

SEPTEMBER 11, 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 5:37 p.m.

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

GENERAL PUBLIC COMMENT

Paulette Brown: Spoke about her son, Aubrey Abrakasa’s, murder. Wants to bring awareness to unsolved homicides. Spoke about Crime Bulletins being taken down, unsolved homicides and rewards.

Chris Ward Kline: Spoke about technology interferences, Fleet Week, collaborations with his non-profit and the city and referenced passed public comments.

Malenka Moyer: Addressed Commission regarding a specific incident.

Terry F.: Spoke about humanity.

Any member of the public that has any information regarding the murder of Aubrey Abrakasa, please call the anonymous 24/7 tip line at 415-575-4444

- 1. Weekly Officer Recognition Certificate
Presentation of an Officer who has gone above and beyond in the performance of their duties.
-Presentation of the officers who responded to the Union Square shooting

Captain Eric Kim, Commanding Officer of Central Station, spoke about the Union Square shooting and recognized Twenty-four (24) of the responding Officers.

Sergeant Joelle Harrell	Lieutenant Dean Hall	Officer Jonathan Sylvester	Sergeant Adrian Payne
Solo Officer Mike Ellis	Officer Daniel Tay-Liong	Officer Gary Kunaboot	Sergeant Kevin Byrne
Sergeant Nicholas Barrera	Officer Bryan Neuerberg	Officer Anthony Randolph	Sergeant Rodrigo Labson
Officer Brandon Smith	Officer Juan Lara	Officer Talent Tang	Sergeant Ryan Hart
Officer Andrew Kidd	Officer Ashley Slomowitz	Sergeant Aaron Foltz	Officer Rosalyn Check
Officer Ryan Davidson	Officer Robert Brown	Acting Captain Brendan O'Connor	Officer Christopher Simpson

PUBLIC COMMENT

Paulette Brown: Thanked Officers being recognized.

Terry F.: Provided opinion.

- 3. Consent Calendar (RECEIVE & FILE; ACTION)

- Donation to the SFPD Mounted Patrol Unit from The Margaret Seneshen Trust, in the amount of \$23,405.32
- SFPD and DPA 1421 and SB 16 Monthly Report (*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. Second: Commissioner Walker. Vote: 6-0.

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

Chief's Report

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

Chief Scott reported on crime trends YTD: Violent Crime down 13 percent; homicide down 37 percent; rape down 14 percent; robbery down 22 percent; assault down 3 percent; human trafficking down 47 percent. Property Crimes down 34 percent; burglary down 13 percent; motor vehicle theft down 19 percent; arson down 11 percent; larceny theft down 41 percent. Gun violence is down 24 percent compared to 2023; Three non-fatal shooting incidents this week; total 101 fire-arm related incidents resulting in 115. victims YTD. Two homicides for the week; there are a total of 24 homicides YTD with 18 resulting from a firearm; 87% overall clearance.

Significant Incident: Brief update on an incident that occurred at Alcatraz Landing, Pier 33, over the weekend- involved a vending task force that resulted in an arrest of one of the vendors- has raised a lot of public interest-putting the facts out to the public based on the review of the reports, the video, all the videos that are out there, including body worn camera-the videos that have been put out in public only show a very, very small sliver of the incident, want to make sure that the public is aware of the facts- the body worn cameras, will likely be released, there is a lot of footage to go through, multiple people involved, including kids, redactions have to be made, permission from some of the witnesses- release pending- Incident occurred Sunday at Pier 33 Alcatraz Landing, involved a vending enforcement task force, which is a multi-department collaborative that consists of the Port Of San Francisco Employees, San Francisco Fire Department, members of the Department of Public Works, The Department of Public Health, and the San Francisco Police Department, SFPD's role as far as the police department and vending enforcement, SFPD is prohibited by law from enforcing any type of vending, do not make arrests, nor cite for vending, SFPD has been asked to be a part of this task force because other city departments have had some real serious issues with their employees being threatened or attacked and these have been reported, takes up a lot of the city's resources to try to address some of these issues, and it's across the city, this particular task force is focused at the pier, and it's led by the Port of San Francisco- On Sunday at about 09:25-09:30 members of this task force went out to Pier 33, at Alcatraz Landing, gave warnings to the food vendors that were out there, most of them with food carts, cooking unpermitted food items, most of the vendors left after being warned, the team went to another location that has been problematic for vending and did some of the same type of warnings, they came back to Pier 33, when they got back, several vendors had either come back or were still there, and most of these vendors, at least three were vendors with hot dog carts, one of the carts was inspected by Public Health and was tagged for impound because it did not meet the health rules, it was unpermitted and did not meet the public health rules, another city worker out, not the Police Department, commenced to impound the cart, at that point the vendor, the woman who was seen on the videos that had been posted publicly, did not want to give up the cart and there a struggle ensued between the city worker and the woman over the cart, it was not an assaultive struggle, it was just a struggle of control of the cart because she did not want to give up her cart, at that point, officers were there, they attempted to intervene, they attempted to

de-escalate, one officer is actually heard telling his partner that he did not want to handcuff the woman because a little child, who was believed to be the vendor's daughter, was crying very loudly and screaming because her mother was involved in this incident, officers were able to de-escalate it at that point, they remained calm, and all this is in the body worn camera video, tried to calm the vendor down, and they got her separated from the cart, she's standing off to the side a couple of feet away and they are about to impound the cart, the vendor is unhandcuffed, is unrestrained, she then walks away from the officers and grabs the cart again, there's another struggle over the cart, the cart topples over during the struggle, during that struggle, one of the port employees received a couple of injuries on his hand, the woman pushed the other employee to try to get him off of the cart, that is when the officers decided to place her in handcuffs, at that point, when officers tried to place her in handcuffs, she tried to pull away from the officer, that was resistance, not assaultive resistance, but it was an act of resistance, the officers ended up taking her down to the ground as she tried to pull away, minimal amount of force, stood her up immediately and continued to try to get her to calm down, then they put her in a police car, the vendor was arrested for the battery on the two employees, not arrested for vending, she was arrested for the battery, the two port employees signed a citizen's arrest or private person's arrest and then witnesses were interviewed.

Significant arrest: Two homicides during the reporting period, talked about one homicide last week, a second one happened after the Commission Meeting last week, a shooting on Mission Street, both victim and the person that was with the victim are not from San Francisco, one of the victims succumbed to the injuries from the gunshot wounds, have made two arrests in that shooting, there is at least one other outstanding suspect, quick work done by patrol officers and responding homicide investigators.

Strategies: Strategies with car break ins and some property crimes have paid off, made some very impactful arrests on crews and people that are believed to be very prolific, the flock cameras are paying off dividends because when those vehicles get put in the system as wanted, when they commit a crime, cars and people are being found, about 57% lower than 2023 in car break ins, lowest rate since 2014,

PUBLIC COMMENT:

Paulette Brown: Thanked everyone that came out to the Board of Supervisors hearing of renaming Grove Street after son, Aubrey Abrakasa.

DPA Director's Report

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

Attorney Diana Rosenstein, on behalf of Executive Director Henderson, reported the following: In the year 2024: 495 cases opened; 610 closed; 129 pending; 36 cases sustained; 18 cases past 270-day; 12 cases mediated. SFPD Cases received in the past **weeks (since the last Commission Meeting)**: 13. Central, 1. Southern, 2. Bayview, 1. Mission, 0. Northern, 1. Park, 0. Richmond, 2. Ingleside, 3. Taraval, 0. Tenderloin, 2. Airport, 0. Not Applicable, 1. Out of Jurisdiction, 0. Pending, 0. Allegation Summary: Conduct Unbecoming- The officer behaved or spoke inappropriately-26%. Unwarranted Action- The Officer issued a citation without cause-9%. Neglect of Duty-The officer failed to take required action-9%. Neglect of Duty- The officer was inattentive to duty-4%. Unwarranted Action- The officer conducted an improper search of seizure-4%.

Audits: N/A

Outstanding Issues: DPA's Policy division attended the working group for DGO 5.20 Language Access Services for Limited English Proficient Persons.

Outreach: Releasing data through DataSF.

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: Attended recruit Academy graduation, with Commissioner Walker. Attended Annual Police and Fire Mass, with Commissioner Yee. Appeared at Board of Supervisors meeting regarding renaming a portion of Grove Street to Ms. Brown's son's name, Aubrey Abrakasa, Jr. Recognized Ms. Brown for her advocacy.

Commissioner Yanez: Had meeting on Language Access DGO at Mission Station. Addressed Chief regarding community participation. Continued to address the Chief regarding Mission Station and Language Access DGO (DGO 5.20).

PUBLIC COMMENT:

None

7. Presentation on SFPD's Disciplinary Review Board Findings and Recommendations, 1st Quarter 2024 (DISCUSSION)

SFPD Lieutenant Lisa Springer and DPA Attorney Diana Rosenstein presented.

PUBLIC COMMENT

None

8. SFPD Firearm Discharge Review Board Report & In-Custody Death Review Board Report 2nd Quarter 2024 (DISCUSSION)

SFPD Lieutenant Lisa Springer presented. DPA's Stephanie Wargo-Wilson presented on a specific case.

PUBLIC COMMENT

None

9. Discussion and possible action to approve revised Department Manual, "Community Policing & Problem-Solving Manual" 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).

Acting Lieutenant Chandra Peregrina presented. Executive Director Catherine McGuire, Sergeant Jesus Nevarez and Officer Juliana Henry Garcia available for department.

Motion: Commissioner Benedicto, with requested amendment to change CED Commander to Commanding Officer of CED, and with Labor Resolution 23-30. 2nd: Commissioner Walker. Vote: 6-0.

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

PUBLIC COMMENT

None

10. Public comment on all matters pertaining to Item 12 below, Closed Session, including public comment on Item 11, vote whether to hold Item 12 in closed session.

None

11. Vote on whether to hold Item 12 in Closed Session (San Francisco Administrative Code Section 67.10(d)) (ACTION)

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

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

1st Open Session ended: 8:01 pm
Closed Session: (8:03 pm – 8:04 pm)

12. **Closed Session**
Roll Call;

- a. **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:**
Assignment of a Commissioner for the taking of evidence on the appeal of Chief's suspension filed in IAD Case No. 2021-0094 (ACTION)

(Present: Commissioners Clay, Walker, Benedicto, Yee, Yanez and President Elias, Chief Scott, Assistant Chief Peter Walsh, Deputy City Attorney Alicia Cabrera, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

Closed Session Ended: 8:04 p.m.
2nd Open Session (8:04 pm – 8:05 pm)

13. Vote to elect whether to disclose any or all discussion on Item 12 held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION)

Commissioner Benedicto motioned to not disclose item 12 held in closed session. Commissioner Walker Seconded. 6-0.

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

PUBLIC COMMENT:

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 8:05 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission