

JULY 6 2022

REMOTE MEETING VIA VIDEOCONFERENCE

The Police Commission of the City and County of San Francisco met via videoconference at 5:38 p.m.

PRESENT: Commissioners Elias, Byrne, Yee, Carter-Oberstone, Benedicto
ABSENT: Commissioner Yanez

GENERAL PUBLIC COMMENT

Francisco Dacosta talked about emergency services and needs assessment regarding drugs, homelessness, and fireworks. He asked for a Commander to work with the Commissioners on how to run the city.

Selena Husman, Council on American Islamic Relations, called to end pretext stops and would like the commission to recognize the urgency of this issue as there is racial bias associated with these stops.

David Aaronson, Wealth & Disparities, read a quote from their founder regarding racial profiling on traffic stops by SFPD.

Reverend Amos Brown pledged his support for a holistic approach to the problems of crime and homelessness in the city. He stated that the city needs to realize that it takes all hands on deck and that we can be better than who we are now but we're too busy point fingers at the Chief, at the Board of Supervisors or at the Commission. He stated that this needs to be "we" thing and that if we don't learn how to work together ... as Dr. Kings stated, "we're all going to perish as fools." He stated that we need to be firm about policing being professional and being compassionate. He stated we must work together if we're going to save this city and give the Chief the kind of support that he deserves.

Avi Fry, ACLU Northern California, called to address the delay in implementing an end to pretext stops in San Francisco. He stated that the community is wondering and waiting what the delay is about in starting a working group to get this process underway.

Zach Dillon, Public Defender's Office, called for urgency in implementing the general order and discussing the general order.

Wesley Savers, GLIDE, called in regard to DGO 9.01 and hopes that it proceeds in a timely manner and asked when will this process start.

Ms. Paulette Brown called about her son who was murdered August 14, 2006 and how his case is still unsolved and she is still looking for justice for her son.

ADOPTION OF MINUTES

- For the meetings of June 1, 8, and 15, 2022

Motion by Commissioner Benedicto, second by Commissioner Yee. Approved 5-0.

AYES: Commissioners Benedicto, Carter-Oberstone, Byrne, Yee, Elias

PUBLIC COMMENT

None

Chief's Report

- Weekly crime trends
- Major/Significant Incidents

Chief Scott reported on crime trends YTD: Violent Crime up 6 percent; homicide down 4 percent; rape up 4 percent; robbery up 1 percent; assault up 12 percent; human trafficking down 42 percent. Property Crimes up 7 percent; burglary down 25 percent; motor vehicle theft up 3 percent; arson down 18 percent; larceny theft up 16 percent. Gun violence is down 15 percent compared to 2021; There are no shooting incidents for the week ending 7/3/22. There are a total of 92 incidents resulting in 103 victims YTD. There are 2 homicide incidents the week ending 7/3/22. There are 25 homicides YTD with 17 incidents resulting from a firearm; 519 guns seized of that, 91 are ghost guns.

Significant Incidents: Two homicides for the week ending July 3rd. (1) On the 400 block of Rose where the victim was located unresponsive; victim was transported to the hospital and died from his injuries; no witnesses, case is ongoing. (2) On 3rd Street in the Bayview, victim was located lying on

the ground with an unknown witness next to him; initial statement by the witness stated that a vehicle drove by and shot the victim and then fled; witness left the scene prior to being identified; suspect was arrested the next day. Shootings: July 4th, at Ingalls and Underwood in the Bayview, victim was watching fireworks with her family when she was struck by a bullet; no suspect was seen; no arrest made and investigation is ongoing. At Cyril Magnin in the Tenderloin, victim is a street performer when an unknown suspect shot her in the foot; no arrest made, investigation is ongoing. At Ritch Street in the Southern, subject went into a restaurant to use the restroom when he was refused by the employees, an argument ensued and the subject left the restaurant. An employee followed the subject, confronted him on the street, a fight took place resulting in the restaurant employee being shot, no arrest made, investigation is ongoing.

Strategies: Increased in shots fired in the Bayview – deployment adjusted over the holiday weekend putting more officers in the Bayview including Tact officers and Hondas and Solo officers; increased foot beats in the 3rd Street corridor and increased presence with fixed posts and in housing developments in the Bayview. In the Ingleside – additional resources were deployed neighborhoods that experienced an increase in shots fired. The station participated in 10 community events including merchant walks, meeting with community groups and also to address traffic concerns along the Crescent Corridor.

Stunt Driving: No sideshows over the holiday weekend. The Chief reported on the good work done by the Stunt Driving Response Unit with collaboration with the District Stations which resulted in approximately 40 vehicles that have been seized as a result of follow up investigations.

The Chief reported on a fatal boat collision west of Angel Island that happened on June 30th. A powerboat collided with a sailboat; victim on the powerboat was ejected and located in the water and did not survive the injuries.

PUBLIC COMMENT

Francisco Dacosta talked about Walgreens on San Bruno Avenue and stated that if we don't support the Walgreens, we will lose it.

DPA Director's Report

- **Report on recent DPA activities, and announcement**
- **Presentation of the April and May 2022 Statistical Reports**

Executive Director Henderson reported the following: In the year 2022: 336 cases opened; 362 closed; 237 pending; 38 cases sustained; 20 cases past 270-day; 11 cases mediated. Cases received in the past week: 26 new cases; 3 stopped and search complainant illegally and issued a citation for no reason; 2 failed to investigate properly and write an incident report; 5 failed to take required action and made inappropriate comments; 1 unsafely made a turn directly in front of the complainant; 2 were rude, failed to properly investigate and wrote an inaccurate report; 1 made an arrest without cause; 1 failed to take action on an unruly crowd and engaged in biased policing; 1 failed to take required action because of complainant's race; 2 were rude and engaged in biased behavior; 3 were rude and behave inappropriate; 5 referred to an outside agency.

Director Henderson also presented the April and May 2022 statistical reports.

Audit: On June 22nd, held a meeting with SFPD to initiate the annual audit of SFPD's compliance with DGO 8.10.

Outreach: Can be found on community calendar on the DPA's website and posted on Tweeter, Facebook, Instagram and on DHR's website: Know your Rights presentation at the Department of Public Health Children Youth and Family System of Care Providers; participated in the recent community meetings in Central, Park, Richmond, and Taraval Station; mediation conference of all participants of the mediation program.

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 update on DGO 9.01, Pretext Stops, members of the commission have been working to roll out a plan for public outreach and revision. He thanked the members of the public for being engaged on this issue. He reported that the Commission is working with Dr. Davis, Human Rights Commission, to help facilitate the outreach to the public. There will be three different methods of outreach which will begin in the upcoming weeks: (1) Attending community events with the Commission and Department staff with materials about this DGO at upcoming community events including National Night Out; (2) Community listening sessions to begin the week of August 22nd, with locations and dates TBD; (3) August will start the working groups. Commissioner Benedicto also reported on attending the Academy Class Graduation and he also attended an event hosted by the DPA welcoming back their mediators.

Commissioner Elias stated that for updated information regarding dates and times of the Pretext Stop working group/listening sessions will be provided on the Commission website and encourage the public as well as members of the Department to continue to email the commission with comments and suggestions.

Commissioner Byrne stated he will call the Northern Station Captain in regard to calls from building owners regarding defiling of buildings and also open drug dealing along Van Ness Avenue. He also reported that he had a discussion with the Hastings administration and stated that they are satisfied with the increased deployment of officers in the Tenderloin and have noticed an improvement. Deployment will continue till end of August.

PUBLIC COMMENT

Mariam, Government Relations intern, stated that CARE concept has been introduced since February 2022.

Francisco Dacosta spoke of restorative justice should be incorporated more in the Bayview Hunters Point area.

DISCUSSION AND POSSIBLE ACTION TO ADOPT REVISED DEPARTMENT GENERAL ORDER 8.02, "HOSTAGE AND BARRICADED SUSPECT"

Captain John Jaimarena presented DGO 8.02, "Hostage and Barricaded Suspect."

Motion by Commissioner Benedicto, seconded by Commissioner Byrne.

AYES: Commissioners Benedicto, Carter-Oberstone, Byrne, Yee, Elias

PUBLIC COMMENT

None

RESOLUTION 22-115

ADOPTION OF REVISED DEPARTMENT GENERAL ORDER 8.02, "HOSTAGE AND BARRICADED SUSPECT"

RESOLVED, that the Police Commission hereby adopts revised Department General Order 8.02, "Hostage and Barricaded Suspect."

AYES: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto

ABSENT: Commissioner Yanez

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Elias, second by Commissioner Yee. Approved 5-0

AYES: Commissioners Benedicto, Carter-Oberstone, Byrne, Yee, Elias

CLOSED SESSION (7:02 p.m. – 8:07 p.m.)

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:

Discussion and possible action regarding Evidentiary Stipulations, Waiver of Evidentiary Hearing and Admission of Specifications alleged in Commission Charges filed in case nos. IAD 2020-0146A and IAD 2020-0146B, and determine penalty, or take other action if necessary.

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom, Attorney Pantaleo, Attorney Brass, members involved)

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 adopt proposed Findings of Fact regarding the Commission's decisions in the following non-disciplinary cases, or take other action if necessary:

- (i) IAD 2021-0179
- (ii) IAD 2021-0206
- (iii) IAD 2021-0244
- (iv) IAD 2021-0297
- (v) IAD 2021-0303
- (vi) IAD 2021-0173
- (vii) IAD 2021-0333
- (viii) IAD 2021-0174
- (ix) IAD 2021-0291
- (x) IAD 2021-0199

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

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:

Assignment of a Commissioner for the taking of evidence in disciplinary charges filed in case no. IAD 2022-0074

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

d. 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 in disciplinary charges filed in case no. IAD 2021-0089

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

e. 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 non-disciplinary charges filed in case no. IAD 2020-0141 in memoriam effective June 16, 2022

Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

f. 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:

Status and calendaring of pending disciplinary cases (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

OPEN SESSION (8:07 p.m.)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Elias, second by Commissioner Yee for non-disclosure. Approved 5-0.

AYES: Commissioners Benedicto, Carter-Oberstone, Byrne, Yee, Elias

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 8:10 p.m.



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

JULY 13 2022

REMOTE MEETING VIA VIDEOCONFERENCE

The Police Commission of the City and County of San Francisco met via videoconference at 5:35 p.m.

PRESENT: Commissioners Elías, Byrne, Yee, Carter-Oberstone, Yanez, Benedicto

GENERAL PUBLIC COMMENT

Unidentified spoke regarding Commissioner Carter-Oberstone's traffic stop policy and asked a series of questions: What disparity, if any, is acceptable? Is your thought process on crime that it relates to the population of each demographic and location and cannot ever be over represented without racism? How do you compare the number of stops made by police versus the reported numbers of suspects by victims? If poverty is the driver of crime as described by Felicia Jones and her group, then if any demographic has a higher instance of poverty versus their population in a given area, would this not account for some disparities on police contacts? How many violations by race did SFPD ignore and not pull over? Have you visited with the rank and file to have an open and honest dialogue about what they are feeling or their thoughts? How did you choose the groups to correspond with about this policy, and this is a request for all your communications on this policy with the groups you identified in your ambush of Chief Scott when you dropped the policy?

Susan Buckman, Wealth & Disparities, read a quote from their founder regarding bias by SFPD.

Ms. Paulette Brown spoke of her son's murder and how his case is still unsolved. August 14th will be the anniversary of his death and it's been so long that her son's case is still unsolved.

Commissioner Carter-Oberstone stated regarding the first caller who posed a list of questions that he would be happy to sit down with him and answer all the questions and stated that many of the questions he asked have already been answered in publicly issued reports and in the department's own data. He provided the caller his email to set up a time to talk to him.

Chief's Report

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

Chief Scott reported on crime trends YTD: Violent Crime up 6 percent; homicide n/c percent; rape up 5 percent; robbery up 3 percent; assault up 11 percent; human trafficking down 42 percent. Property Crimes up 6 percent; burglary down 25 percent; motor vehicle theft up 3 percent; arson down 18 percent; larceny theft up 15 percent. Gun violence is down 13 percent compared to 2021; Four shooting incidents for the week ending on 7/10/22; total 97 incidents resulting in 108 victims YTD. One homicide for the week ending 7/10/22; there are a total of 26 homicides YTD with 18 resulting from a firearm; 64% overall clearance. 539 guns seized; 116 ghost guns seized YTD.

Hate Crimes: 22 total YTD: 4 anti-Asian; 2 anti-Latin X; 4 anti-Jewish; 3 anti-Black; 2 anti-Trans; 1 anti-White; 5 anti-LGBTQ; and, 1 anti-gender.

Significant Incident: Homicide on July 9th, Dakota & 23rd in the Bayview; officers located victim suffering from gunshot wound and attempted to render aid until medics arrived but victim succumbed to his injuries; 4 shootings: At McAlister in Tenderloin on July 6th; at Ingalls and Underwood in the Bayview on July 4th; at Cyril Magnin and Market in the Tenderloin; and at the 200 block of Ritch. No arrest in any of the cases; investigations are ongoing.

Significant events: Hill Bomb incident at Dolores Park past weekend. The event generated numerous calls from tourists and residents complaining about the event. The department responded in great numbers due to the nature of the crowd many were hostile towards officers. The event was declared as an unlawful assembly and were able to break it up. There was significant vandalism on July 4th at 24th and Harrison where a community center was vandalized, investigation is ongoing.

Significant arrest: Arrest related to Sak 5th Avenue theft of over \$35,000; 711 robberies on Taraval and then on San Bruno, two people arrested and booked.

Stunt Driving: Stunt driving event as part of Hill Bomb event and officers were called to break up the stunt driving.

Commissioner Elias asked the Chief to give a brief report regarding the Surveillance Camera Ordinance. The Chief reported that the Ordinance was passed by the Board of Supervisors in 2019. The Department is asking for the approval of a surveillance camera policy from the Board of Supervisors that will allow the department to monitor in real time criminal activity, both felony and misdemeanor, as well as monitor in real time large scale events with public safety concerns.

PUBLIC COMMENT

None

DPA Director's Report

- **Report on recent DPA activities, and announcement**
- **Presentation of the April and May 2022 Statistical Reports**

Executive Director Henderson reported the following: In the year 2022: 346 cases opened; 367 closed; 240 pending; 38 cases sustained; 20 cases past 270-day; 11 cases mediated. Cases received in the past week: 7 new cases; 1 failed to take a child to a child crisis center; 3 inappropriately cited a person for a parking violation and pointed a pepper spray at the person, failed to respond reports of burglaries, vandalism incidents, and failed to write a police report; 1 informational only; 1 failed to stop or prevent people from setting up fireworks; 1 referred to Orange County Sheriff's Department.

Outreach: Can be found on community calendar on the DPA's website and posted on Tweeter, Facebook, Instagram and on DHR's website: Summer Program is in full swing. July 12th DPA presented at Northern Station's community meeting; Summer Law and Justice Program, interns met with the Sheriff's office, met with Dante King, met with Chief Adult Probation Officer Krystal Tullock, Chief Probation Officer Catherine Miller, and Judge Bruce Chan, Superior Court, Bar Association Yulanda Jackson. On July 12th, DPA presented at Northern Station's community meeting.

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 Yanez reported that he met with Sgt. Youngblood about the Early Intervention System. He asked about increased in youth arrests and why and what safeguards the department will have in place to not prosecute the youth.

Commissioner Benedicto reported that he spent six hours on a ride along with officer in the Mission Station. He thanked the Chief and the Command Staff as well as the team at Mission Station, Captain McEachern, Sergeant Russell, and Officers Orla Campbell and Haley Brian, for coordinating the ride along. Commissioner Benedicto stated that it was tremendous enlightening experience to see up close the work that rank and file officers do and the challenges they face. He went on to provide an update on the community outreach for DGO 9.01: Community outreach will start as early as August 2nd and is going to run through August and September. It will consist of three components: targeted community outreach at specific events; town halls organized by Human Rights Commission to get community feedback; and, working group to work on policy revisions. The first set of events will be a Department and Commission outreach at the National Night Out and the Night Out for Safety and Liberty events on August 2nd. On August 26th, members of the commission will be joining Human Rights Commission on it's monthly round table composed of community stakeholders. He also stated that also in August, the commission will be meeting with members of the Latino Task Force, date to be determined. On September 6th, meeting with the Community Youth Center & the Coalition for Community Safety and Justice, which is a group of four Asian Pacific Islander Organizations (Chinese for Affirmative Action, Chinese Progressive Association, New Breath Foundation, and Community Youth Centers). On September 6th, Main Library, there will be a townhall. On September 20th, there will be a townhall with location TBD. Also in September, with

location and date TBD, there will be a townhall in the Mission District. First working group meeting will be on August 2nd.

Commissioner Carter-Oberstone asked about the raw stop and search data to be sent to the Commission and DPA on a quarterly basis at the same time the Department already have to send that data to the California DOJ and asked Chief Scott if he can send the last two quarters of data to the Commission. Chief stated the Department will send to the Commission on Thursday.

Commissioner Elias encouraged the public to submit their comments and edits to DGO 9.01 and stated that the Commission have received comments from officers and that she has been in contact with officers regarding traffic enforcement ride along. She also asked that when the Sparks Report is presented to the Commission in September, she would like the status on the expired Juvenile DGO and the answer as to why and how it expired. She also stated that she's been working in scheduling a meeting with the Chief and command staff regarding the list of DGOs and/or working groups as the Department will be resuming working groups on some of the DGOs. Also, the DPA's Frequently Asked Questions can be found in DPA's website under the Resources tab.

PUBLIC COMMENT
None

PRESENTATION OF THE EARLY INTERVENTION SYSTEM 4TH QUARTER 2021 AND 1ST QUARTER 2022 REPORTS

Commander Paul Yep, Risk Management Unit, presented the EIS 4th Quarter 2021 and 1st Quarter 2022 reports.

PUBLIC COMMENT
None

DISCUSSION REGARDING PENDING DEPARTMENT GENERAL ORDERS

Ms. Janelle Caywood, DPA, reported on pending Department General Orders.

PUBLIC COMMENT
David Calderon called and stated he spoke with Lt. Kelvin Sanders regarding policy when officers commit perjury.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION
None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Yee, second by Commissioner Benedicto. Approved 6-0

AYES: Commissioners Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

CLOSED SESSION (8:30 p.m. – 9:16 p.m.)

Roll Call;

a. THE COMMISSION IS NOT MEETING WITH THE SF POLICE OFFICERS ASSOCIATION IN CLOSED SESSION.

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 POA is 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 Police Officers: SF Police Officers Association

Anticipated Issues Under Negotiation: Department General Order 3.01, "Department Written Directives" (DISCUSSION & POSSIBLE ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Chief Scott, Assistant Chief Moser, Deputy City Attorney Cabrera, Deputy City Attorney Porianda, Deputy City Attorney Bhatt, Sgt. Youngblood, Sgt. Reynolds, Risa Tom, Director Preston, Isabelle Choy)

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:

Hearings on non-disciplinary charges and possible action on dismissal, or other action, if necessary, on the following cases: (ACTION)

- (i) Case No. IAD 2021-0225
- (ii) Case No. IAD 2021-0181
- (iii) Case No. IAD 2021-0305

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom, Attorney Pantaleo)

(These proceedings were taken in shorthand form by Ms. Marianne 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:

Status and calendaring of pending disciplinary cases (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

OPEN SESSION (9:16 p.m.)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Yee, second by Commissioner Elias for non-disclosure. Approved 6-0.

AYES: Commissioners Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

PUBLIC COMMENT

None

DISCUSSION AND POSSIBLE ACTION TO ADOPT REVISED DEPARTMENT GENERAL ORDER 3.01, "DEPARTMENT WRITTEN DIRECTIVES."

Motion by Commissioner Elias, second by Commissioner Yee. Approved 6-0.


AYES: Commissioners Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 9:19 p.m.



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

The Police Commission of the City and County of San Francisco met via videoconference at 5:35 p.m.

PRESENT: Commissioners Elias, Byrne, Yee, Carter-Oberstone, Yanez, Benedicto, Walker

Commissioner Elias welcomed newly appointed Commissioner Debra Walker who went on to give a brief bio about her work with the city.

GENERAL PUBLIC COMMENT

Wesley Savers, GLIDE, talked about their work with GLIDE and spoke of increased number of their home reduction and syringe access program participants have been cited for possessing drug paraphernalia and have their home reduction supply confiscated by SFPD.

Kit Hodge, Wealth & Disparities, read a quote from their founder regarding SFPD racial bias and racial profiling during traffic stops.

Jean Bridges, Wealth & Disparities, read a quote from their founder regarding SFPD racial bias and racial profiling during traffic stops.

Francisco Dacosta stated that the Commission should address what is happening in ground zero to address mental issues.

Barry Toronto called about an issue on 11th Street where an officer did not do anything to clear the area of cars parked in the bike lane and unoccupied double-parked cars.

Ms. Paulette Brown called about her son, Aubrey Abrakasa, who was murdered on August 14th and how his case is still unsolved.

Consent Calendar

- SFPD SB 1421 & SB 16 Monthly Report
- DPA SB 1421 & SB 16 Monthly Report
- SFPD Family Code 6228 Quarterly Report, 1st Quarter 2022
- Sexual Assault Evidence Kit "SAEK" Semi-Annual Report, January 1 – June 30, 2022
- Police Commission Disciplinary Actions Report, 2nd Quarter 2022

Motion by Commissioner Elias, second by Commissioner Benedicto. Ayes 7-0.

AYES: Commissioners Walker, Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

PUBLIC COMMENT

None

Chief's Report

- Weekly crime trends
- Major/Significant Incidents

Chief Scott reported on crime trends YTD: Violent Crime up 6 percent; homicide n/c percent; rape up 7 percent; robbery up 1 percent; assault up 12 percent; human trafficking down 45 percent. Property Crimes up 6 percent; burglary down 25 percent; motor vehicle theft up 3 percent; arson down 18 percent; larceny theft up 15 percent. Gun violence is down 11 percent compared to 2021; Two shooting incidents for the week ending on 7/17/22; total 99 incidents resulting in 111 victims YTD. One homicide for the week ending 7/17/22; there are a total of 26 homicides YTD with 18 resulting from a firearm; 65% overall clearance. 564 guns seized; 116 ghost guns seized YTD.

Significant Incident: Two shooting incidents: July 14th, 1900 block of Mission in the Mission District – victim was sitting in the area with friends when she heard gun shots and realized she had been shot. Investigation into the incident determined that that victim was not believed to be the intended target, no arrest made, investigation is ongoing; 2nd incident, two victims shot on 6th Street in the Tenderloin – a subject walked up to the two victims and shot both of them several times. Investigation determined that both victims were the intended target. Victims were transported to the hospital with one life-threatening injuries, no arrest made, investigation is ongoing. There was a suspicious device threat at the Airport's International Terminal on July 15th – a subject called the US Secret Service in Los Angeles and stated that he had a bomb with him. The US Secret Service

transferred the call to SFO SFPD who were able to locate the subject inside the International Terminal. Subject was detained while SFPD Emergency Operations K-9 did a sweep of subject's bags. K-9 alerted on a bag which prompted an evacuation of the Terminal. The EOD Division took possession of the bag and transported it out of that location. The subject also advised that he had placed bombs on an airport public shuttle and one inside his car in the airport garage. No bombs were located on either of those locations. Suspect was taken into custody and the case is handled by the San Mateo District Attorney's Office.

Significant arrest: Arrest on an organized retail theft by an outside agency where three subjects entered the Sak's Fifth Avenue and took numerous products from displays, valued at \$35,000, fled the area in their vehicle. One suspect arrested in Suisun City and investigation is ongoing. Fencing Operation arrest on possession and sales of over the counter medications and personal car products where items were sold online and shipped all around the country. A 38-year old SF resident was identified as the primary suspect; stolen goods estimated worth nearly \$200,000 were located and seized.

Strategies: Recent robberies of high-end watches most of the time at gunpoint and believe that there are different suspects operating throughout the Bay Area. Patrols have been put in place in areas hit along with plainclothes surveillance teams working these cases. In the Central – two incidents of aggressive robberies at gunpoint of their watches, additional resources deployed in Chinatown, Union Square and parts of Northern. In the Taraval – increased in auto burglaries in the Stonestown Mall area, Taraval working with mall security and merchants to discuss customer safety and SFPD's community policing efforts to get information out to the public to be vigilant.

Stunt Driving: No stunt driving to report.

PUBLIC COMMENT

Francisco Dacosta commented on the appointment of Commissioner Walker asked about staffing and how many active officers are working and commented that the Commission is slowly focusing on something good.

Ms. Paulette Brown read the case number for her son, 060862038. She asked for support on the day of his death anniversary on August 14th and asked for help to solve unsolved homicides.

DPA Director's Report

- Report on recent DPA activities, and announcement

Executive Director Henderson reported the following: In the year 2022: 358 cases opened; 393 closed; 227 pending; 39 cases sustained; 20 cases past 270-day; 13 cases mediated. Cases received in the past week: 17 new cases; 3 mental health evaluations and failed to investigate an assault; 1 failed to remove a homeless encampment; 1 used force and took possession of a person's car; 2 failed to take action when responding to a verbal assault minimized the scene of a car crash; 1 illegally searched a car; 1 harassed an RV driver about his parking location; 1 referral; 1 rude to the complainant when he went to the station to make a report; 1 failed to show up to a call of service; 2 First Amendment violation and inappropriately issued a parking citation; 1 referral (not applicable); 2 referral (out of town).

Outreach: Can be found on community calendar on the DPA's website and posted on Tweeter, Facebook, Instagram and on DHR's website: Summer interns attended the swearing in of Commissioner Walker; interns met with Shaman Walton; DPA presented at Ingleside and Southern community meetings.

PUBLIC COMMENT

Ms. Paulette Brown stated that her son was not killed by the police and stated that she had not heard from her investigator and commented that her son is not a gang member. She asked for help to solve her son's case.

Commission Reports

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

Commissioner Walker asked for a presentation on how the Police Department is partnering with different groups like the Alchemy, Patrol Specials, to make sure that the service and response are effective. She would like to know how the Department is partnering, communicating, prioritizing, and identifying who can do what.

Commissioner Yanez supports the community partnership presentation and asked if it could be added to the September 7th Community Policing presentation. He also would like a presentation on how the proposed budget will be utilized.

Commissioner Benedicto provided an update regarding draft DGO 9.01, Pretext Stops: Written materials will be posted on the Commission website. Outreach at several community events starting in August:

August 2nd - National Night Out
September 6th – Listening session at Main Library in Civic Center, 5:30 p.m.
September 20th – Listening session at the Bayview Opera House
Mission District – TBD

August 2nd - Working group meeting, Police Headquarters, 11:30 a.m.

Commissioner Yee followed up on the request for Community Policing presentation. He also asked for presentation regarding procedures in handling of individuals in mental crisis, specifically DGO 6.14, Psychological Evaluation of Adults, and 7.02, Psychological Evaluation of Juveniles.

Commissioner Byrne reported that he is scheduled to go out on a ride along on Friday with Tenderloin officers and will report back in September.

Commissioner Carter-Oberstone welcomed newly appointed Commissioner Debra Walker and reported that he met with the DPA summer interns.

PUBLIC COMMENT

Francisco Dacosta stated that when you're talking about community policing, you need to define what officers can do with a force of 1200 instead of 2000 and stated that there are issues on the streets that the Health Department should be the lead agency.

Ms. Paulette Brown stated that she has not heard from her investigator and that if he is out, someone should have called her and assigned another investigator to her case.

David Calderon called regarding the homicide case of his mother and spoke of his case with DPA.

PRESENTATION REGARDING SFPD STRATEGIES FOR THE RECRUITMENT OF WOMEN

Taken off calendar.

STATUS UPDATE ON CHAPTER 19B, "SURVEILLANCE TECHNOLOGY LEGISLATION"

Chief Scott explained that the goal of this policy ordinance is to codify, affirm, and clarify SFPD's use of privately owned surveillance technology. The Department believes that the use of 3rd party surveillance technology is necessary tool to better address crime and intervene when crimes are being committed. The Department is working with the Mayor's Office, Board of Supervisors Rules Committee, City Attorney's Office, and have met with advocacy groups to help develop an ordinance that both address the public safety concerns while also preserving every individual's right to privacy. This process have been going on for some time.

Ms. Asha Steeves, Special Assistant/Project Manager, presented the status update on Chapter 19B, "Surveillance Technology Legislation."

PUBLIC COMMENT

Julie Traun, Bar Association, stated they are troubled by implications for civil liberties and concerns about implications for 4th Amendment rights. She stated that the Commission should look at DGOs 5.16 and 8.10.

Brian Cox stated this policy does not have enough guardrails to make it such that SFPD won't just target black and brown people and what's the recourse for when and if a request is unlawfully granted.

Susan Buckman, Wealth & Disparities, stated that they are concerned about any possibility of increased surveillance of Black San Franciscans by SFPD and that SFPD does not need greater power and greater reach. It needs greater oversight and greater accountability.

Francisco Dacosta talked about Walgreens and people walking in to steal. There should be high quality cameras to stop these incidents.

Gloria Barry discussed concerns regarding how these can be used to criminalize black and brown people. She stated that she would like SFPD to spend more time on reforms and general orders.

Ms. Paulette Brown talked about ghost guns and how they cannot be traced even with cameras and spoke of unsolved homicides and stated that next month is her son's anniversary.

DISCUSSION REGARDING SFPD'S PLAN TO INCREASE POLICE PRESENCE AND DRUG ENFORCEMENT IN THE TENDERLOIN

Chief Scott presented the update regarding increased police presence and drug enforcement in the Tenderloin. The Chief reported on increased overdose deaths in the city: 2017, 222 deaths; 2018, 259 deaths; 2019, 441 deaths; 2020, 711 deaths; 2021, 641 deaths; and, 2022 YTD 297 deaths. The Tenderloin accounts for 22 percent of those deaths. According to the Medical Examiner's Office, the majority in the rise of overdosed deaths are attributed to Fentanyl.

The Chief stated that he has heard from many people that there has to be a change to what is happening in the streets and that the Police Department needs to do its job and enforce the law. He also heard from the people that they want the city to make available treatment and services to those individuals suffering from addiction and substance abuse disorder.

The Chief stated that the strategy is to disrupt the open air drug market, both the sales and public usage, through engagement and enforcement. That engagement includes the use of Narcan. It also includes the enforcement of the California Health and Safety Code related to narcotic sales and possession.

The Chief reported on a Community Policing grant received by the Department specifically for the Tenderloin. The grant calls for engagement with the community, working with the community to address the issue and also calls for reporting as to whether or not these strategies are disrupting the activities. The grant became active in July. One of the main goals of the grant is the open air intervention by community engagement, input, working with members of the community, and enforcement. The department wants to be able to have a culture and environment where people don't believe that they can just smoke Fentanyl, or whatever the choice of the day is, without being engaged by a San Francisco police officer when those officers observe that activity. If that activity is observed, officers are directed to engage with that person and that engagement can take several different forms. It can take a form of a citation or an arrest. Most of them have been citations. Resources are available to get people the services they need. There are efforts also to try and get people to go to places like Lincoln Center or places where services are available. The grant expires in about a month. There's been over 300 arrests in the Tenderloin on drug sales; cited over a 150 people. Most of the arrests are for warrants or stay away orders. Confiscated over 25,000 grams of Fentanyl.

PUBLIC COMMENT

Susan Buckman, Wealth & Disparities, concerned about increased police presence in the Tenderloin. She stated that increased presence has already been tried and nothing has improved. She talked about the underlying issues of housing, mental health, and addiction issues for people living in the Tenderloin. She stated increased policing will only criminalize mental illness, addiction, and poverty in the Tenderloin and demanded that there be no increased policing in the Tenderloin.

DISCUSSION ON THE STATUS OF THE MOU BETWEEN SFPD AND DISTRICT ATTORNEY

Chief Scott stated that the status of the MOU is that the Department is still working with the appointed mediator, Judge Walker, and have not stopped engaging with the judge even with the changes in the last month. Chief Scott also stated that he has had conversation with DA Jenkins and

that they have agreed to extend for 30 business days the termination of the MOU with the hope of getting a revised MOU within that time period and until that time, the current MOU is still in place.

PUBLIC COMMENT

Susan Buckman, Wealth & Disparities, are concern about the fragile state of the MOU and demanded that future negotiations ensure that the MOU remains in place, not on a temporary or interim basis but on a permanent basis.

PRESENTATION OF THE DEPARTMENT OF POLICE ACCOUNTABILITY 2021 ANNUAL REPORT

Chief of Staff Sarah Hawkins presented the DPA's 2021 Annual Report.

PUBLIC COMMENT

None

DISCUSSION AND POSSIBLE ACTION TO APPROVE REVISED DEPARTMENT GENERAL ORDER 3.07, "POLICE DEPARTMENT COLLISION BOARD OF REVIEW," FOR THE DEPARTMENT TO USE IN MEETING AND CONFERRING WITH THE SAN FRANCISCO POLICE OFFICERS ASSOCIATION AS REQUIRED BY LAW

Director Preston presented DGO 3.07, "Police Department Collision Board of Review."

Motion by Commissioner Benedicto, seconded by Commissioner Yee. Approved 7-0.

AYES: Commissioners Walker, Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

PUBLIC COMMENT

None

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Elias, second by Commissioner Benedicto. Approved 7-0

AYES: Commissioners Walker, Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

CLOSED SESSION (9:45 p.m. – 10:50 p.m.)

Roll Call;

a. PUBLIC EMPLOYEE PERFORMANCE: Chief of Police

Pursuant to Government code Section 67.10(b) and Penal Code 832.7: Review of findings and Chief's decision to return or not return officers to duty following officer-involved shootings (OIS 22-002 & OIS 22-003)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Walker, Chief Scott, Assistant Chief Moser, Deputy City Attorney Cabrera, Sgt. Youngblood, Sgt. Reynolds, Sergeant Khuu, Sergeant Pan)

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:

Status and calendaring of pending disciplinary cases (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Walker, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds)

OPEN SESSION (10:50 p.m.)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

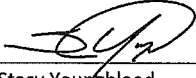
Motion by Commissioner Elias, second by Commissioner Benedicto for non-disclosure. Approved 7-0.

AYES: Commissioners Walker, Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

PUBLIC COMMENT
None

ADJOURNMENT

Thereafter, the meeting was adjourned at 10:53 p.m.



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission