

SAN FRANCISCO PUBLIC DEFENDER

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June 2, 2016

California Attorney General Kamala Harris
Office of the Attorney General
455 Golden Gate, Suite 11000
San Francisco, CA 94102-7004

Re: Second request for investigation into the San Francisco Police Department

Dear California Attorney General Harris,

In light of new revelations and for the second time in two months, I write to urge you to open a civil rights investigation into the San Francisco Police Department's practices.

The Civil Grand Jury this week released a [scathing report](#) citing numerous scandals, from theft to incompetence, that have damaged the credibility of the Francisco Crime Lab. Citing the lack of transparency, insufficient scientific knowledge among police supervisors, and perceived bias toward the prosecution, the Grand Jury called for the lab to separate from the police department and become independent.

Since my last letter, another person of color has been killed by an SFPD officer. On May 19, Sgt. Justin Erb fatally shot Jessica Williams, 29, an unarmed black woman, while investigating a car theft.

African American women like Ms. Williams bear the brunt of San Francisco's racially lopsided enforcement. In its [2015 report](#), the Center for Juvenile and Criminal Justice found that black women, who make up less than 6 percent of San Francisco's female population, account for nearly half of all female arrests. They are arrested at 13 times the rate of women of other races, a number that has risen sharply over the past 35 years.

Ms. Williams' death at the hands of a supervising officer appears senseless. Indeed, police have offered no explanation for her shooting. I believe this tragedy may have been avoided if the police department was under an active civil rights probe by your office. At the very least, it would have signaled to SFPD officers that their practices were being monitored by an investigation that carried legal consequences.

Ms. Williams' shooting is the latest in a string of killings of young people of color. Mario Woods, a 26-year-old African American man, was shot at least 21 times by San Francisco police while appearing to walk away on December 2, 2015. On February 26, 2015, San Francisco police fatally shot Guatemalan immigrant Amilcar Perez-Lopez. The Perez-Lopez family has filed a federal lawsuit after a private autopsy showed he was shot in the back. On March 21,

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San Francisco, CA 94127
P: 415.753.7601
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Juvenile Division - JJC
258A Laguna Honda Blvd.
San Francisco, CA 94116
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Clean Slate
P: 415.553.9337
www.sfpublicdefender.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

2014, members of the SFPD shot at 27-year-old Alex Nieto 59 times at a public park, killing him.

The department's use of force is not the only practice to have garnered controversy. The widespread corruption and bigotry allowed to take hold in the department has not gone unnoticed by other agencies.

Last month, U.S. District Judge Charles Breyer accused an SFPD officer of perjury after surveillance contradicted his sworn testimony about the arrest and search of an African American man. A second officer appears to have perjured himself in a written report. The federal judge dismissed the case against the defendant and called the officer's conduct "an affront to all of us."

In April 2015, federal public defenders filed papers in U.S. District Court alleging that a Tenderloin drug sting by San Francisco police and federal agents was racially biased. Operation Safe Schools resulted in 37 arrests, all of African Americans. Police video of the arrests shows officers declining opportunities to arrest non-black suspects.

In addition, two separate groups of officers since 2011 have exchanged racist and homophobic text messages, mocking and wishing violence upon the very citizens they were sworn to protect and serve.

These incidents reveal a pattern and practice within the police department that has allowed disparate treatment of black and Latino people to fester and grow. With the resignation of Chief Greg Suhr and the appointment of Acting Chief Toney Chaplin, San Francisco is at a crossroads in criminal justice reform. It is critical that we have an enforcement mechanism to ensure any improvements are heeded.

Therefore, I am again requesting that your office open a civil rights investigation because the Attorney General has the sole power and authority under California Civil Code §52.3 to oversee any reforms directed, a power both the Department of Justice COPS program and the District Attorney's committee lack.

Respectfully,

A handwritten signature in black ink, appearing to read "Jeff Adachi". The signature is fluid and cursive, with a prominent loop at the beginning and a long, sweeping tail.

Jeff Adachi
San Francisco Public Defender