6. Fiscal Impact	<p>Initial Cost:</p> <p>REMOTEC F5A: \$267,955.95</p> <p>REMOTEC F6A: n/a</p> <p>REMOTEC RONS: \$147,703.50</p>



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	<p>QinetiQ Talon: \$208,068.30, QinetiQ Dragon Runner: \$121,730.49, iRobot FirstLook: \$106,551.41, Recon Robotics Recon Scout ThrowBot: \$9,840, 2012 Estimated annual cost to maintain the equipment: \$1,445 Year obtained: REMOTEC F5A: 2012 REMOTEC F6A: Prior to 2010 REMOTEC RONS: 2017 QinetiQ TALON: 2011 QinetiQ DRAGON RUNNER: 2013 iRobot FirstLook: 2017 Recon Robotics Recon Scout ThrowBot: 2012</p>
7. Legal and Procedural Rules	<p><u>DGO 5.01 Use of Force</u> <u>DGO 8.01 Critical Incident Evaluation and Notification</u> <u>DGO 8.07 Hazardous Material Incidents</u> <u>DGO 8.08 Bomb Threats, Clandestine Laboratories, Destructive Devices, Explosions, and Fireworks</u> <u>SF Administrative Code 19B</u></p>
8. Training	<p>All robot operators must complete the FBI's 6-week hazardous device school prior to operate the robots</p>

B. Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.	
1. Description	<p>Lenco BearCat with a Patriot 3 Liberator ramp system. The Lenco Bearcat is an armored vehicle that seats 10-12 personnel with open floor plan that allows for rescue of down personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor. A battering ram attachment can be attached to the Lenco Bearcat for breaching purpose. The battering ram attachment is an 11 foot by 2 inch tubing with an octagon shaped strike plate on one end. The battering ram can be attached to the front or rear of the BearCat so it can be used to breach a door or structure without exposing an officer to any potential gunfire. The Patriot 3 Liberator ramp system is a hydraulic ramp that can extend to a second story level so officers can enter a structure through a window, or an airplane if needed.</p>
2. Quantity	One
3. Expected Lifespan	25 years
4. Purpose	<p>Provides armored vehicle response to critical incidents to protect and safely transport SFPD personnel to active scenes. The BearCat is used to provide ballistic protection to officers and citizens during rescue, critical incidents, and other hazardous situations. These</p>



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	vehicles allow officers closer access to high-risk situations while substantially reducing the physical risk to the officers and citizens. These vehicles are built on commercial vehicle chassis and are primarily a reinforcement of civilian commercial vehicles. As such, there are no reasonable alternatives to providing the same level of ballistic protection.
5. Authorized Use	<p>To protect and safely transport SFPD personnel to active scenes. Used <u>only</u> by Tactical and Specialist Teams <u>when authorized by Command commissioned officers for:</u></p> <ul style="list-style-type: none"> • <u>mobile physical cover in incidents involving actual or threatened violence or when reasonable suspicion, based on articulable facts, exists that violence will occur using firearms or explosives; or any deadly weapon;</u> • <u>Vehicle blocking for incidents involving armed and unresponsive persons in vehicles;</u> • <u>Medical emergencies and disaster responses, when the armored vehicle's capabilities are necessary to prevent loss of life.</u> <p><u>Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements.</u></p>
6. Fiscal Impact	<p>Initial Cost: \$335,782.14</p> <p>Estimated annual cost to maintain the equipment: \$1,040</p> <p>Year obtained: 2010</p>
7. Legal and Procedural Rules	DGO 8.01 Critical Incident Evaluation and Notification
8. Training	<p>Class C California Driver's License</p> <p>Tactical Officer and Specialist Team Officer is trained in a 10-hour block to drive and operate the BearCat and ramp system and then trained annually, thereafter</p>

C. High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.	
1. Description	<p>Lenco BearCat with a Patriot 3 Liberator ramp system (entry apparatus) and battering ram attachment.</p> <p>See Section B1 for description.</p>
2. Quantity	One (listed in section B)
3. Expected Lifespan	25 years
4. Purpose	Provides armored vehicle response to critical incidents.



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	<p>The BearCat is used to provide ballistic protection to officers and citizens during rescue, critical incidents, and other hazardous situations. These vehicles allow officers closer access to high-risk situations while substantially reducing the physical risk to the officers and citizens. These vehicles are built on commercial vehicle chassis and are primarily a reinforcement of civilian commercial vehicles. As such, there are no reasonable alternatives to providing the same level of ballistic protection. The battering ram attachment is an 11 foot by 2-inch tubing with an octagon shaped strike plate on one end. The battering ram can be attached to the front or rear of the BearCat so it can be used to breach a door or structure without exposing an officer to any potential gunfire.</p>
5. Authorized Use	<p>Battering ram on the BearCat may be used during a search/arrest warrant service after the prior approval of a magistrate.</p> <p>Entry apparatus on the BearCat may be used to allow personnel to enter or extract victims or suspects.</p> <p><u>Used by Tactical and Specialist Teams</u> <u>Authorized to be used in high-risk tactical situations where de-escalation methods were unsuccessful, have been exhausted or where other force options would jeopardize the safety of the public and officers.</u> <u>Used by Tactical and Specialist Teams</u></p> <p><u>See comments in Bear Cat, above.</u></p>
6. Fiscal Impact	<p>Initial Cost: \$335,782.14</p> <p>Estimated annual cost to maintain the equipment: \$1,040</p> <p>Year obtained: 2010</p>
7. Legal and Procedural Rules	<p>DGO 8.01 Critical Incident Evaluation and Notification</p>
8. Training	<p>Class C California Driver's License</p> <p>Tactical Officer and Specialist Team Officer is trained in a 10-hour block to drive and operate the BearCat and ramp system and then trained annually, thereafter</p>

D. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.	
1. Description	<p>Ford Eagle Motor Home (MH)</p> <p>Ford Eagle Motor Home (MH)</p> <p>Ford E-350 Van</p> <p>Freightliner MT55 Cargo Van</p> <p>Freightliner Sprinter Van</p>



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2. Quantity	5 total
3. Expected Lifespan	20 years
4. Purpose	<p>The mobile incident command vehicle is an unarmored vehicle equivalent to a commercial recreational vehicle. It is equipped with specific communication and audio-visual devices to assist in command and control of a critical incident. This vehicle allows for mobile incident command and use of the Incident Command Systems facilitating the best possible on scene decision-making by key leaders. It provides for mobility, sheltering, and logistical support, restroom facilities and power.</p> <p>There is no known alternative for the Mobile Incident Command Vehicles which provide the same amount of mobility and support at one location in a quick deploying package.</p>
5. Authorized Use	<p>To be used at both planned and unplanned events including critical incidents, large demonstrations, or prolonged incidents where an on-scene command post would help the outcome of the incident.</p> <p>The Homeland Security Unit (HSU) maintains a fleet of five command vans. The on-scene Incident commander determines the need for a command vehicle.</p>
6. Fiscal Impact	<p>Initial Cost: \$3,500,000 Estimated annual cost to maintain the equipment: ~\$50,000</p> <p>Year obtained: Ford Eagle MH, 2001 Ford Eagle MH, 2002 Ford E-350 Van, 1992 Freightliner MT-55, 2012 Freightliner Sprinter Van, 2011</p>
7. Legal and Procedural Rules	<p>Department Notice 21-128 Command Van Requests DGO 8.01 Critical Incident Evaluation and Notification SFPD Crowd Control Manual</p>
8. Training	<p>Freightliner: Class B license Remaining Command Vehicles require Class C license. The National Incident Management System Training Program: Incident Command System (ICS) 100-800 ICS 300 & 400 Emergency Vehicle Operator Course (EVOC)</p>



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E. Battering rams, slugs, and breaching apparatuses that are explosive in nature	
1. Description	Energetic Breaching Tool Kinetic Breaching Tool Ballistic Breacher Rounds Pan Disrupter (attached to a robot)
2. Quantity	Energetic Breaching Tool: Detonating Cord: 18 grain per foot - 2.3 lbs., 25 grain per foot - 12.1 lbs., 50 grain per foot - 6.2 lbs., 100 grain per foot - 0.4 lbs., and 200 grain per foot - 1.4 lbs.; Blasting Caps: 17 Units; Materials: UTK Rubber Strips - 33 pieces, UTK Pucks - 11 pieces, FETT Rubber Rolls - 5 rolls, Fett Water Bladders - 40 pieces, Hydro Gel Rolls - 20 rolls, and Breacher Tape - 20 rolls. Kinetic Breaching Tool: 3 Ballistic Breacher Rounds: 200 rounds Pan Disrupter (attached to a robot): 2 Units
3. Expected Lifespan	5 years
4. Purpose	<p>Used to safely breach doors or devices.</p> <p>This allows officers to conduct rescues or high-risk forceable entries during high risk and critical incidents. These items allow peace officers to quickly and safely enter a structure when time is of the essence and where it is not feasible to delay access to the structure. The alternative to these items may involve mechanical breaching which requires officers to stand in front of the door utilizing hydraulic tools, rams, sledgehammers, the jaws of life or other handheld battering rams. This increases the likelihood of the use of Department issued firearms if suspects fire upon officers that are in a doorway utilizing a handheld battering ram. As such there is no reasonable alternative to these items listed in this category <u>if negotiation, or de-escalation or other alternatives to entry are not possible</u>.</p> <p>Law enforcement agencies receive calls for suspicious packages every day. SFPD's Explosive Ordnance Detail (EOD) AKA bomb squad, is responsible for performing the threat assessment of these suspicious packages. These packages can be an improvised explosive device (IED) which has no standard application, meaning there is no one standard way to address these devices. IEDs are homemade and are becoming more sophisticated as web/internet resources are more readily available. SFPD has tools that minimize the time on target (the amount of time an officer is next to a suspicious package/device) and provide more protection for our bomb techs, which in turn provides increased safety for the public. One of these tools is a "pan disruptor" and can be attached to a wheeled robot. The pan disruptor is a percussion actuated non-electrically fired device. It is a steel tube filled with water, plugged off on one side while the other side is capped by a shotgun</p>



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	shell. A breach is used which has a firing pin that is projected forward by an explosively driven shock wave from a shock tube- this is fired remotely so the bomb tech does not have to be anywhere near the package as it is breached.
5. Authorized Use	<p>For use during high-risk warrant service on fortified locations, encounters with barricaded suspects, active shooter, and hostage rescue.</p> <p>Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements.</p>
6. Fiscal Impact	<p>Initial cost:</p> <p>Energetic Breaching Kit: \$5,000</p> <p>Kinetic Breaching Tool: \$9,500 per unit</p> <p>Ballistic Breacher Rounds: \$150 for 25 rounds</p> <p>Pan Disrupter (attached to a robot): Attachments with procurement of the EOD robots.</p> <p>Year obtained:</p> <p>Energetic Breaching Kit: 2020</p> <p>Kinetic Breaching Tool: 2018</p> <p>Ballistic Breacher Rounds: 2008</p> <p>Pan Disrupter (attached to a robot): 2000</p> <p>Estimated annual cost to maintain the equipment: \$8,476</p>
7. Legal and Procedural Rules	<p>DGO 5.01 Use of Force</p> <p>DGO 5.16 Obtaining Search Warrants</p> <p>DGO 8.02 Hostage and Barricaded Suspect Incident</p>
8. Training	<p>CAL-OSHA Blaster's License</p> <p>Firearm Instructor Training</p> <p>IDC Instructor Training</p> <p>California Association of Tactical Officers (CATO): Critical Incident Leadership</p> <p>POST: Ballistic Breacher Certification</p> <p>All Pan Disrupter operators must complete the FBI's 6-week hazardous device school prior to operating the robots</p>



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F. "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray	
1. Description	<p>Flash-Bang is an explosive device that produces a blinding flash of light and a sudden, loud noise intended to temporarily stun, distract, and disperse people and it is thrown by hand or projected.</p> <p>Pepperball Systems utilize either round ball projectiles or round tipped projectiles, which are ultrasonically welded and designed to disperse the chemical agent contained inside upon impact.</p>
2. Quantity	<p><u>Combined Tactical Systems</u> Flash-Bang quantity: 227 units</p> <p><u>PepperBall VKS™</u>: 8</p> <p>PepperBall Rounds: 6,740 rounds</p>
3. Expected Lifespan	5 years
4. Purpose	<u>De-escalation tool not likely to inflict serious injury of involved parties or front-line personnel during tactical or high-risk operations.</u>
5. Authorized Use	<p>To safely resolve critical situations during high-risk tactical operations. <u>Only trained member assigned to the Tactical Unit, or Specialist Team member who is working an assignment under the direction of the Tactical Company, may carry and deploy such weapons. The deployment of Flashbangs requires the approval of at least one of the following:</u></p> <ul style="list-style-type: none"> <u>Commanding Officer of the Special Operation Group (SOG)</u> <u>Lieutenant assigned to the Tactical Unit</u> <u>SOG or Team Leader</u> <u>Commander, Deputy Chief, Assistant Chief or Chief of Police</u> <p><u>Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements.</u></p>
6. Fiscal Impact	<p>Flash bang: \$4,681.99 (\$35.95/per unit)</p> <p>Year first obtained: Prior to 2000</p> <p>Pepperball: \$9,999.03 (<u>bundle</u>)</p> <p>Year first obtained: 2021</p>
7. Legal and Procedural Rules	<p><u>DOGO 5.01 Use of Force</u></p> <p><u>DOGO 8.01 Critical Incident Evaluation and Notification</u></p> <p><u>DOGO 8.03 Crowd Control</u></p> <p><u>DOGO 8.10 Guideline for First Amendment Activities</u></p> <p><u>CA Penal Code Section 13652</u></p> <p>Tactical Unit Order 11-02: Use of Chemical Agent <u>where is this public?</u></p> <p>Tactical Unit Order 21-02: Pepperball Systems <u>where is this public?</u></p> <p>SFPD Crowd Control Manual</p>



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8. Training	<p>24 hour less-lethal instructor course. Once completed, the instructors teach and certify members of their perspective units in the use and deployment of the flashbang. This is a 10-hour certification. Once certified, each officer must get re-certified every 6 months.</p> <p>40-hour POST approved chemical agent instructor course. The chemical agent instructors will then certify the officers in their perspective units with a 10-hour class to carry and deploy chemical agents. Each officer must re-certify once a year.</p>
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G. Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD)	
1. Description	<p>LRAD-LRAD -Model 100X: A device that can be used as a specialized loudspeaker system that produces sound at a high power for <u>directional communication communicating</u> at a distance. <u>LRAD sound is directionally focused toward the intended individual person or groups. and can put out a highly directional "beam" of incredibly loud sound up to 152 decibels</u> <u>Needs model name</u></p>
2. Quantity	One
3. Expected Lifespan	20 years
4. Purpose	<p><u>LRAD is an amplified communication device used by law enforcement agencies to communicate to the public, suspect(s), hostile crowds, or during disaster management.</u></p> <p>LRAD is used as a safe deterrent against hostile crowds or individuals committing violent acts evidence shows it can lead to hearing loss/not safe--</p>
5. Authorized Use	<p><u>LRADs may only be utilized as a public address system only for-commercial purposes (1) Disaster or city-wide emergency management or (2) rescue operations including missing or lost persons at no louder than 120db (3) Dispersal Orders or- (4) During Critical Incident to communicate to suspect(s). If we use this not authorized language here than we have to use it in other places. Also this conflicts with stated purpose</u></p> <p>As a Warning/Deterrent Tone, the LRAD is used as an alternative to less-lethal options such as pepper spray or less lethal munitions. The use of Warning/Deterrent Tone-The LRAD use must be authorized by a commissioned officer from the Tactical Unit, by one of the following persons: A commander, Deputy Chief or Chief of Police; An Incident Commander; The Commanding Officer of the Tactical Company; The Lieutenant assigned to the Tactical Company SWAT.</p>



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	<p>When authorized to be used as a <u>public address system</u> Warning/Deterrent Tone the LRAD shall not be deployed at distances less than fifty (50) feet.</p> <p>Only trained member assigned to the Tactical Unit, or the Specialist Team who is working an assignment under the direction of the Tactical Company, may deploy the LRAD. The deployment of the LRAD requires the approval of at least one of the following:</p> <p>Incident Commander Commanding Officer of the Tactical Company Lieutenant assigned to the Tactical Company SWAT team Commander, Deputy Chief, Assistant Chief or Chief of Police</p> <p>Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements.</p>
6. Fiscal Impact	<p>Initial cost: \$8,252.83</p> <p>Estimated annual cost to maintain the equipment: \$0</p> <p>Year obtained: 2013</p>
7. Legal and Procedural Rules	<p>DGO 5.01 Use of Force DGO 8.01 Critical Incident Evaluation and Notification DGO 8.03 Crowd Control</p> <p>Tactical Unit Order 21-01: Use of Extended Range Impact Weapons During Crowd Control <u>Not publicly available</u></p> <p>Tactical Unit Order 04-03 Use of Chemical Agents <u>? Not publicly available</u></p>
8. Training	<p>Tactical Unit officers are given a 2-hour block in the use and operation of the LRAD system.</p>

<p>H. Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.</p>	
1. Description	<p>SUB MACHINE GUNS</p> <p>Description: Heckler & Koch (H&K) MP-5, 40 caliber</p> <p>Lightweight, air-cooled weapon with a calculated roller-delayed bolt and uses handgun ammunition. While these weapons use the same ammunition as handguns, they have capabilities of holding more ammunition and are equipped with lasers and optics specifically designed for use and more accuracy. Sub-machine guns are generally used as defensive weapons and aren't designed for long-range accuracy.</p>



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	<p>SEMI AUTO RIFLES</p> <p>Description:</p> <p>LAR-15, Colt M4 Carbine, 5.56 NATO/.223 REM caliber</p> <p>AR-15A3 Tactical, Colt M4 Carbine, 5.56 NATO/.223 REM caliber</p> <p>LWRCI REPR 7.62 NATO caliber</p> <p>Lightweight, magazine- fed, gas-operated rifle intended to be fired from the shoulder. Some of the rifles have select fire triggers. Some of the rifles have longer barrels and are designed for longer, more precise shots.</p> <p>FULL AUTO TEC SHORT BARREL RIFLE (SBR) MACHINE GUN</p> <p>Description:</p> <p>M4 Carbine/Commando/EPR, 5.56 NATO/.223 REM caliber</p> <p>A weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger.</p>
2. Quantity	<p>SUB MACHINE GUNS: 15</p> <p>SEMI AUTO RIFLES: 608 <u>233</u></p> <p>FULL AUTO TAC SBR: 64</p>
3. Expected Lifespan	<p>SUB MACHINE GUNS: 20 years</p> <p>SEMI AUTO RIFLES: 5-25 years</p> <p>FULL AUTO TAC SBR: 20 years</p>
4. Purpose	<p>Nationwide, violent offenders outgun law enforcement and high-powered weapons continue to be weapon of choice for violent offenders confronting law enforcement and innocent civilians. In 2016, long guns (rifles, etc.) were used in 40% of firearms related line- of -duty deaths. From 1988 to August 2019, more than 85% of mass public shootings have occurred in gun-free zones, like the workplace, schools, churches, and shopping malls where law enforcement may be in the vicinity and waiting for SWAT deployment is not timely. Long guns outperform handguns as handguns need to be reloaded during confrontations with armed felons in possession of high-velocity rifles. Long guns offer increased accuracy and capacity to stop threats of great bodily injury or death at close and intermediate ranges. These firearms are capable of firing more accurately and quicker than a pistol and decrease the likelihood of errant rounds traveling beyond the intended target.</p>
5. Authorized Use	<p>During large critical incidents, active shooter or incidents where an armed suspect is threatening the public or officers and where there may be a need to defeat body armor. To be used to effectively control a scene with increased distance between officer and subject allowing more time to deploy other force options.</p>



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6. Fiscal Impact	<p>Initial cost: SUB MACHINE GUNS: n/a SEMI AUTO RIFLES: approx. \$1,000 each FULL AUTO TAC SHORT BARREL RIFLE (SBR) MACHINE GUN: approx. \$1,000, not incl. accessories</p> <p>Years obtained: SUB MACHINE GUNS: varies (2010-2019) SEMI AUTO RIFLES: varies (2010-2019) FULL AUTO TAC SHORT BARREL RIFLE (SBR) MACHINE GUN: varies (2010-2019)</p>
7. Legal and Procedural Rules	<p>DGO 5.01 Use of Force Various Department Bulletins, Notices and Manuals. Adjustments to the sights and weapon light are prohibited. If the accuracy of the weapon is in question, the rifle shall be taken out of service until the accuracy can be confirmed by range staff. When not in actual use, the Patrol Rifle shall be carried with safety mechanism on, (1) at port arms, (2) slung muzzle up, (3) slung muzzle down.</p>
8. Training	<p>POST Tactical Rifle Operator, POST SBR Operator Training & SFPD Patrol Rifle Course and bi-annual patrol rifle qualification required in order to deploy department issued service weapons.</p>

I. Projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons	
1. Description	<p>40mm Launcher 12 Gauge Pump-Action Shotgun/Remington 870 Ballistic breaching shotgun 12GA Super-Sock Bean Bag Model 2581 CTS 4556 OC Impact CTS 4340 OC Liquid Barricade CTS 4441 OC Powder Barricade CTS 4530 CS Impact CTS 4330 Liquid Barricade CTS 4431 Powder Barricade CTS 4557 Foam Baton CTS 5230 Baffled Canister</p>



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	CTS 6210 White Smoke Canister
2. Quantity	40mm Launcher: 90 Units 12GA Super-Sock Bean Bag Model 2581 round: over 2000 rounds CTS 4556 OC Impact: 114 Units CTS 4340 OC Liquid Barricade: 148 Units CTS 4441 OC Powder Barricade: 135 Units CTS 4530 CS Impact: 118 Units CTS 4330 Liquid Barricade: 179 Units CTS 4431 Powder Barricade: 159 Units CTS 4557 Foam Baton: 226 Units CTS 5230 Baffled Canister :66 Units CTS 5210 White Smoke Canister :79 Units
3. Expected Lifespan	5 years
4. Purpose	<p>The 40mm launcher affords the ability to use less lethal chemical agents and impact munitions. This is designed to fire a projectile to temporarily incapacitate a subject and are considered a less-lethal weapon. The use allows officers to address a threat from a greater distance and provides a <u>less-lethal force option, when appropriate per DGO 5.01. n alternative option for deadly force when reasonable</u>. The bean bag shotgun <u>is a less-lethal weapon that</u> also allows officers to confront <u>a an armed or</u> dangerous suspect at a longer distance <u>when used in accordance with DGO 5.01</u>. This can potentially prevent a deadly force encounter. The alternative is the use of a department issued firearm if de-escalation or negotiation is unsuccessful.</p> <p>Chemical agents are specifically formulated smokes, liquids, and powders designed to temporarily disable a person by causing irritation of the mucous membrane, eyes, and skin. When deployed, they provide a less lethal force option and significantly reduce the risk of injury to citizens, suspects, and police officers. <u>Not a purpose</u>. These agents may be used in criminal apprehensions, critical incidents, and as a dispersal agent during crowd control situations. <u>Chemical agents shall not be used to disperse any assembly, protest or demonstration, except as permitted under California Penal Code Section 13652(b). Projectile launch platforms and their munitions shall not be aimed or fired at a person's head, neck, throat or vital organs nor fired closer than 20 feet nor shall they be used against children, elderly persons or persons only engaged in passive resistance.</u></p> <p>Only trained members assigned to the Tactical Unit SWAT Team and Specialist Team members who are working an assignment under the</p>



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	<p>direction of the Tactical Company, may deploy chemical agents. The deployment during crowd control must be authorized by any of the following:</p> <p>Incident Commander</p> <p>The Commanding Officer of the Tactical Company</p> <p>The Lieutenant assigned to the Tactical Unit SWAT Team</p> <p>A Commander, Deputy Chief or Chief of Police</p> <p>When engaged in an evolving critical incident, not related to crowd control, a tactical leader may authorize immediate use of chemical agents to protect life or public safety.</p>
5. Authorized Use	<p>De-escalation tool not likely to inflict serious injury. Not a purpose</p> <p><u>Only trained members assigned to the Tactical Unit SWAT Team and Specialist Team members who are working an assignment under the direction of the Tactical Company, may deploy chemical agents. The deployment during crowd control must be authorized by any of the following:</u></p> <ul style="list-style-type: none"> <u>Incident Commander</u> <u>The Commanding Officer of the Tactical Company</u> <u>The Lieutenant assigned to the Tactical Unit SWAT Team</u> <u>A Commander, Deputy Chief, Assistant Chief or Chief of Police</u> <p><u>When engaged in an evolving critical incident, not related to crowd control, a tactical leader may authorize immediate use of chemical agents to protect life or public safety. Chemical agents shall not be used to disperse any assembly, protest, or demonstration, except as permitted under California Penal Code Section 13652(b). Chemical agents and projectile launch platforms and their munitions shall be used in accordance with DGO 5.01.</u></p>
6. Fiscal Impact	<p>40mm Launcher: \$1,090.00 per unit</p> <p>12GA Super-Sock Bean Bag Model 2581: \$9,979.83 (\$4.20/per unit)</p> <p>CTS 4556 OC Impact: \$1,244.50</p> <p>CTS 4340 OC Liquid Barricade: \$1,119.72</p> <p>CTS 4441 OC Powder Barricade: \$868</p> <p>CTS 4530 CS Impact: \$1,244.50</p> <p>CTS 4330 Liquid Barricade: \$1,097</p> <p>CTS 4431 Powder Barricade: \$868</p> <p>CTS 4557 Foam Baton: \$9,997.69</p> <p>CTS 5230 Baffled Canister: \$52.60</p> <p>Estimated annual cost to maintain the equipment: ~\$50,000</p>



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	Year obtained: n/a
7. Legal and Procedural Rules	DGO 8.01 Critical Incident Evaluation and Notification DGO 5.01 Use of Force CA Penal Code Section 13652
8. Training	Tactical Unit / Specialist Team Less-Lethal Instructors must complete and pass 16-hour POST approved course to train other officers in the operation and use of the 40mm less-lethal launcher. The less-lethal instructors will then certify the officers in their perspective units with a 10-hour class to carry and deploy the 40mm launcher. Each officer must re-certify every 6 months

SECTION 2. DEFINITIONS

Exigent Circumstances	An emergency involving imminent danger of death or serious physical injury to any person or destruction of property or evidence that requires the immediate use of equipment subject to the provisions of AB 481. <u>An exigent circumstance arises when an officer reasonably believes, based on specific and articulable facts, that a threat exists to a person's safety, the safety of others, or the safety of the involved officers(s).</u>
Critical Incidents	As defined in SFPD General Order 8.01, the following situations constitute critical incidents: Hostage/barricaded suspect; sniper; citizen shot by an officer; officer shot or critically injured while on duty; riots, insurrection or potentially violent demonstrations; prison break; explosion of destructive devise; airplane crash; officer arrested on or off duty; major fire (five alarms or greater); hazardous material incident; earthquake or any natural calamity involving multiple casualties or significant destruction of property or the likelihood of either; accidents (explosions, traffic, construction, etc.) involving multiple casualties.
<u>De-escalation</u>	<u>A range of verbal and non-verbal skills used to slow down the sequence of events, enhance situational awareness, conduct proper threat assessments, and allow for better decision-making, to reduce the likelihood of a situation escalating into a physical confrontation or injury. De-escalation tactics prioritize reducing the number of use of force incidents and front-line personnel safety.</u>
Department General Order (DGO)	The Department's most authoritative and permanent directives, established, revised, and adopted by the Police Commission after a public hearing for the overall administration and management of the Department and the general conduct of all members. These policies go through a rigorous drafting period that includes consideration of Department of Police Accountability and other stakeholder policy recommendations.



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<u>High-Risk Tactical Situation</u>	<u>Patrol officers encounter high-risk situations (felony stops, hot prowls calls, shootings, armed subject calls, etc.) routinely and address them using their training and readily available resources. However, high-risk tactical situations are instances that occur where the potential of death or serious injury is elevated or requires a response from a Tactical/Special Operations unit that have training, resources and supplies that exceed the capabilities and resources available to patrol units. This can include "high-risk warrant service" where law enforcement agencies may use a matrix and award points for certain aspects of the warrant (e.g., weapons, criminal history, potential for violent resistance), and where the point total determines whether a Tactical/Special Operations detail is required.</u>
POST	California Commission on Police Officer Standards and Training (POST) was established by the Legislature in 1959 to set minimum selection and training standards for California law enforcement. Participating agencies agree to abide by the standards established by POST. More than 600 agencies participate in the POST Program and are eligible to receive the Commission's services and benefits.
Less Lethal	Non-lethal or less-lethal weapons are used on a subject who is armed with and used or threatened to use a weapon, other than a firearm, that could cause serious injury or death. The less lethal is intended to be less likely to kill a living target or are designed to deescalate or restrain a living target as an alternative to the use of Department issued firearms.
Explosive Ordnance Disposal (EOD)	Explosive Ordnance Disposal (EOD)- tactical and technical explosives experts under the Tactical Unit and Special Operations. EOD receives advanced training and critical skills needed to disable and defeat explosive devices and weapons of mass destruction.

SECTION 3. ACQUIRING OR SEEKING FUNDS FOR EQUIPMENT SUBJECT TO THE PROVISIONS OF AB 481

When ~~Should existing~~ stock of equipment listed in this Use Policy has reached significantly low levels, has been exhausted, needs maintenance or replacing, or if there exists an objectively reasonable expectation that existing stock may reach significantly low levels, the Department shall immediately notify the ~~may purchase new stock without additional~~ Board of Supervisors when new stock, maintenance or replacements of existing equipment listed in this Use Policy has been acquired or procured by the Department. ~~approval to maintain essential availability for the Department's needs~~ public safety needs. The Department is authorized to acquire additional stock of items listed in this Use Policy from other law enforcement agencies of California Governor's Office of Emergency Services ("CalOES") in the event of a designated emergency when approved by the Chief of Police or designee. The procurement process shall meet the requirements of the Office of Contract Administration ("OCA") who promulgates rules and regulations pursuant to Chapter 21 of the San Francisco Administrative Code. The SFPD Contracting Department shall comply with the requirements of Chapter 21 and cooperate to the fullest extent ~~fully cooperate~~ with OCA in the Acquisition of Commodities and Services.



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SECTION 4. COMPLIANCE & SANCTIONS

AB481 requires this policy to include "the mechanisms to ensure compliance with the military equipment use policy, including which independent persons or entities have oversight authority." The San Francisco Board of Supervisors has ultimate oversight authority over compliance with this policy.

Department shall assign the following personnel to oversee Policy compliance by the Department:
Assistant Chief of Operations or designee.

Each member of the Department belongs to a chain of command. The Officer in Charge (OIC) of that chain of command is responsible for overseeing compliance with all SFPD written directives and the Law Enforcement Use of Equipment Policy. If allegations arise that a member is not in compliance, the OIC will initiate an investigation and will take the appropriate action which could include an investigation of misconduct by Internal Affairs.

Sanctions for violations of this Policy include the following: San Francisco Police Department will conduct an internal investigation through the Chief of Staff/Internal Affairs (IA) Unit. The results of the investigation will be reported to the Chief of Police, who will determine the penalty for instances of misconduct.

Under San Francisco Charter section A8.343, the Chief may impose discipline of up to a 10-day suspension on allegations brought by the Internal Affairs Division or the DPA. Depending on the severity of the allegation of misconduct, the Chief or the DPA may elect to file charges with the Police Commission for any penalty greater than the 10-day suspension. Any discipline sought must be consistent with principles of just cause and progressive discipline and in accordance with the SFPD Disciplinary Guidelines.

Independent Entities with Oversight Authority:

Pursuant to the San Francisco Charter section 4109, the Police Commission is empowered to prescribe and enforce any reasonable rules and regulations that it deems necessary to provide for the efficiency of the Department, provided that the civil service and ethics provisions of this Charter shall control in the event of any conflict with rules adopted under section 4109.

Under San Francisco Charter section 4.136(k), the Department of Police Accountability shall conduct a performance audit or review of police officer use of force and how the Police Department has handled claims of officer misconduct. DPA shall also have the authority to conduct performance audits or reviews of whether Police Department personnel and management have complied with federal and state law, City ordinances and policies, and Police Department policies.

Complaints of Officer Misconduct: Members of the public can register complaints about SFPD activities with the Department of Police Accountability (DPA), 1 South Van Ness Ave, 8th Floor, San Francisco, CA 94103, (415) 241-7711, <https://sf.gov/departments/departments-police-accountability>. DPA, by Charter authority, receives and manages all citizen complaints relating to SFPD use of force, misconduct, or allegations that a member has not properly performed a duty. DPA manages, acknowledges, and responds to complaints from members of the public.

Complaints [required by law], Concerns and Inquiries: Department shall acknowledge and respond to concerns in a timely and manner. To do so, the Department has included a Law Enforcement Use of Equipment Policy



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page on its public website. This page includes an email address for public inquiries: SFPDChief@sfgov.org. This email is assigned to multiple staff members in the Chief's Office who will respond to inquiries within 48 hours.

SECTION 5: COLLABORATION WITH OUTSIDE LAW ENFORCEMENT AGENCIES

~~Military~~ Equipment ~~equipment~~ not listed in this Law Enforcement Use of Equipment Policy shall not be used by any other law enforcement agency or member in this jurisdiction unless there is an approved interagency operation in compliance with SFPD DGO 5.14, an exigent circumstance requiring deployment of mutual aid partners, SFPD members have made the law enforcement agency aware of this Use Policy or the equipment subject to the provisions of AB 481 is approved for use in accordance with this policy.

SECTION 6: ANNUAL REPORTING

Pursuant to Ca. Gov Code Section 7072, the San Francisco Police Department shall submit an annual Law Enforcement Use of Equipment report to the Board of Supervisors. The annual submission shall report on each type of equipment approved by the Board of Supervisors within one year of approval, and annually thereafter for as long as the equipment is available for use. The annual Law Enforcement Use of Equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of equipment subject to the provisions of AB 481.

- (1) A summary of how the equipment was used, which equipment was used, the frequency of use, and the purpose of its use, and the outcome of the incident, including whether injuries were sustained. and the date, time and location(s) of such use together with report and incident numbers.
- (2) A summary of any complaints or concerns received concerning the equipment.
- (3) The results of any internal audits, any information about violations of the equipment use policy, and any actions taken in response.
- (4) The total annual cost for each type of equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the equipment in the calendar year following submission of the annual equipment report.
- (5) The quantity possessed for each type of equipment subject to the provisions of AB 481.
- (6) If SFPD intends to acquire additional equipment subject to the provisions of AB 481 in the next year, the quantity sought for each type of equipment.

Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements.

~~The annual Law Enforcement Use of Equipment report shall be made publicly available on SFPD's website for as long as the equipment subject to the provisions of AB 481 is available for use.~~

~~Prior to the public release of~~ I think the withing 30 days language is state law and needs to be kept Within 30 days of submitting and publicly releasing an annual Law Enforcement Use of Equipment report, SFPD shall hold at least one well-publicized and conveniently located community meeting through the Police Commission at which the general public may discuss and ask questions regarding the annual Law Enforcement Use of Equipment report and SFPD's funding, acquisition, or use of equipment listed in the report.

The Board of Supervisors shall determine, based on review of the annual report, whether each type of equipment identified in this use policy complied with the standards set forth in Government Code 7071(d). If the



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Board of Supervisors determines that SFPD has not complied with Government Code 7071(d) standards, they may vote to disapprove a renewal or require modifications to this use policy in a manner that will resolve the lack of SFPD's compliance with Government Code 7071(d).

The annual Law Enforcement Use of Equipment report shall be made publicly available on SFPD's website for as long as the equipment subject to the provisions of AB 481 is available for use.

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The City and County of San Francisco values safeguards, including transparency, oversight, and accountability measures, to protect the public's welfare, safety, civil rights, and civil liberties. As required by California Assembly Bill 481, Government Code Section 7070 -7075, the Law Enforcement Use of Equipment Policy Ordinance aims to ensure the responsible use of the Police Department's current inventory (equipment acquired prior to January 1, 2022), and the protection of City and County of San Francisco residents' safety, civil rights, and liberties.

PURPOSE AND SCOPE

Pursuant to the San Francisco Charter, the Police Department is required to preserve the public peace, prevent, and detect crime, and protect the rights of persons and property by enforcing the laws of the United States, the State of California, and the City and County. The Department's mission is to protect life and property, prevent crime and reduce the fear of crime by providing service with understanding, response with compassion, performance with integrity and law enforcement with vision.

Assembly Bill 481 (AB 481), codified at Government Code sections 7070-7075 requires law enforcement agencies in California to obtain approval from the applicable governing body, via adoption of a Law Enforcement Use of Equipment Policy through an ordinance, prior to the law enforcement agency seeking funds, permanently or temporarily acquiring, using new or existing equipment subject to the provisions of AB 481 or collaborating with another law enforcement agency in the deployment of equipment subject to the provisions of AB 481 within the territorial authority of the governing body.

Equipment subject to the provisions of AB 481 do not necessarily indicate equipment that has been provided by the federal government and include, but are not limited to, command and control vehicles and less lethal bean bag projectile launchers. AB 481 identifies 14 categories of equipment. The Department's inventory meets nine of those categories that are listed in this policy.

The Department does not have the following equipment, and as such, have not included in this policy:

- Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Firearms of .50 caliber or greater. However, standard-issue shotguns are specifically excluded from this subdivision.
- Ammunition of .50 caliber or greater. However, standard-issue shotgun ammunition is specifically excluded from this subdivision.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.

The Law Enforcement Use of Equipment Policy defines the way the equipment subject to the provisions of AB 481 acquired by the Police Department prior to January 2022 will be used to support the Department's mission, by describing the intended purpose, authorized uses, and training requirements.

This Use of Equipment Policy applies to all to Department personnel that use, plan to use, procure or share equipment subject to the provisions of AB 481.



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POLICY STATEMENT

The authorized use of current equipment, defined under Government Code 7070-7075, for the Department is limited to the authorized uses outlined in this document and is subject to the requirements categorized in this Use Policy Ordinance.

On an annual basis, the Board of Supervisors will evaluate the annual report required by this Use Policy and if determined necessary, may vote on whether to renew the associated Law Enforcement Use of Equipment Policy.

This Use of Equipment Policy contains authorized uses relating to the current inventory.

SECTION 1: CURRENT INVENTORY POLICY ORDINANCE REQUIREMENTS

A. Unmanned, remotely piloted, powered ground vehicle (ground)	
1. Description	<p>REMOTEC F5A: The Remotec F5A is a heavy-duty robot. It has stair climbing ability and an arm capable of lifting over 85lbs. The F5A can carry/tow a variety of large tools and accessories that smaller robot platforms cannot.</p> <p>REMOTEC F6A: The Remotec F6A is a heavy-duty robot. It has stair climbing ability, an arm capable of lifting 65lbs, a Hazmat probe, and offers multiple communications options, a chassis and manipulator that allow for accessories and tool combinations, and quick-release pneumatic wheels for rapid width reduction.</p> <p>REMOTEC RONS: Remote ordnance neutralization systems otherwise known as explosive ordnance disposal robots.</p> <p>QinetiQ TALON: TALONs are widely deployed for improvised explosive device (IED) and explosive ordnance disposal (EOD), reconnaissance, communications, CBRN (Chemical, Biological, Radiological, Nuclear), HAZMAT, security, heavy lift, defense, and rescue missions.</p> <p>QinetiQ DRAGON RUNNER: Dragon Runners can be hand carried or transported inside a rucksack, and both can be remotely operated from many hundreds of meters away, providing protection and safety to their operators.</p> <p>IRobot FirstLook: FirstLook is a throwable, rugged, and expandable robot that provides immediate situational awareness, performs persistent observation, and investigates dangerous and hazardous material while keeping its operator out of harm's way. FirstLook allows operations where other robots can't fit or maneuver. This rugged, lightweight robot can be inserted into structures and provides operators with visual, audio, and sensor feedback before entry. The robot climbs small obstacles, overcomes curbs, turns in</p>



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	<p>place and self-rights when flipped over.</p> <p>Recon Robotics Recon Scout ThrowBot: Throwable micro-robot platform that enables operators to obtain instantaneous video and audio reconnaissance within indoor or outdoor environments.</p>
2. Quantity	<p>17 total. The following five are not functioning:</p> <p>IRobot FirstLook (1)</p> <p>Recon Robotics Recon Scout ThrowBot (1)</p> <p>QinetiQ TALON (1)</p> <p>REMOTEC RONS (2)</p>
3. Expected Lifespan	All robots, 8-10 years.
4. Purpose	<p>A remotely controlled unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and officers by providing ground support and situational awareness for law enforcement operations. Only assigned operators who have completed the required training shall be permitted to operate the robots. The Tactical Unit/EOD Special Operations Bureau establish use.</p>
5. Authorized Use	<p>. 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.</p> <p>Use of any robots with audio or video functionality shall comply with authorized uses and prohibitions approved pursuant to Section 19B.2 of the San Francisco Administrative Code.</p> <p>Only assigned operators who have completed the required training shall be permitted to operate the robots. The Tactical Unit/EOD Special Operations Bureau establish use. Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements.</p>
6. Fiscal Impact	<p>Initial Cost:</p> <p>REMOTEC F5A: \$267,955.95</p> <p>REMOTEC F6A: n/a</p> <p>REMOTEC RONS: \$147,703.50</p> <p>QinetiQ Talon: \$208,068.30,</p> <p>QinetiQ Dragon Runner: \$121,730.49,</p> <p>IRobot FirstLook: \$106,551.41,</p>



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	Recon Robotics Recon Scout ThrowBot: \$9,840, 2012 Estimated annual cost to maintain the equipment: \$1,445 Year obtained: REMOTEC F5A: 2012 REMOTEC F6A: Prior to 2010 REMOTEC RONS: 2017 QinetiQ TALON: 2011 QinetiQ DRAGON RUNNER: 2013 IRobot FirstLook: 2017 Recon Robotics Recon Scout ThrowBot: 2012
7. Legal and Procedural Rules	DGO 5.01 Use of Force DGO 8.01 Critical Incident Evaluation and Notification DGO 8.07 Hazardous Material Incidents DGO 8.08 Bomb Threats, Clandestine Laboratories, Destructive Devices, Explosions, and Fireworks SF Administrative Code 19B
8. Training	All robot operators must complete the FBI's 6-week hazardous device school prior to operate the robots

B. Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.	
1. Description	Lenco BearCat with a Patriot 3 Liberator ramp system. The Lenco Bearcat is an armored vehicle that seats 10-12 personnel with open floor plan that allows for rescue of down personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor. A battering ram attachment can be attached to the Lenco Bearcat for breaching purpose. The battering ram attachment is an 11 foot by 2 inch tubing with an octagon shaped strike plate on one end. The battering ram can be attached to the front or rear of the BearCat so it can be used to breach a door or structure without exposing an officer to any potential gunfire. The Patriot 3 Liberator ramp system is a hydraulic ramp that can extend to a second story level so officers can enter a structure through a window, or an airplane if needed.
2. Quantity	One
3. Expected Lifespan	25 years
4. Purpose	Provides armored vehicle response to critical incidents to protect and safely transport SFPD personnel to active scenes. The BearCat is used to provide ballistic protection to officers and citizens during rescue, critical incidents, and other hazardous situations. These vehicles allow officers closer access to high-risk situations while substantially reducing the physical risk to the officers and citizens. These vehicles are built on commercial vehicle chassis and are primarily a reinforcement of civilian



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	commercial vehicles. As such, there are no reasonable alternatives to providing the same level of ballistic protection.
5. Authorized Use	<p>To protect and safely transport SFPD personnel to active scenes. Used only by Tactical and Specialist Teams when authorized by commissioned officers for:</p> <ul style="list-style-type: none"> • mobile physical cover in incidents involving actual or threatened violence or when reasonable suspicion, based on articulable facts, exists that violence will occur using firearms or explosives; or any deadly weapon; • Vehicle blocking for incidents involving armed and unresponsive persons in vehicles; • Medical emergencies and disaster responses, when the armored vehicle's capabilities are necessary to prevent loss of life.
6. Fiscal Impact	<p>Initial Cost: \$335,782.14 Estimated annual cost to maintain the equipment: \$1,040 Year obtained: 2010</p>
7. Legal and Procedural Rules	<u>DGO 8.01 Critical Incident Evaluation and Notification</u>
8. Training	<p>Class C California Driver's License</p> <p>Tactical Officer and Specialist Team Officer is trained in a 10-hour block to drive and operate the BearCat and ramp system and then trained annually, thereafter</p>

C. High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.	
1. Description	<p>Lenco BearCat with a Patriot 3 Liberator ramp system (entry apparatus) and battering ram attachment. See Section B1 for description.</p>
2. Quantity	One (listed in section B)
3. Expected Lifespan	25 years
4. Purpose	<p>Provides armored vehicle response to critical incidents. The BearCat is used to provide ballistic protection to officers and citizens during rescue, critical incidents, and other hazardous situations. These vehicles allow officers closer access to high-risk situations while substantially reducing the physical risk to the officers and citizens. These vehicles are built on commercial vehicle chassis and are primarily a reinforcement of civilian commercial vehicles. As such, there are no reasonable alternatives to</p>



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	providing the same level of ballistic protection. The battering ram attachment is an 11 foot by 2-inch tubing with an octagon shaped strike plate on one end. The battering ram can be attached to the front or rear of the BearCat so it can be used to breach a door or structure without exposing an officer to any potential gunfire.
5. Authorized Use	<p>Entry apparatus on the BearCat may be used to allow personnel to enter or extract victims or suspects.</p> <p>Authorized to be used in high-risk tactical situations where de-escalation methods were unsuccessful, have been exhausted or where other force options would jeopardize the safety of the public and officers. Used by Tactical and Specialist Teams</p> <p>See comments in Bear Cat, above.</p>
6. Fiscal Impact	<p>Initial Cost: \$335,782.14</p> <p>Estimated annual cost to maintain the equipment: \$1,040</p> <p>Year obtained: 2010</p>
7. Legal and Procedural Rules	<u>DGO 8.01 Critical Incident Evaluation and Notification</u>
8. Training	<p>Class C California Driver's License</p> <p>Tactical Officer and Specialist Team Officer is trained in a 10-hour block to drive and operate the BearCat and ramp system and then trained annually, thereafter</p>

D. Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.	
1. Description	<p>Ford Eagle Motor Home (MH)</p> <p>Ford Eagle Motor Home (MH)</p> <p>Ford E-350 Van</p> <p>Freightliner MT55 Cargo Van</p> <p>Freightliner Sprinter Van</p>
2. Quantity	5 total
3. Expected Lifespan	20 years
4. Purpose	The mobile incident command vehicle is an unarmored vehicle equivalent to a commercial recreational vehicle. It is equipped with specific communication and audio-visual devices to assist in command and control of a critical incident. This vehicle allows for mobile incident command and use of the Incident Command Systems facilitating the best possible on scene



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	<p>decision-making by key leaders. It provides for mobility, sheltering, and logistical support, restroom facilities and power.</p> <p>There is no known alternative for the Mobile Incident Command Vehicles which provide the same amount of mobility and support at one location in a quick deploying package.</p>
5. Authorized Use	<p>To be used at both planned and unplanned events including critical incidents, large demonstrations, or prolonged incidents where an on-scene command post would help the outcome of the incident.</p> <p>The Homeland Security Unit (HSU) maintains a fleet of five command vans. The on-scene Incident commander determines the need for a command vehicle.</p>
6. Fiscal Impact	<p>Initial Cost: \$3,500,000</p> <p>Estimated annual cost to maintain the equipment: ~\$50,000</p> <p>Year obtained:</p> <p>Ford Eagle MH, 2001</p> <p>Ford Eagle MH, 2002</p> <p>Ford E-350 Van, 1992</p> <p>Freightliner MT-55, 2012</p> <p>Freightliner Sprinter Van, 2011</p>
7. Legal and Procedural Rules	<p>Department Notice 21-128 Command Van Requests</p> <p>DGO 8.01 Critical Incident Evaluation and Notification</p> <p>SFPD Crowd Control Manual</p>
8. Training	<p>Freightliner: Class B license</p> <p>Remaining Command Vehicles require Class C license.</p> <p>The National Incident Management System Training Program:</p> <p>Incident Command System (ICS) 100-800</p> <p>ICS 300 & 400</p> <p>Emergency Vehicle Operator Course (EVOC)</p>

E. Battering rams, slugs, and breaching apparatuses that are explosive in nature	
1. Description	<p>Energetic Breaching Tool</p> <p>Kinetic Breaching Tool</p> <p>Ballistic Breacher Rounds</p> <p>Pan Disrupter (attached to a robot)</p>
2. Quantity	<p>Energetic Breaching Tool: Detonating Cord: 18 grain per foot - 2.3 lbs., 25 grain per foot - 12.1 lbs., 50 grain per foot - 6.2 lbs., 100 grain per foot - 0.4</p>



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	<p>lbs., and 200 grain per foot – 1.4 lbs.; Blasting Caps: 17 Units; Materials: UTK Rubber Strips – 33 pieces, UTK Pucks – 11 pieces, FETT Rubber Rolls – 5 rolls, Fett Water Bladders – 40 pieces, Hydro Gel Rolls – 20 rolls, and Breacher Tape – 20 rolls.</p> <p>Kinetic Breaching Tool: 3</p> <p>Ballistic Breacher Rounds: 200 rounds</p> <p>Pan Disrupter (attached to a robot): 2 Units</p>
3. Expected Lifespan	5 years
4. Purpose	<p>Used to safely breach doors or devices.</p> <p>This allows officers to conduct rescues or high-risk forceable entries during high risk and critical incidents. These items allow peace officers to quickly and safely enter a structure when time is of the essence and where it is not feasible to delay access to the structure. The alternative to these items may involve mechanical breaching which requires officers to stand in front of the door utilizing hydraulic tools, rams, sledgehammers, the jaws of life or other handheld battering rams. This increases the likelihood of the use of Department issued firearms if suspects fire upon officers that are in a doorway utilizing a handheld battering ram. As such there is no reasonable alternative to these items listed in this category if negotiation, or de-escalation or other alternatives to entry are not possible.</p> <p>Law enforcement agencies receive calls for suspicious packages every day. SFPD's Explosive Ordnance Detail (EOD) AKA bomb squad, is responsible for performing the threat assessment of these suspicious packages. These packages can be an improvised explosive device (IED) which has no standard application, meaning there is no one standard way to address these devices. IEDs are homemade and are becoming more sophisticated as web/internet resources are more readily available. SFPD has tools that minimize the time on target (the amount of time an officer is next to a suspicious package/device) and provide more protection for our bomb techs, which in turn provides increased safety for the public. One of these tools is a "pan disruptor" and can be attached to a wheeled robot. The pan disruptor is a percussion actuated non-electrically fired device. It is a steel tube filled with water, plugged off on one side while the other side is capped by a shotgun shell. A breach is used which has a firing pin that is projected forward by an explosively driven shock wave from a shock tube- this is fired remotely so the bomb tech does not have to be anywhere near the package as it is breached.</p>
5. Authorized Use	For use during high-risk warrant service on fortified locations, encounters with barricaded suspects, active shooter, and hostage rescue.



