

**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 3<sup>rd</sup>. (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 3<sup>rd</sup> 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 4<sup>th</sup>, 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 3<sup>rd</sup> 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 30<sup>th</sup>. 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 22<sup>nd</sup>, 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 22<sup>nd</sup>, 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.



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Sergeant Stacy Youngblood  
Secretary  
San Francisco Police Commission