

JULY 10, 2024,

REGULAR MEETING, CITY HALL

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco at 5:40 p.m.

PRESENT: Commissioners Clay, Walker, Benedicto, Yee, Vice President Carter-Oberstone and President Elias
EXCUSED: Commissioner Yanez

1. Weekly Officer Recognition Certificate
Presentation of an Officer who has gone above and beyond in the performance of their duties.
- Officer Anthony Watson, Star No. 2481, Southern Station

Captain Luke Martin recognized Officer Anthony Watson. Provided a background on Ofc. Watson and his work.

PUBLIC COMMENT

None

GENERAL PUBLIC COMMENT

Name not stated: Provided opinion regarding electing a Police Chief, provided opinion regarding foot patrols.

Name not stated: Made references to a zoo.

Name not stated: (ASL Interpreter translated for commenter) Commenter, through interpreter, spoke about a personal incident when contacting the Police. Questioned language device access and training on these devices.

Chris Kline: Spoke about technology, data and evidence.

Jay Connor B Ortega: Co-President of District 3. Thanked Officer that was recognized. Thanked the men and women of SFPD for the work they do. Commended Officers work during an event, compared it to a previous event. Congratulated Commissioner Walker on reappointment. Addressed Commission, asking them to comply with the proposition passed this recent election and to allow SFPD to do their job.

Paulette Brown: Spoke about son, Aubrey Abrakasa Jr.'s, murder. Spoke about unsolved murders and asked for ways to pay tipsters.

**** If you have any information regarding the murder of Aubrey Abrakasa, please call the anonymous tip line 24/7 at 415-575-4444 ****

3. Consent Calendar (RECEIVE & FILE; ACTION)
 - Police Commission Report of Disciplinary Actions, 2nd Quarter 2024
 - San Francisco Police Foundation Grant to Blue and Blue Debriefing Training, valued at \$1,180.00
 - San Francisco Police Foundation Grant to the Mothers, Fathers and Families Impacted by Homicide March, valued at \$5,480.40
 - San Francisco Police Foundation Grant to SFPD's National Night Out Event, valued at \$20,000.00 (\$2,000 per district station)
 - San Francisco Police Foundation Grant to Neighborhood Safety Team Uniforms, valued at \$494.44
 - San Francisco Police Credit Union (SFPCU) donation to the Law Enforcement Torch Run for Special Olympics, hosted by the San Francisco Police Department, valued at \$350.00

- SFPD 1421 and SB 16 Monthly Report (June 30, 2024)
- DPA 1421 and SB 16 Monthly Report (July 3, 2024)

Pursuant to the request of the Police Commission, the Department provides this monthly update on the status of Public Record Act Requests received relating to Senate Bill 1421, Peace Officers: release of records. This report is a cumulative record of all requests and the production of documents since SB 1421 became effective on January 1, 2019 and is calculated for a month-over-month comparison

Motion: Commissioner Benedicto. 2nd: Commissioner Walker. Vote: 6-0.

- AYES: Commissioners Clay, Walker, Benedicto, Yee, Vice President Carter-Oberstone and President Elias
- EXCUSED: Commissioner Yanez

PUBLIC COMMENT

None

- 4. Adoption of Minutes (ACTION)
- for the Meetings of June 5th and June 12th, 2024

Motion: Commissioner Yee. 2nd: President Elias. Vote: 6-0.

- AYES: Commissioners Clay, Walker, Benedicto, Yee, Vice President Carter-Oberstone and President Elias
- EXCUSED: Commissioner Yanez

PUBLIC COMMENT

None

Chief’s Report

- **Weekly crime trends**
- **Major/Significant Incidents**

Chief Scott reported on crime trends YTD: Violent Crime down 11 percent; homicide down 39 percent; rape down 9 percent; robbery down 17 percent; assault down 4 percent; human trafficking down 40 percent. Property Crimes down 34 percent; burglary down 19 percent; motor vehicle theft down 18 percent; arson down 11 percent; larceny theft down 40 percent. Gun violence is down 33 percent compared to 2023; Eight non-fatal shooting incidents this week; total 71 fire-arm related incidents resulting in 80. victims YTD. No homicides for the week; there are a total of 17 homicides YTD with 12 resulting from a firearm; 89% overall clearance.

Significant Incident: Homicide, 7/9/24 00:17, Officers responded to the area of Mission between 16th and 17th street, located a victim who was shot and declared deceased at the scene, multiple spent bullet casings of a variety of calibers were located indicating that there were multiple types of guns used, second victim self-transported to the hospital with gunshot wounds sustained during the incident, in stable condition, non-life threatening injuries, in addition to the shooting there were multiple cars involved in a collision as a result of the shooting, 4 cars, an additional victim was located suffering from injuries sustained in the traffic collision, in stable condition, investigation ongoing. Shootings: 1st – July 3rd 19:50, 1900 block of Mission, two people were involved in an argument and began shooting each other, striking the victim, the victim was transported in stable condition,

investigation ongoing, no arrests made. 3rd – July 5th 17:00, the unit block of Conklin in the Bayview, victim was sitting in their car when the suspect pulled up, pulled a gun, pointed at the victim, shot one time, and the victim was struck, transported to the hospital and in stable condition, investigation ongoing, no arrests. 5th – July 5th 21:49, 25th and Connecticut Officers responded to the area, located the victim suffering from a gunshot wound, victim was transported in critical but stable condition and at this time has been unable to provide a statement, investigation ongoing. 6th – July 5th, 23:01, unit block of Jones Street, Tenderloin, Officers responded to a 911 call stating that a victim had been shot in the area, victim was seen fleeing from the location, multiple units attempted to locate the victim but were unable to, later a gunshot victim walked into a local hospital but did not provide any information as to how they sustained the injury, although believed to be linked to this shooting, it has not been confirmed, investigation ongoing. 7th – July 5th 23:00, 41st Avenue, 1200 block of 41st Avenue, Taraval, victim was sitting inside of a car, was shot once the witnesses advised that they heard one gunshot and saw three people running from the scene, victim was transported with non-life-threatening injuries, investigation ongoing.

Significant arrest: 2nd shooting- July 4th 14:57, unit block of View Street, Bayview, shooting occurred in which the victim was in an argument and was shot multiple times by the subject, victim was transported in critical condition, the suspect was located and arrested. 4th shooting– July 5th 20:35, Hyde and Ellis, the victim sustained a gunshot wound while in the area of Hyde and Ellis and the Tenderloin district, victim was transported and is in stable condition, non-life-threatening conditions, Officers did an investigation, located the suspect and arrested that suspect. A couple of arrests from previous shootings that resulted in homicides – on June 15th, homicide, on the unit block of Wiese Street in the Mission District, the victim did not survive that shooting, investigation identified the suspect, on July 3rd suspect was located and arrested by SFPD Investigators after a warrant had been issued, evidence was seized during the serving of a search warrant, suspect was booked and charges have been filed. Second arrest on a previous homicide that occurred on April 13th at 6th Street and Jessie, Tenderloin, victim did not survive, Investigators identified a suspect, on July 1st suspect was taken into custody by Officers at 6th and Mission, suspect was booked on multiple charges, including the homicide and was in possession of a loaded firearm when they were taken into custody. A couple of other notable arrests – series of vandalisms to Waymo, autonomous vehicles, 20 in all. On June 26th Waymo reported that at least 20 of their cars had their tires slashed, and they believe it was by the same person, this was between June 24th and June 26th, person was identified using photos provided by the company, subject was located and arrested in the 300 block of Bryant by SFPD officers, case has been solved, suspect was booked into custody on a felony vandalism charge. The last notable arrest was an arrest on an Estes robbery, this occurred on July 1st, an employee attempted to stop a person attempting to flee from a store with multiple items without paying for those items, the subject punched the employee who fell to the ground and kicked the employee in the head, that employee was transported in critical condition and the subject was identified through surveillance videos that were obtained, was located by Investigators and taken into custody, that person was booked on multiple charges of assault, including, assault with a deadly weapon, robbery, and battery with great bodily injury.

