

**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 14<sup>th</sup> 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 9<sup>th</sup>, Dakota & 23<sup>rd</sup> 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 6<sup>th</sup>; at Ingalls and Underwood in the Bayview on July 4<sup>th</sup>; 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 4<sup>th</sup> at 24<sup>th</sup> and Harrison where a community center was vandalized, investigation is ongoing.

Significant arrest: Arrest related to Sak 5<sup>th</sup> 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 12<sup>th</sup> 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 12<sup>th</sup>, 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 2<sup>nd</sup> 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 2<sup>nd</sup>. On August 26<sup>th</sup>, 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 6<sup>th</sup>, 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 6<sup>th</sup>, Main Library, there will be a townhall. On September 20<sup>th</sup>, 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 2<sup>nd</sup>.

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 4<sup>TH</sup> QUARTER 2021 AND 1<sup>ST</sup> QUARTER 2022 REPORTS**

Commander Paul Yep, Risk Management Unit, presented the EIS 4<sup>th</sup> Quarter 2021 and 1<sup>st</sup> 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.

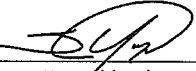
AYES: Commissioners Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

**PUBLIC COMMENT**

None

**ADJOURNMENT**

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

  
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Sergeant Stacy Youngblood  
Secretary  
San Francisco Police Commission