

December 14, 2022,

REGULAR MEETING, CITY HALL

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco at 5:47 p.m.

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

*Dedication, statement and thank you to retiring Police Commission Executive Secretary Risa Tom:*

*This month marks Risa's 35<sup>th</sup> year working for the City and County of San Francisco with the majority of that time spent working in the police commission office. Risa has dedicated her career to helping not only the members of the police department and the public, but to every single person, baby and dog she comes across. It is because of Risa that the commission office is as organized and efficient as it is. She has spent hours upon hours cataloguing, organizing and training others to make the office more efficient. But Risa is family to those who work closely with her. Risa will always make the time to listen to anyone who needs someone to talk to. Her calendar is full of all her colleagues' birthdays and her candy jar is always full for the masses. Risa's office is usually the reason if not the first stop when families come to introduce their newborns. Auntie Risa's office always had plenty of toys to play with. Risa is a professional, a mentor but above all, a friend.*

*So, it is with our most heart felt congratulations mixed with a sadness of the pending goodbye that we wish Risa the happiest of retirement on December 30<sup>th</sup>, 2022, as she embarks on her next big adventure.*

Thank you and well wishes from Commissioners and Chief Scott.

#### **GENERAL PUBLIC COMMENT**

Caller: Name not stated. Discusses process of passing laws.

Jean Bridges: Wealth & Disparities. Stated a quote. Discusses DGO 9.01.

Caller: name not stated. Stated opinion on laws to be followed and input regarding policies.

Susan Buckman: Wealth & Disparities. Stated quote and opinion on POA, police reform, police officers.

Commission Secretary advises that all public comments on DGO 9.01 should be made under that line item on the agenda.

President Elias: Speaks on DGO 9.01 process. Pulling line item regarding DGO 9.01 from today's calendar.

#### **2. Stop Data Presentation presented by SPUR's (San Francisco Bay Area Planning and Urban Research Association) Economic Justice Policy Director, Jacob Denney (DISCUSSION)**

Vice President Carter-Oberstone introduces presenter Jacob Denney.

Jacob Denney presents on analysis of 2019 San Francisco Traffic Stop data.

**PUBLIC COMMENT**

Speaker (in-person): did not state name. Provided opinion on traffic stops, training and other studies. Continued to discuss opinion on categorization, studies and data.

Wesley Saver: Senior Policy Manager for Glide and Coalition to End Bias Stops. Spoke on presentation and topic. Continues to discuss SFPD traffic stops.

Carolyn Guzman: Coalition to End Racially Bias Stops. City employee, resident of San Francisco, public school mother, member of the queer community. Spoke on presentation. Provides data and opinion on traffic stops. References Vision Zero.

Caller: name not stated. Discusses and provides opinion on data on traffic stops. Speaks on racial data.

Samina Usman: Government Relations Coordinator for CAIR-SFBA. Spoke on and provides opinion on traffic stops. Urges approving policy.

Deputy Public Defender Ryan Cox: Speaks on and wants traffic stop policy approved.

Susan Buckman: District 6, Wealth & Disparities. Speaks on the information provided regarding traffic stops. Provides opinion on DGO 9.01 being pulled from calendar.

Alice Xavier: Speaks on Vision Zero. Provides opinion on traffic stop policy. Not ignoring traffic laws instead on officer training and urges to vote no on DGO 9.01.

Francisco DaCosta: Speaks on pretext stops. Provides opinion on standards for policy making, mentions training.

Caller: did not state name, read a food order.

**3. Consent Calendar (RECEIVE & FILE; ACTION)**

- SFPD SB 1421 and SB 16 Monthly Report
- DPA SB 1421 and SB 16 Monthly Report

President Elias asks for motion. Commissioner Benedicto motions to receive and file. Commissioner Walker seconds. Approval 7-0.

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

**Chief's Report**

- Weekly crime trends
- Major/Significant Incidents

Chief Scott reported on crime trends YTD: Violent Crime up 6 percent; homicide up 2 percent; rape up 3 percent; robbery up 5 percent; assault up 8 percent; human trafficking down 47 percent. Property Crimes up 4 percent; burglary down 21 percent; motor vehicle theft up 4 percent; arson down 10 percent; larceny theft up 10 percent. Gun violence is down 6 percent compared to 2021; Two shooting incidents for the week ending on 12/11/22; total 172 incident resulting in 195 victims YTD. Two homicides for the week ending 12/11/22; there are a total of 53 homicides YTD with 34 resulting from a firearm; 6 % overall clearance. Guns seized 1004; ghost guns seized 163 YTD.

Significant Incident: Several shootings over the passed week. Tenderloin, Mission, Southern. One of four shootings resulted in arrest. Stabbing homicide, resulted in an arrest, has been presented to

DA's Office. Multiple bomb threats, multiple agencies working on, made to public institutions, schools, elected officials. Fatal traffic collision on 12/6/22, Pedestrian struck; investigation not criminal, driver remained on scene.

Significant arrest: Robbery series arrest – 12/4/22 1900 block of Lombard robbed at gunpoint, 12/7/22 2600 block of Lombard, subject involved matched description in both incidents. Suspect located in a vehicle on 12/7/22 in Northern District, suspect involved in crash when officers tried to apprehend, fleeing to Oakland, booked on several charges, subject had priors- stolen vehicle, narcotics. Market street stabbing that resulted in homicide, 10/11/22 stabbing occurred at 200 block of Market St, victim succumbed to injuries, investigation identified and located subject on 12/8/22 at 900 block of Bryant St, subject taken into custody booked on homicide.

Strategies: Theft abatements. Working with retailers, small and large businesses. Made number of arrests and presenting to DA's Office.

#### **PUBLIC COMMENT**

None

#### **DPA Director's Report**

- Report on recent DPA activities, and announcement

DPA Executive Director Henderson reported the following: In the year 2022: 659 cases opened; 752 closed; 242 pending; 55 cases sustained; 23 cases past 270-day; 19 cases mediated. Cases received in the past three weeks: 11 new cases; Central (1) Failing to provide a DPA complaint form. Southern (1) Failing to arrest a person for threatening behavior. Bayview (1) Failing to make an arrest or write an incident report. Mission (1) Accosting a person and damaging property. Park (1) Failing to make a traffic stop. Tenderloin (2) Failing to arrest a person and making inappropriate comments. Not Applicable (1) Officers allegedly hacked a person's email. Out of Town (1) Officers allegedly hacked a person's email. Pending Further Investigation (1) Pending further investigative steps (i.e., interviews, video review)

Audits: Provided SFPD with draft copy of Annual audit on 12/8/22. Compliance with DGO 8.10-2021 calendar year. Audit tested SFPD's implementation of 8 recommendations made in DPA's prior report. Requested SFPD to provide a response to draft report. Once received, DPA will issue report publicly on website.

Outreach: Participated in Bayview station meeting on 12/6/22.

Can be found on community calendar on the DPA's website and posted on Twitter, Facebook, Instagram and on DPA's website.

- **DPA Monthly Statistical Report: September and October**

33% of cases have allegations of Officers speaks to or behaving inappropriately with the public.  
38% of cases have allegations of Officers speaks to or behaving inappropriately with the public.

**PUBLIC COMMENT**

None

**Commission Reports**

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

President Elias: Working on DGO 9.01. Speaks on DGO 9.01.

Commissioner Yanez: Working on Juvenile DGO revision. Due to presentation on impact of policing in Tenderloin, increase in juvenile citations and arrests- wants to agendize a conversation on juvenile justice. Continues to discuss Juvenile Justice and role of SFPD. Asks about juvenile division. Discusses topic of militarization/weaponization of SFPD, requests to agendize topic.

Commissioner Benedicto: Meeting and working group on Juveniles DGO 7.01. DGO 5.16 Search Warrants, ready for Commission action, agendize for February. Speaks on DGO 9.01, letters received, outreach.

Vice President Carter-Oberstone: Discusses other departments reaching out regarding DGO 9.01. Spoke on DPA’s recommendations on DGO revisions. DGO 3.01 provides process and timeline for DGOs. Discusses status of DGO 8.10, “First Amendment Activities” with Chief Scott. Continues to discuss deadlines with Chief Scott. Asks Chief Scott about DGO 3.13, Chief said it can be agendized, original deadline was missed. Vice President Carter-Oberstone continues to discuss with Chief.

**PUBLIC COMMENT**

None

**7. Collaborative Reform Initiative: Quarterly Update Presentation (DISCUSSION)**

Pulled from agenda, rescheduled.

**8. Discussion and possible action to approve the Awards Certification Panel’s Recommendations (DISCUSSION & POSSIBLE ACTION)**

Commissioners Byrne and Yee met on recommendations.

Commissioner Byrne motions to follow Chief’s recommendation. Commissioner Yee seconds. Approval 7-0.

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

**PUBLIC COMMENT**

None

9. **Discussion and possible action to approve revised Department General Order 11.08, “Grooming Standards,” for the Department to use in meeting and conferring with San Francisco Police Officers Association as required by law (DISCUSSION & POSSIBLE ACTION)**

Chief Scott discusses DGO 11.08 process and policy.

Commissioner Walker asks for a motion. Commissioner Benedicto moves. Commissioner Walker seconds. Approval 6-1.

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

NAY: Commissioner Byrne

**PUBLIC COMMENT**

None

10. **Discussion and possible action to adopt revised Department General Order 3.17, “Department ID Cards” (DISCUSSION & POSSIBLE ACTION)**

Chief Scott speaks on DGO 3.17

Commissioner Walker moves. Commissioner Benedicto seconds. Approval 7-0.

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

**PUBLIC COMMENT**

None

11. **Discussion and possible action to approve draft Department General Order 9.01, “Traffic Enforcement & Curtailing the Use of Pretext Stops” for the Department to use in meeting and conferring with San Francisco Police Officers Association as required by law (DISCUSSION & POSSIBLE ACTION)**

President Elias pulled item from calendar.

12. **Discussion and possible action to rescind Department General Order 10.09, “Computer Management Committee” (DISCUSSION & POSSIBLE ACTION)**

Chief Scott discusses DGO 10.09.

Commissioner Benedicto motions to rescind. Commissioner Walker seconds. Approval second 7-0

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

**PUBLIC COMMENT**

None

13. **Public comment on all matters pertaining to Item 15 below, Closed Session, including public comment on Item 14, vote whether to hold Item 15 in closed session.**

None

14. **Vote on whether to hold Item 15 in Closed Session (San Francisco Administrative Code Section 67.10) (ACTION)**

Commissioner Benedicto motions. President Elias seconds. Approval 7-0.

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

**PUBLIC COMMENT**

None

**1<sup>st</sup> Open session ended: 9:23 p.m.**

**CLOSED SESSION (9:26 p.m. – 9:32 p.m.)**

- 15. Closed Session**  
**Roll Call;**

**a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police**

**Pursuant to Government Code Section 67.10(b) and Penal Code Section 832.7:**

Review of findings and Chief's decision to return or not return officers to duty following an officer involved discharge (OID 001-22) (DISCUSSION)

(present: Commissioners Walker, Benedicto, Yanez, Byrne, Yee, Vice President Carter-Oberstone, President Elias, Chief Scott, DCA Alicia Cabrera, Sergeant Greg Wells, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

**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 Walker, Benedicto, Yanez, Byrne, Yee, Vice President Carter-Oberstone, President Elias, Chief Scott, DCA Alicia Cabrera, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

**CLOSED SESSION ENDED: 9:32 p.m.**

**2<sup>nd</sup> OPEN SESSION (9:33 p.m. – 9:34 p.m.)**

**16. VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION (ACTION)**

Commissioner Benedicto motions to not disclose items held in Closed Session, Commissioner Walker seconds. Approval 7-0.

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

**PUBLIC COMMENT:**

None

**ADJOURNMENT**

Thereafter, the meeting was adjourned at 9:34 p.m.



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Sergeant Stacy Youngblood  
Secretary  
San Francisco Police Commission