Strategies: A lot of events in the past couple of weeks with 4th of July, which was very successful, one shooting, overall a very peaceful night, a lot of fireworks all over the city, and that went in to the morning hours. Pride was successful, had gotten intelligence that there may be protests that might disrupt it, other cities experienced that, but SF did not, very successful event, including the festival and Officers and the public had a good time at those events. This past week, Saturday of this past weekend, the Hill Bomb Event, Officer deployed, were able to prevent the hill bomb on Dolores Street and in the park, but the skaters did skate down Church Street, there were no acts of vandalism

except for one, SFPD van was tagged with graffiti, no assaults on the public, nor officers, two injuries that occurred to skateboarders at about close to 19:00, started skating down Church Street, did not cite or arrest anybody for skating, a lot of public outreach on that, overall it was a huge success, particularly compared to some of what has been in past years, Thanked Officers for their strength that they showed, very well deployed and word was put out on that, SFPD would not tolerate the violence and the property damage seen in the past, wanted to make sure that mainly that community was not destroyed like it had been in past years, went off very well.

PUBLIC COMMENT:

Name not stated: provided opinion on roles, responsibilities and critical thinking.

Name not stated: Provided opinion regarding Hill Bomb, community meeting prior.

Paulette Brown: The anniversary of her son's death will be in August. Asked for media coverage this year for unsolved homicides. Attended Board of Supervisors meeting regarding street name to be dedicated to her son. Continued to speak about her son.

Jay Connor B. Ortega: Asked question regarding 20 Waymo vehicles having their tires slashed.

DPA Director's Report

- **Report on recent DPA activities, and announcement**

Executive Director Henderson reported the following: In the year 2024: 388 cases opened; 476 closed; 137 pending; 34 cases sustained; 20 cases past 270-day; 8 cases mediated. SFPD Cases received in the past **weeks (since the last Commission Meeting)**: 64. Central, 6. Southern, 7. Bayview, 6. Mission, 7. Northern, 7. Park, 1. Richmond, 3. Ingleside, 4. Taraval, 2. Tenderloin, 11. Airport, 1. Not Applicable, 3. Out of Jurisdiction, 2. Pending, 2. Allegation Summary: Neglect of Duty-The officer failed to take required action-17%. Conduct Unbecoming-The officer behaved or spoke inappropriately-17%. Neglect of Duty-The officer failed to properly investigate-6%. Unwarranted Action-The officer engaged in unwarranted action-5%. Neglect of Duty-The officer failed to write an incident report-5%.

Audits: DPA's Audit Division is preparing for peer review coordinated by the Association of Local Government Auditors. DPA's audit of SFPD's processes on stop data is ongoing, goal is to complete fieldwork testing on the stop data audit by the end of July.

Outstanding Issues: DPA's Investigations Division has substantially reduced cases pending over 270 days to one non-tolling case. Investigations: DPA's Investigators and Attorneys attended an SFPD led training on DGO 5.20 (Language Access Services for Limited English Proficient Persons). Policy: DPA completed a comprehensive review of SFPD's Draft DGO 6.10 (Missing Persons).

Outreach: DPA conducted outreach at several Pride events and the SFPD Hill Bomb Town Hall over the past month.

Can contact DPA at 415-241-7711. Can be found on community calendar on the DPA's website and posted on Twitter, Facebook, Instagram and on DPA's website.

PUBLIC COMMENT:

None

Commission Reports

- **Commission President’s Report**
- **Commissioners’ Reports**
- **Commission announcements and scheduling of items identified for consideration at future Commission Meetings**

Commissioner Benedicto: Spoke on the Hill Bomb and community meeting, would like to improve community feedback. Attended SF Pride Parade with Department. Spoke to DPA Interns at DPA. Recognized DPA’s Tinnetta Thompson and Natalie Garcia for the internship program. Met with DPA’s Audit Team regarding Stop Data.

Commissioner Walker: Applauded Department response to Hill Bomb, including the community meeting, would like events like this to be permitted, had productive conversations. Spoke about Patrol Specials and private camera infrastructures, speaking with department and the private sector. Attended Pride Event, thanked Officers working the Parade.

Commissioner Yee: Had Town Hall meeting at Chinatown, spoke about affairs and crime rate, safer than years before. Spoke about translation in Chinese. Thanked Chief for attending.

PUBLIC COMMENT:

None

- 8. Presentation by 3rd Street Youth Center & Clinic on their proposal for “Peacelets” a movable facility providing services to communities (DISCUSSION)

CORRECTION: SF Next Initiative, team from the SF Next Initiative facilitated by the SF Chronicle, not 3rd Street Youth Center & Clinic, will be providing their proposal on “Peacelets”.

Commissioner Benedicto provided an introduction to the presentation.

Richard Corriea and Saoirse Riley McLaughlin, SF Next Initiative, presented. Other team members available.