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6. Fiscal Impact	<p>Initial cost: Energetic Breaching Kit: \$5,000 Kinetic Breaching Tool: \$9,500 per unit Ballistic Breacher Rounds: \$150 for 25 rounds Pan Disrupter (attached to a robot): Attachments with procurement of the EOD robots.</p> <p>Year obtained: Energetic Breaching Kit: 2020 Kinetic Breaching Tool: 2018 Ballistic Breacher Rounds: 2008 Pan Disrupter (attached to a robot): 2000</p> <p>Estimated annual cost to maintain the equipment: \$8,476</p>
7. Legal and Procedural Rules	DGO 5.01 Use of Force DGO 5.16 Obtaining Search Warrants DGO 8.02 Hostage and Barricaded Suspect Incident
8. Training	<p>CAL-OSHA Blaster's License Firearm Instructor Training IDC Instructor Training California Association of Tactical Officers (CATO): Critical Incident Leadership POST: Ballistic Breacher Certification All Pan Disrupter operators must complete the FBI's 6-week hazardous device school prior to operating the robots</p>

F. "Flashbang" grenades and explosive breaching tools, "tear gas," and "pepper balls," excluding standard, service-issued handheld pepper spray	
1. Description	<p>Flash-Bang is an explosive device that produces a blinding flash of light and a sudden, loud noise intended to temporarily stun, distract, and disperse people and it is thrown by hand or projected.</p> <p>Pepperball Systems utilize either round ball projectiles or round tipped projectiles, which are ultrasonically welded and designed to disperse the chemical agent contained inside upon impact.</p>
2. Quantity	Combined Tactical Systems Flash-Bang quantity: 227 units



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	PepperBall VKS™: 8 PepperBall Rounds: 6,740 rounds
3. Expected Lifespan	5 years
4. Purpose	De-escalation tool not likely to inflict serious injury of involved parties or front-line personnel during tactical or high-risk operations.
5. Authorized Use	<p>To safely resolve critical situations during high-risk tactical operations. Only trained member assigned to the Tactical Unit, or Specialist Team member who is working an assignment under the direction of the Tactical Company, may carry and deploy such weapons. The deployment of Flashbangs requires the approval of at least one of the following:</p> <ul style="list-style-type: none"> • Commanding Officer of the Special Operation Group (SOG) • Lieutenant assigned to the Tactical Unit • SOG or Team Leader • Commander, Deputy Chief, Assistant Chief or Chief of Police
6. Fiscal Impact	<p>Flash bang: \$4,681.99 (\$35.95/per unit) Year first obtained: Prior to 2000</p> <p>Pepperball: \$9,999.03 (bundle) Year first obtained: 2021</p>
7. Legal and Procedural Rules	<p>DGO 5.01 Use of Force DGO 8.01 Critical Incident Evaluation and Notification DGO 8.03 Crowd Control DGO 8.10 Guideline for First Amendment Activities CA Penal Code Section 13652</p> <p>Tactical Unit Order Use of Chemical Agent Tactical Unit Order: Pepperball Systems SFPD Crowd Control Manual</p>
8. Training	<p>24 hour less-lethal instructor course. Once completed, the instructors teach and certify members of their perspective units in the use and deployment of the flashbang. This is a 10-hour certification. Once certified, each officer must get re-certified every 6 months.</p> <p>40-hour POST approved chemical agent instructor course. The chemical agent instructors will then certify the officers in their perspective units with a 10-hour class to carry and deploy chemical agents. Each officer must re-certify once a year.</p>



Law Enforcement Use of Equipment Policy **Inventory Acquired Prior to January 2022** **Police Department**

G. Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD)	
1. Description	LRAD -Model 100X: A device that can be used as a specialized loudspeaker system that produces sound at a high power for directional communication at a distance. LRAD sound is directionally focused toward the intended individual person or groups.
2. Quantity	One
3. Expected Lifespan	20 years
4. Purpose	LRAD is an amplified communication device used by law enforcement agencies to communicate to the public, suspect(s), hostile crowds, or during disaster management.
5. Authorized Use	<p>LRADs may only be utilized as a public address system only for (1) Disaster or city-wide emergency management or (2) rescue operations including missing or lost persons(3) Dispersal Orders or (4) During Critical Incident to communicate to suspect(s).</p> <p>The LRAD use must be authorized by a commissioned officer from the Tactical Unit.</p> <p>When authorized to be used as a public address system the LRAD shall not be deployed at distances less than fifty (50) feet.</p> <p>Only trained member assigned to the Tactical Unit, or the Specialist Team who is working an assignment under the direction of the Tactical Company, may deploy the LRAD.</p>
6. Fiscal Impact	<p>Initial cost: \$8,252.83</p> <p>Estimated annual cost to maintain the equipment: \$0</p> <p>Year obtained: 2013</p>
7. Legal and Procedural Rules	<p>DGO 8.01 Critical Incident Evaluation and Notification</p> <p>DGO 8.03 Crowd Control</p> <p>Tactical Unit Order: Use of Extended Range Impact Weapons During Crowd Control</p> <p>Tactical Unit Order:Use of Chemical Agents</p>
8. Training	Tactical Unit officers are given a 2-hour block in the use and operation of the LRAD system.
1. Description	<p>SUB MACHINE GUNS</p> <p>Description: Heckler & Koch (H&K) MP-5, 40 caliber</p>



Law Enforcement Use of Equipment Policy **Inventory Acquired Prior to January 2022** **Police Department**

	<p>Lightweight, air-cooled weapon with a calculated roller-delayed bolt and uses handgun ammunition. While these weapons use the same ammunition as handguns, they have capabilities of holding more ammunition and are equipped with lasers and optics specifically designed for use and more accuracy. Sub-machine guns are generally used as defensive weapons and aren't designed for long-range accuracy.</p> <p>SEMI AUTO RIFLES</p> <p>Description:</p> <p>AR-15A3 Tactical, Colt M4 Carbine, 5.56 NATO/.223 REM caliber</p> <p>LWRCI REPR 7.62 NATO caliber</p> <p>Lightweight, magazine- fed, gas-operated rifle intended to be fired from the shoulder. Some of the rifles have select fire triggers. Some of the rifles have longer barrels and are designed for longer, more precise shots.</p> <p>FULL AUTO TEC SHORT BARREL RIFLE (SBR) MACHINE GUN</p> <p>Description:</p> <p>M4 Carbine/Commando/EPR, 5.56 NATO/.223 REM caliber</p> <p>A weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger.</p>
2. Quantity	<p>SUB MACHINE GUNS: 15</p> <p>SEMI AUTO RIFLES: 233</p> <p>FULL AUTO TAC SBR: 64</p>
3. Expected Lifespan	<p>SUB MACHINE GUNS: 20 years</p> <p>SEMI AUTO RIFLES: 5-25 years</p> <p>FULL AUTO TAC SBR: 20 years</p>
4. Purpose	<p>Nationwide, violent offenders outgun law enforcement and high-powered weapons continue to be weapon of choice for violent offenders confronting law enforcement and innocent civilians. In 2016, long guns (rifles, etc.) were used in 40% of firearms related line- of -duty deaths. From 1988 to August 2019, more than 85% of mass public shootings have occurred in gun-free zones, like the workplace, schools, churches, and shopping malls where law enforcement may be in the vicinity and waiting for SWAT deployment is not timely. Long guns outperform handguns as handguns need to be reloaded during confrontations with armed felons in possession of high-velocity rifles. Long guns offer increased accuracy and capacity to stop threats of great bodily injury or death at close and intermediate ranges. These firearms are capable of firing more accurately and quicker than a pistol and decrease the likelihood of errant rounds traveling beyond the intended target.</p>
5. Authorized Use	<p>During large critical incidents, active shooter or incidents where an armed suspect is threatening the public or officers and where there may be a need</p>



Law Enforcement Use of Equipment Policy **Inventory Acquired Prior to January 2022** **Police Department**

	to defeat body armor. To be used to effectively control a scene with increased distance between officer and subject allowing more time to deploy other force options.
6. Fiscal Impact	Initial cost: SUB MACHINE GUNS: n/a SEMI AUTO RIFLES: approx. \$1,000 each FULL AUTO TAC SHORT BARREL RIFLE (SBR) MACHINE GUN: approx. \$1,000, not incl. accessories Years obtained: SUB MACHINE GUNS: varies (2010-2019) SEMI AUTO RIFLES: varies (2010-2019) FULL AUTO TAC SHORT BARREL RIFLE (SBR) MACHINE GUN: varies (2010-2019)
7. Legal and Procedural Rules	DGO 5.01 Use of Force .
8. Training	POST Tactical Rifle Operator, POST SBR Operator Training

I. Projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons	
1. Description	40mm Launcher 12 Gauge Pump-Action Shotgun/Remington 870 Ballistic breaching shotgun 12GA Super-Sock Bean Bag Model 2581 CTS 4556 OC Impact CTS 4340 OC Liquid Barricade CTS 4441 OC Powder Barricade CTS 4530 CS Impact CTS 4330 Liquid Barricade CTS 4431 Powder Barricade CTS 4557 Foam Baton CTS 5230 Baffled Canister CTS 6210 White Smoke Canister
2. Quantity	40mm Launcher: 90 Units 12GA Super-Sock Bean Bag Model 2581 round: over 2000 rounds CTS 4556 OC Impact: 114 Units CTS 4340 OC Liquid Barricade: 148 Units CTS 4441 OC Powder Barricade: 135 Units CTS 4530 CS Impact: 118 Units CTS 4330 Liquid Barricade: 179 Units



Law Enforcement Use of Equipment Policy **Inventory Acquired Prior to January 2022** **Police Department**

	<p>CTS 4431 Powder Barricade: 159 Units CTS 4557 Foam Baton: 226 Units CTS 5230 Baffled Canister :66 Units CTS 5210 White Smoke Canister :79 Units</p>
3. Expected Lifespan	5 years
4. Purpose	<p>The 40mm launcher affords the ability to use less lethal chemical agents and impact munitions. This is designed to fire a projectile to temporarily incapacitate a subject. The use allows officers to address a threat from a greater distance and provides a less-lethal force option, when appropriate per DGO 5.01. The bean bag shotgun is a less-lethal weapon that also allows officers to confront a dangerous suspect at a longer distance when used in accordance with DGO 5.01.</p> <p>Chemical agents are specifically formulated smokes, liquids, and powders designed to temporarily disable a person by causing irritation of the mucous membrane, eyes, and skin. When deployed, they provide a less lethal force option and significantly reduce the risk of injury to citizens, suspects, and police officers. These agents may be used in criminal apprehensions, critical incidents, and as a dispersal agent during crowd control situations.</p>
5. Authorized Use	<p>Only trained members assigned to the Tactical Unit SWAT Team and Specialist Team members who are working an assignment under the direction of the Tactical Company, may deploy chemical agents. The deployment during crowd control must be authorized by any of the following:</p> <ul style="list-style-type: none"> • Incident Commander • The Commanding Officer of the Tactical Company • The Lieutenant assigned to the Tactical Unit SWAT Team • A Commander, Deputy Chief, Assistant Chief or Chief of Police <p>When engaged in an evolving critical incident, not related to crowd control, a tactical leader may authorize immediate use of chemical agents to protect life or public safety. Chemical agents shall not be used to disperse any assembly, protest, or demonstration, except as permitted under California Penal Code Section 13652(b). Chemical agents and projectile launch platforms and their munitions shall be used in accordance with DGO 5.01.</p>
6. Fiscal Impact	<p>40mm Launcher: \$1,090.00 per unit 12GA Super-Sock Bean Bag Model 2581: \$9,979.83 (\$4.20/per unit) CTS 4556 OC Impact: \$1,244.50 CTS 4340 OC Liquid Barricade: \$1,119.72 CTS 4441 OC Powder Barricade: \$868</p>



Law Enforcement Use of Equipment Policy

Inventory Acquired Prior to January 2022

Police Department

	<p>CTS 4530 CS Impact: \$1,244.50 CTS 4330 Liquid Barricade: \$1,097 CTS 4431 Powder Barricade: \$868 CTS 4557 Foam Baton: \$9,9976.69 CTS 5230 Baffled Canister: \$52.60</p> <p>Estimated annual cost to maintain the equipment: ~\$50,000</p> <p>Year obtained: n/a</p>
7. Legal and Procedural Rules	<p>DGO 8.01 Critical Incident Evaluation and Notification DGO 5.01 Use of Force CA Penal Code Section 13652</p>
8. Training	<p>Tactical Unit / Specialist Team Less-Lethal Instructors must complete and pass 16-hour POST approved course to train other officers in the operation and use of the 40mm less-lethal launcher. The less-lethal instructors will then certify the officers in their perspective units with a 10-hour class to carry and deploy the 40mm launcher. Each officer must re-certify every 6 months</p>

SECTION 2. DEFINITIONS

Exigent Circumstances	An emergency involving imminent danger of death or serious physical injury to any person or destruction of property that requires the immediate use of equipment subject to the provisions of AB 481. An exigent circumstance arises when an officer reasonably believes, based on specific and articulable facts, that a threat exists to a person's safety, the safety of others, or the safety of the involved officers(s).
Critical Incidents	As defined in SFPD General Order 8.01, the following situations constitute critical incidents: Hostage/barricaded suspect; sniper; citizen shot by an officer; officer shot or critically injured while on duty; riots, insurrection or potentially violent demonstrations; prison break; explosion of destructive devise; airplane crash; officer arrested on or off duty; major fire (five alarms or greater); hazardous material incident; earthquake or any natural calamity involving multiple casualties or significant destruction of property or the likelihood of either; accidents (explosions, traffic, construction, etc.) involving multiple casualties.
De-escalation	A range of verbal and non-verbal skills used to slow down the sequence of events, enhance situational awareness, conduct proper threat assessments, and allow for better decision-making, to reduce the likelihood of a situation escalating into a physical confrontation or injury. De-escalation tactics prioritize reducing the number of use of force incidents and front-line personnel safety.



Law Enforcement Use of Equipment Policy

Inventory Acquired Prior to January 2022

Police Department

Department General Order (DGO)	The Department's most authoritative and permanent directives, established, revised, and adopted by the Police Commission after a public hearing for the overall administration and management of the Department and the general conduct of all members. These policies go through a rigorous drafting period that includes consideration of Department of Police Accountability and other stakeholder policy recommendations.
High-Risk Tactical Situation	Patrol officers encounter high-risk situations (felony stops, hot prowls, calls, shootings, armed subject calls, etc.) routinely and address them using their training and readily available resources. However, high-risk tactical situations are instances that occur where the potential of death or serious injury is elevated or requires a response from a Tactical/Special Operations unit that have training, resources and supplies that exceed the capabilities and resources available to patrol units. This can include "high-risk warrant service" where law enforcement agencies may use a matrix and award points for certain aspects of the warrant (e.g., weapons, criminal history, potential for violent resistance), and where the point total determines whether a Tactical/Special Operations detail is required.
POST	California Commission on Police Officer Standards and Training (POST) was established by the Legislature in 1959 to set minimum selection and training standards for California law enforcement. Participating agencies agree to abide by the standards established by POST. More than 600 agencies participate in the POST Program and are eligible to receive the Commission's services and benefits.
Less Lethal	Non-lethal or less-lethal weapons are used on a subject who is armed with and used or threatened to use a weapon, other than a firearm, that could cause serious injury or death. The less lethal is intended to be less likely to kill a living target or are designed to deescalate or restrain a living target as an alternative to the use of Department issued firearms.
Explosive Ordnance Disposal (EOD)	Explosive Ordnance Disposal (EOD)- tactical and technical explosives experts under the Tactical Unit and Special Operations. EOD receives advanced training and critical skills needed to disable and defeat explosive devices and weapons of mass destruction.

SECTION 3. ACQUIRING OR SEEKING FUNDS FOR EQUIPMENT SUBJECT TO THE PROVISIONS OF AB 481

When existing stock of equipment listed in this Use Policy has reached significantly low levels, has been exhausted, needs maintenance or replacing, or if there exists an objectively reasonable expectation that existing stock may reach significantly low levels, the Department shall immediately notify the Board of Supervisors when new stock, maintenance or replacements of existing equipment listed in this Use Policy has been acquired or procured by the Department. The Department is authorized to acquire additional stock of items listed in this Use Policy from other law enforcement agencies of California Governor's Office of Emergency Services ("CalOES") in the event of a designated emergency when approved by the Chief of Police or designee. The procurement process shall meet the requirements of the Office of Contract Administration ("OCA") who promulgates rules and regulations pursuant to Chapter 21 of the San Francisco Administrative Code. The SFPD Contracting



Law Enforcement Use of Equipment Policy

Inventory Acquired Prior to January 2022

Police Department

Department shall comply with the requirements of Chapter 21 and fully cooperate with OCA in the Acquisition of Commodities and Services.

SECTION 4. COMPLIANCE & SANCTIONS

Department shall assign the following personnel to oversee Policy compliance by the Department:
Assistant Chief of Operations or designee.

Each member of the Department belongs to a chain of command. The Officer in Charge (OIC) of that chain of command is responsible for overseeing compliance with all SFPD written directives and the Law Enforcement Use of Equipment Policy. If allegations arise that a member is not in compliance, the OIC will initiate an investigation and will take the appropriate action which could include an investigation of misconduct by Internal Affairs.

Sanctions for violations of this Policy include the following: San Francisco Police Department will conduct an internal investigation through the Chief of Staff/Internal Affairs (IA) Unit. The results of the investigation will be reported to the Chief of Police, who will determine the penalty for instances of misconduct.

Under San Francisco Charter section A8.343, the Chief may impose discipline of up to a 10-day suspension on allegations brought by the Internal Affairs Division or the DPA. Depending on the severity of the allegation of misconduct, the Chief or the DPA may elect to file charges with the Police Commission for any penalty greater than the 10-day suspension. Any discipline sought must be consistent with principles of just cause and progressive discipline and in accordance with the SFPD Disciplinary Guidelines.

Independent Entities with Oversight Authority:

Pursuant to the San Francisco Charter section 4109, the Police Commission is empowered to prescribe and enforce any reasonable rules and regulations that it deems necessary to provide for the efficiency of the Department, provided that the civil service and ethics provisions of this Charter shall control in the event of any conflict with rules adopted under section 4109.

Under San Francisco Charter section 4.136(k), the Department of Police Accountability shall conduct a performance audit or review of police officer use of force and how the Police Department has handled claims of officer misconduct. DPA shall also have the authority to conduct performance audits or reviews of whether Police Department personnel and management have complied with federal and state law, City ordinances and policies, and Police Department policies.

Complaints of Officer Misconduct: Members of the public can register complaints about SFPD activities with the Department of Police Accountability (DPA), 1 South Van Ness Ave, 8th Floor, San Francisco, CA 94103, (415) 241-7711, <https://sf.gov/departments/departments-police-accountability>. DPA, by Charter authority, receives and manages all citizen complaints relating to SFPD use of force, misconduct, or allegations that a member has not properly performed a duty. DPA manages, acknowledges, and responds to complaints from members of the public.

Complaints, Concerns, and Inquiries: Department shall acknowledge and respond to concerns in a timely and manner. To do so, the Department has included a Law Enforcement Use of Equipment Policy page on its public website. This page includes an email address for public inquiries: SFPDChief@sfgov.org. This email is assigned to multiple staff members in the Chief's Office who will respond to inquiries within 48 hours.



Law Enforcement Use of Equipment Policy

Inventory Acquired Prior to January 2022

Police Department

SECTION 5: COLLABORATION WITH OUTSIDE LAW ENFORCEMENT AGENCIES

Equipment not listed in this Law Enforcement Use of Equipment Policy shall not be used by any other law enforcement agency or member in this jurisdiction unless there is an approved interagency operation in compliance with SFPD DGO 5.14, an exigent circumstance requiring deployment of mutual aid partners, SFPD members have made the law enforcement agency aware of this Use Policy or the equipment subject to the provisions of AB 481 is approved for use in accordance with this policy.

SECTION 6: ANNUAL REPORTING

Pursuant to Ca. Gov Code Section 7072, the San Francisco Police Department shall submit an annual Law Enforcement Use of Equipment report to the Board of Supervisors. The annual submission shall report on each type of equipment approved by the Board of Supervisors within one year of approval, and annually thereafter for as long as the equipment is available for use. The annual Law Enforcement Use of Equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of equipment subject to the provisions of AB 481.

- (1) A summary of how the equipment was used, which equipment was used, the frequency of use, the purpose of its use, and the outcome of the incident, including whether injuries were sustained.
- (2) A summary of any complaints or concerns received concerning the equipment.
- (3) The results of any internal audits, any information about violations of the equipment use policy, and any actions taken in response.
- (4) The total annual cost for each type of equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the equipment in the calendar year following submission of the annual equipment report.
- (5) The quantity possessed for each type of equipment subject to the provisions of AB 481.
- (6) If SFPD intends to acquire additional equipment subject to the provisions of AB 481 in the next year, the quantity sought for each type of equipment.

Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements.

Within 30 days of submitting and publicly releasing an annual Law Enforcement Use of Equipment report, SFPD shall hold at least one well-publicized and conveniently located community meeting through the Police Commission at which the general public may discuss and ask questions regarding the annual Law Enforcement Use of Equipment report and SFPD's funding, acquisition, or use of equipment listed in the report.

The Board of Supervisors shall determine, based on review of the annual report, whether each type of equipment identified in this use policy complied with the standards set forth in Government Code 7071(d). If the Board of Supervisors determines that SFPD has not complied with Government Code 7071(d) standards, they may vote to disapprove a renewal or require modifications to this use policy in a manner that will resolve the lack of SFPD's compliance with Government Code 7071(d).

The annual Law Enforcement Use of Equipment report shall be made publicly available on SFPD's website for as long as the equipment subject to the provisions of AB 481 is available for use.

Law Enforcement Equipment Use Policy

California Assembly Bill 481



CITY & COUNTY OF SAN FRANCISCO

Police Department

July 11, 2022



California Assembly Bill 481, codified at Government Code sections 7070-7075, requires law enforcement agencies in California to obtain approval from the applicable governing body, of a Law Enforcement Use of Equipment Policy as specified, by ordinance.

Defines 15 categories of equipment typically used by Law Enforcement Agencies.
Requires public posting and BOS hearings considering Department’s equipment use policy for equipment acquired prior January 2022.
BOS review of any AB 481 equipment acquired after January 2022 prior to SFPD procurement, acquisition or use.
SFPD Annual Reporting & Public Hearing.
BOS annual review of the approved use policy and may decide whether SFPD can continue use of equipment.

USE POLICY

The proposed law enforcement equipment must include the following:

Department's inventory of equipment subject to the provisions of AB 481
Description of authorized uses
Fiscal impact
Legal/procedural rules
Training requirements

SFPD Inventory Acquired Prior to January 2022

<p>(1) Unmanned, remotely piloted, powered aerial or ground vehicles.</p> <p>*Note – all systems in SFPD inventory are ground vehicles</p>	<p>REMOTEC F5A REMOTEC F6 REMOTEC RONS QinetiQ TALON QinetiQ DRAGON RUNNER IROBOT FirstLook Recon Robotics Recon Scout ThrowBot (All items also governed by SF Admin Code 19B)</p>
<p>(2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.</p> <p>&</p> <p>(3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.</p>	<p>Lenco BearCat with a Patriot 3 Liberator Ramp System</p>
<p>(5) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.</p>	<p>Ford Eagle MH, 2001 Ford Eagle MH, 2002 Ford E-350 Van, 1992 Freightliner MT-55, 2012 Freightliner Sprinter Van, 2011</p>

<p>(7) Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.</p>	<p>Energetic Breaching Tool Kinetic Breaching Tool Pan Disrupter (attached to a robot) Ballistic Breacher Rounds</p>
<p>(12) “Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls,” excluding standard, service-issued handheld pepper spray.</p>	<p>Flash Bangs Pepperball Systems</p>
<p>(13) Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD).</p>	<p>LRAD</p>
<p>(14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons.</p>	<p>40mm Launcher 12 Gauge (GA) Pump-Action Shotgun 12GA Super-Sock Bean Bag Model 2581 CTS 4556 OC Impact CTS 4556 OC Impact CTS 4340 OC Liquid Barricade CTS 4441 OC Powder Barricade CTS 4530 CS Impact CTS 4330 Liquid Barricade CTS 4431 Powder Barricade CTS 4557 Foam Baton CTS 5230 Baffled Canister CTS 6210 White Smoke Canister</p>



Department General Orders (DGOs) are the Department's most authoritative and permanent directives, established, revised, and adopted by the Police Commission after a public hearing for the overall administration and management of the Department and the general conduct of all members. These policies go through a rigorous drafting period that includes consideration of Department of Police Accountability and other stakeholder policy recommendations.

DGO 5.01 Use of Force

DGO 5.16 Obtaining Search Warrants

DGO 5.17 Bias Free Policing

DGO 8.01 Critical Incident Evaluation and Notification

DGO 8.02 Hostage and Barricaded Suspect Incident

DGO 8.07 Hazardous Material Incidents

DGO 8.08 Bomb Threats, Clandestine Laboratories, Destructive Devices, Explosions, and Fireworks

SFPD Department Notice 21-128 Command Van Requests

SFPD Crowd Control Manual

Uses

Command vans are used during Safe Shopper Operations or other operations where police presence and visibility acts as a deterrent to crime as well as during critical incidents where an incident command post is necessary.

Robots (remotely controlled unmanned machine that operates on the ground) are used as bomb assessment and situational awareness tools that allow for distance between an officer and a subject or an officer and an explosive device. The robots are equipped with cameras and can approach dangerous situations allowing time and distance between subjects and law enforcement. The alternative is deploying multiple officers to confront a subject without knowing the specific layout elevating the risk to officers and subjects. Regarding explosive device assessments, the robots eliminate need for officers to approach and destinate the device, minimizing the time on target (the amount of time an officer is next to a suspicious package/device) and provides more protection for bomb techs.

Extended Range Impact Weapon (ERIWs) are the Department's less lethal option (bean bag guns). ERIWs allows officers to address a threat from a greater distance and provides an alternative option for deadly force when reasonable. The bean bag shotgun allows officers to confront an armed or dangerous suspect at a longer distance. This can potentially prevent a deadly force encounter. The alternative is the use of a department issued firearm.

Uses

Breaching tools like pan disrupter can be attached to robots and is used by the Explosive Ordnance Detail (EOD) to breach a potential improvised explosive device (IED). The pan disrupter is a percussion actuated non-electrically fired device. It is a steel tube filled with water, plugged off on one side while the other side is capped by a shotgun shell. A breach is used which has a firing pin that is projected forward by an explosively driven shock wave from a shock tube. The pan disrupter is fired remotely so the bomb tech does not have to be anywhere near the package as it is breached.

Chemical agents like pepper spray are specifically formulated smokes, liquids, and powders designed to temporarily disable a person by causing irritation of the mucous membrane, eyes, and skin. When deployed, they provide a less lethal force option and significantly reduce the risk of injury to citizens, suspects, and police officers. These agents may be used in criminal apprehensions, critical incidents, or as a dispersal agent during crowd control situations (pepper ball). The alternative is placing officers in the middle of a disruptive or hostile crowd incident where physical force or restraint methods may be used against subjects. The use of these agents makes the environment inhospitable enough for subjects to stop violent activity on their own accord without need for physical interactions with law enforcement.

Public Website

<https://www.sanfranciscopolice.org/your-sfpd/policies/law-enforcement-equipment-use-policy>

Questions?

SAN FRANCISCO
POLICE DEPARTMENT

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: William Scott, Police Chief, Police Department

FROM: Victor Young, Assistant Clerk

A handwritten signature in cursive script that reads "Victor Young".

DATE: May 31, 2022

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee received the following proposed legislation:

File No. 220641 Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment

Ordinance amending the Administrative Code to require Board of Supervisors approval for the funding, acquisition, and use of certain law enforcement equipment consistent with the criteria set forth in state law.

If you have 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 by email at: victor.young@sfgov.org.

cc: Lisa Ortiz, Police Department
Lili Gamero, Police Department
Diana Oliva-Aroche, Police Department
Sgt Stacy Youngblood, Police Department/Commission



City and County of San Francisco

Master Report

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 220641	File Type: Ordinance	Status: 30 Day Rule
Enacted:		Effective:
Version: 1	In Control: Rules Committee	
File Name: Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment		Date Introduced: 05/24/2022
Requester:	Cost:	Final Action:
Comment:	Title: Ordinance amending the Administrative Code to require Board of Supervisors approval for the funding, acquisition, and use of certain law enforcement equipment consistent with the criteria set forth in state law.	
Sponsor: Mayor		

History of Legislative File 220641

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	05/24/2022	ASSIGNED UNDER 30 DAY RULE	Rules Committee	06/23/2022	

From: [Robert Rutkowski](#)
To: [Board of Supervisors \(BOS\)](#); [Breed, Mayor London \(MYR\)](#)
Cc: [Keith Abouchar](#)
Subject: San Francisco Shouldn't Arm Robots
Date: Thursday, December 1, 2022 9:15:26 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Mayor London N. Breed
City Hall, Room 200
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102
Telephone: (415) 554-6141
Fax: (415) 554-6160
Email: MayorLondonBreed@sfgov.org

President Shamann Walton
San Francisco Board of Supervisors
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Phone: (415) 554-5184 • Fax: (415) 554-5163 • TTY: (415) 554-5227
Board.of.Supervisors@sfgov.org

Re: San Francisco Shouldn't Arm Robots

Dear Mayor and President:

The San Francisco Board of Supervisors on Nov. 29 voted 8 to 3 to approve on first reading a policy that would formally authorize the San Francisco Police Department to deploy deadly force via remote-controlled robots. The majority fell down the rabbit hole of security theater: doing anything to appear to be fighting crime, regardless of whether or not it has any tangible effect on public safety.

These San Francisco supervisors seem not only willing to approve dangerously broad language about when police may deploy robots equipped with explosives as deadly force, but they are also willing to smear those who dare to question its possible misuses as sensationalist, anti-cop, and dishonest.

When can police send in a deadly robot? According to the policy: "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." That's a lot of events: all arrests and all searches with warrants, and maybe some protests.

When can police use the robot to kill? After an amendment proposed by Supervisor Aaron Peskin, the policy now reads: "Robots will only be used as a deadly force option when [1] risk of loss of life to members of the public or officers is imminent and [2] officers cannot subdue the threat

after using alternative force options or de-escalation tactics options, ****or**** conclude that they will not be able to subdue the threat after evaluating alternative force options or de-escalation tactics. Only the Chief of Police, Assistant Chief, or Deputy Chief of Special Operations may authorize the use of robot deadly force options.”

The “or” in this policy (emphasis added) does a lot of work. Police can use deadly force after “evaluating alternative force options or de-escalation tactics,” meaning that they don’t have to actually try them before remotely killing someone with a robot strapped with a bomb. Supervisor Hillary Ronen proposed an amendment that would have required police to actually try these non-deadly options, but the Board rejected it.

The Board majority failed to address the many ways that police have used and misused technology, military equipment, and deadly force over recent decades.

Supervisors Ronen, Shamann Walton, and Dean Preston did a great job pushing back against this dangerous proposal. Police claimed this technology would have been useful during the 2017 Las Vegas mass shooting, in which the shooter was holed up in a hotel room. Supervisor Preston responded that it probably would not have been a good idea to detonate a bomb inside a hotel.

The police department representative also said the robot might be useful in the event of a suicide bomber. But exploding the robot’s bomb could detonate the suicide bomber’s device, thus fulfilling the terrorist’s aims. After common sense questioning from their peers, pro-robot supervisors dismissed concerns as being motivated by ill-formed ideas of “robocops.”

The Board majority failed to address the many ways that police have used and misused technology, military equipment, and deadly force over recent decades. They seem to trust that police would roll out this type of technology only in the absolutely most dire circumstances, but that’s not what the policy says. They ignore the innocent bystanders and unarmed people already killed by police using other forms of deadly force only intended to be used in dire circumstances. They didn’t account for the militarization of police response to protesters, such as the Minneapolis demonstration with overhead surveillance of a predator drone.

The fact is, police technology constantly experiences mission creep—meaning equipment reserved only for specific or extreme circumstances ends up being used in increasingly everyday or casual ways. This is why President Barack Obama in 2015 rolled back the Department of Defense’s 1033 program which had handed out military equipment to local police departments. He said at the time police must “embrace a guardian—rather than a warrior— mind-set to build trust and legitimacy both within agencies and with the public.”

Supervisor Rafael Mandleman smeared opponents of the bomb-carrying robots as “anti-cop,” and unfairly questioned the professionalism of civil rights groups. Nonsense. They are just asking why police need new technologies and under what circumstances they actually would be useful. This echoes the recent debate in which the Board of Supervisors enabled police to get live access to private security cameras, without any

realistic scenario in which it would prevent crime. This is disappointing from a Board that in 2019 made San Francisco the first municipality in the United States to ban police use of face recognition.

Thanks to a the strong coalition of concerned residents, civil rights and civil liberties activists, and others who pushed back against this policy. Also appreciated is Supervisors Walton, Preston, and Ronen for their reasoned arguments and commonsense defense of the city's most vulnerable residents, who too are harmed by police violence.

Fortunately, this fight isn't over. The Board of Supervisors needs to vote again on this policy before it becomes effective. Supervisors should vote "no." Do not give SFPD permission to kill people with robots. There are many alternatives available to police, even in extreme circumstances. Police equipment has a documented history of misuse and mission creep. While the proposed policy would authorize police to use armed robots as deadly force only when the risk of death is imminent, this legal standard has often been under-enforced by courts and criticized by activists. For the sake of constituents' rights and safety, they should vote no.

Yours sincerely,
Robert E. Rutkowski

cc:
Correspondence Team
Longworth House Office Building
Washington DC 20515
keith.abouchar@mail.house.gov

2527 Faxon Court
Topeka, Kansas 66605-2086
P/F: 1 785 379-9671
E-mail: r_e_rutkowski@att.net

From: [Janet Goldstein](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Please do not approve killer robots
Date: Thursday, December 1, 2022 8:36:39 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good morning. Respectfully, I request that the board **not approve** the use of robots that can apply lethal force by the Police Department. Human beings often do not do very well at deciding when to end someone else's life; how can we expect robots programmed by human beings to be any better at it?

Thank you for your consideration.

Janet L. Goldstein
1213 Lewis Dr
Socorro' NM 87801
410-402-3215

From: [Elvira Correa Lazaro](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: NO to Robots
Date: Thursday, December 1, 2022 8:10:58 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To whom it may concern:

As a citizen of Marin County and an active member of the SF community, I am requesting that you vote NO for the SFPD to have access to robots. The SFPD has shown time and time again that they will continue to use violence toward members of our community. Please stop this violence from increasing and becoming one of the worst mistakes in SF history.

We appreciate your prompt attention to this matter. Thank you for your important service to our community.

Regards,
Elvira Correa Lazaro

From: [Shea Robinson](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: SFPD robot drones
Date: Wednesday, November 30, 2022 9:46:19 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the board of supervisors,

I am writing today in adamant opposition to the police having a robot drone that can kill suspects in its use. We need less police force not more. Our people need services not death sentences. Please oppose this and put the money in the hands of the people—food, shelter, rent relief, COVID support. These are the items people need.

Thank you,
Shea Robinson

Sent from my iPhone

From: [james k purcell](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Killer robots
Date: Wednesday, November 30, 2022 9:00:32 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Shame on you. Setting a policy like this. Very fitting with historical policies of SF. Full of hypocrisy it funny.

Well I hope the board of supervisors have to watch the video of the deaths they will cause by this policy. I just fear it will be enjoyed.

Once again SF shows it citizens why it best to look for someplace else to live.

I hope you

Sent from my iPhone

From: [Deborah Esters](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Lethal Robots for SFPD
Date: Wednesday, November 30, 2022 8:27:37 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Supervisors,
Please vote no. Vote against allowing lethal robots in SFPD.

Although they are operated by officers they are not officers.
They are a militarization of the police force.
They can be hacked and abused.
Accidents will happen and SF will be liable.
SF is a model city. We do not want the country to move in this direction.

Please. Vote. NO.
No lethal robots on our streets.

I live in SF and I Vote.
Sincerely, Debbie Esters district 2

From: [Maria Yates](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: File #220641
Date: Wednesday, November 30, 2022 3:19:46 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

SF Board of Supervisors,

Last night I went into San Francisco and enjoyed some culture in the Castro. I bought some fairly expensive concert tickets. Afterwards I visited a bar in the SOMA district and then played some pool in the Mission. All in all, I had a lovely evening in the city and brought some of my East Bay dollars over the bridge.

I will not be doing that again as long as you allow robots to carry guns. I will not come to San Francisco. I will not spend my dollars there. I will not fly out of your airport. **This may be literally the worst idea I have ever heard of in my 42 years on this planet.**

Please rethink and rescind this decision. You are setting a dangerous precedent not only for San Francisco but for the country. You all should not have the power to make the decision that you made last night.

Sincerely,
Maria Yates
Berkeley, CA (and staying here from now on)

From: [Chrissy Hoffman](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Will no longer visit SF
Date: Wednesday, November 30, 2022 2:24:29 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board Members,

After my tickets to the SF Ballet in December, I will no longer visit San Francisco from my Berkeley home. I will not go to the DeYoung or SFMoma. I will not shop at Everlane on Valencia and then go get an El Faralito Burrito. I will not go visit my yoga teacher who has a studio in the outer Richmond. I will no longer do these things because of this stupid decision to allow robots capable of killing as police tools.

Supervisor Chan is quoted as saying "Robots equipped in this manner would only be used in extreme circumstances to save or prevent further loss of innocent lives," . Just like guns? Just like choke holds? And oversight when these tools are abused is deplorable coast to coast. There is no sign that these robots will be used thoughtfully or equitably without racism or discrimination.

Shame on you.

Very Sincerely,
Chrissy Hoffman

From: [Carol Denney](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: police use of lethal robots
Date: Wednesday, November 30, 2022 9:31:12 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Board.of.Supervisors@sfgov.org

November 30, 2022

1 Dr. Carlton B. Goodlett Place,
City Hall, Room 244, San Francisco, CA 94102-4689
Phone: (415) 554-5184 • Fax: (415) 554-5163 • TTY: (415) 554-5227 •

Dear Board of Supervisors,

I'm nearly speechless that any one of you, let alone several of you, seem amenable to the use of lethal police robots even in the proposed constrained circumstances now being reported nationwide.

I would have thought the potential for abuse, especially in the light of the internal and systemic racism in Bay Area policing, would eliminate this proposal long before it was even discussed at the level of the Board of Supervisors.

The justification that "only high-ranking officers will be allowed to authorize deadly force" is hollow considering that high-ranking officers are not separate from the culture that has produced racist police texts and extremely disproportionate arrests of people of color.

Please vote this proposal down. I can't imagine a worse way to increase the suspicion and distrust of the police attempting to serve our community.

Sincerely,

Carol Denney
1970 San Pablo Avenue #4
Berkeley, CA 94702
510-548-1512

From: [Drew Krupa](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: SFPD Robots
Date: Wednesday, November 30, 2022 8:44:06 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Board of Supervisors,

Your decision to move forward on allowing the SFPD to deploy robots to use deadly force is horrifying, and truly feels like a large step into a dystopian future. The relationship between the public and police are already strained and for good reason, and giving police another means to execute people publicly without due process is despicable. There are thousands of cases of police choosing to use deadly force and unjustly ending people's lives, and I do not trust their discretion with this either. Creating further degrees of separation between law enforcement and citizens is not the answer. The idea of equipping a robot with a bomb does not make me feel safer, it makes me more afraid of police than I already am. This is NOT a decision that such a small group of people should be making for hundreds of thousands of people. Something like this is enough for me to begin planning to move out of this city for good.

A concerned citizen,
Drew Krupa

From: [Michael Bauce](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Lethal Robots Approval
Date: Wednesday, November 30, 2022 8:33:29 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To Those Who Voted Yes: Have you lost your minds? Who are you serving, the corrupt SFPD? Shame. Michael Bauce

Sent from my iPhone

From: [James Stieger](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: use of lethal force by robots
Date: Tuesday, November 29, 2022 9:26:02 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

I read a draft of a policy condoning the use of deadly force by robots. This is an absolutely disgusting abuse of power. I really can't understand how someone who is supposed to represent the people can be so completely ignorant of the precedent they are setting. I hope the lives lost due to your policy will keep you up at night.

From: [Kristin Tieche](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: No to killer robots!
Date: Tuesday, November 29, 2022 7:22:02 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

I do hope you all have the right sense to reject killer robots in the SFPD for the City of San Francisco. This is completely unacceptable and a human rights violation. Please vote no.

Thank you,
Kristin Tieche
94117/D1

--

Kristin Tièche (she/her)
Director, *The Invisible Mammal*
<http://www.theinvisiblemammal.com/>

From: [Emily Jones](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Police robots
Date: Tuesday, November 29, 2022 6:47:44 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

1. That they are already in use does not rule out the need of an honest dialogue (with what looks like the whole world watching).
2. It's not about whether the robots can be precise or accurate or make good decisions. It's about whether the operators can be precise or accurate or make good decisions. It is now about whether even supervisors can be precise or accurate or make good decisions, even as they fund SFPD at an amount that way surpasses Cuba's military budget. It's about sitting supervisors who used public standing to damage the image of San Francisco with their copaganda.
3. Supes going red in the face and painting a true picture of militarized public in other parts of America, failed to name white militia, of which, law enforcement officers are a big demographic. The only warzone in SF will happen when the whites, including those in uniform, run amock.

From: [Julia Michas](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Fwd: NO POLICE ROBOTS THAT USE LETHAL FORCE
Date: Tuesday, November 29, 2022 4:54:48 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

----- Forwarded message -----

From: **Julia Michas** <julia.michas@gmail.com>
Date: Tue, Nov 29, 2022 at 4:52 PM
Subject: NO POLICE ROBOTS THAT USE LETHAL FORCE
To: <boardofsupervisors@sfgov.org>

If I needed another reason to leave this city, you are giving it to me now. I've seen this dystopic story both, as told in Terminator 1 AND 2.

Ready to move. I also pay high property taxes

Julia Michas

--

"...that which we do not face in the unconscious, we live as fate." - C.G. Jung

From: [Gee, Natalie \(BOS\)](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: FW: Please vote "NO" on SF BOS Agenda item 28 today: Don't give SFPD the ok to kill people with robots in SF!
Date: Tuesday, November 29, 2022 4:09:46 PM

Natalie Gee 朱凱勤, Chief of Staff
Supervisor Shamann Walton, District 10
President, Board of Supervisors
1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 282
Direct: 415.554.7672 | Office: 415.554.7670

-----Original Message-----

From: Art Persyko <artpersyko@gmail.com>
Sent: Tuesday, November 29, 2022 12:12 PM
To: Walton, Shamann (BOS) <shamann.walton@sfgov.org>
Cc: Lopez-Weaver, Lindsey (BOS) <Lindsey.Lopez@sfgov.org>; Burch, Percy (BOS) <percy.burch@sfgov.org>; Gee, Natalie (BOS) <natalie.gee@sfgov.org>; Gallardo, Tracy (BOS) <tracy.gallardo@sfgov.org>
Subject: Please vote "NO" on SF BOS Agenda item 28 today: Don't give SFPD the ok to kill people with robots in SF!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Supervisor Walton:

My name is Art Persyko, I live in San Francisco, I am on the Board of the SF Gray Panthers, and I want to convey my strong opposition to an agenda item that the full SF Board of Supervisors will be voting on today. Its Agenda Item 28. 220641 [Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment].

A "yes" vote would allow the SFPD to kill San Franciscans with robots.

I join the ACLU of Northern California in asking you to vote NO on this spectacularly dangerous idea.

I urge you to instead adopt language that says: "Robots shall not be used for any remote-controlled Use of Force (including lethal) purposes..."

If past practices are any guide to the future, this policy will likely lead to disproportionate deaths of Black and brown people. Police already shoot Black and Brown people with near impunity.

This policy would make it easier for officers to mistakenly pull the trigger and impede people's ability to seek justice when wrongful killings occur.

The language in the policy is also incredibly broad. Even with assurances from SFPD about their intent for very limited use of killer robots, this policy could break down and lead to wider use, sooner or later. Police could bring armed robots to every arrest, and every execution of a warrant to search a house or vehicle or device. Depending on how police choose to define the words "critical" or "exigent," police might even bring armed robots to a protest.

Before you vote, please ask yourself these two questions:

a) How many examples can you cite in which there was a real-life situation ANYWHERE in the US or in the world in which a killer robot was deemed necessary for police use to resolve a situation; it was used; and it was

successful?; and

b) How many examples can you cite ANYWHERE in the US or in the world in which there was a real-life situation in which a killer robot **WOULD HAVE ACTUALLY BEEN HELPFUL** to ANY police force in resolving a situation, but unfortunately it was NOT available?

For the sake common sense, of San Francisco and your constituents' rights and safety, please vote no.

Thank you for considering my opinion on this issue before you vote.

-Sincerely Art Persyko.

From: [Walton, Shamann \(BOS\)](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: FW: Public comment for Item 28, 11/29 - Please reject SFPD proposal re: militarized weapons
Date: Tuesday, November 29, 2022 4:04:10 PM

Natalie Gee 朱凱勤, Chief of Staff
Supervisor Shamann Walton, District 10
President, Board of Supervisors
1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 282
Direct: 415.554.7672 | **Office:** 415.554.7670

From: Christine Wei <christine@youngwomenfree.org>
Sent: Tuesday, November 29, 2022 3:34 PM
To: ChanStaff (BOS) <chanstaff@sfgov.org>; DorseyStaff (BOS) <DorseyStaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Calvillo, Angela (BOS) <angela.calvillo@sfgov.org>
Subject: Public comment for Item 28, 11/29 - Please reject SFPD proposal re: militarized weapons

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board of Supervisors,

I'm a homeowner in D8 and am a policy coordinator at the Young Women's Freedom Center, headquartered in D6. I'm writing to strongly urge you to **NOT PASS** the San Francisco Police Department's proposed policy on militarized equipment (File #220641). These high-powered weapons and tanks never belonged in our city in the first place, and we should not allow SFPD to use them to kill or to purchase more without oversight.

I'm especially concerned about these parts of the policy:

- 1.
- 2.
3. **Allowing robot deadly use-of-force:**
4. Oakland rejected a similar proposal in October, and SF should too. These robots can be armed with bullets, explosives, and chemicals that can maim and kill. It's too easy for the police department to argue that any circumstance is "critical" or "exigent,"

5. or that there's a "risk" to their life, to justify unleashing a deadly robot on San Franciscans.
6. SFPD, which has already killed three people this year, does
7. not need additional automated and remote-controlled robots to increase their ability to hurt people.
- 8.
- 9.
- 10.
- 11.
- 12.
13. **Pre-approval to replace existing militarized weapons up to \$10M in value:**
14. Armored tanks, grenade launchers, and assault rifles are weapons of war. SFPD's proposal to skirt oversight in making more of these purchases goes against the spirit and intent of AB 481, meant to set local agencies on the path of demilitarizing our cities
15. and giving the public a say in what happens on our streets. Our
16. neighborhoods are not war zones; we should be getting rid of these dangerous weapons instead of giving SFPD more blanket power to replace them.
- 17.

This is an urgent of racial justice and human rights. Community members have come before the Board countless times to share the racial, gender, and economic disparities among those killed by the police. **Again, I ask you to NOT PASS this proposal — and also ensure that the public has further opportunities to weigh in as amendments are considered.**

Thank you,
Christine Wei

--

Christine Wei

pronouns: she/her

Policy & Advocacy Engagement Coordinator

[Young Women's Freedom Center](#)

c. 415-605-2752



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From: [Walton, Shamann \(BOS\)](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: FW:
Date: Tuesday, November 29, 2022 2:49:28 PM

Natalie Gee 朱凱勤, Chief of Staff
Supervisor Shamann Walton, District 10
President, Board of Supervisors
1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 282
Direct: 415.554.7672 | **Office:** 415.554.7670

From: Adrienne Fong <afong@jps.net>
Sent: Tuesday, November 29, 2022 1:10 PM
To: Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>
Cc: Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; DorseyStaff (BOS) <DorseyStaff@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>
Subject:

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To: Supervisor Catherine Stefani

RE: Agenda item #28 for BoS meeting on November 29th
“28. 220641 [Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment] Sponsor: Mayor Ordinance amending the Administrative Code to require Board of Supervisors approval of a policy governing the funding, acquisition, and use of certain law enforcement equipment consistent with the criteria set forth in state law, and approving the Police Department's use of Equipment Policy.

Question: Shall this Ordinance be PASSED ON FIRST READING?”

As a longtime resident in District 2 and a San Francisco Tax Payer, I'm appalled at this item and that the SF Board of Supervisors are even considering passing this. There are so many un-answered questions about this that makes it very dangerous and unacceptable. We all want to keep SF safe but passing this is not the solution.

We know that SFPD has NOT been compliant in following their own protocols and have gotten away with it. There has been no accountability for many of their actions. Some areas not explicitly addressed in this policy:

- Robots shall not be used for any remote-controlled Use of Force (including lethal) purposes.
- "Barricaded subject" needs to be defined so that someone in their own home or vehicle is not considered a "barricaded subject".
- Flashbangs shall not be deployed if there is risk they could come into proximity with a person.
- Automatic assault rifles shall not be used when there is a risk of shooting bystanders.
- Tear gas, "Pepperballs", and "less lethal" projectiles shall not be deployed against children, elderly, or other vulnerable populations.
- "High-risk tactical situation"/"High-risk warrant service" uses a self-referential definition.
 - SFPD definition: "high-risk tactical situations are instances that occur where the potential of death or serious injury is elevated or requires a response from a Tactical/Special Operations unit"
 - What *circumstances* would require a response from a Tactical/Special Operations unit?
 - What *factors* increase potential of death or serious injury? *How much* can they be increased before the situation is considered "high-risk"? Couldn't a traffic stop be considered as potentially increasing death or serious injury?

As a taxpayer, I want to know how my taxes are being used –

The proposed policy allows SFPD to acquire equipment without prior Board of Supervisors approval if it runs low on any of its stock, or simply wishes to replace any of its existing equipment. This means that the BoS is not taking responsibility on how funds are being used.

Please DO NOT pass this.

Thank you for your consideration.

Sincerely,

Adrienne Fong

afong@jps.net

From: [Walton, Shamann \(BOS\)](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: FW: URGENT: NO on Item # 28.....PLEASE!
Date: Tuesday, November 29, 2022 2:49:16 PM

-----Original Message-----

From: Toby Blomé <toby4peace@sonic.net>
Sent: Tuesday, November 29, 2022 1:14 PM
To: Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; ChanStaff (BOS) <chanstaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; Preston, Dean (BOS) <dean.preston@sfgov.org>; DorseyStaff (BOS) <DorseyStaff@sfgov.org>; Ronen, Hillary <hillary.ronen@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>
Subject: URGENT: NO on Item # 28.....PLEASE!

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Supervisors,

This is an urgent message to request that you cast a definitive NO vote on Item #28 at today's meeting.

We do not need a further militarization of our city's police force, but rather we need to demilitarize our police, just as we need to demilitarize every other aspect of our society.

We are the most violent society in the world, with mass shootings happening at a rampant rate.

I understand our police need to be safe and protected while serving our citizens, but there are many other ways to create safety, than to use robotic killing machines, that lead to even further unnecessary deaths and injury.

In the memory of Mario Woods, a small man that was wielding a knife that was shot in cold blood by a SF police firing squad.

Let's treat the mentally ill the way they deserve: with compassion, care and respect.

No on Item #28.

No Robot Killing machines in our cities.

Thanks for your consideration,
and I hope to hear from you all.

Toby Blomé
A very concerned citizen

PS: I am not able to attend the meeting today because of a prior commitment, but I hope you will consider the future that we are creating with robotic killing machines.

From: [Walton, Shamann \(BOS\)](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: FW: No Killer Robots
Date: Tuesday, November 29, 2022 2:49:04 PM

From: No Robots <no.deadly.robots@proton.me>
Sent: Tuesday, November 29, 2022 1:32 PM
To: ChanStaff (BOS) <chanstaff@sfgov.org>; DorseyStaff (BOS) <DorseyStaff@sfgov.org>; Mar, Gordon (BOS) <gordon.mar@sfgov.org>; MelgarStaff (BOS) <melgarstaff@sfgov.org>; Peskin, Aaron (BOS) <aaron.peskin@sfgov.org>; Walton, Shamann (BOS) <shamann.walton@sfgov.org>; MandelmanStaff, [BOS] <mandelmanstaff@sfgov.org>; PrestonStaff (BOS) <prestonstaff@sfgov.org>; RonenStaff (BOS) <ronenstaff@sfgov.org>; Safai, Ahsha (BOS) <ahsha.safai@sfgov.org>; Stefani, Catherine (BOS) <catherine.stefani@sfgov.org>
Subject: No Killer Robots

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Good afternoon,

Do not give SFPD permission to kill people with robots. This broad policy would allow police to bring armed robots to every arrest, and every execution of a warrant to search a house or vehicle or device. Depending on how police choose to define the words “critical” or “exigent,” police might even bring armed robots to a protest. While police could only use armed robots as deadly force when the risk of death is imminent, this [problematic legal standard](#) has often been under-enforced by courts and criticized by activists. There is a growing body of literature on how the use of drones in warfare dehumanizes the targets of drone strikes, thereby making it easier to kill. These robots would bring similar dehumanization to the streets of San Francisco. For the sake of your constituents' rights and safety, please vote no.

Regards,
An extremely concerned citizen

From: [Deborah Armstrong](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Public Comment - 11/29 BOS Meeting - Item 28
Date: Tuesday, November 29, 2022 2:44:14 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board Members,

I am writing to express my extreme concern over the proposed rules for the use of certain police equipment to be discussed at today's meeting (Item 28, "Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment").

I am appalled by the proposed Use of Force policy for certain robots in SFPD's possession, which would allow SFPD to use robots to use force and deadly force against civilians. I am even more appalled given that Supervisor Peskin originally rightly restricted this policy, as can be seen in Supervisor Peskin's original edits, which would prohibit SFPD from using robots to administer force. Supervisor Peskin's edits are appropriate and the better course of action.

SFPD should not be allowed to use robots to administer force against civilians, especially lethal force. Allowing robots to use force and kill people remotely is a dehumanizing, militaristic rule that has no place in a community and certainly has nothing to do with keeping us safe. SFPD already has a history of using excessive force against civilians with dire consequences. They should not be further empowered to do this via robots.

I am writing to ask you to revise Section 5 "Authorized Use" of its Law Enforcement Equipment Policy—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."

Sincerely,
Deborah Armstrong

From: [Kevin Goldberg](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: No killer robots.
Date: Tuesday, November 29, 2022 2:28:37 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello!

Can't believe I'm sending this email, but no—the SFPD should absolutely not have robots that are capable of lethal force.

Sincerely,
Kevin Goldberg

Sent from my phone--pardon the typos!

From: [Connie Jeung-Mills](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: public comment re 11/29 Board meeting: # 220641 [Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment]
Date: Tuesday, November 29, 2022 2:18:08 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors,

Hello, I am a resident of District 8 and I also work in the city. I would like to provide a public comment regarding the 11/29 Board meeting, item # 220641 **[Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment]**.

I am firmly opposed to any policy that would allow police to arm robots and use them as a deadly force against a person. The potential for overuse and abuse of weaponized robots by police is far too substantial to be considered a viable option.

Once you've opened the door to this approach, it will become even more consequential as robotic technology becomes more sophisticated and fully automated. Weaponized robots create security concerns including the potential to be hacked and sudden equipment failure could have disastrous results.

Please do not approve this part of the draft until you add specific language to safeguard against law enforcement being able to use armed robots to kill people. That is a line that should not be crossed. Thank you.

Sincerely,

Connie Jeung-Mills

From: starebright@gmail.com
To: [Board of Supervisors \(BOS\)](#)
Subject: SFPD Killer Robots
Date: Tuesday, November 29, 2022 1:41:11 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

Imagine having to write a government body in San Francisco to ask that the city not give armed robots to a police department who already disproportionately kills its Black citizens at alarming levels without said technology.

This is a surreal nightmare and a testament to just how far SF has strayed from its history of pushing the nation towards a more just and equitable society.

I am a 2nd generation San Franciscan who lives in Ingleside and I am asking you to do the right thing: REJECT the police department's request for more firepower. They are alarmingly violent enough with unchecked power.

Thank you,
Star Bright

From: [The Rutherford Institute \(Legal\)](#)
To: [Walton, Shamann \(BOS\)](#); [ChanStaff \(BOS\)](#); [DorseyStaff \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [MelgarStaff \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Board of Supervisors \(BOS\)](#)
Cc: [The Rutherford Institute \(Legal\)](#)
Subject: SFPD Use of Equipment Policy on Agenda for Today
Date: Tuesday, November 29, 2022 1:39:46 PM
Attachments: [Rutherford letter on SFPD Use of Equipment.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members of the Board of Supervisors,

Please find a letter attached which addresses concerns that The Rutherford Institute would like for you to consider regarding the proposed Law Enforcement Use of Equipment Policy for the San Francisco Police Department which is listed as item 28 on your agenda for today. Thank you.

Sincerely,

The Rutherford Institute
P.O. Box 7482
Charlottesville, Virginia 22906

For more information about The Rutherford Institute, visit www.rutherford.org

This message contains information which may be confidential and privileged. Unless you are the intended addressee or authorized to receive for the intended addressee, you may not use, copy, or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply to legal@rutherford.org and delete the message.

From: [Pamela Tau](#)
To: [Board of Supervisors \(BOS\)](#); [ChanStaff \(BOS\)](#); [Angulo, Sunny \(BOS\)](#)
Subject: Funding and acquisition of military equipment
Date: Tuesday, November 29, 2022 1:33:01 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My name is Pam Tau Lee and I am a resident of District 1. In the course of my international travels, I have been invited to observe and document human rights violations in South Africa and the Philippines and offer recommendations to what I witnessed.

Today I am here to comment on the SFPD and Sheriff Department's proposed policy regarding funding and acquisition of military equipment. In my mind, the term, "weapons of war" better describes what is being considered for purchase. While the Sheriff Department provided an inventory of their current weapons, the Department also included a wish list that includes remotely piloted, powered aerial equipment, in other words, drones. While traditionally used as a surveillance tool, a firearm can easily be attached to the drone thus turning it into an aerial weapon of war.

For me, I was in North Dakota at Standing Rock in support of the tribes protecting their sacred land and waters from being harmed by the building of an oil pipeline. There I met with land protectors who were shot at, others who were followed by remotely piloted weaponized drones, and those who were injured by water cannons. I came face to face with armed police and National Guards and tanks during our peaceful marches. In South Africa and the Philippines I met with families whose loved ones were targeted and killed because of their work for human rights. What did these three locations have in common? In each situation the local police had access and unregulated use of military weapons.

I understand that this year, three people were killed by SFPD officers armed with an assault rifle. With these reflections in mind I hope the Board will not to purchase these items. In the event equipment is purchased, the Board should include language stating that these not be used for deadly or any other use of force; that the Board does not pre-authorize acquisition and that there is an accounting of what was used and under what circumstances it was used; that all 608 assault rifles be the number referred to with regard to the development of equipment policy.

In short, I join with others in the hope that the Board adopts community safety policies that are humanistic and not militaristic.

Pam Tau Lee
District 1 resident

From: [Wonway Posibul](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: DON'T GIVE KILLER ROBOTS TO THE SFPD
Date: Tuesday, November 29, 2022 1:32:30 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Giving SFPD permission to kill people with robots is a spectacular dangerous idea.

Police already shoot Black and Brown people with near impunity. This policy would make it easier for officers to mistakenly pull the trigger and impede people's ability to seek justice when wrongful killings occur.

Sincerely,
Juan Amador

From: [Derek Thompson](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Killer Robots
Date: Tuesday, November 29, 2022 1:23:47 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Police already shoot Black and Brown people with near impunity. This policy would make it easier for officers to mistakenly pull the trigger and impede people's ability to seek justice when wrongful killings occur.

[Sent from Yahoo Mail for iPhone](#)

From: [Ellen](#)
To: [Peskin, Aaron \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [ChanStaff \(BOS\)](#); [DorseyStaff \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [MelgarStaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [RonenStaff \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#)
Cc: [Board of Supervisors \(BOS\)](#)
Subject: Vote No on Police Robots
Date: Tuesday, November 29, 2022 12:45:59 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the San Francisco Board of Supervisors,

My name is Ellen Caminiti and I live on Geary Blvd. in Cathedral Hill. I am writing this email to ask you to please vote no on police robots today. Robots that have the power to kill are not the solution to fix systematic issues in San Francisco. We know that more police presence is not the answer, we have seen the negative effects of this play out too many times. San Franciscans, especially San Franciscans of color, should not live with the threat of killer robots milling about the city. Please vote with the people of San Francisco in mind today, and vote no!

Best,

Ellen Caminiti

From: [Carolyn Dorricott](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: SFPD Killer Robots
Date: Tuesday, November 29, 2022 12:19:28 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To whom this may concern,

The SFPD should not have killer robots. As a bay area local, I am absolutely disgusted that this is being discussed today at 2pm. I DO NOT support this and you should not either.

Carolyn Dorricott

From: [Nisha Masharani](#)
To: [Board of Supervisors \(BOS\)](#); [Breed, Mayor London \(MYR\)](#); [SFPD, Chief \(POL\)](#)
Subject: SF resident against use of force by police robots
Date: Tuesday, November 29, 2022 11:49:21 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the board of supervisors, Mayor Breed, and Police Chief Scott -

My name is Nisha Masharani and I am a resident of San Francisco. I am writing because I am appalled by the recent proposal by SFPD to allow robots to use deadly force.

The SFPD suggested the following policy: "robots will only be used as a deadly force option when risk of loss of life to members of the public or officers are imminent and outweigh any other force option available to the SFPD."

This is an absurd and deeply concerning suggestion. SFPD already enjoys significant impunity to use force, and this results in reduced public safety and the death of Black and Brown people in our city. This policy would make it easier for officers to mistakenly pull the trigger and impede people's ability to seek justice when wrongful killings occur.

The language in the policy is also incredibly broad. Under it, police could bring armed robots to every arrest and every execution of a warrant to search a house or vehicle or device. Depending on how police choose to define the words "critical" or "exigent," police might even bring armed robots to a protest.

Most importantly, use of force does not protect San Franciscans or save lives. Research shows that a living wage, access to holistic health services and treatment including mental health services, educational opportunity, and stable housing are far more successful at reducing crime and increasing safety than punitive systems like police or prisons (Source: [Popular Democracy](#)). There's no evidence that implicit bias training or community relations initiatives help with reducing the abuses of policing (Sources: [The Nation](#), [The Atlantic](#)). Militarization of the police, such as militarization under program 1033, only results in increased use of force and decreased safety for communities, especially communities of color (Source: [ACLU](#)).

For the sake of your constituents' rights and safety, please vote no.

Thank you for your time,

Nisha Masharani, District 2 Resident
3126 Laguna St, San Francisco, CA 94123
nmasharani@gmail.com
650-740-0185

From: [Luke Benfey](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Please Reject the Draft Law Enforcement Equipment Policy (so-called "Killer Robots")
Date: Tuesday, November 29, 2022 11:47:59 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello! I am a San Francisco Resident and voter, and am writing to strongly urge the rejection of the draft Law Enforcement Equipment Policy ("220641 - Law Enforcement Equipment Policy 111022 Draft"), the so-called "Killer Robots" proposal.

Remote Controlled (or even plausibly autonomous) "robots" should not be armed with lethal weaponry or EVER used as a deadly force option.

To phrase this a "slippery slope" is putting it mildly. Police-on-citizen violence is already out of control, and putting the weaponry on a machine only further removes fundamental humanity/empathy from the decision to use deadly force.

Again, I urge the Board of Supervisors to reject the current draft of this policy.

Thank you for your time,

- Luke Benfey
Mission St
San Francisco, CA 94110

From: alicekezhaya@uemail.ucsb.edu
To: [Board of Supervisors \(BOS\)](#)
Subject: NO ROBOT COPS // NO KILLER ROBOTS
Date: Tuesday, November 29, 2022 11:22:12 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

I am writing to express my absolute dissent regarding the arming of robots for use by the police.

If you insist on policing, then it should be human-police who take on the burdens of choosing whether or not to shoot a weapon at a living being and acting on that choice.

As an abolitionist I am against policing entirely. However, as things stand, I absolutely do not condone the use of robots for this purpose in my city.

Regards,

Alice Kezhaya

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

And an answer of "we will investigate if someone dies" isn't a good answer. That's how organizations avoid responsibility.

The firing of weapons is serious, and someone with serious responsibility needs to make decisions and take responsibility for actions.

And this includes responsibility for the "accidental" discharge of weapons as well.

B.J.

B.J. Herberich / bjherberich.com
http://www.bjherberich.com/herberich_bj.html <http://XXAAQOnSmZHQzOmEshrkpN2Y4MmlNwYWG0iYvUmGS5NWUaMTVbNmlsNTRbNzoo2QY1JmU6GTczMTczYmZmMTNlMjMjM5N203NdmzWl0MGO10WMIUzMEzNk3MtcyZmIwZjlsMTH4YjBzOTQ0NDIyZjRlNmIsOTpvcOIQ>
 The Next Assembly / 203 Long Hill Road / Bolton, MA 01740-1421 /
 1-978-634-1061

From: [Joel Shapiro](#)
To: [Board of Supervisors \(BOS\)](#); [RonenStaff \(BOS\)](#)
Cc: info@eff.org
Subject: No lethal force for robots
Date: Tuesday, November 29, 2022 9:55:26 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello

I urge you to vote AGAINST the proposed policy to let the SFPD arm their robots with lethal force. There are way too many risks involved (some of which are delineated in this article by the Electronic Frontier Foundation:

<https://www.eff.org/deeplinks/2022/11/red-alert-sfpd-want-power-kill-robots>)

Thank you.

-Joel Shapiro
52 Virginia Ave
94110

From: [Lisa Tennenbaum](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Public Comment re: Item 28 of the Nov 29th BOS Meeting
Date: Tuesday, November 29, 2022 9:42:20 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Board of Supervisors,

I am a lifelong unwilling participant in the SFPD. Both of my parents, both of my stepparents, and now my brother are or were members of that institution.

I also have a decade of experience as a municipal lawyer.

This proposed policy by the SFPD should not be approved. It should not come from them, they should not put it forward, and it should absolutely not be implemented for their benefit.

The entire police department, and quite frankly any police department in this country, should not be able to implement the use of force via robotics ever. The moral and ethical, let alone legal questions, are not ones that any member, nor the collective department, are equipped to handle and have clearly not even pondered in putting this policy forward.

As I said, my ample, forced experience with every layer of the SFPD makes me well aware of the intellectual capabilities of your sworn officers and I, in most instances, don't think they should be carrying the guns they already have. And now you want to imbue them with the power to employ what I know they will view as cool toys for their benefit to cause actual physical harm to people? I hope you are prepared for the plethora of lawsuits and costs to taxpayers if you approve this policy.

Further, the continued capitulation to one department of the great city I grew up in when they lack the intellectual acumen to appreciate their power and privilege is a grave mistake. You should give the police less power and fewer resources, not more. What possible need do they have for robotics outside of bomb disarmament and how often do they need that? For every toy the police department receives, a road goes unpaved. For every loosening of their rules and regulations, you are welcoming lawsuits and hurting the general fund, which has large downstream ripples that harm the community.

Please invest in the community, in housing, in answers, in resources for those that aren't privileged to be making over a hundred thousand dollars a year, easily, with the barest of education and training. And please do not give that department, with its base-level intellect, the power to physically harm anyone via robot. And while you're at it, update the use-of-force policy so they can't hurt anyone ever.

Thank you,

Lisa Tennenbaum

From: [Joyce Nakamura](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: 11/29/2022 BOS Meeting, Item 28 - Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment
Date: Tuesday, November 29, 2022 9:39:38 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am writing in reference to proposed Ordinance 220641 to express my concern about use of robots by the SFPD as a lethal force.

With remote access, the ability to determine use of lethal force is limited and the inappropriate use of lethal force is likely. I would like to see explicit language in the policy preventing the SFPD to use these robots in this manner.

Joyce Nakamura
District 3 resident
415-948-0131

From: [Mullane](#)
To: [Preston, Dean \(BOS\)](#); [Ronen, Hillary](#); [Mar, Gordon \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Board of Supervisors \(BOS\)](#)
Cc: [Waltonstaff \(BOS\)](#); [PrestonStaff \(BOS\)](#); [RonenStaff \(BOS\)](#); [Marstaff \(BOS\)](#); [PeskinStaff \(BOS\)](#); [StefaniStaff, \(BOS\)](#); [MelgarStaff \(BOS\)](#); [ChanStaff \(BOS\)](#); [MandelmanStaff, \(BOS\)](#); [SafaiStaff \(BOS\)](#); [angela.cavillo@sfgov.org](#); [DorseyStaff \(BOS\)](#)
Subject: Moral Authority to Vote No
Date: Tuesday, November 29, 2022 9:30:31 AM
Attachments: [Moral Authority to Vote No.pdf](#)

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Esteemed Supervisors,

As a resident, a civil rights advocate, and a policy nerd — I humbly submit this letter imploring you to exercise your moral authority and vote against weaponization of robots by the San Francisco Police Department. Your consideration is most valued and appreciated.

Kindly,
Mullane Ahern
she / her / ella
415.582.3200

(District 5 Resident)

From: [Katie Rosenfeld](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Do not arm robots
Date: Tuesday, November 29, 2022 9:24:17 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board,

This is a nightmare straight out of dystopian fiction. Please do not consider this idea; armed robots will not make our community safer. We should be funding housing, education, food equity, and mental health programs, not bringing more weapons to our city.

Katie Rosenfeld
Voter in district 7

From: [Anna Asebedo](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Do not vote in favor of killing suspects using robots
Date: Tuesday, November 29, 2022 9:21:54 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Please do not vote in favor to authorize San Francisco police to kill suspects using robots.

Thank you for supporting practices that deescalate interactions of conflict and for funding public organizations that serve the well-being of our city's people whether they own property or not.

Sincerely,
Anna Asebedo

From: [Sean Murray](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: against the Law Enforcement Policy, specifically SFPD robots using deadly force
Date: Tuesday, November 29, 2022 8:52:30 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi,

I am a resident of the city living in Polk Gulch. I wanted to reach out regarding today's vote on the updated Law Enforcement Equipment Policy. I am strongly against permitting SFPD robots to use deadly force as I believe this is an over the top use of power that would disproportionately harm the most disadvantaged San Franciscans. I urge you to please take into account the opinions of your constituents when casting your vote today.

Thank you.

Sean Murray

From: [The Heated](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: san francisco resident against killer robots
Date: Tuesday, November 29, 2022 8:36:34 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

I am writing in advance of the meeting today to say I am a San Francisco resident (Church and Market area) and am against SFPD having robots armed with guns. Thank you for your time.

Best,

Cristina Espinosa

--

www.theheated.com - buy pretty, useful things

From: [Michael Burch](#)
To: [Board of Supervisors \(BOS\)](#); [Stefani, Catherine \(BOS\)](#)
Subject: No Lethal Force Robots
Date: Tuesday, November 29, 2022 7:17:05 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Rep Stefani & supervisors,

My name is Michael Burch I live in District 2 at 1690 Broadway. I'm writing you, because I want to make it clear that I do not support militarizing the SFPD, even more, with lethal force robots. I hope during your conversations today on this measure you continue to focus those resources into community based organizations and education throughout our great city.

Thank you,

- Michael Burch
- he/they

From: [Susan Price](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: NO to Killer Robots
Date: Tuesday, November 29, 2022 6:57:29 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear San Francisco Board of Supervisors:

Please please defeat the motion to authorize use of robots by police to kill suspects. Remote triggers are too easy to pull.

This is too dangerous.

Signed,
Susan Price-Jang

From: [Scott Tsuchitani](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Opposition to SFPD having killer robots
Date: Tuesday, November 29, 2022 6:44:20 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Honorable Board of Supervisors,

I am a 32-year resident of the city and son of a native-born San Franciscan, writing to express my dismay and opposition to SFPD acquiring robots that can kill people.

Police violence is already enough of a crisis as it is. In one of the most progressive cities in the US, the last thing we need is to introduce the possibility of a Robocop scenario. This will go a long way towards undermining SFPD public relations, because what is the one thing that could be more chilling than SFPD's record of police violence toward black and brown people and a DA who is reluctant to prosecute them?

Nothing could be more chilling than a killer police robot. It would be a huge step towards turning our fine city into a horrifying dystopia, and sets a terrible example for the rest of the nation. It's hard to believe you are even considering this.

Does Breed have that much power over the board? Are some of you getting paid off by the tech-military companies that will profit from this?

Whatever your reason for considering it, I implore you to please reconsider it for the future of this fine city. A killer police robot goes against everything that makes San Francisco great and special.

Very truly yours,

Scott Tsuchitani

130 Eureka St., Apt. 1
San Francisco, CA 94114
(415) 218-9356

From: [Erika Young](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: NO on the SFPD robot proposal
Date: Tuesday, November 29, 2022 2:43:37 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello, I'm a San Francisco native and resident of the Sunset District who has only just heard about the SFPD's proposed policy to use robots to kill suspects. I find it extremely troubling that under London Breed's leadership, the SFPD seems to be more and more emboldened to propose dangerous policies such as using private cameras to monitor people (and save the footage indefinitely) -- and now this policy, which the ACLU and various legal advocates have actively spoken out against.

I don't think it's any secret that Chesa Boudin was forced out of office due to the fact that the SFPD didn't like what he was doing. Can you imagine? Boudin actually did his job and uncovered corruption -- and lost his job for it. What that really says to me, though, is that the SFPD is gaining more and more power under the guise of "public safety". If they could force a DA out because he exposed their abuse of power, what's to stop them from continuing to abuse that power now that he's gone?

I've written the Board before about how I voted for Mark Leno, but was happy to reconsider my opinion of London Breed when I saw how well she initially handled the pandemic.

What I still don't understand is how she could have campaigned so strongly about protecting her "community" and the people she grew up with... and now that she's mayor, she's not doing anything to stop policies like these. Policies that are now, somehow, coming up like clockwork.

Which means that the Board now needs to do the work that Breed is not doing. I ask the Board to not only refuse this policy but to take a good, close look at the level of influence that the SFPD has and is building. Because it seems like you're really the only thing between SF citizens and the SFPD running roughshod over all of our civil liberties.

Thank you,

Erika Young
San Francisco, CA

From: sfrobink@aol.com
To: [Board of Supervisors \(BOS\)](#)
Subject: Absolutely No re robots to shoot people!
Date: Tuesday, November 29, 2022 1:27:01 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hi - am totally opposed to the idea of robots shooting people! We have enough trouble as it is when police shoot people when it's not warranted or under very questionable circumstances. Wouldn't this scenario take human judgment out of the picture? Terrible things could happen to people. Please do not approve this request.

Thx - Robin Krop

From: [Meg](#)
To: [Board of Supervisors \(BOS\)](#)
Cc: [Peskin, Aaron \(BOS\)](#)
Subject: Fwd: Please Do Not Support the Law Enforcement Equipment Policy on November 29
Date: Monday, November 28, 2022 11:50:21 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Board of Supervisors,

I am writing to ask that you **do not support the Law Enforcement Equipment Policy**, which would allow SFPD robots to use deadly force. This would remove accountability from police officers in our city. I do not believe the current level of crime or threats facing our city justifies the use of this weapon, and I am concerned that this kind of weapon will be over-used if made available to police officers. In fact, the [ACLU has stated](#) that the type of scenarios that would require this level of force are rare.

Please do not support the Law Enforcement Equipment Policy on November 29.

Thank you.

Sincerely,
Meg Carter

Begin forwarded message:

From: Margaret Carter <margaretalice96@gmail.com>
Date: November 27, 2022 at 21:23:57 PST
To: Aaron.Peskin@sfgov.org
Subject: **Please Do Not Support the Law Enforcement Policy on November 29**

Dear Supervisor Peskin,

I am one of your constituents in Polk Gulch. I am writing to ask that you **do not support the Law Enforcement Equipment Policy**, which would allow SFPD robots to use deadly force. This would remove accountability from police officers in our city. I do not believe the current level of crime or threats facing our city justifies the use of this weapon, and I am concerned that this kind of weapon will be over-used if made available to police officers. In fact, the [ACLU has stated](#) that the type of scenarios that would require this level of force are rare.

Please do not support the Law Enforcement Policy on November 29.

Thank you.

Sincerely,
Meg Carter

--

(925) 323-6136
margaretalice96@gmail.com

From: [Eddie Dinel](#)
To: [Mandelman, Rafael \(BOS\)](#); [Board of Supervisors \(BOS\)](#)
Subject: To be clear
Date: Monday, November 28, 2022 10:51:23 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

There should be no lethally-armed robots allowed in the city of San Francisco. I find it hard to believe we're having this conversation, but please -- PLEASE -- let's be sensible here.

And yes, I live in San Francisco, in Glen Park (94131) and I could not possibly feel more strongly that lethally armed robots have no place in SF.

--

Eddie Dinel
edinel@solace.org

From: [Crystal Lê](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Agenda Item #28: No to Killer Robots
Date: Monday, November 28, 2022 10:30:17 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello Board of Supervisors,

My name is Crystal, a resident of D6. I am honestly in awe of the fact that I even have to type out "No to Killer Robots," but I urge you to oppose and squash the alarming militarized equipment policy proposed by the SFPD. As someone who lives in SF, the police department's proposal makes me feel the furthest from "safe." It is dangerous and heinous for so many reasons. Just some among them being:

- [Mission Local](#) reports that since 2000, SFPD have murdered 58 people in San Francisco, and there will likely be more unless you step in. Police pull their triggers manually to kill Black and brown San Franciscans with impunity. What will happen when they can do so remotely?
- It sets a precedent for even more lethal and extreme asks from the police department. We do not need to grant them access to more military-grade weapons that are designed to harm and kill.
- There is an incredible lack of transparency with regard to the proposal's costs. That aside, SFPD should not receive funds for their death-making, period, when we could be investing dollars into the actual health and wellbeing of our youth, our unhoused neighbors, and more.

Once again, I urge you to oppose the proposal set forth by SFPD / sponsored by Mayor Breed. Please do not allow the ordinance to be passed.

Crystal Lê
She/her

From: [Mick Glenn](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: No killer robots
Date: Monday, November 28, 2022 10:29:16 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear board of supervisors,

Do not allow the SFPD to have killer robots. The SFPD as is highly irresponsible and dangerous with their existing firearms. May I remind you they bombed the mayor's house in 1975.

James Cameron, visionary filmmaker, made a movie called Terminator 2 about how murder robots are bad actually. If the board needs to spend more than 2 seconds debating whether to give the SFPD murder robots, then your humanity is gone for good and you have become a robot yourself.

Mick

From: [Sam Engel](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: No killer robots
Date: Monday, November 28, 2022 9:49:04 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear SF Supes,

As a resident of the city for nearly 5 years now, I write to express my strong opposition to the idea of giving robot police officers any sort of deadly force — guns, weapons, explosives, etc. We are better than this.

Thank you,

--

Sam Engel
sam13e@gmail.com

From: [Max Sarosi](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Oppose Robot Police Dogs
Date: Monday, November 28, 2022 9:00:25 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

It is so insane and dystopian that this conversation is even happening but under no circumstances do the police need any more technology, much less lethal robot dogs, to kill people. Since 2021, almost 2,000 people have been killed by police. Folks such as George Floyd, Breonna Taylor, Oscar Grant, Freddie Gray, Elijah McClain, Michael Brown and thousands of others would still be alive today had it not been for the murderous and reckless behavior of police. Police do not need any more technology to kill. They need to stop killing people. Please oppose any efforts to use, implement or arm police robots. Under no circumstances does San Francisco need police robots. The focus should be on life-affirming indeed solutions like housing and public health, not life-ending ones like policing.

NO to robot police.

Please.

Max,

From: [Michael Marinucci](#)
To: [Board of Supervisors \(BOS\)](#)
Cc: [ChanStaff \(BOS\)](#); [DorseyStaff \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Ronen, Hillary](#); [Safai, Ahsha \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#)
Subject: 11/29/22 Item 28: SFPD proposed policy - no killer robots, no purchase pre-auth, transparency on all assault weapons
Date: Monday, November 28, 2022 8:10:33 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Preston et al,

My name is Michael Marinucci and I am a constituent from San Francisco District 5. On Tuesday, the Board of Supervisors considers a military equipment use policy from SFPD (Item 28). I ask for you to call for 3 amendments to the proposed military equipment use policy:

1. Do not authorize robots for deadly or any other use of force

There is no justification for utilizing robots to perform deadly lethal force, especially when those robots will be remotely-controlled. There are already too many unwarranted or unjustified, extrajudicial killings by police. We need *less* lethal force and more training and practice of de-escalation tactics. When deciding whether to approve this language to pass and approve of SFPD using robots for deadly force against humans, *please reject it. Vote no.*
Instead revert it back to “Robots shall not be used as a Use of Force against any person.”

2. Include all assault rifles in policy

SFPD has disclosed only 233 of its 608 assault rifles. If SFPD is using 608 assault rifles, that should be reflected in the policy. The exclusion of 375 assault rifles used by SFPD misleads the public in thinking the police only have 200+ rifles rather than the 600+ assault rifles that they actually have. These weapons need to be included in the policy for two reasons.

First, just this year SFPD has killed three people with assault rifles. One of the three people killed by SFPD was suicidal. The other two men killed were on the ground, grappling with each other for a knife. All 608 assault rifles need to have use policies describing when it is authorized or prohibited to use - including when someone is in a mental health crisis.

Second, every type of equipment covered in the proposed use policy are required to have an annual report. These annual reports are required to include a summary of use, and also describe the fiscal impact. Fiscal impact includes not just the initial acquisition cost, but the ongoing costs (which with training and maintenance will primarily be personnel). The public deserves to know the fiscal impact of ALL these deadly weapons, including all 608 assault rifles in addition to the 15 submachine guns and 64 machine guns.

3. Require accountability - do not pre-authorize acquisitions

SFPD's proposed policy would allow SFPD to acquire equipment without prior Board of Supervisor approval if it runs low on any of its stock or wishes to replace any of its equipment. If this happens, this is exactly the situation in which more oversight is needed, not less. If SFPD used over 6000 Pepperball rounds, the public deserves to ask how this happened. The

public has a right to know why that supply was unexpectedly depleted, how it was used, and whether to expect similar levels of use in the future. And if SFPD wishes to replace a robot or vehicle that costs hundreds of thousands of dollars, the public deserves the opportunity to know why.

I appreciate that this proposed policy has improved from its consideration in the Rules Committee under Chair Peskin's leadership, but it is critical for the proposed policy to include these three amendments. San Francisco deserves the full transparency and accountability provided by the new law.

Sincerely,
Michael Marinucci
San Francisco District 5 resident

From: [Katherine Tangelakis-Lippert](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Media request — Robot use of force policy
Date: Monday, November 28, 2022 7:38:40 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello SF Board of Supervisors — I hope you're well. I'm reaching out to see if a representative from your office has any statement regarding the policy that will be voted on tomorrow about law enforcement robots and their use of deadly force? Will this draft be sent back for changes to this clause or is it expected to be adopted as-is? Thanks for your time.

Best,

Katherine Tangelakis-Lippert

Reporter, Breaking News
Pronouns: she/her



[Business](#) - [Life](#) - [News](#)

C: 805-404-6255
One Liberty Plaza, 8th FL, New York, NY 10006

From: [Carol Soto](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: No Killer Drone Dogs for Police
Date: Monday, November 28, 2022 7:27:06 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Board Members,

I cannot believe that the Board is seriously considering allowing the police to have a military-grade drone with lethal capacity. I strongly oppose this militarization of local police. I hope that you feel likewise.

Thank you,
Carol Soto

From: [Rene Hosman](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: No killer robots in our city
Date: Monday, November 28, 2022 6:23:37 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I cannot believe this is something citizens actually have to say but who on earth thought that authorizing remote triggers on robots in the city was a remotely okay idea? San Francisco is not a war zone. I understand we like to be on the cutting edge of technology and consider ourselves to be progressive but this is a huge misstep with lives at risk. I strongly urge the Board of Supervisors to reconsider.

Sincerely,
Emily Rene Hosman

--

Rene Hosman
erhosman@gmail.com
650.281.1118

From: [A](#)
To: [Board of Supervisors \(BOS\)](#)
Cc: [DorseyStaff \(BOS\)](#)
Subject: OPPOSE Lethal SFPD Robots
Date: Monday, November 28, 2022 6:22:14 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Board of Supervisors,

Good evening. I am a resident of San Francisco (a constituent in Supervisor Dorsey's district) writing in **strong opposition** to SFPD's proposed policy of enabling their military grade robots to use lethal force against human beings.

We know that on a national scale, police officers are more likely to interact violently in contact with Black people. Research indicates that police use of force against Black people is more than three times higher than those among white people. Allowing SFPD to steer their robots with use of lethal force will only exacerbate institutional racism and depersonalize--*dehumanize*--our Black neighbors and neighbors of color.

I urge you to either amend the current proposed language to ensure SFPD's robots shall not engage in use of force against any person, or vote **NO** on item no. 28 in tomorrow's BOS meeting.

Regards,
Amy

From: [Rebecca Valentine](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: SFPD Robots
Date: Monday, November 28, 2022 5:47:14 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

This email is regarding the proposal to permit SFPD to use remotely operated robots with the capacity to deploy lethal force.

This proposal is exceptionally dangerous and should not be permitted. The use of remotely operated robots poses at least four dangers to the public:

1. The use of robots makes it easy for the public to misunderstand the nature of the robots as being fully automated rather than remotely operated, as no visible operator is present. This gives the public the erroneous impression that the robots are using some kind of objective AI mechanism for its decision about when to use lethal force or not, when in fact a person is decided.
2. The use of robots makes it easy to transition from human operation to AI operation. Modern AI is typically inscrutable and its decisions cannot be inspected and explained. Computers cannot be held accountable for mistakes, and the use of the AI software launders bias from training data through the algorithms to give it the veneer of objectivity, despite the presence of systemic biases. See the work of Timnit Gebru and Margaret Mitchell for further information on this and related issues.
3. The use of robots creates emotional distance in the operator, replacing the direct personal experience of the situation with mediation through computer screens. The operation of the robot no longer has the same impact, and is more like a videogame, which affects the operator's willingness to actually use lethal force and leads to desensitization to violence and death caused by the operator.
4. The use of robots obscures responsibility. In person, the officer pulling the trigger on a gun, or wielding a baton, or firing a taser, has a badge with their name/number, meaning that abuses and injustices can be recorded and tied to specific individuals in undeniable ways. By putting the operator in a distance office, the only equivalent way to know who pulled a trigger is if the police department reliable logs information in a way that is publicly available in real time. This is unlikely to be implemented, meaning that accountability for the use of lethal force is impossible. Improper record keeping also would mean that since no one person can be ascribed blame beyond reasonable doubt, no one can be ascribed blame at all in the legal sense.

Please prohibit the use of robots for lethal force. Any decision to employ lethal force must be made in person by the person using it, so that the decision is not taken lightly.

Thank you.

- Rebecca Valentine, SoMa resident

From: [Rashi Abramson](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Re: Say No to Robocop Lite
Date: Monday, November 28, 2022 5:22:16 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

there is also the cybersecurity risk. Don't let a mass shooter hijack the robots. Vote no.

On Mon, Nov 28, 2022, 5:18 PM Rashi Abramson <roshkins@gmail.com> wrote:

The proposal to use robots to kill people puts us on a slippery slope to a world where robots kill people with minimal intervention. Already we see the problems of drones killing people over seas, where it's hard to know if the correct targets are hit when stakes are high.

To do that to U.S. citizens when there is high distrust of police using their force appropriately is dangerous and should not be pursued.

Don't put us on course for Slaughterbots. See <https://youtu.be/9fa9lVwHHqg>. Vote no on a world where the people using deadly force have no stake in the outcome of their actions.

Rashi Abramson,
Constituent

From: [Rashi Abramson](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Say No to Robocop Lite
Date: Monday, November 28, 2022 5:19:02 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

The proposal to use robots to kill people puts us on a slippery slope to a world where robots kill people with minimal intervention. Already we see the problems of drones killing people over seas, where it's hard to know if the correct targets are hit when stakes are high.

To do that to U.S. citizens when there is high distrust of police using their force appropriately is dangerous and should not be pursued.

Don't put us on course for Slaughterbots. See <https://youtu.be/9fa9lVwHHqg>. Vote no on a world where the people using deadly force have no stake in the outcome of their actions.

Rashi Abramson,
Constituent

From: [Colin Cotter](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Opposition to Lethal Robots
Date: Monday, November 28, 2022 5:18:49 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

I am a voter in D7, and I cannot express strongly enough my heartfelt opposition to the demand from SFPD to have the option to kill using robots. This city is NOT a war zone! Trying to sell voters on the notion that this department - <https://www.sfchronicle.com/sf/article/police-violence-Black-residents-17272732.php> - should be trusted with yet another means of lethal force is bad enough, but no police department should be insisting on this. We need to step back from the violence. Vote this grotesque plea for enhanced state violence into oblivion where it belongs.

From: [Stephen Allen](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Startling SF Police Overreach
Date: Monday, November 28, 2022 5:02:11 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

I write to you today to plead with you to do the obviously sensible thing and put a stop to the plan to allow SF Police to be equipped with lethal robotic equipment. This plan is obviously an outrageous and frightening example of the extent to which Law Enforcement has been allowed to put the lives of ordinary citizens at risk. As a resident of the Central Valley of California who, like just about everyone here, visits San Francisco from time to time, I can't possibly imagine wanting to come to your city for a Giants game, check out some books stores or simply enjoy the ocean air knowing the extreme risk to my safety posed by such an extremely irresponsible method of policing your community and visitors like myself.

Both of my parents are from San Francisco. I can't imagine, if they were still with us, the disgust they would feel toward their hometown just knowing you would even consider allowing this outrageous overreach. Please do the right thing and stop this outrageous and horrifying plan before the obvious potential for problems becomes a real life horror for the people you are supposed to keep safe.

Yours Truly,
Stephen Allen
Modesto,CA

Sent from my iPhone

From: [Zach Lipton](#)
To: [Chan, Connie \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Dorsey, Matt \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Ronen, Hillary](#); [Walton, Shamann \(BOS\)](#); [Safai, Ahsha \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Peskin, Aaron \(BOS\)](#)
Subject: Item 28 - SFPD proposed policy - no purchase pre-auth, no killer robots, transparency on all assault weapons
Date: Monday, November 28, 2022 3:20:41 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors:

My name is Zach Lipton and I am a constituent from San Francisco District 6 supporting the League of Women Voters and their concerns about this item. On Tuesday, the Board of Supervisors considers a military equipment use policy from SFPD (Item 28). I ask for you to call for 3 amendments to the proposed military equipment use policy:

1. Include all assault rifles in policy SFPD has disclosed only 233 of its 608 assault rifles. If SFPD is using 608 assault rifles, that should be reflected in the policy. The exclusion of 375 assault rifles used by SFPD misleads the public in thinking the police only have 200+ rifles rather than the 600+ assault rifles that they actually have.

These weapons need to be included in the policy for two reasons.

First, just this year SFPD has killed three people with assault rifles. One of the three people killed by SFPD was suicidal. The other two men killed were on the ground, grappling with each other for a knife. All 608 assault rifles need to have use policies describing when it is authorized or prohibited to use - including when someone is in a mental health crisis.

Second, every type of equipment covered in the proposed use policy are required to have an annual report. These annual reports are required to include a summary of use, and also describe the fiscal impact. Fiscal impact includes not just the initial acquisition cost, but the ongoing costs (which with training and maintenance will primarily be personnel). The public deserves to know the fiscal impact of ALL these deadly weapons, including all 608 assault rifles in addition to the 15 submachine guns and 64 machine guns.

2. Do not authorize robots for deadly or any other use of force

3. Require accountability - do not pre-authorize acquisitions. SFPD's proposed policy would allow SFPD to acquire equipment without prior Board of Supervisor approval if it runs low on any of its stock or wishes to replace any of its equipment. If this happens, this is exactly the situation in which more oversight is needed, not less. If SFPD used over 6000 Pepperball rounds, the public deserves to ask how this happened. The public has a right to know why that supply was unexpectedly depleted, how it was used, and whether to expect similar levels of use in the future. And if SFPD wishes to replace a robot or vehicle that costs hundreds of thousands of dollars, the public deserves the opportunity to know why.

I appreciate that this proposed policy has improved from its consideration in the Rules Committee under Chair Peskin's leadership, but it is critical for the proposed policy to include these three amendments. San Francisco deserves the full transparency and accountability provided by the new law.

Thank you,

Zach Lipton

From: [Diana Scott](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Draft policy on police use of weapons - on agenda at 11/29 BOS mtg.
Date: Monday, November 28, 2022 1:38:40 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To the Clerk of the Board:

Please include this letter, already sent to Sups. Mar and Peskin, in the supervisors' folder for tomorrow's BOS meeting, including better link for the article cited (updated today in 48 Hills):

https://url.avanan.click/v2/___https://missionlocal.org/2022/11/killer-robots-to-be-permitted-under-sfpd-draft-policy/___YXAzOnNmZHQyOmE6bzpmZDZjZjQ2NWVmMmZmMzU2NjE0Mzg2MGQzY2NiYzJhMzo2Ojk1ZW66MWJiNzU5MzQwODRkZDE5OWQ0MDFmM2MxZTZhNmE5YjE3ODQ0YzU2Y2ZkZTY2OGewNzJkMWQyOGQ3Y2l2MmJjZDpwOIQ

Thank you.

Diana Scott, Outer Sunset

Dear Supervisor Mar:

I was aghast to read this report about a bill coming up for a vote at the Board of Supervisors tomorrow, and am deeply troubled that Sup.Peskin has backed down on opposing, in no uncertain terms, this police use of deadly armed robots - whatever the qualifying language (which, of course, is open to police interpretation!):

SFPD authorized to kill suspects using robots in draft policy - Mission Local

I urge you and your allies on the Boards of Supervisors to end this outrageous use of surplus military weapons -- and include reporting language on use of assault rifles in its rebuff of the police-proposed measure.

Beyond that, WHY is this city accepting this kind of equipment from the DOD in the first place? Let S.F. become a model of de-escalating police use of deadly force!

Please let me know what I/we can do to prevent this outrageous policy proposal from becoming law!

Thank you.

Diana Scott
(415) 566-7235

From: [Julienne Fisher](#)
To: [ChanStaff \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Peskin, Aaron \(BOS\)](#)
Cc: [Walton, Shamann \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Board of Supervisors \(BOS\)](#); [Ronen, Hillary](#); [DorseyStaff \(BOS\)](#); [Mar, Gordon \(BOS\)](#); [Melgar, Myrna \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Subject: Regarding Upcoming BOS item on 11/28/2022
Date: Monday, November 28, 2022 12:59:35 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

November 27, 2022

San Francisco Board of Supervisors,

This message is regarding AB 481 and our local guidelines in SF.

Please do not authorize any new robots or military style weapons to be acquired or used by our San Francisco Police Department.

Those acquisitions will not make our city safer.

And increasing available weapons is not a community building use of San Francisco budget.

Below is part of recent news report regarding pending decision.

Thank you for your attention to this request.

Sincerely,

Julienne Fisher
San Francisco Resident
8001 Geary Blvd Apt 4.

San Francisco, Ca 94121
415 307-1213

Rueca said that the San Francisco Police Department “does not have any sort of specific plan in place” for how lethal force would be applied with robots as “the unusually dangerous or spontaneous operations where SFPD’s need to deliver deadly force via robot would be a rare and exceptional circumstance.”

Why is this happening now?

Cities across California are currently drafting new policies on the use of military weapons by local police forces, thanks to a state law called [AB 481](#), which passed last year. Figuring out the force options of robots is one small part of the law’s remit.

The law mandates that every police force in California must annually report its stock of all military-style weapons, their cost, how they can be used, and how they were deployed in the prior year. The law gives local authorities — in San Francisco’s case, the Board of Supervisors — the ability to annually reject or accept the rules governing how the weapons are used.

From: [Robert E. Rutkowski](#)
To: [Board of Supervisors \(BOS\)](#)
Cc: [Keith Abouchar](#)
Subject: The SFPD want the power to kill with robots
Date: Monday, November 28, 2022 12:48:17 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

President Shamann Walton
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
City Hall, Room 244
San Francisco, CA 94102
Phone: (415) 554-5184 • Fax: (415) 554-5163 • TTY: (415) 554-5227
Board.of.Supervisors@sfgov.org

Re: The SFPD want the power to kill with robots

Dear President:

The San Francisco Board of Supervisors will vote soon on a policy that would allow the San Francisco Police Department to use deadly force by arming its many robots. This is a spectacularly dangerous idea and the stance must be clear: police should not arm robots.

Police technology goes through mission creep—meaning equipment reserved only for specific or extreme circumstances ends up being used in increasingly everyday or casual ways. We’ve already seen this with military-grade predator drones flying over protests, and police buzzing by the window of an activist’s home with drones.

As the policy is currently written, the robots’ use will be governed by this passage:

“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.”

This is incredibly broad language. Police could bring armed robots to every arrest, and every execution of a warrant to search a house or vehicle or device. Depending on how police choose to define the words “critical” or “exigent,” police might even bring armed robots to a protest. While police could only use armed robots as deadly force when the risk of death is imminent, this problematic legal standard has often been under-enforced by courts and criticized by activists.

The combination of new technology, deadly weapons, tense situations, and a remote control trigger is a very combustible brew.

This occurs as many police departments have imported the use of robots from military use into regular policing procedures, and now fight to arm those robots.

In October 2022, the Oakland police department proposed a similar policy to arm robots. Following public outrage, the plans were scrapped within a week.

The San Francisco Board of Supervisors will be voting on whether to pass this bill on first reading at their November 29, 2022 meeting, which begins at 2pm. Board of Supervisors member must oppose.

Yours sincerely,
Robert E. Rutkowski

cc:
Correspondence Team
Longworth House Office Building
Washington DC 20515
keith.abouchar@mail.house.gov

2527 Faxon Court
Topeka, Kansas 66605-2086
P/F: 1 785 379-9671
E-mail: r_e_rutkowski@att.net

From: [Raya Steier](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Vote No: SFPD's Draft Military Equipment Use Policy
Date: Saturday, November 26, 2022 3:26:38 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisors,

My name is Raya Steier, I am an API immigrant & District 7 resident. I am employed as the Communications Manager at the Lawyers Committee for Civil Rights San Francisco (LCCRSF). I am writing to you in my personal capacity.

I urge you to vote No on SFPD's draft military equipment use policy this Tuesday 11/29/2022. As reported in the [media](#), the draft policy:

- Authorizes SFPD to use armed robots
- Excludes hundreds of assault rifles from SFPD's inventory of military weapons
- Does not include personnel costs in the price of its weapons.

ARMED ROBOTS

- The draft policy allows SFPD to use armed robots to execute a warrant, in criminal apprehensions, critical incidents & exigent circumstances. **The policy does not clarify what counts as an 'exigent circumstance' or 'critical incident'. The wide scope of language authorizing its use leaves it open to interpretation & abuse. This will lead to excessive policing in communities of color.**
- 7071 (d) (1) (A) of AB 481 reads: The governing body shall only approve a military equipment use policy pursuant to this chapter if it determines all of the following: (A) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety. **SFPD has successfully executed warrants and apprehended criminals without the use of armed robots up until now. Clearly, SFPD has reasonable alternative means to carry out these tasks without having to deploy armed robots.**
- It is already incredibly difficult to hold police officers accountable for officer misconduct & excessive use of force. **The use of armed robots will make it even harder for us to seek justice for victims of police violence.**
- Remotely controlled armed robots are vulnerable to hackers who may gain access to them to hurt and kill civilians. Hackers have already [successfully hacked](#) into police surveillance cameras. **SFPD has not laid out any plan to prevent hacking in its draft policy. Hacked armed robots pose a great risk to civilian safety.**
- **Armed robots deployed during protests will discourage people from attending protests, threatening democracy in San Francisco.**
- **The SFPD's use of armed robots crosses an ethical and moral line.** This is why the Mission Local story has sparked outrage in our community.

EXCLUSION OF HUNDREDS OF ASSAULT RIFLES FROM ITS INVENTORY & OMISSION OF PERSONNEL COSTS

SFPD has excluded hundreds of assault rifles in its draft military equipment use policy, in violation of AB 481. In the interest of transparency, the Board must direct SFPD to include assault weapons and personnel costs in its policy, just as police departments have done in other jurisdictions. The Board must not allow SFPD to circumvent state laws to shield itself from transparency & accountability.

For the reasons stated above, I urge you to vote NO on SFPD's draft military equipment use policy on Tuesday 11/29/2022.

Thank you,
Raya Steier

From: [Arthur Koch](#)
To: [Ronen, Hillary](#); [Board of Supervisors \(BOS\)](#)
Cc: [ChanStaff \(BOS\)](#); [DorseyStaff \(BOS\)](#); [MandelmanStaff, \[BOS\]](#); [Mar, Gordon \(BOS\)](#); [MelgarStaff \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Preston, Dean \(BOS\)](#); [Stefani, Catherine \(BOS\)](#); [Walton, Shamann \(BOS\)](#); [Saini, Nikita \(BOS\)](#)
Subject: SFPD military equipment proposed policy file number 220641
Date: Wednesday, November 23, 2022 1:14:54 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Hillary Ronen,

The reason I am writing to you is I want you to be informed about AB481 before it is voted on by the full board meeting Nov. 29th. I've been attending the Rules Committee meetings and giving public comments. I really appreciate Aaron Peskin's due diligence getting the Police and Sheriff's Department to comply with AB481. If you watch all the comments it will give you the background info on how this has evolved.

<https://youtu.be/EiPAIO1IW6s>

<https://youtu.be/0Gt0nvE5SEQ>

Here is some context. Following police brutality in the George Floyd protests, in September 2021 California created laws both to limit police violence in first amendment assembly (AB 48) and also to increase transparency and accountability in the acquisition and deployment of militarized equipment in California communities (AB 481). AB 481 notes that *"Military equipment is more frequently deployed in low-income Black and Brown communities, meaning the risks and impacts of police militarization are experienced most acutely in marginalized communities."* The law also acknowledges the public's right to know and participate in decisions on funding, acquisition, and use of militarized equipment given these weapons' impact on "the public's welfare, safety, civil rights, and civil liberties".

For more context on police militarization across California, read AFSC's

report: <https://www.afsc.org/militarized-police-california>

Basically we are depending on the Board of Supervisors to take their oversight function of the annual report to ensure public safety by monitoring its use. I'm concerned about the SFPD's decision to classify 375 assault weapons as "Standard issue" out of the 608 total so they would not be accounted for in the annual budget. There is nothing standard issue about an assault rifle. They should only be used in exceptional cases defined by when and in what context they would be used and under what circumstances they should not be used. The cost of training, maintaining them, replacing them, and the injuries they have incurred should be on public record. By reviewing the budget every year the Board can reduce the budget if they are not needed or use of them is abused. Conversely, if there really is a military or terrorist threat, the budget could be increased.

The current draft allows the police department to restock depleted items for up to 10 million dollars without Board approval. This appears to defeat one of the main purposes of this policy which is to provide more oversight and transparency for the public to know and have the information to monitor the funding, acquisition and use of military equipment as decisions are being made. 10 million dollars is an awful lot of equipment to be purchased without Board and public oversight.

I was surprised the SFPD decided to petition the board to use robots to kill suspects that law enforcement deems a sufficient threat. San Francisco has never explicitly allowed for robots to take human lives, with lethal autonomous weapons. The Article below just came out today"

<https://www.yahoo.com/finance/news/san-francisco-police-seek-permission-for-its-robots-to-use-deadly-force-183514906.html>

Thanks for hearing me out. Just let me know if you have any questions.

We really appreciate you for offering to do the ribbon cutting for our Grand Opening Dec. 3rd at 3:00pm. Lisa and I are so excited you will be hanging out with us at our new studio that afternoon!

Much appreciated!

Art Koch

156 girard St
SF, CA 94134
4156-385-4136

From: [Regina Sneed](#)
To: [Supervisors, Board](#)
Cc: [Board of Supervisors](#)
Subject: [Post 2021 City budget - 2022 - SFPD military equipment use policy](#)
Date: Tuesday, November 22, 2022 12:28:09 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

My apologies for misspelling your name. I wrote it down correctly but my fingers typed it wrong. Here is the corrected copy.

Subject: BOS file number 220641: SFPD military equipment use policy

Dear Supervisor Stefani and members of the Board of Supervisors:

I am writing to you to convey my concerns about this policy that will be on the agenda for first reading on November 29, 2022.

The community and the Police Department through the good offices of Supervisor Peskin have worked to improve the draft policy. There is still more that can be done to improve the policy from the communities' viewpoint. Listening to the Rules Committee members comments before the vote to send the policy to the Board, I heard a recognition that close monitoring during the budget process was important. Some of these eligible for renewal items cost a million dollars. That requires close monitoring. Supervisor Chan raised concerns about reviewing the required annual report which will be critical during this first year to determine whether any of the sunset concerns from the community may need to be addressed. We should be asking do we really need this equipment in our community?

I wanted to highlight the preamble from AB 481 here to reinforce the importance of the Board's oversight role. As a San Franciscan I am relying on you my Supervisor to do this job. As a retired attorney I would favor adding a private right of action to the law to provide another avenue for the community to have accountability. Are we going to need that?

Following police brutality in the George Floyd protests, in September 2021 California created laws both to limit police violence in first amendment assembly (AB 48) and also to increase transparency and accountability in the acquisition and deployment of militarized equipment in California communities (AB 481). AB 481 notes that "Military equipment is more frequently deployed in low-income Black and Brown communities, meaning the risks and impacts of police militarization are experienced most acutely in marginalized communities." The law also acknowledges the public's right to know and participate in decisions on funding, acquisition, and use of militarized equipment given these weapons' impact on "the public's welfare, safety, civil rights, and civil liberties".

I understand that it is unlikely that the board will entertain amendments to the policy at the Board meeting. For example, I would like there to be more clarity in defining authorized use for some items. I would like to see personnel time for training and maintenance included in the annual report. I would like all assault rifles to be listed in the the report even though those considered standard issue are not required to be included. People really want to know exactly how these weapons are being used. It will be hard to get a clear picture if we don't have all assault weapons in the report.

And finally I want to bring your attention to the attached letter signed by many community organizations which asks Attorney General Bonta to provide statewide guidelines for this state law. That makes sense to me to have a consistent approach as a state. Please review the rationale supporting this request in the letter.

<https://and.acanm.cio.k12> <https://www.aiaa.org/sites/default/files/documents/letter%20to%20Attorney%20General%20Bonta%20re%20SFPD%202022.pdf> <https://www.sfpd.org/sites/default/files/2022/11/22/2022-11-22%20SFPD%20Militarized%20Equipment%20Policy%20Draft%2011-22-22.pdf>

Thank you for the opportunity to share my concerns.

Regina Sneed
Women's International League for Peace and Freedom member
Resident of District Two

From: [Gee, Natalie \(BOS\)](#)
To: [BOS Legislation, \(BOS\)](#)
Subject: FW: Issue Brief re: SFPD's Weaponized Robots Proposal
Date: Tuesday, November 29, 2022 10:02:13 AM
Attachments: [Policing Project Brief on SFPD's Weaponized Robots Proposal 11.29.22.pdf](#)

Good morning Clerk Team,

Please add this to the communications regarding item #28/file no. 220641. Thank you!

Natalie Gee 朱凱勤, Chief of Staff
Supervisor Shamann Walton, District 10
President, Board of Supervisors
1 Dr. Carlton B. Goodlett Pl, San Francisco | Room 282
Direct: 415.554.7672 | **Office:** 415.554.7670

From: Max Isaacs <max.isaacs@law.nyu.edu>
Sent: Tuesday, November 29, 2022 9:51 AM
To: Walton, Shamann (BOS) <shamann.walton@sfgov.org>
Subject: Issue Brief re: SFPD's Weaponized Robots Proposal

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Walton:

I am a staff attorney at the Policing Project at New York University School of Law, a center which partners with communities and police to promote public safety through transparency, equity, and democratic engagement. Among other things, our center has conducted extensive research regarding the ethical implications of police drones and robots.

I write to you regarding the San Francisco Police Department's proposal to authorize the use of weaponized robots by police. This proposal raises significant ethical concerns which SFPD's policy, at present, fails to address.

Please find attached a one-page issue brief detailing our concerns and urging the Board of Supervisors to reject SFPD's proposal at this time.

Thank you for your consideration. Please feel free to reach out to me if you have any questions or if we can be of assistance.

Sincerely,

Max Isaacs

--

Max Isaacs (*he/him*)
Staff Attorney, Policing Project
NYU School of Law
www.policingproject.org

ISSUE BRIEF: WEAPONIZED ROBOTS

This issue brief shares our perspective on the San Francisco Police Department's proposal to authorize weaponized robots. We applaud the Board of Supervisors' decision to consider this issue in a transparent manner. Having studied police use of weaponized robots in considerable detail, we believe the SFPD's proposal leaves too many important questions unanswered, leaving the Board without critical information it would need to make a sound decision. Thus, we urge the Board to withhold authorization.

For over a year, our organization worked with Axon's independent AI Ethics Board to study the ethical implications of weaponized robotics. This work led a majority of the Ethics Board to recommend that Axon not proceed with a proposed pilot program which would entail equipping police drones with Tasers. Axon's subsequent announcement that it was proceeding with a weaponized drone product to be installed in schools to address mass shootings [led nine of the Ethics Board's twelve members to resign](#). Axon's program differs from SFPD's in many respects, but some of our key concerns apply with equal force.

Although there may well be potentially-beneficial use cases for police robots, and even for weaponized ones, the decision whether to deploy them is a momentous one. No policing agency should be permitted to deploy these tools without express democratic authorization, and that is why we are pleased that the Board of Supervisors is carefully scrutinizing this proposal.

Whether the possible benefits of weaponized police robots outweigh their possible harms depends on numerous factors, including how the technology is designed and policies governing use. As written, however, the SFPD's policy leaves many critical questions unanswered. These questions include:

- **What policies will constrain officer discretion as to when robots will be deployed?** Policing technologies often are disproportionately deployed in overpoliced and disadvantaged communities. It is essential that there be rules constraining police discretion as to when and where robots are deployed.
- **What de-escalation tactics should be used in the context of police robotics?** Careful attention to de-escalation is crucial given the unique dynamics of remote use of force. In the context of military weaponized robots, individuals against whom force is used appear as figures on a screen, potentially leading to the dehumanization of individuals and a diminished sense of moral culpability by operators. This makes it all the more crucial to develop effective ways to avoid the use of force.
- **Will officers be required to be at the scene?** Although robotics enable police to contact suspects remotely, it often is beneficial to have an officer in person at the scene of an incident — for example, to enhance situational awareness, create better conditions to negotiate with a hostage-taker, or to better observe a suspect's demeanor and actions.
- **What rules govern the use of non-deadly force?** Although the SFPD's policy provides that deadly force is authorized only when there is an imminent risk to life, it does not specify whether this standard also applies to non-deadly force. As noted above, for example, Axon has proposed equipping drones with Tasers — tools which, although less deadly than firearms, can still inflict significant bodily injury and even death. More clarification is needed regarding proposed uses for weaponized drones and restrictions on such use.
- **What are the mechanisms for accountability?** If and when problems arise from police use of robotic force (such as injuries caused by accidents, misuse, or operational issues), it may be unclear under existing legal frameworks who would be held responsible — from the police chief to the drone operator to the product vendor — and how.
- **How will the SFPD mitigate operational risks?** The use of weaponized robotics potentially entails a multitude of risks including mechanical failures, operator error, and hacking by bad actors. Any one of these could have catastrophic consequences in the context of weaponized robots, with harms likely to fall disproportionately on overpoliced communities.

These questions only skim the surface. Other questions may include in what situations deployment of robots is inappropriate (e.g., at protests or in situations where deployment may cause public panic), what procedures will govern the decision to deploy robotic force, and how the program's effectiveness will be assessed. We urge the Board of Supervisors to withhold authorization until these and other important questions have been answered and the citizens of San Francisco have had an opportunity to make their voices heard.

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
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>.

From: [Betty Traynor](#)
To: [Peskin, Aaron \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Chan, Connie \(BOS\)](#)
Cc: [Young, Victor \(BOS\)](#)
Subject: SFPD NOT in Compliance with AB481 - Item 2 on 7/11/22 Rules Comm. Agenda
Date: Sunday, July 10, 2022 7:11:53 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear members of the Rules Committee,

I am writing to urge you to NOT recommend to the full Board of Supervisors the SFPD's proposed policy related to AB 481 until the policy fully complies with AB481's requirements.

AB 481 is a new law that requires California law enforcement agencies to publish information about a range of militarized gear used in policing and jails, and to obtain approval of policies about the use of this military equipment.

SFPD's proposal for military equipment has several problems, including points of non-compliance with AB 481.

Examples include:

- The proposed policy excludes both an inventory and policy for assault rifles that SFPD possesses.
- The proposed policy is missing independent oversight required by AB 481.
- The proposed policy doesn't define authorized uses, and grants limitless authorization.
- The proposed policy fails to comply with AB481's ban on chemical and impact weapons (tear gas and rubber bullets) for crowd control.

Also, the proposed policy doesn't limit use on persons experiencing mental health crises - including those indicating self-harm.

The policy for deploying armored vehicles is ambiguous and vague, with no limits on authorized uses.

Important Question: Does the use policy exclude or prohibit use of military equipment for public relations purposes or activities, such as bringing an armored vehicle to a fair or school? It should--We do not want children thinking armored vehicles or other military equipment are toys to play with and thus harmless.

Please take time to thoroughly consider the proposed policy.

The Board of Supervisors has until mid-November to take action before the use of equipment would be affected. ***This is a serious matter and the Board should not do this quickly.*** The law gives the Board time to listen and consider objections by community members, send the policy back to staff for amendments, consult with the department, city attorney, and others, before adopting a policy.

Thank you very much for your serious consideration of my concerns with the SFPD's compliance with AB 481.

Betty Traynor

S.F. Resident

Member of the Women's International League for Peace and Freedom (WILPF) - S.F. Branch

Oldest women's peace organization, began in 1915.

From: [regina.sneed](#)
To: [Young, Victor \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Subject: Re: SFPD NOT in Compliance with AB481 - Item 2 on 7/11/22 Rules Comm. Agenda
Date: Sunday, July 10, 2022 8:40:36 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear members of the Rules Committee of the San Francisco Board of Supervisors:

AB481 requires the City to provide information to the public annually on the range of military equipment the police and sheriff departments use in policing . The Board must approve the policy. To my knowledge the Sheriff's department has not submitted its proposed policy, having missed the statutory deadline.

I urge the Rules Committee to return the Police department policy for further development to address deficiencies in meeting the requirements of AB 481. It would make sense to review and approve both policies together and you have plenty of time to do so.

I want to provide just a few examples of things that need to be addressed:

I do not see any mention of the use of assault rifles. I believe Both Departments have them.

There is no independent oversight of the policy as required. If this ordinance is not done correctly now, there will be no adequate annual review and oversight.

As San Francisco is a city with many protests, I do not see references required by AB481 that ban chemical or impact weapons like rubber bullets and tear gas from being used for crowd control.

I do not see affirmative statements about how the city will use this equipment in situations involving people suffering mental breakdowns, or people with disabilities that could be harmed by equipment.

There are other issues which are not included in the draft that deserve a public hearing. I request that the appropriate Board Committee hold a hearing to get public input on this subject.

Thank you for the opportunity to express my concerns on the city's compliance with this important law.

Regina Sneed
San Francisco resident
And member of San Francisco Branch
Women's International League for Peace and Freedom

From: [Arla Ertz](#)
To: [Young, Victor \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Subject: SFPD NOT in Compliance with AB481 - Item 2 on 7/11/22 Rules Comm. Agenda Inbox
Date: Monday, July 11, 2022 7:44:53 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear members of the Rules Committee:

I am a San Francisco resident, taxpayer, and voter. I strongly urge you to **NOT** recommend to the full Board of Supervisors the SFPD's proposed policy related to AB481 until the policy fully complies with AB481's requirements, which it currently fails to do.

AB481 is a new law that requires California law enforcement agencies to publish information about militarized gear they use in policing and jails, and to obtain approval of policies about the use of this military equipment. SFPD's proposal for military equipment has several problems and key omissions, including points of noncompliance with AB481.

Please carefully consider each element of the proposal, including the following examples:

- ~ As proposed, SFPD's policy would exclude both an inventory and policy for assault rifles that SFPD possesses
- ~ As proposed, the policy omits independent oversight required under AB481.
- ~ As proposed, the policy fails to define authorized uses, and grants limitless authorization.
- ~ As proposed, the policy is out of compliance with AB481's ban on chemical and impact weapons (tear gas and rubber bullets) for crowd control.
- ~ As proposed, the policy neglects to limit use on persons experiencing mental health crises, including those indicating self-harm.
- ~ As proposed, the policy for deploying armored vehicles is ambiguous and vague, with no limits on authorized uses.

Having worked professionally for over a couple of decades as a social worker in the field of child mental and behavioral health (as program director of an expressive arts program for homeless and other at-risk children, as an early intervention mental health consultant for an agency serving homeless children and their families, etc.) I am further concerned about whether the use policy excludes or prohibits use of military equipment for public relations purposes or activities, such as bringing an armored vehicle to a fair or school. It must! It is unacceptable to allow use of such equipment in any way that could lead children to think of armored vehicles or other military equipment as fun! They must not be encouraged or even merely tempted to think of them as toys to play with and thus harmless. I'm sure that you can appreciate the myriad negative repercussions of such "training" at young, impressionable ages,

and recognize that it is imperative to ensure the policy clearly prevents risk of such outcomes.

Please take ample time to thoroughly consider all elements of the proposed policy and their weaknesses--there is no requirement or need to rush to a decision! The Board of Supervisors has until mid-November to take action before the use of equipment would be affected. This is a serious matter and I implore you not to move too quickly, at the expense of meticulously diligent attention. The law gives the Board time to listen and consider objections from community members, send the policy back to staff for amendments, consult with the department, city attorney, and others, before adopting a policy.

Thank you for your conscientious consideration of my concerns with the SFPD's lack of compliance with AB481, and for your careful, detailed deliberation.

Sincerely,

Arla S. Ertz
Member, San Francisco branch, Women's International League for Peace & Freedom
1096 Fulton St., Apt. 7
San Francisco, CA 94117

From: [Arla Ertz](#)
To: [Young, Victor \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Subject: SFPD NOT in Compliance with AB481 - Item 2 on 7/11/22 Rules Comm. Agenda Inbox
Date: Monday, July 11, 2022 7:44:53 AM

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AB481 is a new law that requires California law enforcement agencies to publish information about militarized gear they use in policing and jails, and to obtain approval of policies about the use of this military equipment. SFPD's proposal for military equipment has several problems and key omissions, including points of noncompliance with AB481.

Please carefully consider each element of the proposal, including the following examples:

- ~ As proposed, SFPD's policy would exclude both an inventory and policy for assault rifles that SFPD possesses
- ~ As proposed, the policy omits independent oversight required under AB481.
- ~ As proposed, the policy fails to define authorized uses, and grants limitless authorization.
- ~ As proposed, the policy is out of compliance with AB481's ban on chemical and impact weapons (tear gas and rubber bullets) for crowd control.
- ~ As proposed, the policy neglects to limit use on persons experiencing mental health crises, including those indicating self-harm.
- ~ As proposed, the policy for deploying armored vehicles is ambiguous and vague, with no limits on authorized uses.

Having worked professionally for over a couple of decades as a social worker in the field of child mental and behavioral health (as program director of an expressive arts program for homeless and other at-risk children, as an early intervention mental health consultant for an agency serving homeless children and their families, etc.) I am further concerned about whether the use policy excludes or prohibits use of military equipment for public relations purposes or activities, such as bringing an armored vehicle to a fair or school. It must! It is unacceptable to allow use of such equipment in any way that could lead children to think of armored vehicles or other military equipment as fun! They must not be encouraged or even merely tempted to think of them as toys to play with and thus harmless. I'm sure that you can appreciate the myriad negative repercussions of such "training" at young, impressionable ages,

and recognize that it is imperative to ensure the policy clearly prevents risk of such outcomes.

Please take ample time to thoroughly consider all elements of the proposed policy and their weaknesses--there is no requirement or need to rush to a decision! The Board of Supervisors has until mid-November to take action before the use of equipment would be affected. This is a serious matter and I implore you not to move too quickly, at the expense of meticulously diligent attention. The law gives the Board time to listen and consider objections from community members, send the policy back to staff for amendments, consult with the department, city attorney, and others, before adopting a policy.

Thank you for your conscientious consideration of my concerns with the SFPD's lack of compliance with AB481, and for your careful, detailed deliberation.

Sincerely,

Arla S. Ertz
Member, San Francisco branch, Women's International League for Peace & Freedom
1096 Fulton St., Apt. 7
San Francisco, CA 94117

From: [regina.sneed](#)
To: [Young, Victor \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Subject: Rules Committee Military Equipment Policy agenda item: File number 220641
Date: Thursday, October 20, 2022 3:06:57 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members:

Please accept these comments on the revised draft ordinance scheduled to be heard in Committee on October 24, 2022, as I am not able to attend the hearing.

AB 481 is a public information and accountability tool. The law requires the Board of Supervisors to approve a use of military equipment ordinance only if the use policy will safeguard the public's welfare, safety, civil rights and civil liberties. I hope you will take the time to ensure that the ordinance does that from its inception and I hope you will include the requirements for the annual reporting to make sure you get all the information to perform your important oversight role.

San Francisco is a city of peace and does not favor the militarization of the police. With this ordinance, the Board has an obligation to review why we need the equipment and whether there are alternate means to accomplish policing policies and programs to protect the public.

Military equipment is more frequently deployed in low-income Black and Brown communities meaning that the impacts of misuse of military equipment is more acutely felt in these communities. Recent news reports indicate that the police and regulators of the police can not yet agree on a use of force policy. Will military equipment be misused if we do not have clear and specific descriptions for its usage that can be understood by citizens.

The ordinance lists all the equipment and it's permitted use but does not adequately explain the actual operational costs which from a citizens perspective includes the purchase price, the storage costs, the maintenance cost, the cost of operation, the training of operators and any need for replacements. Will the annual report provide a cost benefit analysis to determine whether we need the item at all or whether there is a better less costly option. The citizens want better community policing and social services. Where should our limited funds go?

The ordinance relies on the Board of Supervisors to protect the public interest but that is not enough in this complex world. The ordinance should include a private right of action to allow citizens to file suits to insure compliance with the law. California has championed this concept of consumer protection for the public in many laws since the 1970's. The ordinance should include this provision.

There are a few specific concerns that I do not think have been sufficiently addressed in the ordinance. In the description of use for some equipment, it is not clear to me how different special populations such as people with developmental disabilities, people with language barriers and people who can not hear or see would be protected. The ban on use of equipment must be very clear for these populations.

I am not clear whether this draft contains the required ban against use of chemical weapons like tear gas and rubber bullets from being used to control crowds. San Franciscans enjoy their protected first amendment rights to protest peacefully. The ordinance should reflect these rights.

Please take the time to pass a ordinance that safeguards public safety and civil liberties. I would also note that the Sheriff's Department has failed to submit its ordinance to the Board. The public should have a chance to review these ordinances together.

Thank you for the opportunity to provide comments.

Regina Sneed
District Two resident
Life member Women's International League for Peace and Freedom
San Francisco Branch

From: [regina.sneed](#)
To: [Young, Victor \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Subject: Rules Committee Military Equipment Policy agenda item: File number 220641
Date: Thursday, October 20, 2022 3:06:57 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members:

Please accept these comments on the revised draft ordinance scheduled to be heard in Committee on October 24, 2022, as I am not able to attend the hearing.

AB 481 is a public information and accountability tool. The law requires the Board of Supervisors to approve a use of military equipment ordinance only if the use policy will safeguard the public's welfare, safety, civil rights and civil liberties. I hope you will take the time to ensure that the ordinance does that from its inception and I hope you will include the requirements for the annual reporting to make sure you get all the information to perform your important oversight role.

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District Two resident
Life member Women's International League for Peace and Freedom
San Francisco Branch

From: [regina.sneed](#)
To: [Young, Victor \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Subject: Re: Rules Committee Military Equipment Policy agenda item: File number 220641
Date: Friday, October 21, 2022 4:41:09 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Members:

Please see the attached article about the use of armed robots by police in Oakland. I wish to add to my statement below that the San Francisco ordinance should ban arming robots for any police use in San Francisco.

Thank you.

Regina Sneed

<https://theintercept.com/2022/10/17/police-robot-gun-oakland/> Sent from my iPad

On Oct 20, 2022, at 3:06 PM, regina.sneed <reginasneed@yahoo.com> wrote:

Dear Members:

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Thank you for the opportunity to provide comments.

Regina Sneed

District Two resident

Life member Women's International League for Peace and Freedom

San Francisco Branch

From: [Betty Traynor](#)
To: [Peskin, Aaron \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Cc: [Young, Victor \(BOS\)](#)
Subject: Rules Committee 10/24/22: Military Equipment Policy agenda item: File number 220641
Date: Monday, October 24, 2022 1:26:55 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear members of the SF Board of Supervisors Rules Committee,

I have just looked at the SFPD letter of compliance with AB 481 and its list of military weapons they possess--Unbelievable! See partial list of what SFPD has in its inventory for use (in bold):

- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers: **Lenco BearCat with a Patriot 3 Liberator Ramp System**
- Battering rams, slugs, and breaching apparatuses: **Energetic Breaching Tool, Kinetic Breaching Tool, Pan Disrupter (attached to a robot), Ballistic Breacher Rounds** -
- "Flashbang" grenades and explosive breaching tools, "tear gas" and "pepper balls": **Flash Banks, Pepperball System**
- Projectile launch platforms and their associated munitions: **40mm Launcher, 12 Gauge (GA) Pump-Action Shotgun, 12GA Super-Sock Bean Bag Model 2581, CTS 4556 OC Impact, and more...**

Does the SFPD really need these weapons of war in our city--against whom will they use them? For what purpose? Will they be publicly displayed to be "shown off" in our communities to intimidate us?

Please members of the Board of Supervisors seriously question the SFPD's reason for these weapons? When and why do they anticipate using them? Will their loss really "jeopardize the safety of visitors, residents, and peace officers" or make us less safe by their very presence.

We are not a City at war but one that should be striving for peaceful resolution of conflicts.

Thank you very much,

Betty Traynor
District 5
Women's International League for Peace and Freedom-SF Branch

From: [Adrienne Fong](#)
To: [ChanStaff \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [MandelmanStaff, \[BOS\]](#)
Cc: [Young, Victor \(BOS\)](#)
Subject: To Rules Committee RE - Item 6 220641 [Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment]
Date: Monday, October 24, 2022 9:00:50 AM
Importance: High

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

To Supervisors Chan, Peskin and Mandelman,

From: Adrienne Fong (afong@jps.net)

RE: Item 6 on October 24, Rules Committee on the agenda

6. 220641 [Administrative Code - Funding, Acquisition, and Use of Certain Police Department Equipment]

As resident of San Francisco in district 2.

I was shock to learn of the arsenal of military equipment that SFPD has at its disposal.

My first impression was WHY? And WHO is this most likely to be used against. Lastly is do I trust SFPD?

The amount of money used for the equipment is appalling, when we have an increase of homelessness in SF and other pressing issues in SF.

A concern is that this equipment will primarily be used against Black, Brown and poor communities in SF. – especially as the economic situation gets worse.

I ASK THAT YOU QUESTION DEEPLY! There is significant data and guide lines missing in the report by SFPD, that is dangerous.

DON'T BE COMPLIC/IT IN PUTTING OUR MOST VULERALBE COMMUNITIES IN DANGER!

The militarization of SFPD is frightening!

Thank you for your time.

Sincerely,

Adrienne Fong
afong@jps.net

#	AB 481 Recommended Edits	pg. number	Supervisor	SFPD Response	SFPD Explanation
R1	<p>Section A.4 "Purpose": Change the following sentence "A remotely controlled unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and officers." to read:</p> <p>"A remotely controlled unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and officers by providing ground support and situational awareness for law enforcement operations."</p>	3	Peskin	Included/Accepted redline	
R2	<p>Section A.5 "Authorized Use": Change the following sentence "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." to read:</p> <p>"The robots listed in this section shall not be utilized outside of training and simulations, criminal apprehensions, critical incidents, exigent circumstances, or during suspicious device assessments. Robots shall not be used as a Use of Force against any person."</p>	3	Peskin	Revised and accepted	<p>SFPD has revised to read: "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 are immanent and outweigh any other force option available to SFPD"</p> <p>Robots are often used as an alternative to a TAC officer approaching a home during a high risk search warrant. The robot creates distance between a potentially dangerous situation and an officer's body. Robots can also be used to deploy a breaching apparatus or less lethal options such chemical agents. This deployment would fall under a "use of force" action. Supervisor Peskin's edit would remove SFPD's ability to create distance during some of the more dangerous and precarious situations TAC officers encounter. LAEs must be prepared to address scenarios where mass casualties are a potential and must be thwarted. In some cases deadly force against a threat is the only option to mitigate those mass casualties.</p>
R3	<p>Section B.5 "Authorized Use": Change from "To protect and safely transport SFPD personnel to active scenes. Used by Tactical and Specialist Teams" to read:</p> <p>"To protect and safely transport SFPD personnel to active scenes. Used only by Tactical and Specialist Teams when authorized by Command officers for:</p> <ul style="list-style-type: none">• mobile physical cover in incidents involving actual or threatened violence or when reasonable suspicion, based on articulable facts, exists that violence will occur using firearms or explosives; could• Vehicle blocking for incidents involving armed and unresponsive persons in vehicles;• Medical emergencies and disaster responses, when the armored vehicle's capabilities are necessary to prevent loss of life. <p>Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements."</p>	5	Peskin	Revised and accepted	<p>SFPD has revised to read: "To protect and safely transport SFPD personnel to active scenes. Used only by Tactical and Specialist Teams when authorized by commissioned officers:</p> <ul style="list-style-type: none">• mobile physical cover in incidents involving actual or threatened violence or when reasonable suspicion, based on articulable facts, exists that violence will occur using firearms or explosives; or any other deadly weapon;• Vehicle blocking for incidents involving armed and unresponsive persons in vehicles;• Medical emergencies and disaster responses, when the armored vehicle's capabilities are necessary to prevent loss of life." <p>Changing "command staff" to "commissioned officers" which are rank of Lieutenant and above as time wasted with bureaucracy may result in lives lost. SFPD TAC requires ability to be agile and deployed quickly. We have moved the sentence relating to logging and reporting to the "Annual Report" Section of this policy</p>

#	AB 481 Recommended Edits	pg. number	Supervisor	SFPD Response	SFPD Explanation
R4	Section C.5 "Authorized Use": deletion of "Battering ram on the BearCat may be used during a search/arrest warrant service after the prior approval of a magistrate."	6	Peskin	Revised and accepted	SFPD revised authorized use to read: "Entry apparatus on the BearCat may be used to allow personnel to enter or extract victims or suspects. Authorized to be used in high-risk tactical situations where de-escalation methods were unsuccessful or would be futile and other force options would jeopardize the safety of the public and officers. Used by Tactical and Specialist Teams See comments in Bear Cat, above"
R5	Section D.6. "Fiscal Impact": Is the Ford E-350 Van, 1992 still in use?	7	Peskin	Yes	
R6	Section E.4. "Purpose": add "if negotiation, de-escalation or other alternatives to entry are not possible." to the end of para 1.	8	Peskin	Revised and accepted	
R7	Section E.5. "Authorized Use": include "Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements."	9	Peskin	Revised and accepted	Moved this to the Annual Report section of the us policy so it applies to all items.
R8	Section F.2. "Quantity": Request for model names	10	Peskin	Included/Accepted redline	While model/make names are not clearly required by AB 481 and not readily available for all products listed in this use policy, we have updated to include the model names.
R9	Section F.5 "Authorized Use": include "Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements."	10	Peskin	Revised and accepted	Moved this to the Annual Report section of the us policy so it applies to all items.
R10	Section F.6.: "Fiscal Impact": "need to specify if this is a bundle or if purchased separately costs"	10	Peskin		confirmed that this cost is associated with a bundle.
R11	Section F.7.: "Legal and Procedural Rules": Tactical Unit Order 11-02: Use of Chemical Agent where is this public? Tactical Unit Order 21-02: Pepperball Systems where is this public?	11	Peskin	Will be posted publicly	Per Ca Penal Code § 13650, SFPD must post on its website all current standards polices and operating procedures that would otherwise be made available during a PRA. The Unit Order should be posted subject to redactions any information that could compromise the officer's safety or reveal tactical information. The department is reviewing and will post.
R12	Section G.1: "Description": needs model name	11	Peskin	Included/Accepted redline	While model/make names are not clearly required by AB 481 and not readily available for all products listed in this use policy, we have updated to include the model names.
R13	Section G.1: "Description": Revised description to delete the direction beam of sound as the department is no longer allowed to use in this way. Now the description reads as follows: "LRAD -Model 100X: A device that can be used as a specialized loudspeaker system that produces sound at a high power for directional communication communicating at a distance. LRAD sound is directionally focused toward the intended individual person or groups."	11	COP	Included/Accepted redline	
R14	Section G.4. "Purpose": change the purpose from "LRAD is used as a safe deterrent against hostile crowds or individuals committing violent acts: to read as follows: "LRAD is used as a safe deterrent against hostile crowds or individuals committing violent acts evidence shows it can lead to hearing loss/not safe"	11	Peskin	Not included	The Department revised the Purpose to read as follows: "LRAD is an amplified communication device used by law enforcement agencies to communicate to the public, suspect(s), hostile crowds, or during disaster management."

#	AB 481 Recommended Edits	pg. number	Supervisor	SFPD Response	SFPD Explanation
R15	<p>Section G.5. "Authorized use": change " LRADs may only be utilized as a public address system for commercial purposes. Any other use is not authorized." to read as follows:</p> <p>"LRADs may only be utilized as a public address system only for (1) Disaster or city-wide emergency management or (2) rescue operations including missing or lost persons at no louder than 120db." Regarding the sentence "Any other use is not authorized."- If we use this not authorized language here than we have to use it in other places. Also this conflicts with stated purpose</p>	11	Peskin	Revised and accepted	<p>SFPD revised the language to read as follows: "LRADs may only be utilized as a public address system only for (1) Disaster or city-wide emergency management (2) rescue operations including missing or lost persons at no louder than 120db (3) Dispersal Orders or (4) During Critical Incident to communicate to suspect(s)."</p> <p>SFPD deleted the following sentence: "Any other use is not authorized"</p> <p>SFPD removed the previous required approvals as the system will no longer utilize the deterrent tones.</p>
R16	Section G.5."Authorized Use": include "Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements."	12	Peskin	Revised and accepted	Moved this to the Annual Report section of the us policy so it applies to all items.
R17	<p>Section G.7. "Legal and Procedural Rules":</p> <p>Tactical Unit Order 21-01: Use of Extended Range Impact Weapons During Crowd Control -Not publicly available?</p> <p>Tactical Unit Order 04-03 Use of Chemical Agents ? Not publicly available?</p>	12	Peskin	Will be posted publicly	Per Ca Penal Code § 13650, SFPD must post on its website all current standards polices and operating procedures that would otherwise be made available during a PRA. The Unit Order should be posted subject to redactions any information that could compromise the officer's safety or reveal tactical information. The department is reviewing and will post online.
R18	Section H.4. "Purpose": Deleted "Nationwide, violent offenders outgun law enforcement and high-powered weapons continue to be weapon of choice for violent offenders confronting law enforcement and innocent civilians. In 2016, long guns (rifles, etc.) were used in 40% of firearms related line- of -duty deaths. From 1988 to -August 2019, more than 85% of mass public shootings have occurred in gun-free zones, like the workplace, schools, churches, and shopping malls where law enforcement may be in the vicinity and waiting for SWAT deployment is not timely. "	13	Peskin	declined	This narrative explains why law enforcement agencies started using these types of weapons. It is important for the public to understand the relevance to law enforcement use.
R19	<p>Section H.5. "Authorized Use": Change the use from "During large critical incidents/active shooter or incidents where an armed suspect is threatening the public or officers and where there may be a need to defeat body armor. To be used to effectively control a scene with increased distance between officer and subject allowing more time to deploy other force options." to read as follows:</p> <p>"During active shooter or incidents where an armed suspect with body armor is threatening the public."</p> <p>Peskin highlighted with a question: "To be used to effectively control a scene with increased distance between officer and subject allowing more time to deploy other force options."</p>	14	Peskin	declined	As written by Supervisor Peskin, this authorized use would limit all officers, including patrol, to use these weapons when they know an active shooter or suspect has body armor on. Knowledge or confirmation of body armor is not a feasible expectation. These firearms are also currently used as lethal cover for ERIW deployment when distance is more advantageous to officers. As these weapons are more accurate than handguns, and able to be used at greater distances they are more effective at addressing incidents where high-powered weapons are being used by subjects which limits the potential of injuring bystander or other unintended targets.
R20	Section H.5. "Authorized Use": include "Each deployment/use shall be logged with all deployment details and reported to the Assistant Chief of Operations or designee to fulfill annual reporting requirements."	14	Peskin	Revised and accepted	Moved this to the Annual Report section of the us policy so it applies to all items.

#	AB 481 Recommended Edits	pg. number	Supervisor	SFPD Response	SFPD Explanation
R21	Section I.4. " Purpose": delete "This can potentially prevent a deadly force encounter." and include "if de-escalation or negotiation is unsuccessful.	15	Peskin	declined	<p>SFPD has slightly revised the end of para 1 of the purpose to read: "The bean bag shotgun also allows officers to confront an armed or dangerous suspect at a longer distance. This can potentially prevent a deadly force encounter as the alternative is the use of a department issued firearm."</p> <p>Use of firearm is not dependent on unsuccessful de-escalation or negotiation. Use of a less lethal tools does not guarantee that a firearm will not be used but it does decrease the likelihood. Using a less lethal is an alternative to firing a service weapon but is still considered use of force.</p>
R22	Section I.4. " Purpose": delete "When deployed, they provide a less lethal force option and significantly reduce the risk of injury to citizens, suspects, and police officers." -Not a purpose	15	Peskin	declined	As chemical agents are defined as less lethal force options by law enforcement agencies, deleting this sentence eliminates the purpose of the use from the policy.
R23	Section I.4, "Purpose": include "Chemical agents shall not be used to disperse any assembly, protest or demonstration, except as permitted under California Penal Code Section 13652(b). Projectile launch platforms and their munitions shall not be aimed or fired at a person’s head, neck, throat or vital organs nor fired closer than 20 feet nor shall then be used against children, elderly persons or persons only engaged in passive resistance."	15	Peskin	Revised and accepted	SFPD modified this revision slightly to align with department policy: "Chemical agents shall not be used to disperse any assembly, protest or demonstration, except as permitted under California Penal Code Section 13652(b). Projectile launch platforms and their munitions shall not be aimed or fired at a person’s head, neck, throat or vital organs nor fired closer than 15 feet nor shall then be used against children, elderly persons or persons only engaged in passive resistance.
R24	Section 1.5 "Authorized use": Delete "De-escalation tool not likely to inflict serious injury."	16	Peskin	accepted	
R25	Section 2. Definitions: change from "Exigent Circumstances: An emergency involving imminent danger of death or serious physical injury to any person or destruction of property or evidence that requires the immediate use of equipment subject to the provisions of AB 481." : to read as follows: "Exigent Circumstances: An emergency involving imminent danger of death or serious physical injury to any person"	17	Peskin	declined	This edit would prohibit SFPD TAC from addressing hostile crowds destroying buildings or property (ex: Jan 6th insurrection or taking over an SFPD station or city hall). While this definition may apply to SF Admin Code 19b and its concern around PII collection and data sharing, the equipment under the provisions of AB 481 are not collecting PII and are acquired to disperse and control unusually dangerous and spontaneous events where typical SFPD patrol responses are not sufficient. SFPD and most law enforcement agencies defer to exigent circumstance definitions that include property destruction, destruction of evidence or lean on the reasonable belief of an officer that immediate action is necessary. SFPD offers to delete destruction of evidence from this definition as we do not believe that rises to the need for a TAC response.
R26	Section 3: Acquiring or seeking funds: Change section to read as follows: "Should stock of equipment listed in this Use Policy has reached significantly low levels, has been exhausted, needs maintenance or replacing, or if there exists an objectively reasonable expectation that stock may reach significantly low levels, the Department shall immediately notify the may purchase new stock without additional Board of Supervisors. approval to maintain essential availability for the Department’s needs public safety needs. The Department is authorized to acquire additional stock of items listed in this Use Policy from other law enforcement agencies of California Governor’s Office of Emergency Services (“CalOES”) in the event of an designated emergency when approved by the Chief of Police or designee"	18	Peskin	accepted	

From: [regina.sneed](#)
To: [Young, Victor \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Subject: Re: Rules Committee Military Equipment Policy agenda item: File number 220641 testimony for October 31, 2022
Date: Friday, October 28, 2022 2:18:08 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear members of the Rules Committee:

I have some additional comments and suggestions based on the latest formation obtained from the agenda materials for this meeting.

I do not see any written response from the Police Department to the questions raised by Supervisor Peskin in his annotated draft. Specifically, under F(7) and G (7), there are four tactical orders 11-02, 21-02, 21-01 and 04-03 which may or may not be public

It is important for the public to have some way to see the Police Department responses to these questions. These orders should be made public. They would explain how these weapons are used.

I note that the Sheriff's Department has not submitted its equipment ordinance yet. I stated before that it would be good to review and approve these two ordinances together.

I now want to turn to the most critical concerns I have about this ordinance.

Please look to other jurisdictions in the Bay Area that have better definitions defining authorized use. It needs to be clear and understandable for the public to know what is allowed and under what circumstances. The city has had a problem with use of force issues. Please make sure this policy contains specific language about use of force, what is lethal force.

I have written previously about a provision for private right of action to add another layer of accountability. I do not see this being discussed in the Committee. So, there is another way to approach this subject.

The Supervisors have a lot of oversight in the budget process. Please set up the annual report cycle under this ordinance with the Police Department budget cycle. San Francisco could establish this by setting the first report date to coincide with the budget deadline of March 1, 2023 for next fiscal year. The Police Department will have time to hold its required public hearing. The Board will be reviewing expenditures in the report at the same time as the Police Budget. It's a good time to make adjustments.

Berkeley and Oakland required early reports so they could make sure they were getting a good reporting system. Supervisor Chan had concerns about what would be included in the annual report. Getting the first report set up in the budget cycle provides an opportunity for early corrections of the content that may be desired by the Board and requested by the public.

The current draft anticipates automatic restocking of items if there was an unexpected reduction in stock. This provision does not appear to meet the requirements of the State law. One can imagine the types of situations that would deplete equipment stock. As a citizen, I want more scrutiny not less in such situations and the Board should want more scrutiny and transparency too.

Please take the time to pass the strongest and best ordinance to fulfill your oversight and accountability functions for us San Franciscans.

Thank you for the opportunity to provide these comments.

Regina Sneed
District Two resident

From: [regina.sneed](#)
To: [Peskin, Aaron \(BOS\)](#)
Cc: [Young, Victor \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Subject: Military Equipment Policy: File Number 220641
Date: Tuesday, November 1, 2022 12:22:49 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Peskin:

It was disappointing at the last Rules Committee meeting not to have a complete response from the Police Department to the questions and comments on this ordinance. Can you please make their response and any revised ordinance available to the public as soon as these documents are in hand prior to the November 7 hearing. Those of us in the community who are following this are trying to ensure that the final ordinance meets the state law requirements and that it meets San Francisco standards for protecting the public's civil rights.

My previous emails have offered a number of proposals that could make this a better more accountable ordinance. I hope you will consider including them and will at least address them at the Rules Committee next Monday.

Thank you.

Regina Sneed
District Two resident
Sent from my iPad

From: [regina.sneed](#)
To: [Young, Victor \(BOS\)](#); [Peskin, Aaron \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#)
Subject: Re: Rules Committee Military Equipment Policy agenda item: File number 220641 testimony for November 7, 2022
Date: Sunday, November 6, 2022 9:55:59 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Rules Committee members:

I have reviewed the most recent draft policy that will be considered by the Rules Committee on November 7, 2022. Please call for further amendments to address the following issues that are needed to ensure the public has full knowledge of how military equipment is being used by the police.

Remember that San Francisco is a city of peace. This policy should protect peace by the Board adopting a policy that embodies the highest level of accountability and transparency to protect the public from the misuse of military equipment.

The policy still is lacking in specificity for defining authorized uses. It is not clear to me under what circumstances and exactly how these weapons will be used. Assault weapons need to be added back into the policy as citizens are concerned that their use has lead to unnecessary deaths. We need real accountability here.

The policy needs to be tied to the budget cycle. I strongly recommend that we have an initial report in March 2023. Supervisor Chan has raised concerns about the annual report. Having an initial smaller report will go a long way to seeing whether the reporting is meeting the requirements of the State law. It will let the Board of Supervisors budget process increase the transparency around the police budget for the public's benefit.

I also want to note that the State law requires the annual report to include personnel costs associated with the equipment items and that includes training and maintenance costs. It appears that the police department may not be maintaining the required records. If this is accurate, then it is another reason to call for a process aligned with the budget to correct these possible reporting deficiencies.

The final issue that needs further amendments relates to restocking of equipment. The current draft allows the police department to restock depleted items for up to 10 million dollars without Board approval. This appears to defeat one of the main purposes of this policy which is to provide more oversight and transparency for the public to know and have the information to monitor the funding, acquisition and use of military equipment as decisions are being made. 10 million dollars is an awful lot of equipment to be purchased without Board and public oversight.

Thank you for the opportunity to provide comments on this policy.

Regina Sneed
District Two resident

From: [Arthur Koch](#)
To: [Young, Victor \(BOS\)](#)
Subject: AB 481. How should San Francisco PD use its militarized equipment?
Date: Monday, November 7, 2022 12:16:29 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Victor,

I'm not sure who I should be sending this to, but I plan to give on site testimony in Monday's Rules Committee Meeting in room 250 at 10:00am. I understand I only have two minutes to speak so I would like this on the written record in case I don't get to it all. Please forward to whoever documents the written record, or needs to know.

Thanks!

Art Koch

415-385-4136

Hi, my name is Arthur Koch and I live in San Francisco District #9. I represent the SF Friends Meeting Just a couple blocks from here at 65 S. 9th street. I ask the Board of Supervisors to call for further amendment of the proposed military equipment policy to:

1. Fully define authorized use for all weapons, especially assault weapons.
2. Align receipt of annual report with budgets.
3. Require transparency and restocking – no blank checks for up to \$10 million.
 - As a Quaker pacifist, I don't think the SFPD should have so many weapons of War. We are a city not a military. I think the proposed policy is morally and ethically wrong.
 - This policy does not safeguard the public's welfare, safety, civil rights, or civil liberties (and AB 481 requires governing bodies to ONLY approve the use policy if it "will safeguard the public's welfare, safety, civil rights, and civil liberties.")

My personal story is: I visited a friend in Visitacion Valley a couple years ago (one of the poorest neighborhoods in San Francisco) and I witnessed a military style armored vehicle making a drug bust at his neighbor's house. It was shocking and seemed way out of proportion to me, like it was a different reality than other neighborhoods in SF. I was more afraid of the Police than all the poverty and crime that surrounded me. Breaching devices should not be deployed against a person, and should only be used on doors or similar entryways. Military equipment is more frequently deployed in low-income Black and Brown communities, meaning the risks and impacts of police militarization are experienced most acutely in marginalized communities." [AB 481]

If I get to it:

The proposed policy should not allow unrestricted restocking

The proposed policy allows SFPD to acquire equipment without prior BOS approval if it runs low on any of its stock, or simply wishes to replace any of its equipment. SFPD may do so for up to *ten million dollars*.

What could SF fund with ten million dollars? How might that go towards schools, housing, youth employment, or public infrastructure?

If stocks run low, this is exactly the situation in which *more* oversight is needed, not less. The public has a right to know why that supply was unexpectedly depleted, how it was used, and whether to expect similar levels of use in the future.

From: [Arthur Koch](#)
To: [Peskin, Aaron \(BOS\)](#); [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Young, Victor \(BOS\)](#)
Subject: Rules Committee Military Equipment Policy agenda item: File number 220641 testimony for November 7, 2022
Date: Monday, November 7, 2022 8:55:20 AM

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To the Rules Committee Members,

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If stocks run low, this is exactly the situation in which *more* oversight is needed, not less. The public

has a right to know why that supply was unexpectedly depleted, how it was used, and whether to expect similar levels of use in the future.

My story: A couple years ago I visited a friend in Visitation Valley, one of the poorest neighborhoods in San Francisco, and I witnessed a military style armored vehicle making a drug bust at his neighbor's house. It was shocking and seemed way out of proportion to me, like I was in another reality that I don't see in other neighborhoods.

The proposed policy cedes authority to other jurisdictions

The section on "Collaboration With Outside Law Enforcement Agencies" allows other jurisdictions to potentially deploy military weapons with fewer safeguards in place with no accountability to the people of San Francisco.

SFPD should instead adopt a policy that restricts equipment use to be the same as what the Board of Supervisors has approved. Sample language to use instead:

Equipment not listed in this policy shall not be used by any other law enforcement agency or member in this jurisdiction. When collaborating with outside agencies within San Francisco's jurisdiction, SFPD shall ensure all outside agencies' weapon use shall comply with this policy.

Align receipt of annual report with budget process

- How many personnel devoted how many hours toward training on each weapon? What was the cost of that personnel time?
 - How many hours were devoted by all personnel towards cleaning rifles? Towards cleaning or maintenance on each weapon?
- Were any of the above at an overtime rate?

To support SFPD in meeting this requirement, San Francisco should follow neighboring cities Berkeley and Oakland in setting a specific delivery date of its annual report (which the state law only requires to be delivered "within one year of approval"). Oakland requires the first annual report be delivered by March 15. By setting a similar March deadline, SFPD will not only be able to avoid a rush before the last minute, it will also be able to deliver a smaller initial report, confirm earlier in the process whether it is tracking all the information required by law, and provide context for [its requested budget for the next fiscal year](#).