



U.S. Department of Justice

Washington, DC 20530

Mr. Alan L. Schlosser
Senior Counsel
Ms. Claudia Center
Senior Staff Attorney
ACLU of Northern California
39 Drumm Street
San Francisco, CA 94111

APR 27 2016

Dear Mr. Schlosser and Ms. Center:

This responds to your letter to the Attorney General dated January 29, 2016, regarding the fatal shooting of Mario Woods by officers from the San Francisco Police Department on December 2, 2015. In your letter, you request that the U.S. Department of Justice investigate the shooting death of Mario Woods. You request further that the Department conduct a pattern and practice investigation into the San Francisco Police Department.

As you may be aware, the Department's Office of Community Oriented Policing Services, through its Collaborative Reform initiative, is conducting an in-depth review of the use of force policies, practices, and accountability systems of the San Francisco Police Department. These findings will allow the police department to implement the best practices in law enforcement and empower the community to hold the department to those standards.

With regard to your request that the Department conduct an investigation into the shooting of Mario Woods, the Criminal Section of the Civil Rights Division and the United States Attorneys' Offices enforce the federal criminal civil rights statutes. Much of our enforcement activity relates to the investigation and prosecution of deprivations of civil rights under color of law. These matters generally involve allegations of excessive physical force or sexual abuse by law enforcement officers.

The Special Litigation Section of the Civil Rights Division has authority to investigate complaints concerning a pattern or practice of misconduct by law enforcement agencies, such as police departments and sheriffs' offices. When a systemic pattern or practice of misconduct is determined to exist, the Division has the authority to initiate a civil action against a jurisdiction in order to remedy the misconduct.

We are aware of this incident and have been monitoring the local criminal investigation. At the conclusion of the local investigation, we will review the results for possible violations of the federal criminal civil rights statutes and conduct any further investigation that may be

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appropriate. The Department will then make a determination as to whether a prosecutable violation of the federal criminal civil rights statutes exists and take appropriate action. The investigation of state and local officials who abuse their positions of authority always has been, and remains, a high priority of this administration.

We are also considering this incident, along with other information we have received, to determine whether a pattern or practice investigation of the San Francisco Police Department is warranted. This assessment is ongoing, and, together with the United States Attorney's Office for the Northern District of California, we will continue to evaluate the information we have received about San Francisco Police Department. As we mentioned previously, however, at this point the Office of Community Oriented Policing Services is taking the lead for the Department on reviewing the use of force policies, practices, and accountability systems of the San Francisco Police Department.

If you have any additional information regarding this matter pertaining to either a criminal, or pattern or practice, investigation that you would like us to consider, you may forward it to the appropriate addresses set forth below:

U.S. Department of Justice
Criminal Section - PHB
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

U.S. Department of Justice
Special Litigation Section - PHB
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

M. Keith Burton for
Alexa Chappell
Intergovernmental Liaison