

From: Sam Lew
To: [Doe, Publications \(REG\)](#)
Subject: Requested Review of the Draft Digest Language of Taser Ballot Measure
Date: Tuesday, February 27, 2018 4:49:56 PM

Dear Chair Packard and Committee Members:

I am writing in my capacity as Executive Director of the Coalition on Homelessness, and member of the SFPD Electronic Control Weapons Working Group.

As a member of that group, we have done extensive research on the use of this weapons and have had extensive work on developing the policy for the use of this weapon. Four different Police Officer's Associations, the ACLU, the Bar Association and variety of different stakeholders were involved in the working group. We are in the final phase of completing the policy governing the use of this new weapon which was already approved by the Police Commission. There are many factors involved in developing policy; safety of the public and officers, alignment with 21st century policing and updated use of force guidelines, current law, training, oversight, and accountability.

In reviewing draft digest language for the measure, there are many important features that should be made apparent to voters but which are currently missing.

- 1). The Ballot measure would override current policy as set by the San Francisco Police Commission with extensive input from stakeholders.
- 2). The Ballot measure authorizes a specific policy for the use of a less lethal weapon, which includes use on unarmed suspects who are resisting arrest.
- 3). The ballot measure sets a standard for when the weapons are to be used, that cannot be adjusted or changed based on experience with misuse by the SFPD police commission.

The ballot initiative states: "It shall be the policy of the City to equip officers with CEDs for the purpose of resolving encounters with subjects who are actively resisting, assaultive, or exhibiting any action likely to result in serious bodily injury or death of another person, themselves or a police officer." This language is something that the police commission is currently struggling with. Former police Chief Suhr recommended for example, that only a portion of the officers be equipped with this weapon, specifically Crisis Intervention Team officers, and that the weapon be prohibited from use on unarmed suspects. In particular, the initiative would allow for use on suspects who are "actively resisting." This is defined by the San Francisco Police Department Use of Force Guidelines as: "Physically evasive movements to defeat an officer's attempt at control including bracing, tensing, running away, verbally or physically signaling an intention to avoid or prevent being taken into or retained in custody." If this measure were to pass, neither the Police Commission nor the Police Department would be permitted to create a general order or adopt a policy that would further restrict the use of Tasers on individuals who are "verbally . . . signaling an intention to avoid . . . being taken into or retained in custody."

- 4). The weapon should be described as "Electronic Control Weapon."

The commonly used term is "Electronic Control Weapon," as this is used by Department of

Justice, and they are classified as “less-lethal” not “non-lethal.” They are a weapon and they are known to cause injury and death. In addition, they should be described as "weapons that function by firing metal barbs into the skin of the subject, allowing the user to administer an electric shock which can potentially result in injury or death, or incapacitation.”

“A ‘YES’ Vote Means: If you vote “yes” you want to override current SFPD taser policy as developed by the Police Commission with stakeholder input, and require that the San Francisco Police Department to purchase and maintain tasers for each police officer, and to authorize officers to use tasers on those who are actively resisting, assaultive, or exhibiting any action likely to result in serious bodily injury or death, which cannot be changed by the Police Department or Police Commission.”

Sincerely,

Jennifer Friedenbach

jfriedenbach@cohsf.org

Coalition on Homelessness

468 Turk Street

San Francisco, CA 94102

(415)346-3740/fax (415)775-5639