

January 18, 2023,

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 5:34 p.m.

PRESENT: Commissioners Byrne, Yanez (remotely), Walker, Benedicto, Yee, Vice President Carter-Oberstone (arrived 5:36 p.m.) and President Elias

**GENERAL PUBLIC COMMENT**

Paulette Brown: Spoke about son Aubrey Abrakasa, Jr.'s murder, investigation. Wants justice for her son.

David Elliott Lewis: Civilian. SFPD Crisis Intervention training team, mental health working group. Discussed staffing needs for unit.

Susan Buckman: District 6. Volunteer with Wealth & Disparities. Stated quote. Discussed and provided opinion on data.

Caller: Name inaudible. Community organizer at Tenderloin Housing Clinic. Speaking on behalf of a safety committee. Discussed open drug market in Tenderloin. Discussed Tenderloin. Asked Commissioners for input and action regarding topic.

Lauren Barry: District 10. Speaks on incident that occurred in San Francisco with homeless individual. Has questions for Commissioner, discusses outreach.

Francisco DaCosta: Discusses killing incidents in San Francisco.

Kit Hodge: Wealth & Disparities. Speaks on data collection, community policing.

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

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

Motion: Commissioner Benedicto, Second: Commissioner Walker. Approval 7-0.

AYES: Commissioners Byrne, Yanez (remotely), Walker, Benedicto, Yee, Vice President Carter-Oberstone and President Elias

**PUBLIC COMMENT**

None

**Chief's Report**

*President Elias requests that Chief's Report be provided in a different manner than it has been presented in the past. Report will be posted on screen during meeting for questions regarding line item.*

- Weekly crime trends
- Major/Significant Incidents

Chief Scott reported on crime trends YTD: Violent Crime down 2 percent; homicide N/C; rape down 71 percent; robbery up 1 percent; assault down 1 percent; human trafficking N/A. Property

Crimes down 22 percent; burglary down 16 percent; motor vehicle theft down 24 percent; arson down 29 percent; larceny theft down 22 percent. Gun violence is up 83 percent compared to 2022; Three shooting incidents this week; total 8 incidents resulting in 11 victims YTD. No homicides for the week; there are a total of 2 homicides YTD with 2 resulting from a firearm; 50% overall clearance.

Significant Incident: Discussed incident in which homeless individual was hosed by business owner. Incident on 1/17/23 Catalytic converter theft in progress, individual fired shots at Officers, one person in custody, two other suspects, ongoing investigation, commended Officers involved. Burglaries, Bayview and Taraval. Bayview – cash and jewelry stolen, elderly couple’s home. Taraval-victim returned home to see front door forced open, large amount of cash, clothing, accessories taken, have video footage to follow up on.

Significant arrest: Three shooting incidents, Mission District. Robbery involving juveniles Mason and O’Farrell, three suspects attacked and robbed victim, located suspects on Taylor and Market.

Strategies: Town hall meeting in the Marina, attended with Commissioner Walker, 1/15/23 multiple car break ins on Filbert. Community Engagement- outreach to 8 crime victims.

#### **PUBLIC COMMENT**

Paulette Brown: Speaks on gun buy backs. Asks about ghost guns. Asks for someone to come forward regarding son’s murder.

Francisco DaCosta: Discusses a report and representation needed from SFPD.

Ramona Burton: Speaks on brother Mark Anthony Coats’ murder. Asks that tips from the public be rewarded. Requested cameras in more areas.

Lauren Barry: District 10. Speaks on homeless woman’s incident with business owner. Speaks on San Francisco’s homelessness and shelters.

#### **DPA Director’s Report**

- Report on recent DPA activities, and announcement

Executive Director Henderson reported the following: In the year 2023: 17 cases opened; 17 closed; 271 pending; 0 cases sustained; 31 cases past 270-day; 0 cases mediated. Cases received in the past week: 9 new cases; Southern (1) Misrepresenting the truth in an incident report. Bayview (2) Failing to take action regarding people fixing cars on the street and failing to call animal services. Northern (1) Referral to DEM. Park (1) Referral to SFPD. Taraval (1) Failing to investigate a crime and write an incident report. Tenderloin (2) Making an inappropriate comment and failing to arrest a person for battery. Not Applicable (1) Referral.

Audits: DPA and Office of the Controller have completed preliminary review of SFPD’s 24-month responses to recommendations made in 2020 for Use of Force Audit. Responses will be published. DPA and Controller sent review to SFPD, additional responses from SFPD. Discussed future reports from DPA to Commission.

Outreach: 1/17/23 Hosted “Know your Rights” training session with John O’Connell High School- 40 students. Coordinated conference with HRC, SFPD and DPA regarding “Karen Act”

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

**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 upcoming community meetings re : pretext stops. DGO 5.16 Search Warrants DGO agenda for February, some open items regarding language, meeting/draft from Chief. Meetings on 7.01 Juveniles, working group on 1/19, making progress. DGO 10.11 Body Cameras, working on with DPA. Discussed missed deadlines under DGO 3.01. Working with Deputy City Attorney for Commission Rules of Order.

Vice President Carter-Oberstone: Wanted to acknowledge the departure of former Deputy City Attorney Zachary Porianda. Provided praises and thanks. Wishing Zach the best.

Commissioner Yee: Went to Ingleside Station and met with Captain Derek Lew. Discussed possible substation at Visitacion Valley. Discussed crimes in area, additional resources, SFPD Ambassadors. Spoke on Chinese community's concerns.

Commissioner Yanez: Meetings on Juvenile DGO, Early Intervention System DGO with Benchmark, has meeting with Director Diana Oliva-Aroche re: Social Media DGO. Working with DPA's Janelle Caywood regarding Community Policing DGO, revising Community Policing manual.

President Elias: Spoke on meeting at Richmond Station, with Captain Canning attended discipline training, discussed and thanked IAD Lt. Wilhelm's involvement as well as DPA Attorney Diana Rosenstein's involvement.

Commissioner Walker: BSU DGO edits have gone from DPA to Chief Scott, would like on calendar for update. DGO 6.13 DPA Attorney Caywood has sent edits to Chief. Attended Marina Town Hall Meeting, concerned about crimes occurring in area. Discussed community responses re: homelessness, solutions rather than policing.

**PUBLIC COMMENT**

None

6. Discussion and possible action to approve revised Department General Order 3.13, "Field Training Program," for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)

Chief Scott spoke on DGO 3.13.

Motion: Commissioner Benedicto, Second: Commissioner Yanez. Approval: 7-0.

AYES: Commissioners Byrne, Yanez (remotely), Walker, Benedicto, Yee, Vice President Carter-Oberstone and President Elias

**PUBLIC COMMENT**

Ramona Burton: Spoke on and questioned community outreach and interaction regarding DGO 3.13.

7. Update on SFPD Budget for public input (DISCUSSION)

SFPD CFO Patrick Leung presented on Budget. Next presentation scheduled for February 8, 2023.

**PUBLIC COMMENT**

Ramona Burton: Discusses attrition rate and support for Chief Scott and team.

Francisco DaCosta: Speaks on department needing a needs assessment.

8. Collaborative Reform Initiative: Quarterly Update Presentation (DISCUSSION)

SFPD Sgt. Gabriel Rivera presented.

**PUBLIC COMMENT**

None

9. **Public comment on all matters pertaining to Item 11 below, Closed Session, including public comment on Item 10, vote whether to hold Item 11 in closed session.**

None

10. **Vote on whether to hold Item 11 in Closed Session including vote on whether to assert the attorney-client privilege with regards to Item 11 (a) (San Francisco Administrative Code Section 67.10) (ACTION)**

Commissioner Walker moves to hold item 11 in closed session. Commissioner Benedicto seconds. Approval 6-0.

AYES: Commissioners Byrne, Yanez (remotely), Walker, Benedicto, Yee, Vice President Carter-Oberstone

STEPPED AWAY: President Elias

**1<sup>st</sup> Open session ended: 7:57 p.m.**

**CLOSED SESSION (8:04 p.m. – 8:45 p.m.)**

11. **Closed Session  
Roll Call;  
a. THE COMMISSION IS NOT MEETING WITH THE SF POLICE OFFICERS ASSOCIATION IN CLOSED SESSION.**

CONFERENCE WITH LABOR NEGOTIATOR – COLLECTIVE BARGAINING. This item is for the Commission to meet in closed session with their labor negotiator and provide direction for bargaining with the San Francisco Police Officers Association (POA). The POA is not permitted to attend this closed session meeting.

Pursuant to Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e):

City Negotiator: LaWanna Preston, SFPD Labor Relations Director

Organization representing Police Officers: SF Police Officers Association

Anticipated Issues Under Negotiation: Discussion of SFPOA's counterproposal on the amendments to DGO 2.08 "Peace Officers Rights in Disciplinary Investigations". (*Adopted for meet & confer at the October 5, 2022 Commission Meeting*) (DISCUSSION)

(Present: Commissioners Byrne, Yanez (remotely), Walker, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Chief Scott, Deputy City Attorney Alicia Cabrera, Director of Labor Relations Lawanna Preston, A/Deputy Chief Nicole Jones, Commander Paul Yep, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

**b. THE COMMISSION IS NOT MEETING WITH THE SF POLICE OFFICERS ASSOCIATION IN CLOSED SESSION.**

CONFERENCE WITH LABOR NEGOTIATOR – COLLECTIVE BARGAINING. This item is for the Commission to meet in closed session with their labor negotiator and provide direction for bargaining with the San Francisco Police Officers Association (POA). The POA is not permitted to attend this closed session meeting.

Pursuant to Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e):

City Negotiator: LaWanna Preston, SFPD Labor Relations Director

Organization representing Police Officers: SF Police Officers Association

Anticipated Issues Under Negotiation: Discussion of SFPOA's counterproposal on the amendments to Protocols for Release on SB 1421 and SB 16 Documents (*adopted at the November 16, 2022 Commission Meeting*) (DISCUSSION)

(Present: Commissioners Byrne, Yanez (remotely), Walker, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Chief Scott, Deputy City Attorney Alicia Cabrera, Director of Labor Relations Lawanna Preston, A/Deputy Chief Nicole Jones, Commander Paul Yep, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

**c. THE COMMISSION IS NOT MEETING WITH THE SF POLICE OFFICERS ASSOCIATION IN CLOSED SESSION.**

CONFERENCE WITH LABOR NEGOTIATOR – COLLECTIVE BARGAINING. This item is for the Commission to meet in closed session with their labor negotiator and provide direction for bargaining with the San Francisco Police Officers Association (POA). The POA is not permitted to attend this closed session meeting.

Pursuant to Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e):

City Negotiator: LaWanna Preston, SFPD Labor Relations Director

Organization representing Police Officers: SF Police Officers Association  
Anticipated Issues Under Negotiation: Discussion of SFPOA's counterproposal on the amendments to DGO 8.01 "Major and Critical Incident Evaluation and Notification".  
*(adopted for meet & confer at the October 12, 2022 Commission Meeting)* (DISCUSSION)

(Present: Commissioners Byrne, Yanez (remotely), Walker, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Deputy City Attorney Alicia Cabrera, Director of Labor Relations Lawanna Preston, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

**d. THE COMMISSION IS NOT MEETING WITH THE SF POLICE OFFICERS ASSOCIATION IN CLOSED SESSION.**

CONFERENCE WITH LABOR NEGOTIATOR – COLLECTIVE BARGAINING. This item is for the Commission to meet in closed session with their labor negotiator and provide direction for bargaining with the San Francisco Police Officers Association (POA). The POA is not permitted to attend this closed session meeting.

Pursuant to Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e):

City Negotiator: LaWanna Preston, SFPD Labor Relations Director

Organization representing Police Officers: SF Police Officers Association

Anticipated Issues Under Negotiation: Discussion of SFPOA's counterproposal on the amendments to DGO 5.24 "Disengagement Procedures". *(adopted for meet & confer at the October 19, 2022 Commission Meeting)* (DISCUSSION)

(Present: Commissioners Byrne, Yanez (remotely), Walker, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Deputy City Attorney Alicia Cabrera, Director of Labor Relations Lawanna Preston, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

**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:**

Assignment of a Commissioner for the taking of evidence on the appeal of the chief's suspension filed in DPA Case No. 00043625-19 (ACTION)

(Present: Commissioners Byrne, Yanez (remotely), Walker, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Chief Scott, Deputy City Attorney Paul Zarefsky, A/Deputy Chief Nicole Jones, Commander Paul Yep, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

**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:**

Assignment of a Commissioner for the taking of evidence on the appeal of the chief's suspension filed in DPA Case No. IAD 2021-0352 (ACTION)

(Present: Commissioners Byrne, Yanez (remotely), Walker, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Chief Scott, Deputy City Attorney Paul Zarefsky, A/Deputy Chief Nicole Jones, Commander Paul Yep, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

**g. 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 Findings of Fact regarding Commission's decisions on 12/7/22 on non-disciplinary charges filed in Case No. IAD 2021-0146 (DISCUSSION & POSSIBLE ACTION)

President Elias recused.

(Present: Commissioners Byrne, Yanez (remotely), Walker, Benedicto, Yee, Vice President Carter-Oberstone, Chief Scott, Deputy City Attorney Paul Zarefsky, A/Deputy Chief Nicole Jones, Commander Paul Yep, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

**h. 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 Findings of Fact regarding Commission's decisions on 12/7/22 on non-disciplinary charges filed in Case No. IAD 2021-0262 (DISCUSSION & POSSIBLE ACTION)

President Elias recused.

(Present: Commissioners Byrne, Yanez (remotely), Walker, Benedicto, Yee, Vice President Carter-Oberstone, Chief Scott, Deputy City Attorney Paul Zarefsky, A/Deputy Chief Nicole Jones, Commander Paul Yep, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

**i. 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 Byrne, Yanez (remotely), Walker, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Chief Scott, Deputy City Attorney Paul Zarefsky, A/Deputy Chief Nicole Jones, Commander Paul Yep, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

CLOSED SESSION ENDED: 8:45 p.m.

**OPEN SESSION** (8:46 p.m. – 8:49 p.m.)

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

Commissioner Benedicto motions to not disclose item 11 with exception of items 11c and 11d. Items 11c and 11d can be disclosed to public. Vice President Carter-Oberstone Seconds. Approval 7-0.

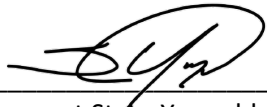
AYES: Commissioners Walker, Benedicto, Yanez, Byrne, Yee, Vice President Carter-Oberstone, President Elias.

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Thereafter, the meeting was adjourned at 8:49 p.m.



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Sergeant Stacy Youngblood  
Secretary  
San Francisco Police Commission