

RECOMMENDATION SUBMISSION AND RESPONSE FORM

2018 UOF #1

DISCUSSED BY SCPRC		APPROVED AND IMPLEMENTED	X	PENDING FURTHER REVIEW	
RECEIVED BY SPD	12/31/2018	APPROVED AND PENDING		SPD UNABLE TO IMPLEMENT	
RETURNED TO SCPRC	05/31/2023	PARTIAL IMPLEMENTATION		DENIED	

SCPRC RECOMMENDATION

GO 580.02 Use of Force
GO 580.12 Less Lethal Weapons System
GO 580.10 Use of the Conducted Energy Device
GO 522.02 Use of Force
RM 532.02 Search & Handcuff Manual
RM 532.11 First Amendment Assembly Manual
RM 580.08 Baton Manual

SPD's use of force policy is too broad and ambiguous, and does not commit police officers to resolve confrontations with the utmost regard for the preservation of life.

Changes to Existing Policy(s): Revise SPD policy on use of force to allow the use of deadly force (including firearms) only as a last resort and when reasonable alternatives have been exhausted or are not feasible to protect public and officer safety.

SCPRC RECOMMENDATION RATIONALE

There have been multiple UOF incidents involving SPD that have raised significant concerns about how SPD officers prioritize their own safety compared with the members of the public. SPD has killed 6 people in UOF incidents in the last 5 years, several of which led to widespread protests in Sacramento and across the country. These include, but not limited to:

- (a) Dazion Flenaugh, who was shot in the Parkway Neighborhood by SPD on 04/08/2016 after SPD responded to a mental health crisis call that led to a subsequent chase. His case was one of two that prompted the city to review how police handle encounters with mentally ill suspects and suspects wielding knives.
- (b) Joseph Mann, who was shot on Del Paso Blvd on 07/11/2016 after SPD responded to reports of a man behaving erratically while holding a knife near an apartment complex. Officers first tried to hit Mann with their car before they left the car and fired 18 shots, 14 of which struck him. His family later said he was mentally ill and sued the city over the incident, with his case become a flashpoint for police reform protests at the time.
- (c) Stephon Clark, who was shot in his grandmother's backyard in the Meadowview neighborhood on 03/18/2018 after SPD responded to calls of a suspicious person breaking car windows. He was shot 8 times in less than 10 seconds, 6 of which struck him in the back, after officers confused his cellphone for a weapon. His case led to widespread protests for police accountability in Sacramento, resulting in changes to SPD's foot pursuit policy and the statewide adoption of AB 392 changing the UOF policy.

SPD RESPONSE

City Council staff report by Deputy Chief Lester on 06/01/2021:

https://sacramento.granicus.com/player/clip/4964?meta_id=631991

SPD policy now includes the following:

- Imminent threat
- Last resort
- AB 392 verbiage
- 835a PC verbatim

OTHER CITY DEPARTMENTS

N/A

APPENDIX

N/A