

DGO 3.10 DPA Rec Grid and SFPD Responses
Stage 2

#	DPA Recommendations for DGO 3.10 Serious Incident Review Board	SEC or p. #	Date Submitted	SFPD response	SFPD explanation	Open/Closed
R1	Suggest a slight re-wording of the last sentence in first paragraph of Policy section. We suggest: "Efficient review of these incidents will improve officer safety, procedures, and training. Transparency around the SIRB findings will strengthen public trust."	Page 1, first paragraph, last sentence under 3.10.01 Policy section	11/6/23	Recommendation has been included in draft DGO		Closed
R2	Second paragraph of Policy section: Recommend striking the word defining and adding "and defines"	Page1, second paragraph under 3.10.01 Policy Section	11/6/23	Recommendation has been included in draft DGO		Closed
R3	Third paragraph of Policy section: Suggest using active tense and being specific about what members of the command staff can call for a FTFO Unit review. Suggested language: "For incidents that do not fall within the scope SIRB, any member of the Command staff [is this true?] may assign the incident to the FTFO Unit to conduct a Training-Division level review. "	Page1, third paragraph under 3.10.01 Policy Section	11/6/23	Recommendation will be modified and included in the draft DGO	Upon further review, FTFO review recommendations fall outside of the scope of this DGO. This language was removed. Discussed with DPA and they are in agreement.	Closed
R4	3.10.02 - Regarding "other identified issues." Who's responsibility is it to identify the issues to be addressed at the SIRB? SIRB or CoP? Perhaps clarify.	Page 1, first paragraph under 3.10.02 Purpose section	11/6/23	Recommendation will be modified and included in the draft DGO	Discussed and changed language to "The SIRB will opine upon policy findings, training, tactics, decision-making, procedures, trends and/or other identified issues identified by the SIRB." Discussed with DPA and they are in agreement.	Closed
R5	For the definitons of SBI and In Custody deaths, DPA recommends adding a definition of "proximate cause" since legal term: "Proximate cause is the primary (not remote) cause of the injury." DPA also recommends adding language: "In the case of close questions regarding whether the officers actions, or inaction, caused the SBI/In Custody death, the SIRB shall review the incident in an abundance of caution." Causation can be a complex topic. DPA requests to discuss with SMEs.	Page 1 under 3.10.03 DEFINITIONS	11/6/23	Recommendation will be modified and included in the draft DGO	Concur with DPA recommendation. Definition of "Proximate Cause" added. SFPD does not concur with the additional recommended language as such reviews may be done without the involvement of SIRB and the recommended language is too generalilzed which would require further explanatory language. Discussed with DPA and they are in agreement.	Closed
R6	<u>3.10.03.A - Serious Bodily Injury definition.</u> DPA requests to discuss the hospital admittance requirement with the SMEs. Hospitals are often loathe to admit individuals (especially someone arriving in handcuffs with police officers) and one can lose consciousness, have a broken bone, and require extensive suturing in the emergency department but still not be admitted to a hospital. With those types of serious injuries, shouldn't the SIRB review them despite that the injured person was not admitted to a hospital, to determine policy compliance and any training, supervisor, weapon, policy recommendations for the future? Does FTFO Unit review incidents during which a suspect is injured but there is no hospitalization? Is a memo created? What is the scope of FTFO review at the Training-level?	Page 1 under 3.10.03 DEFINITIONS	11/6/23	Recommendation will not be included in draft DGO	Covered incidents currently involve hospitalization, which requires higher level admin and crim investigations. Including the contemporaneous supervisory evaluation, there are other avenues for addressing the outcome of the use of force (vs. the reasonableness of the actions taken). Discussed with DPA and they are in agreement.	Closed
R7	DPA requests to discuss the In Custody death language in 3.10.04 with SMEs.	Page 2 under 3.10.04 THE SERIOUS INCIDENT REVIEW BOARD	11/6/23	Recommendation has been included in draft DGO	Additional language pertaining to what is is considered an "In Custody Death" has been added. Discussed with DPA and they are in agreement.	Closed
R8	3.10.04 - Suggest that the DGO explicitly state what investigative findings the SIRB is reviewing (DPA, SFDA, IAD, SFDA (?))	Page 2 under 3.10.04 THE SERIOUS INCIDENT REVIEW BOARD	11/6/23	Recommendation will not be included in draft DGO	The investigative findings that are reviewed by the SIRB are determined on a case by case basis dependent on what is made available to the SIRB therefore cannot explicitly state which investigative finding will be reviewed. Discussed with DPA and they are in agreement.	Closed
R9	3.10.04 - Advisory Members of SIRB. Recommend that "Director of DPA" be changed to the following: "The Executive Director of DPA or designees."	Page 2 under Advisory Members in section 3.10.04 THE SERIOUS INCIDENT REVIEW BOARD	11/6/23	Recommendation will be modified and included in the draft DGO	The edit is based on a one-for-one replacement. The DPA has a single replacement as their designee. Under the Advisory Members section for Subject Matter Experts, added: "Designees per DPA with case knowledge on the incident in review". Discussed with DPA and they are in agreement.	Closed

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R10	Who presents the criminal investigation to SIRB referenced in the Presentation by Training Division section? (3.10.04.B.a (p.4.))	Page 2 under Advisory Members in section 3.10.04 THE SERIOUS INCIDENT REVIEW BOARD	11/6/23	Recommendation will not be included in draft DGO	Typically the administrative presentation will include the criminal findings. To be clearer, edit made to the referenced section to read, "After presentation of the investigative findings,..." Discussed with DPA and they are in agreement.	Closed
R11	Recommend that "Disengagement" be added to the list of "Decision-Making/Tactical Deficiency" (p.5)	Page 5 section v. Decision Making/Tactical Deficiency	11/6/23	Recommendation will be modified and included in the draft DGO	Concur with the DPA recommendation. "Disengagement procedure" added to second bullet in list of Tactical Coordination and Situational Assessment examples. Discussed with DPA and they are in agreement.	Closed
R12	Recommend tweaking language of the last sentence to read: "Within 30 calendar days of receiving SIRB's summary and recommendations about a reviewed incident, the CoP shall provide SIRB's summary and recommendations, as well as the CoP's findings or decision, to the Police Commission and the DPA Executive Director. " (Note: Added DPA but shouldn't all the participants in SIRB receive a copy of the Chief's final decision?)	Page 6 last paragraph	11/6/23	Recommendation will not be included in draft DGO	Concur that follow up related to Chief's finding and final disposition would be useful so added language to include the Chief's summary as an agenda item for the next scheduled SIRB convention. could include Chief's decision on prior SIRB cases. Discussed with DPA and they are in agreement.	Closed
R13	DPA recommends that there be a debriefing/notification to the involved officers of SIRB's findings. This is an important piece that is often left out.	Page 6 last paragraph	11/6/23	Recommendation has been included in draft DGO	Concur with DPA. Language has been added under 3.10.04, B, 4. Discussed with DPA and they are in agreement.	Closed