

The Police Commission of the City and County of San Francisco met via videoconference at 5:37 p.m.

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

**GENERAL PUBLIC COMMENT**

David Aaronson, Wealth and Disparities, read a quote from their founder regarding bias from SFPD and spoke of recommendations for the traffic DGO and expressed concerns regarding police involvement in the working group.

Susan Buckman, Wealth and Disparities, read a quote from their founder regarding bias from SFPD and spoke of concerns regarding the traffic DGO working group and spoke of no black community involvement in the working group.

Jean Bridges, Wealth and Disparities, read a quote from their founder regarding anti blackness in SFPD and spoke of racial disparities discussed in last week’s meeting and concerns about Commissioner Byrne.

**ELECTION OF COMMISSION OFFICERS**

Motion by Commissioner Benedicto to have Cindy Elias as president of the Commission and Commissioner Carter-Oberstone as Vice President. Second by Jesus Yanez.

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

NAYS: Commissioners Walker, Yee, Byrne

Motion by Commissioner Walker to have Larry Yee as President and Cindy Elias as Vice President. No second.

**PUBLIC COMMENT**

David Aaronson supports Commissioner Elias as President.

**Chief’s Report**

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

Chief Scott reported on crime trends YTD: Violent Crime up 6 percent; homicide down 3 percent; rape up 8 percent; robbery up 3 percent; assault up 10 percent; human trafficking down 56 percent. Property Crimes up 9 percent; burglary down 23 percent; motor vehicle theft up 3 percent; arson down 15 percent; larceny theft up 19 percent. Gun violence is down 9 percent compared to 2021; Three shooting incidents for the week ending on 9/11/22; total 126 incidents resulting in 145 victims YTD. Two homicides for the week ending 9/11/22; there are a total of 36 homicides YTD with 26 resulting from a firearm; 62% overall clearance. Guns seized 729; ghost guns seized 129 YTD. The Chief also reported on what is happening in the Tenderloin: 371 possession for sale bookings; seized over 68,000 grams of total narcotics, of that 39, 148 are Fentanyl.

Significant Incident: Two homicides: September 6<sup>th</sup> at the 600 block of Larch, victim passed away, officers responded to shot spotter activation in the area of Laguna and Eddy, investigation is ongoing; September 10<sup>th</sup> at stabbing homicide occurred; private video footage provided to the officers showed two males in an altercation, one male fell to the ground and later passed away from his injuries. The second subject fled in a vehicle, later taken into custody. Three shooting incidents: September 6<sup>th</sup>, on Essex Street, victim was inside a residence when one of the subjects grabbed the victim’s hand which contained a large sum of money, subject fired a shot and struck the victim, victim was transported to the hospital, no arrest made, investigation is ongoing. September 10<sup>th</sup>, at 5<sup>th</sup> and Natoma, victim was approached by an unknown subject asking for change, subject brandished a handgun and when victim did not hand over his money, subject shot the victim, no arrest made, investigation is ongoing. September 11<sup>th</sup>, 500 block of Felton, victim was at Jack in the Box located on Bayshore Boulevard when victim got into argument with unknown person. A short time later, victim was sitting in his vehicle when he was shot, no arrest made, investigation is ongoing.

Strategies: Community complaint in illegal vending in the Mission resulted in plan that included multi-agencies to go after illegal vending. Park: Car break ins, assigned extra patrol to continue patrolling the area.

Stunt Driving: September 10<sup>th</sup>, at 6<sup>th</sup> and Harrison at 1:45 a.m. involving 200 – 300 spectators and a number of vehicles; at 2:09 a.m. an event was reported at Van Ness and Pine with reports of gunshot. Units responded and broke up the group; vehicles left at high rate of speed down Pine and Gough, running redlights. During the event, two people were injured and self-transported to the hospital with minor injuries. At 3:30 a.m., units responded to the Bay Bridge and CHP responded to help break it up.

The Chief reported that the barricade around Mission Station have been taken down.

MOU with the District Attorney's Office have been extended to October 17<sup>th</sup>.

#### PUBLIC COMMENT

David Aaronson agreed that there needs to be urgency on the MOU between SFDA and SFPD and spoke of higher rates of drug use imprisonment is not the answer.

#### DPA Director's Report

##### - Report on recent DPA activities, and announcement

Chief of Staff Sarah Hawkins for Executive Director Henderson reported the following: In the year 2022: 474 cases opened; 507 closed; 247 pending; 48 cases sustained; 25 cases past 270-day; 16 cases mediated. Cases received in the past week: 7 new cases; 1 (Central) treated a person with bias; 1 (Bayview) failure to take action against abusive behavior; 2 (Northern) failure to arrest a suspect and failure to respond to a burglary call; 2 (Taraval) harassing and racially profiling a person and failure to file a police report; 1 (out of town) need additional investigations.

#### 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 Elias announced that the surveillance issue will be on the agenda next week and hopes to have more information on status of DGOs.

Commissioner Walker talked about legislation put on by the Board of Supervisors called SF Recovers and coordination between agencies to work together and that she would like to work on this issue. She also talked about attending with Commissioner Benedicto training at the Academy.

Commissioner Yee reported that he visited the 911 Center and thanked the dispatchers and their team on the stress that they go through on a daily basis.

Commissioner Yanez spoke regarding a part-time employee making comments on social media and asked to revisit the social media policy.

Commissioner Benedicto reported on continuing outreach regarding DGO 9.01 and that the public is invited to give their feedback and that the next listening September 20<sup>th</sup> hosted by HRC will be at the Bayview Opera House. He also talked about writing a letter along with Commissioner Elias regarding the Camera ordinance before the Board of Supervisors. He also talked about attending the training at the academy today and stated it was tremendously educational and very helpful and commended the Field Tactics Force Options Unit.

**PUBLIC COMMENT**

David Aaronson thanked Commissioner Walker for addressing his comment.

**PRESENTATION REGARDING DISCIPLINARY CASES REMANDED TO THE CHIEF OF POLICE, 2020 TO PRESENT**

Commander Paul Yep, Risk Management, presented the status of discipline cases that have been remanded to the Chief of Police.

**PUBLIC COMMENT**

Zach asked about two items regarding dishonesty that are disclosable through SB1421.

**PRESENTATION FROM THE INTERNAL AFFAIRS DIVISION REGARDING BIAS FINDINGS FROM THE LAST FIVE YEARS**

Commander Paul Yep, Risk Management, presented the IAD Bias Findings from the last five years.

**PUBLIC COMMENT**

None

**PRESENTATION OF THE 2<sup>ND</sup> QUARTER FIREARM DISCHARGE REVIEW BOARD FINDINGS AND RECOMMENDATIONS & OIS INVESTIGATIVE SUMMARY**

Deputy Chief Rob O'Sullivan, Field Operations Bureau, presented the 2<sup>nd</sup> Quarter FDRB Findings and Recommendations & OIS Investigative Summary Report.

**PUBLIC COMMENT**

Kit Hodge, Wealth & Disparities, asked why this report is only from 2017.

**DISCUSSION AND POSSIBLE ACTION TO ADOPT DGO 3.07, "POLICE DEPARTMENT COLLISION BOARD OF REVIEW." MEET AND CONFER DRAFT WAS APPROVED BY THE COMMISSION ON JULY 20, 2022**

Motion by Commissioner Elias, second by Commissioner Byrne to adopt. Approved 7-0.

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

**PUBLIC COMMENT:**

None

**DISCUSSION AND POSSIBLE ACTION TO APPROVED REVISED DGO 5.01, "USE OF FORCE POLICY AND PROPER CONTROL OF A PERSON," FOR THE DEPARTMENT TO USE IN MEETING AND CONFERRING WITH SAN FRANCISCO POLICE OFFICERS ASSOCIATION AS REQUIRED BY LAW**

Commissioner Elias gave a brief background about the revision of DGO 5.01 and thanked Janelle Caywood, Captain Harvey, Lieutenant Nevin and Sergeant Crudo for their work on this DGO.

Captain Tom Harvey, Lieutenant Mike Nevin, and Sergeant John Crudo presented DGO 5.01, Use of Force Policy and Proper Control of a Person."

Motion by Commissioner Elias to approved revised DGO 5.01 for the department to use in meeting and conferring with SFPOA. Second by Commissioner Benedicto. Approved 7-0.

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

**PUBLIC COMMENT:**

Francisco Dacosta spoke of going into a situation with an open mind and clean heart, things can be resolved and that it sends a nice message to the officers.

**PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION**

None

**VOTE ON WHETHER TO HOLD CLOSED SESSION INCLUDING VOTE PUBLIC COMMENT ON VOTE  
WHETHER TO HOLD CLOSED SESSION**

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

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

**CLOSED SESSION** (8:03 p.m. – 8:20 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 to accept or reject Settlement Agreement filed in Case No. DPA 43625-19 or take other action, if necessary**

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Walker, Chief Scott, Deputy City Attorney Porianda, Sgt. Youngblood, Risa Tom, Attorney D. Rosenstein, Attorney H. Stern, member 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: Assignment of a**

**Commissioner for the taking of evidence on disciplinary charges filed in case no. DPA 46148-21**  
(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Yanez, Benedicto, Walker, Chief Scott, 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:**

**Status and calendaring of pending disciplinary cases (ACTION)**

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

**OPEN SESSION** (8:21 p.m.)

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

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

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

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Thereafter, the meeting was adjourned at 8:22 p.m.



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Sergeant Stacy Youngblood  
Secretary  
San Francisco Police Commission