

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 11<sup>th</sup> 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 14<sup>th</sup> 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, 2<sup>nd</sup> 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 14<sup>th</sup>, 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; 2<sup>nd</sup> incident, two victims shot on 6<sup>th</sup> 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 15<sup>th</sup> – 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 14<sup>th</sup> 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 Commission 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 7<sup>th</sup> 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 2<sup>nd</sup> - National Night Out  
September 6<sup>th</sup> – Listening session at Main Library in Civic Center, 5:30 p.m.  
September 20<sup>th</sup> – Listening session at the Bayview Opera House  
Mission District – TBD

August 2<sup>nd</sup> - 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 3<sup>rd</sup> 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 4<sup>th</sup> 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**

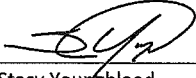
Motion by Commissioner Elias, second by Commissioner Benedicto for non-disclosure. Approved 7-0.

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

PUBLIC COMMENT  
None

**ADJOURNMENT**

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



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Sergeant Stacy Youngblood  
Secretary  
San Francisco Police Commission