

San Francisco Police Department Firearm Discharge Review Board Report & In-Custody Death Review Board Report



CITY & COUNTY OF SAN FRANCISCO

Police Department

11/13/24

Firearm Discharge Review Board

In the 3rd Quarter of 2024, the Firearm Discharge Review Board reviewed the following completed Officer-Involved Discharge:

- OIS 21-001

Officer-Involved Shooting 21-001

On May 7, 2021, at approximately 1230 hours, SFPD Dispatch broadcasted information about suspects in a silver Mitsubishi committing auto burglaries in the area of Fisherman's Wharf.

Central Station Plainclothes Officers went out in three separate unmarked vehicles to different locations to try and locate the silver Mitsubishi and the suspects. The plainclothes sergeant started late that day. As the officers were leaving the station, they saw the sergeant and notified them as to their plan to attempt to locate the vehicle.

Two officers who were riding together located the silver Mitsubishi by the Ferry Building on the Embarcadero. They observed two of the occupants commit two separate auto burglaries, stealing luggage from parked vehicles.

Officer-Involved Shooting 21-001 (cont'd)

The two officers relayed what they had witnessed to the other members of the team, as well as to their sergeant who was monitoring the officers on an encrypted channel while they got ready for their shift.

The officers followed the Mitsubishi into the Southern District where they temporarily lost sight of the vehicle. The officers located the vehicle parked at Varney Place & Jack London Alley. Two of the occupants were standing outside of the vehicle, rummaging through the stolen luggage. Another suspect was sitting in the driver's seat.

Officer #1 exited the vehicle and monitored the subjects on foot. Officer #2 parked the vehicle and joined Officer #1 on foot.

Officer-Involved Shooting 21-001 (cont'd)

A plan was discussed by Officer #3 to use spike strips; however, they were unable to deploy the spike strips as an adjacent alley in front of the vehicle was blocked off due to construction.

The plainclothes team stated they did not call for a marked unit as often times the burglary crews carry scanners, and when they see or hear police presence, they will flee, putting the public at risk.

Officer #1 and Officer #2 formulated a plan to prone the suspects out at gun point and take them into custody.

Officer #1 and Officer #2 had their SFPD Stars displayed, and each had their gun out.

Officer-Involved Shooting 21-001 (cont'd)

One of the subjects saw Officer #1 and jumped back into the Mitsubishi. The other suspect standing outside of the vehicle had not yet been alerted to the officers' presence.

Now that the officers had been spotted and to avoid the suspect from escaping, Officers #1 and #2 ran to the suspect. Officer #1 identified themselves by yelling, "Police Department!" and bear hugged the suspect.

Officer #1 heard a loud "Pop" and saw the suspect bleeding from the left arm. Officer #1 realized that they had their gun out and had unintentionally shot the suspect. Officer #1 explained that in their mind they truly believed that they had holstered their gun before running to grab the suspect.

Officer #1 rendered aid to the suspect and a tourniquet was applied. The sergeant responded to the scene after the OIS.

Officer-Involved Shooting 21-001 (cont'd)

Recommendations to COP:

Officer #1

Department General Order:

5.01.I.D, Use of Force, Proportionality, UA - **Out of Policy/Improper Conduct**

5.01.II.B, Use of Force, Immediate Threat, UA- **Out of Policy/Improper Conduct**

5.01.VI.G.1.a, Use of Force, Handling of Firearms, UA - **Out of Policy/Improper Conduct**

5.01.VI.G.2.a, Use of Force, Discharge of Firearms or Other Deadly Force, UA - **Out of Policy/Improper Conduct**

5.01.VI.G.3 Use of Force, Rendering Aid, ND - **In Policy / Proper Conduct**

5.01.VI.G.4, Use of Force, Reporting Discharge of Firearms, ND - **In Policy / Proper Conduct**

5.08.I.B Non-Uniformed Officers, ND – **In Policy / Proper Conduct**

8.11, Investigations of Officer-Involved Shootings and Discharges, ND - **In Policy/Proper Conduct**

Unit Order Operation Bureau Plainclothes Policy, ND - **In Policy / Proper Conduct**

Officer #2

Department General Order:

5.01.I.D, Use of Force, Proportionality, UA - **In Policy/Proper Conduct**

5.08.I.B Non-Uniformed Officers, ND – **In Policy / Proper Conduct**

8.11, Investigations of Officer-Involved Shootings and Discharges, ND - **In Policy/Proper Conduct**

Unit Order Operation Bureau Plainclothes Policy, ND - **In Policy / Proper Conduct**

Sergeant

DGO 1.04 Duties of Sergeants: **Proper Conduct**

Unit Order Operations Bureau – Plainclothes Policy: **Proper Conduct**

In-Custody Death Review Board

In the 3rd Quarter of 2024, there were **zero** In-Custody Death cases presented to the In-Custody Death Review Board.

Status of Open Officer-Involved Shooting Investigations

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In-Custody Death Investigations

Open OIS and ICD Investigations: 2017-2024

Date of Incident	Criminal Investigation	3304 Date	Investigation Status
OIS 17-001 (01/6/17) 515 Capitol Ave Taraval District	Criminal case against member dismissed on 7/18/2023.	7/18/2024	Case presented to COP.
OIS 17-007 (12/01/17) Fitzgerald/Hawes Bayview District	Criminal case against member dismissed on 5/19/2023.	5/19/2024	Case presented to COP.
OIS 19-003 (12/7/19) 3824 23 rd Street Mission District	Criminal case against member dismissed on 5/19/2023.	5/19/2024	Case presented to FDRB.
OIS 21-001 (05/07/21) Varney St @ Jack London Alley Southern District	District Attorney issued a letter of declination on 1/24/24.	1/24/2024	Case presented to COP.
OIS 21-002 (11/17/21) 917 Folsom Street Southern District	District Attorney issued a letter of declination on 6/4/24.	6/4/2025	Active administrative investigations.
OIS 22-001 (1/20/22) San Francisco Int'l Airport Airport Bureau	California DOJ issued report on April 2024; no further action to be taken.	4/24/2025	Active administrative investigations.

Open OIS and ICD Investigations: 2017-2024

Date of Incident	Criminal Investigation	3304 Date	Investigation Status
<p>ICD 22-001 (3/16/22) 1432 Halibut Court Southern District</p>	<p>District Attorney issued a letter of declination on 2/27/24.</p>	<p>2/27/2025</p>	<p>Active administrative investigations.</p>
<p>OIS 22-003 (5/19/22) Mariposa / Owens Southern District</p>	<p>California DOJ has not rendered a decision.</p>	<p>Pending criminal investigation.</p>	<p>Active criminal and administrative investigations.</p>
<p>OIS 22-005 (8/6/22) 381 Shotwell Street Mission District</p>	<p>District Attorney issued a letter of declination on 2/27/24.</p>	<p>2/27/25</p>	<p>Active administrative investigations.</p>
<p>ICD 22-002 (10/04/22) 1899 Waller Street Park District</p>	<p>District Attorney issued a letter of declination on 2/27/24.</p>	<p>2/27/2025</p>	<p>Active administrative investigations.</p>
<p>OIS 23-001 (5/19/23) 100 Block of Bosworth Street Ingleside District</p>	<p>District Attorney has not rendered a decision.</p>	<p>Pending Criminal Investigation.</p>	<p>Active criminal and administrative investigations.</p>
<p>OIS 23-002 (6/22/23) 700 Block of 31st Avenue Richmond District</p>	<p>District Attorney has not rendered a decision.</p>	<p>Pending Criminal Investigation.</p>	<p>Active criminal and administrative investigations.</p>

Open OIS and ICD Investigations: 2017-2024

Date of Incident	Criminal Investigation	3304 Date	Investigation Status
<p>OIS 23-003 (7/26/23) Fairfax Avenue / Catalina Street Bayview District</p>	<p>District Attorney has not rendered a decision.</p>	<p>Pending Criminal Investigation.</p>	<p>Active criminal and administrative investigations.</p>
<p>OIS 23-004 300 Block of Jones Street Tenderloin District</p>	<p>District Attorney has not rendered a decision.</p>	<p>Pending Criminal Investigation.</p>	<p>Active criminal and administrative investigations.</p>
<p>OIS 23-005 1000 Block of Laguna Street Northern District</p>	<p>District Attorney has not rendered a decision.</p>	<p>Pending Criminal Investigation.</p>	<p>Active criminal and administrative investigations.</p>
<p>OID 001-24 San Francisco, CA.</p>	<p>District Attorney declined to prosecute.</p>	<p>2/22/2025</p>	<p>Active administrative investigation.</p>
<p>OIS 24-001 Jennings Street / Donner Avenue Bayview District</p>	<p>District Attorney has not rendered a decision.</p>	<p>Pending Criminal Investigation.</p>	<p>Active criminal and administrative investigations.</p>
<p>OIS 24-002 Willow Street / Van Ness Avenue Northern District</p>	<p>District Attorney has not rendered a decision.</p>	<p>Pending Criminal Investigation.</p>	<p>Active criminal and administrative investigations.</p>



SAN FRANCISCO
POLICE DEPARTMENT