PUBLIC COMMENT

- 9. Discussion and possible action to adopt a resolution urging the Board of Supervisors to retroactively authorize the Police Department to accept and expend an in-kind gift of 1,800 units of Naloxone valued at \$81,300 through the Naloxone Distribution Project (NDP), which is funded by the Substance Abuse and Mental Health Services Administration and administered by the Department of Health Care Services. Naloxone from this project will be used to help combat opioid overdose-related deaths. (DISCUSSION & POSSIBLE ACTION)

SFPD Chief Financial Officer, Kimmie Wu, presented and spoke on item.

Motion: Commissioner Clay. 2nd: Commissioner Benedicto. Vote: 4-0.

AYES: Commissioners Clay, Benedicto, Vice President Carter-Oberstone and President Elias

EXCUSED: Commissioner Yanez, Yee, Walker

PUBLIC COMMENT:

None

10. Discussion and possible action to adopt a resolution urging the Board of Supervisors to retroactively authorize the Chief of Police to accept and expend a grant in the amount of \$72,275 from the California Governor's Office of Emergency Services for the Paul Coverdell Forensic Science Improvement Program to train and procure equipment for the Criminology Laboratory with the project period beginning on April 1, 2024, through June 30, 2025. (DISCUSSION & POSSIBLE ACTION)

Motion: Commissioner Benedicto. 2nd: Vice President Carter-Oberstone. Vote: 4-0.

AYES: Commissioners Clay, Benedicto, Vice President Carter-Oberstone and President Elias
EXCUSED: Commissioner Yanez, Yee, Walker

PUBLIC COMMENT:

None

11. Discussion and possible action to approve revised Department General Order 3.01, "Department Written Directives" for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)
The community engagement process does not apply where the Commission is considering policy revisions to existing DGOs to implement Prop E. (S.F. Admin. Code section 96I.1).

Item taken off calendar. To be rescheduled for a later time.

12. Discussion and possible action to approve revised Department General Order 5.01, "Use of Force Policy and Proper Control of a Person" for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)
The community engagement process does not apply where the Commission is considering policy revisions to existing DGOs to implement Prop E. (S.F. Admin. Code section 96I.1).

Commissioner Benedicto and President Elias spoke on DGO and Prop E process.

Motion: Commissioner Benedicto, with one amendment to Page 9, at 5.01.09, section B(1) EXCEPTIONS, be amended to read Type II and Type III Uses of Force, subject to Labor Relations Resolution 23-30, 2nd: Commissioner Walker. Vote: 6-0.

AYES: Commissioners Clay, Walker, Benedicto, Yee, Vice President Carter-Oberstone and President Elias
EXCUSED: Commissioner Yanez

PUBLIC COMMENT:

None

13. Discussion and possible action to approve revised Department General Order 5.03, "Investigative Detentions" for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)

The community engagement process does not apply where the Commission is considering policy revisions to existing DGOs to implement Prop E. (S.F. Admin. Code section 961.1).

Item taken off calendar. To be rescheduled for a later time.

14. Discussion and possible action to approve revised Department General Order 5.04, "Arrests by Private Persons" for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)
The community engagement process does not apply where the Commission is considering policy revisions to existing DGOs to implement Prop E. (S.F. Admin. Code section 961.1).

Motion: Commissioner Clay, subject to Labor Relations Resolution 23-30. 2nd: Commissioner Walker.
Vote: 6-0.

AYES: Commissioners Clay, Walker, Benedicto, Yee, Vice President Carter-Oberstone and President Elias
EXCUSED: Commissioner Yanez

PUBLIC COMMENT:

None

15. Discussion and possible action to approve revised Department General Order 5.05, "Emergency Response and Pursuit Driving" for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)
The community engagement process does not apply where the Commission is considering policy revisions to existing DGOs to implement Prop E. (S.F. Admin. Code section 961.1).

Commissioner Benedicto spoke on DGO and Prop E.

Item to be rescheduled to a later time.

16. Discussion and possible action to approve revised Department General Order 5.06, "Citation Release" for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)
The community engagement process does not apply where the Commission is considering policy revisions to existing DGOs to implement Prop E. (S.F. Admin. Code section 961.1).

Motion: Commissioner Benedicto, subject to Labor Relations Resolution 23-30. 2nd: President Elias, Commissioners Walker and Clay. Vote: 6-0.

AYES: Commissioners Clay, Walker, Benedicto, Yee, Vice President Carter-Oberstone and President Elias
EXCUSED: Commissioner Yanez

PUBLIC COMMENT:

None

17. Discussion and possible action to approve revised Department General Order 10.11, “Body Worn Cameras” for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)
The community engagement process does not apply where the Commission is considering policy revisions to existing DGOs to implement Prop E. (S.F. Admin. Code section 96I.1).

Item taken off calendar. To be rescheduled for a later time.

18. Public comment on all matters pertaining to Item 20 below, Closed Session, including public comment on Item 19, vote whether to hold Item 20 in closed session.

None

19. Vote on whether to hold Item 20 in Closed Session (San Francisco Administrative Code Section 67.10(d)) (ACTION)

Motion: Commissioners Benedicto. 2nd: Vice President Carter-Oberstone. Vote: 6-0.

AYES: Commissioners Clay, Walker, Benedicto, Yee and Vice President Carter-Oberstone
EXCUSED: Commissioner Yanez and President Elias

1st Open Session ended: 8:36 pm

Closed Session: (8:46 pm – 9:53 pm)

**20. Closed Session
Roll Call;**

- a. **CONFERENCE WITH LABOR NEGOTIATOR – COLLECTIVE BARGAINING. This item is for the Commission to meet in closed session with their labor negotiator and provide direction for bargaining with the San Francisco Police Officers Association (POA), the San Francisco Municipal Executive Association (SFMEA) and Service Employees International Union 1021 (SEIU). The POA, SFMEA and SEIU are not permitted to attend this closed session meeting. Pursuant to Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e):**

City Negotiator: LaWanna Preston, SFPD Labor Relations Director

Organization representing members: SFPOA, SFMEA, SEIU Local 1021

Anticipated Issues Under Negotiation: Discussion on DGO 2.06 (DISCUSSION)

(Present: Commissioners Clay, Walker, Benedicto, Yee, Vice President Carter-Oberstone and President Elias, Chief Scott, Assistant Chief Peter Walsh, Deputy City Attorney Kate Kimberlin, Director LaWanna Preston, Sergeant Sondra Reynolds, Kristine Singh)

- b. **PERSONNEL EXCEPTION. Pursuant to Government Code Section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:**
Discussion and possible action to decide guilt and penalty, if needed, or take other action, if necessary, in the appeal of Chief’s suspension filed in Case No. IAD OIS 2018-0002 (DISCUSSION & POSSIBLE ACTION)

(Present: Commissioners Clay, Walker, Benedicto, Yee, Vice President Carter-Oberstone and President Elias, Chief Scott, Assistant Chief Peter Walsh, Deputy City Attorney Kate Kimberlin, Officer's Attorney, Officer, IAD Attorney, Sergeant Sondra Reynolds, Kristine Singh)

(These proceedings were taken in shorthand form, Marianne R. Boyd, CSR., Behmke Reporting and Video Services)

c. PERSONNEL EXCEPTION. Pursuant to Government Code Section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:

Discussion and possible action to decide guilt and penalty, if needed, or take other action, if necessary, on disciplinary charges filed in Case No. IAD 2019-0154 (DISCUSSION & POSSIBLE ACTION)

Item taken off calendar and to be rescheduled at a later time.

Closed Session Ended: 9:53 p.m.

2nd Open Session (9:57 pm – 9:58 pm)

- 21.** Vote to elect whether to disclose any or all discussion on Item 20 held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION)

Commissioner Benedicto motioned to not disclose item 20 held in closed session, except for factual information from 20a. Vice President Carter-Oberstone Seconded. 6-0.

AYES: Commissioners Clay, Walker, Benedicto, Yee, Vice President Carter-Oberstone and President Elias
EXCUSED: Commissioner Yanez

Closed Session disclosure for Item 20(a):

The Police Commission met with its labor negotiator, Director LaWanna Preston to receive an update on labor negotiations with San Francisco Police Officers Association (POA) regarding DGO 2.06.

Regarding DGO 9.04, Director Preston provided an update on negotiations with the POA. The Commission provided direction to Director Preston to respond to the POA's proposals.

ADJOURNMENT

Thereafter, the meeting was adjourned at 9:58 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission