

The Police Commission of the City and County of San Francisco met via videoconference at 5:34 p.m.

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

(Commissioner Yee joined the meeting at 5:42 p.m. Commissioner Carter-Oberstone joined the meeting at 5:45 p.m.)

GENERAL PUBLIC COMMENT

Francisco Dacosta spoke of quality of life issues and spoke of needing a police force closer to the number of 2000. He stated that the police force now cannot manage a lot of the situation because of the pandemic and because of other issues that adversely impact the citizens of San Francisco.

David Aaronson, Wealth & Disparities, read a quote by their founder regarding bias in the SFPD. He went on to talk about problems with the working group regarding traffic DGO 9.01 and concerns regarding holding meetings in police station and during workdays. He talked about intimidation and that meetings should be held in time and convenience in people in the Black community.

Luke Bornheimer talked about barricades along Mission Station and that they should come down and be removed as soon as possible. He also talked about a lack of traffic enforcement on Focus on the 5. He stated that they need to see traffic enforcement especially on Focus on the 5.

Susan Buckman, Wealth & Disparities, read a quote by their founder regarding bias in the SFPD. She went on to talk about problems with the working group regarding traffic DGO 9.01.

Jean Bridges, Wealth & Disparities, read a quote by their founder regarding bias in the SFPD and spoke of lack of urgency in response to their requests.

Stacy spoke of barricades on Mission Station and that they create a hostile environment and spoke of traffic enforcement especially on Focus on the Five as this is critical for the community.

Adoption of Minutes

- **For the meetings of July 6, 13, and 20, 2022**

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

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

Consent Calendar

- **Audit of Electronic Communication Devices for Bias, 2nd quarter 2022**
- **SFPD/DPA Document Protocol Report, 2nd Quarter 2022**
- **Request for approval to accept an Amazon Gift Card valued at \$100 given to Officer Anna Cuthbertson**

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

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

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 6 percent; rape up 8 percent; robbery up 3 percent; assault up 10 percent; human trafficking down 56 percent. Property Crimes up 8 percent; burglary down 23 percent; motor vehicle theft up 2 percent;

arson down 15 percent; larceny theft up 19 percent. Gun violence is down 8 percent compared to 2021; Two shooting incidents for the week ending on 9/4/22; total 122 incidents resulting in 141 victims YTD. One homicide for the week ending 9/4/22; there are a total of 34 homicides YTD with 25 resulting from a firearm; 63% overall clearance. Guns seized 694; ghost guns seized 129 YTD.

Significant Incident: Homicide at 1000 Block of Oakdale, September 4th, multiple shot spotter notifications with two victims with gunshot wounds located, 1 victim succumb to her injuries; a third victim with gunshot wounds self-transported to the hospital; three of the four suspects open fired at a group of people who were in the parking lot; Bayview provided additional patrols in and around the area of the incident. Two shooting incidents: September 4th, 500 block of Valencia, victim approached by suspect who was an ex-coworker; victim and suspect was in a physical fight; suspect pulled out a gun and shot two rounds striking the victim who was transported to the hospital; suspect was taken into custody. Another shooting on September 4th, 300 Block of Ocean, Ingleside, officer responded to a club and located a victim with gunshot wound to the chest; no arrest has been made, investigation is ongoing.

Significant arrest: Internet Crimes Against Children "ICAC" Unit made arrest on a person responsible for child pornography in Livermore and investigators seized multiple electronic devices as evidence and determined that there are additional victims. Retail theft arrest of a repeat offender when officers responded to the Safeway on 30th and Mission; total of three suspects were arrested; this was the sixth arrest of one of the suspects arrested. Arrest of shooting suspect on August 16th, where a male was shot by his girlfriend's ex-boyfriend on the 1000 block of Market Street. On August 30th, a subject came into SFPD to retrieve items from a previous case. The officer recognized the suspect from a crime bulletin; suspect was booked on the assault with a deadly weapon. Robbery with a gun series, two suspects taken into custody on August 31st following an investigation of at least nine armed robberies in San Francisco throughout the month of August. Hit a run with serious injuries on September 3rd at Junipero Serra where a vehicle traveling at a high rate of speed ran a stop light and collided with a vehicle; suspects fled on foot where suspect's vehicle were used for retail thefts in Palo Alto and Stonestown Galleria, no arrest made, investigation is ongoing.

Strategies: Central: Focus on street robbery issues and auto burglaries; plainclothes teams deployed in areas where these crimes have occurred; Richmond: Focus on prevention and high visibility in areas with increased burglaries and break ins.

The Chief then reported on barricades along Valencia were put in place on some of the sidewalks in the Mission to hold ground once the sidewalks were cleaned up.

The Chief gave a brief update on some of the General Orders that the Commission have prioritized. There are 29 DGOs that are in the current revision process. DGOs 1.03, 1.04, 1.05, 1.06, 1.07: Duties of Personnel: 4 DGOs will be combined; Serious Incident Review Board, draft written and need to assemble working group.

PUBLIC COMMENT

Francisco Dacosta spoke of a stabbing incident and stated that the Street Violence Intervention Program does excellent work. He stated he is noticing more violence.

Luke Bornheimer spoke regarding barricades around Mission Station along Mission and Valencia Streets and that it would be great to see these down.

DPA Director's Report

- Report on recent DPA activities, and announcement

Executive Director Henderson reported the following: In the year 2022: 465 cases opened; 501 closed; 244 pending; 47 cases sustained; 22 cases past 270-day; 16 cases mediated. Cases received in the past 5 weeks: 61 new cases; 5 (Central) harassment, a supervisor failed to intervene, failed to provide a badge number on request, failed to take a stolen identity report, and failed to make an arrest; 8 (Southern) abuse of power, failure to conduct a thorough search, reckless driving, failure to investigate an assault, detention of a person for mental health evaluation without justification; 1 (Bayview) followed and harassed complainant; 5 (Mission) illegal seizure of a firearm and failure to investigate an accident; 5 (Northern) failure to take a police report, issued a search warrant without cause, failure to use de-escalation techniques, improper citation, and use of profanity; 6 (Park) issued an invalid parking ticket, followed, and harassed a person, refused to

prepare a police report, and failed to investigate a reported crime; 3 (Richmond) rude and refused to take a police report, wrongful detention and citation, failure to investigate, and arrest a person who attempted to steal car parts; 1 (Ingleside) reckless driving; 5 (Taraval) failure to respond to a trespasser illegally detained a person under mental health evaluation and illegally obtained and provided criminal background information on a person; 10 (Tenderloin) excessive response time for a call for service, failure to arrest a suspect, failure to respond to multiple reports of break-ins, and failure to remove a homeless person from outside their business; 1 (Airport) threatened to issue a vehicle citation at the airport drop-off; 7 (out of town) off-duty trespassed on the property as a form of intimidation.

Audits: Two audits: One on how the Department handles officers' misconduct and second is Auditing the Police Department'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: August started giving a mediation program overview at district stations and presented at Park, Tenderloin, and Central Stations; Participated in Mo Magic Backpack Giveaway and Resource Fair and presentation at various District Stations.

PUBLIC COMMENT

Francisco Dacosta spoke regarding when an officer is suffering pain and how many things happen and to have resources to help the officers and spoke of empathy.

Commission Reports

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

Commissioner Elias spoke of pretext stops and stated that she's been working with the Department regarding DGO 5.01 to fix some of the issues with implementing the DGO as it currently stood and was able to fix it and will be on the agenda for next week.

Commissioner Benedicto updated regarding public outreach for draft DGO 9.01 which included outreach with two working group meetings, with patrol officers, with district captains, and with the community at National Night Outs. Next meeting will be on September 28th and information is on the Commission website. He also stated that the Commission have received a lot of emails and thanked the public for their feedback and those feedback are being addressed. He also met with Steve Flaherty regarding upcoming audits.

Commissioner Walker spoke of attending the listening session last night regarding DGO 9.01 and stated that everybody is paying attention to this and stated that it is good to talk about it. She also did a ride along at the Tenderloin and did some training at the Academy.

Commissioner Byrne would like to do another nighttime ride along at the Tenderloin and stated that the issue of drug dealers at night is disconcerting. He also stated that he and Commissioner Yee will meet with the Chief regarding awards and on Sunday will be the Fire, Police, and Sheriff Memorial Mass honoring first responders who died in the line of duty.

Commissioner Yee thanked Chief Scott and Commissioner Benedicto for attending the townhall meeting in Chinatown and thanked the Chief for resolving issues regarding attack on seniors. He also thanked the working group working on DGO 9.01. He also recommended a town hall meeting at Visitacion Valley.

Commissioner Carter-Oberstone spoke of the great work that has been going on DGO 9.01. He also stated that this will be the most transparent DGO process that the Commission have undertaken.

PUBLIC COMMENT

None

PROPOSE IMPLEMENTATION OF SAN FRANCISCO POLICE CODE ARTICLE 25, PRIVATE PROTECTION AND SECURITY SERVICES, AS REQUIRED BY THE BOARD OF SUPERVISORS ORDINANCE 13-22

Director Oliva-Aroche and Lieutenant Stephen Jonas presented the implementation of SF Code Article 25, Private Protection and Security Services as required by the Board of Supervisors Ordinance 13-22.

PUBLIC COMMENT

Francisco Dacosta spoke of an incident with drug addicts and security guards and spoke of not having enough police officers to take on other responsibilities.

PRESENTATION OF THE QUARTERLY ANALYSIS AND DATA REPORT, JANUARY – MARCH 2022

Executive Director Maguire presented the Quarterly Analysis and Data Report, January – March 2022.

PUBLIC COMMENT

David Aaronson don't understand comments that the Department is on the right track and stated that the disparities have been unchanged since DOJ COPS came in and that the statistics on arrests, use of force, and traffic stops are unacceptable.

PRESENTATION OF THE COLLABORATIVE REFORM INITIATIVE: QUARTERLY UPDATE

A/Captain Altorfer presented the Collaborative Reform Initiative, Quarterly Update.

PUBLIC COMMENT

None

PRESENTATION OF THE SFPD/DPA REPORT ON GENERAL ORDERS/POLCY PROPOSALS "SPARKS REPORT," 2ND QUARTER 2022

Taken off calendar to be put over to a later date.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION INCLUDING VOTE ON WHETHER TO ASSERT ATTORNEY-CLIENT PRIVILEGE WITH REGARDS TO ITEMS 13(b), (c), AND (d)

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

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

CLOSED SESSION (9:06 p.m. – 10:05 p.m.)

Roll Call;

a. PUBLIC EMPLOYEE PERFORMANCE: Chief of Police

a. 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 22-003)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Walker, Chief Scott, Deputy City Attorney Cabrera, Sgt. Youngblood, Sgt. Reynolds, Risa Tom, Sergeant Eric Pan, Sergeant Graig Wells)

b. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation. Pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1):

Theodore Belzaire v. City and County of San Francisco, San Francisco Superior Court for the Case No. CGC-20-585672, filed July 20, 2020 (ACTION)

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

c. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation. Pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1):

Susan Bell v. City and County of San Francisco, et al., San Francisco Superior Court for the Case No. CGC-18-571878, filed December 6, 2018 (ACTION)

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

d. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation. Pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1):

Crystal Gomez, et al. v. City and County of San Francisco, et al., U.S. District Court Northern District Case No. 21-cv05394 JCS, filed July 14, 2021 (ACTION)

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

e. PESONNEL 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. IAD 2021-0023 (ACTION)

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

f. PESONNEL 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 the Appeal of the Chief's Suspension filed in case no. DPA 43112A (ACTION)

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

g. PESONNEL 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, Walker, Chief Scott, Deputy Sgt. Youngblood, Sgt. Reynolds, Risa Tom)

OPEN SESSION (10:05 p.m.)

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

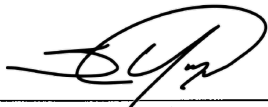
Motion by Commissioner Carter-Oberstone, second by Commissioner Walker for non-disclosure. Approved 6-0.

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

PUBLIC COMMENT
None

ADJOURNMENT

Thereafter, the meeting was adjourned at 10:06 p.m.



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission