

OCTOBER 2, 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 5:33 p.m.

PRESENT: Commissioners Clay, Benedicto, Yanez (remotely), Yee, Walker, Vice President Carter-Oberstone (arrived: 5:39 p.m.) and President Elias

1. Weekly Officer Recognition Certificate
Presentation of an Officer who has gone above and beyond in the performance of their duties.
 - Officer Ryan Walsh #1967, Northern Station

Captain Jason Sawyer, Northern Station, spoke about Ofc. Walsh, his career and specific incidents.

PUBLIC COMMENT

None

GENERAL PUBLIC COMMENT

Marlena Mckee: Spoke about vision zero. Provided statistics and provided opinion. Asked SFPD to recommit to Vision Zero and have an annual plan. Continued to speak on topic.

Susan Weisberg: Spoke about Vision Zero, provided statistics, provided personal stories and continued to speak on traffic violations/crashes and vision zero.

Jay Connor B Ortega: Thanked SFPD for the work they do. Referred to Drone presentation for tonight, referred to Prop E. Addressed the Commission regarding propositions.

Paulette Brown: Spoke about a Healing Circle support group, spoke about supporting other families in court. Spoke about being questioned regarding supporting a mother in court.

3. Consent Calendar (RECEIVE & FILE; ACTION)
 - SFPD Live Monitoring Report, 1st Quarter 2024
 - 2023 SFPD Department Awards Certification (September 30, 2024, Panel)

Motion: Commissioner Benedicto. 2nd: Commissioner Clay. Vote: 7-0.

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

PUBLIC COMMENT

None

4. Adoption of Minutes (ACTION)
 - for the Meetings of September 4th, September 11th and September 18th, 2024

Motion: Commissioner Clay. 2nd: Commissioner Benedicto. Vote: 7-0.

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

PUBLIC COMMENT

None

Chief's Report

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

Chief Scott reported on crime trends YTD: Violent Crime down 14 percent; homicide down 40 percent; rape down 13 percent; robbery down 23 percent; assault down 3 percent; human trafficking down 44 percent. Property Crimes down 34 percent; burglary down 13 percent; motor vehicle theft down 19 percent; arson down 9 percent; larceny theft down 41 percent. Gun violence is down 23 percent compared to 2023; One non-fatal shooting incident this week; total 108 fire-arm related incidents resulting in 122. victims YTD. No homicides for the week; there are a total of 24 homicides YTD with 18 resulting from a firearm; 86% overall clearance.

Significant Incident: Related to the news article about the files of officers that were sealed, and the Commission question was whether SFPD has any of those cases, SFPD does not have any of those types of cases. Plan on releasing video on vending incident, plan to release body worn camera, the video itself is over an hour long.

Significant arrest: One non-fatal shooting, resulting in two victims being struck by gunfire, 5500 Block of Mission, Ingleside, September 28th, 14:00, two subjects attempted to gain entry into an illegal gambling establishment, an argument broke out and a staff member at the door and the two suspects continued to argue, a gun was brought out and gunfire was exchanged and two of the people sustained gunshot wounds. There was an arrest made. Significant arrest on robbery, armed robbery suspects, September 22nd, 300 Block of Bayshore, Bayview, this was an armed robbery radio call that just occurred, victim stated he was on his electric scooter when unknown suspects approached and surrounded him then stole his scooter, the victim attempted to flee from the suspects, but they followed him, demanded his property while brandishing firearms, and then took his scooter and fled, Officers from the ingleside district, who heard the broadcast of the armed robbery and the description of the suspect, searched the area and located three suspects who matched the descriptions, the subjects were detained and two of them were in possession of concealed and loaded firearms, stolen property taken from the victim was also discovered during this, both of these two individuals were detained and later identified as the suspects that committed the robbery, a 16 year old was arrested for robbery and conspiracy, and the other person was an 18 year old, 18 years old, and he was also arrested for robbery, conspiracy, possession of a firearm, as well as brandishing a firearm and carjacking that was associated with this incident. Significant arrest by the Internet Crimes Against Children Unit, also known as ICAC, in April 2024, SVU and ICAC Unit obtained information that an adult male suspect from San Francisco was in possession of and distributing child sexual assault material, through the course of this investigation, the suspect was identified as a 56 year old man from San Francisco, Albinus Venice, September 12th a joint operation was conducted by SFPD's ICAC unit, the FBI, Homeland Security investigations and the 100 block of Maynard Street, a search warrant was served and Venice was taken into custody without incident, suspect was booked on multiple counts. Another arrest, happened on February 11th, 2024, there was an assault with a deadly weapon on a peace officer, Bayview, when Bayview officers detailed to the stunt driving response unit were at a gas station at the 4200 block of Mission Street, they were towing a vehicle related to a different investigation when they were surrounded by multiple individuals on dirt bikes, one of the dirt bikes and ATVs began circling the gas pumps and driving recklessly, the suspect on the ATV struck and nearly ran over an SFPD officer and purposefully collided into a pedestrian, the suspect fled on a dirt bike driven by a different suspect, who left his ATV at the scene, the pedestrian sustained non-life threatening injuries and was transported for treatment, the Officer also sustained non-life threatening injuries during the investigation, suspect

was identified as a 31 year old San Francisco resident and a warrant was issued for his arrest, the suspect was located and placed under arrest without incident.

Strategies: Bilingual Testing, an ongoing conversation, the city Department of Human Resources has scheduled three days of language proficiency testing for SFPD, Spanish, Tagalog, Chinese, Mandarin, and Cantonese and Russian.

PUBLIC COMMENT:

Jay Connor B Ortega: Provided videos regarding a sitting Commissioner and their spouse, questioned the Commission.

Paulette Brown: Spoke about son, Aubrey Abrakasa, Jr.'s, murder. Spoke about paying tipsters for unsolved homicides. Displayed posters regarding unsolved homicides.

****Anyone with information regarding the murder of Aubrey Abrakasa, please call the 24/7 anonymous tip line at 415-575-4444****

DPA Director's Report

- Report on recent DPA activities, and announcement

Executive Director Henderson reported the following: In the year 2024: 542 cases opened; 635 closed; 133 pending; 38 cases sustained; 18 cases past 270-day; 14 cases mediated. SFPD Cases received in the past **weeks (since the last Commission Meeting):** 28. Central, 1. Southern, 6. Bayview, 5. Mission, 3. Northern, 1. Park, 0. Richmond, 1. Ingleside, 1. Taraval, 1. Tenderloin, 5. Airport, 1. Not Applicable, 2. Out of Jurisdiction, 0. Pending, 1. Allegation Summary: Conduct Unbecoming- The officer behaved or spoke inappropriately.-24%. Use of Force-The officer intentionally and improperly discharged a firearm, on or off duty, in the performance of law enforcement duties-7%. Neglect of Duty-The officer failed to take required action-24%. Neglect of Duty-The officer failed to provide his or her name or star number-5%. Neglect of Duty-The officer drove improperly-5%.

Audits: The Audit Division received the Controller's independent review notes to the draft stop data audit. DPA is addressing the notes and planning on having an exit conference with SFPD later this month.

Outstanding Issues: N/A

Outreach: 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: Acknowledged Domestic Violence Awareness month, Latin Heritage month and Filipino American Heritage month. During SFPD Salesforce operations observed Drone operations. Working with working groups on Sexual Assault DGO 6.16 and DGO 7.01. Met with Commander Jones regarding SFPD and MTA collaboration.

Commissioner Walker: Working on 30x30, commitment to hire women. Provided update regarding Patrol Specials, collaborating with private security.

Commissioner Yanez: DGO 5.20 Language Access has made progress with working groups. Provided update on Juvenile DGO 7.01, addressed Chief Scott regarding agendizing pre diversion efforts.

Wants to calendar update on live monitoring reports, how the program is practiced, wants dialogue from those community members who are providing cameras. Discussed the Hill Bomb.

PUBLIC COMMENT:

None

8. Presentation and discussion on SFPD and DPA Sparks Reports 2nd Quarter 2024 (DISCUSSION)

Quarterly reports to the Commission regarding policy proposals under consideration.

- SFPD

- DPA

Policy Division Manager Asja Steeves presented for SFPD.

Attorney Jermain Jones presented for DPA.

PUBLIC COMMENT

None

9. Presentation on SFPD's Drone Program and compliance with AB481, at the request of the Commission (DISCUSSION)

SFPD Director, Attorney Kara Lacy, presented.

PUBLIC COMMENT

Jay Connor B Ortega: provided feedback regarding voters and public opinion on Drones and other propositions.

10. Discussion and possible action to approve revised Department General Order 3.10, "Serious Incident Review Board" 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).

Sergeant John Crudo, Training Division, presented.

Motion: Commissioner Benedicto, with Labor Relations Resolution 23-30. 2nd: Commissioner Walker. Vote: 7-0.

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

PUBLIC COMMENT

None

- 11. Discussion and possible action to approve revised Department General Order 8.03, "Crowd Control" 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).

Deputy Chief Raj Vaswani, Field Operations, presented. Subject Matter Expert, Lt. Matt Sullivan, available for department.

Motion: Commissioner Benedicto, with Labor Relations Resolution 23-30. 2nd: Commissioner Walker. Vote: 7-0.

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

PUBLIC COMMENT

None

- 12. Public comment on all matters pertaining to Item 14 below, Closed Session, including public comment on Item 13, vote whether to hold Item 14 in closed session.

None

- 13. Vote on whether to hold Item 14 in Closed Session (San Francisco Administrative Code Section 67.10(d)) (ACTION)

Motion: Commissioner Benedicto. 2nd: Commissioner Walker. Vote: 7-0.

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

1st Open Session ended: 7:49 pm
Closed Session: (7:58 pm – 8:12 pm)

**14. Closed Session
Roll Call;**

- a. **CONFERENCE WITH LEGAL COUNSEL – Existing Claim. Pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1):**
Steven Benvenuto v. City and County of San Francisco, et al., San Francisco Superior Court Case No. CGC-23-604629 filed February 15, 2023 (DISCUSSION & POSSIBLE ACTION)

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

b. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police. Pursuant to Government Code Section 67.10(b) and Penal Code Section 832.7:

Review of findings and Chief's decision to return or not return officers to duty following officer-involved shooting (OIS 24-003) (DISCUSSION)

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

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 take off calendar the disciplinary charges filed in DPA Case No. 56763-23 and remand back to the Chief of Police (DISCUSSION AND POSSIBLE ACTION)

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

Closed Session Ended: 8:12 p.m.

2nd Open Session (8:13 pm – 8:14 pm)

15. Vote to elect whether to disclose any or all discussion on Item 14 held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION)

Commissioner Benedicto motioned to not disclose item 14 held in closed session. Commissioner Walker Seconded. 7-0.

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

PUBLIC COMMENT:

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 8:14 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission