



# Sheriff's Department Oversight Board

CITY AND COUNTY OF SAN FRANCISCO

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Board Member

DAN LEUNG  
Legal Assistant/  
Acting Secretary

## Sheriff's Department Oversight Board Special In-Person Meeting Wednesday, February 22, 2023 / 2:00 pm

1 Dr. Carlton B. Goodlett Place, City Hall, Room 408  
San Francisco, CA 94102

### MEETING MINUTES

Meeting called to order at 3:04 pm. Pledge of Allegiance.

#### ROLL CALL

PRESENT: President Wechter, Vice President Carrion, Members Brookter, Palmer, Soo, Acting Secretary Leung

NOT PRESENT: Afuhaamango, Nguyen (excused)

A quorum of the Board was present.

#### ANNUAL REPORT

Open discussion by Members Brookter, Soo, Vice President Carrion, and President Wechter.

Member Soo requested an addendum.

Motion to accept the Annual Report as drafted and have the addendum separate by President Wechter. No second.

Further open discussion by Member Soo, Vice President Carrion, Member Brookter, and President Wechter.

Member Soo recites the addendum.

Motion to accept the Annual Report as drafted with a correction of Vice President's neighborhood in the biography, and an Addendum to add the Board's work of 2023 e.g., including individual work done, future plans, community meetings, and other items as stated by Member Soo, by Vice President Carrion, seconded by Member Soo.

#### PUBLIC COMMENT:

Karina Macay, in person, to speak on behalf of her brother Jorge Carlos Macay, who died in the custody of the Sheriff's Department at 850 Bryant on February 15. She wants to know why her brother died in custody. She wants to know why it took the Sheriff's Department until yesterday to give condolences. The medical examiner called her the day of at 3:30 in the afternoon. She has so many questions with no answers. Her brother was a human being, he deserved better, he was in your (SFSO) custody, and he was under medical observation as the sheriff's press release said before she was even contacted. Assistant Sheriff Carter called her yesterday, for the first time that she heard anything from your (SFSO) department and she

*Continued from PUBLIC COMMENT:*

told her that her brother died on a Thursday which was not true, he died on a Wednesday. She does not even have the information correct. He was under medical watch, and if he was under medical watch, then why did her brother leave in a body bag? She wants to know these answers. She had to tell his children that they were never going to see him again. It's unacceptable. Where is the accountability? Where is the compassion? What happened? Why does she not know? Why her brother is dead? She wants justice for her brother. She prayed for years that he would not die in the streets, and he died in the custody of the Sheriff's department and that is unacceptable. What was the staff doing? Are you (SFSO) qualified to take care of the people that come into your jails with these needs? It's not okay. The Sheriff that she spoke to yesterday couldn't give her any answers. She pointed fingers at the medical examiner, that they were going to answer her. The medical examiner told her that all the questions she had were going to lie in the Sheriff's department investigation. She feels like her brother and their family have been completely disregarded. To not get a phone call and for her to tell her she could not find her phone number. How is that possible if the medical examiner called her at 3:30 the day of her brother's death? She wants accountability. And she wants a transparent investigation with her involvement so she can know exactly what happened. Because he did not just die by mistake. Something happened to her brother, and she wants to know and she is not going to rest until she finds out what happened. He deserves to have respect.

Motion to delay the vote on line item 1, Annual Report, with the addendum and move line item 2, General Comment to the next line item by Member Brookter, seconded by President Wechter.

Vote to move line item 2 before the vote on the motion on the annual report:

AYES: Brookter, Carrion, Palmer, Soo, Wechter

NAYES: None

Motion passes and approved 5-0. Line item 2 General Public Comment will be called next.

## **GENERAL PUBLIC COMMENT**

Yolanda Consaco, in person, says she read in the Mission Local news that someone was requesting a gag order. They said that Sheriff's Oversight that somebody S.O.O. was someone was maligning her name and wanted to produce a gag order so nothing could be discussed outside of the courtroom. Was that a misprint or wrongly reported in the news? It said the brother was trying to get into a program and he had been successful in not using drugs any longer. When he went to the sheriff's, they completely ignored what the rule was supposed to be to get him out of drug addiction. For future relapses, we got drugs, and that no one in the sheriff's department to help him. They broke the law and didn't follow procedure. And we don't know if he died because of the medicine they were giving him Actagel that was not supposed to be the right medicine. They don't even know why he died. I don't know if committees or commissions are paid or volunteer but what's the use of having party associations, community oversight, if it's just adding more to the court, adding more to the government apparatus, that is restricting our democratic and our human rights. Our human rights to speech. Our human rights to live. Our human rights to be treated as individuals. We don't have the money and maybe committed crimes. The people in the city are going to say why are people using drugs? Instead of just yeah, we are going to report all the undocumented immigrants that are selling (unintelligible). (Unintelligible) that Norcon does not stop that. Cold Tenderloin says we got to give people who are doing drugs jobs, which is non-existent.

Karina Macay, sister of Jorge Carlos Macay, in person, she wanted to reiterate that this is (holds up picture) Jorge Carlos Macay, his son, and his daughter are here, he has another son that isn't here. He's loved. He did have addiction issues and she knows that when he went into custody, they were fully aware and that's why he was under whatever medical observation or unit. She doesn't know exactly how it's ran. What she does know is the inefficiency to properly take care of him in their custody. She knows that that is what happened and that was the problem. She knows that the lack of compassion lies in the sheriff's department as well. The fact that, like she said, a assistant Sheriff Carter called her yesterday afternoon to give her condolences for the first time. All the phone call was about was that she couldn't get her phone number. Which to her was a direct lie and excuse because the medical examiner called her February 15 at 3:30 because he went into the database and found her, his sister. If he had her phone number within a couple of hours after her brother's death, then so did the Sheriff's Department. Why is he not here? Why did he walk into sheriff's facility and leave in a body bag? What medication was he given? How was he being cared for? What is the watch? Are we just peeking in? Are we making contact? Are we

*Continued from GENERAL PUBLIC COMMENT:*

giving the appropriate medication to facilitate his needs at that time? No. I feel like inmates are treated like garbage and not human beings and they are human beings. With families who love them no matter what. He wasn't his addiction. He was more than that. And the disregard by San Francisco Sheriff's is unfathomable. I couldn't believe it. I can't believe it. They say you don't know until you go through it well, I'm going through it and I'm not going away. I am not going to go away if I have to come to sit at these meetings, if I have to stand outside, I want things to change. My brother's gone; nothing is going to bring him back. But change should be made so that this doesn't happen to another family again. And I love my brother, and I never get to hug him again.

Joanna Hernandez, cousin of Jorge Macay and Karina Macay, in person, she is also a mother of a son who's sitting inside San Francisco County jail right now, facing a life sentence. It is very scary to what's happening in our jail system right now. She needs everyone to understand that we are in a crisis and it's not just about the sheriff's office. It's also Department of Public Health. When are we going to hold Department of Public Health accountable? If he was in a detox tank, she worked in those jails for 8 years, so she knows. She was there as an inmate, and she was there as an employee. So, she knows firsthand how that system works. She's a San Franciscan, born and raised in San Francisco, born at St Luke's hospital in the Mission district. So, she knows firsthand what it is to have to go through systems that fail you. And the Department of Public Health needs to be held accountable. Enough is enough. Dr Colfax needs to step out of his office and face what's happening. It's not just about Sheriff Miyamoto. It's also about the Department of Public Health. They were giving him the wrong medication. They did not assess him well. They left him in F Pod, did their rounds and that's it, and forgot about him. That's exactly what happened. That's exactly what happened. The Department of Public Health needs to be held accountable. It's not just about the Sheriff. Let's talk about all the injustices with all of our systems, and that's one who never gets called to the table and she's tired of Dr Colfax and Lisa Pratt just sitting behind their desks doing nothing and making thousands and thousands of dollars. The Latino task force stands behind her cousin Karina Macay and Georgie because generational incarceration is real. This young man is working. He's living a productive life. If we want to stop that cycle, it starts with him. It starts with him. And she personally knows this family and she stands with this family, and she demands justice for Jorge Macay.

Chris Ward Kline, in person, a couple of months ago, he submitted an internal affairs complaint to the Sheriff's Department. He has not received communication from the Sheriff's Department. That's one issue. Second, He's requested public documents, public records requests from the Sheriff's Department. That was December 13<sup>th</sup>. They said on December 13<sup>th</sup> that by January 6<sup>th</sup> they would have a response to him. Today is February 21<sup>st</sup> and he has still not gotten a response. He did take it up with the Sunshine Ordinance task force, so he is waiting to hear back from that. But his other concern, his main concern is if there is an internal affairs complaint, is that police accountability as well? Or is that something this committee will also look into? That's all he had. Thank you.

India Sato, goes by Equipto, in person, he has been fighting for police accountability primarily for almost 9 years since Alex Nieto had gotten murdered. What he has witnessed in time, these informative things and certain things that are said sometimes is cool. He is speaking on behalf as a community member of San Francisco, through times of being with folks that have put their health, safety, and their life on the line for this. He speaks to you not individually but as a group, it's going to take action, from you. It's cool. He knows some of you have worked hard to get in these positions and they have to understand sometimes the priority of accountability and how a career isn't as important as a human being's life. And these are times when we work to get into these positions of power where we can use this for this time. These are pivotal moments in San Francisco history. All he is saying really is hopefully there is more than this, like joining the family and not performing ulterior motives and agendas and photo ops and certain things that they have witnessed in the past. As far as this new board is concerned, he has no idea if there is time to make history and time to change things, at least from your position. It's a plea and he is asking at this point for you to really engage with the community and do things which are not necessarily the norm for politicians and folks that are in your position. Regardless of how radical or however you want to go with each of us, we all have this intention to get into these positions to assist and try to shift things because we know the system, it is what it is. We do as human beings what we can. With that position of power, maybe if you engage with the community, for this and for further things, because sadly, this won't be the last time that something like this happens. He just wanted to share that and hopefully it inspires you to change things a little bit and try to shift things in this building. Thank you.

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Unidentified speaker, in person, his understanding is that a term that comes to mind, with respect to you individuals is that his understanding is that you are supposed to be operating as some sort of advocate, as some sort of bridge to the community. In terms of representing the community's interest versus the Sheriff's Department interests, he is still figuring it out. What he does see is people who are supposed to be look like the community, you're sitting in front of that white supremacist flag right there. You are working in this vein, in this tone, of reformity. Reform is sh\*t. We need to nullify the necessity for your positions in these seats right here. He comes from an ideology of revolutionary sh\*t to where we have to abolish the necessity for these jails and these prisons so this sh\*t doesn't keep on happening. We been here, as long as we been living, everybody in this room, we watch this sh\*t over and over. Then we watch people that sit in these chairs make these minor a\*\* reforms that what make genocide seem more appropriate and not as brutal and blatant as it historically used to look like when we look back in history. Yet the same occurrences is happening. We black and brown people in San Francisco, we are the absolute minority yet we represent the majority disproportionately of everybody occupying these jails and everybody occupying these premature graves in San Francisco. Everybody here, I know you said, oh well, this is for police accountability, you should be taking interest personally in pursuing a accountability for Jorge Macay. Everybody here, we're not necessarily family members, we are community members, but we are tired of seeing this repetition occur. We are taking a stand, we not getting paid. I assume you guys are dressed nice and sitting in front of that flag, and sitting behind these comfy chairs, I assume you are getting paid, and we're not getting paid so take more personal interests in advocating for rectifying, and nullifying the necessity for your positions. We're not going to just quietly and passively, be like talk to you with civility, which we're doing here, he's trying his best to do this here, but he's tired of this sh\*t. By the time he is dead and gone, there is going to be another row of (expletive) here, doing the same reformist bullsh\*t and we need to nullify and neutralize the necessity for this little bridge that you all got right here. That's what he got to say.

Nick, lives in the inner Richmond, in person, also a member of Critical Resistance, and here in solidarity with the family. Having been around with folks for a long time doing this work, fighting to close 850 Bryant, fighting to find accountability with SFPD and the Sheriff's Department. We're in a dire situation right now here in the city. Dire situation. Whether it's what's coming out of the mayor's office, the DA's office, SFPD, the Sheriff, Department of Public works, it's all horrible what's going on here. It's all interconnected. The fact that they closed the health facility down over at UN Plaza, and now what's the solution? Policing and putting folks in jail? Look what just happened. How many more people are going to happen with these policies and these liberals that are coming out of the mayor's office? There's no support for us. There's no housing. There's no health care. There's no education. They're trying to gut the schools. We don't have places to live, people are in the streets. People are begging for help. And this building right here, is not responding. And it has turned it's back on it's most vulnerable people in all of San Francisco. He hasn't been here and spoken out in public comment in person in so long and every time it's almost retraumatizing just remembering the first time we came here when we were fighting for justice for Mario Woods. What's going on? What is going on? They can't just keep putting people that look like us in positions of power and expecting us to just be cool with it. When they turn around and they just give money back to the corporations, give more money to SFPD, give more money to the Sheriff's Department. Trying to figure out whatever way they can how to revitalize downtown, when nobody lives downtown who's from San Francisco, who's from the Bay, cause we can't afford down there and it's not made for us. All the neighborhoods are where we're at. And we're starving. We're being strangled. And the only solution that city hall seems to have is to send more police, put more people in jail, and just keep on letting those rents go higher and higher, and higher and higher. So what are we doing? What are we doing? What are we doing? Because I don't know if you realize what is going on outside, but fascist is coming, the right's consolidating themselves and they're ready for this to happen. So we need to get things together. And honestly, it's just like, how many times have we come and told city hall what the solutions are and they just tell us oh yeah sure, or we'll look at it, or here's an article in the Chronical acknowledging it and then once the heat dries off, they just go back to what they're doing. It's tiresome coming here. How many more people should be dying? It's easy. And every day that we don't win, that we don't change, that we don't change the system, not reform it, change it, and that means within ourselves, people are dying. Remember that. People are dying.

Unidentified speaker, in person, you are aware of what you do every day right? Recognize you come here, and you do the pledge of a allegiance, as the start of everything. What is the point of your pledge of allegiance if it's to a flag that has inspired extremely far right movements including the Nazi movement. What is the point of standing in front of a flag and pledging a allegiance to the representation of oppression that we have all faced, forever? It is gross to hear, especially the more

*Continued from GENERAL PUBLIC COMMENT:*

privileged individuals on this board say sh\*t like, just trying to represent other people's words the way that they want them to. Because when you decide to rely on your bureaucracy before anything else, you are reminding us that you care more about that flag and the oppression that it represents. When your little votes over, oh, can we switch things? I get it, you are following policy, but your policy is slowing down actual action that helps people. When you adhere to all these little rules that like slow you down for, I don't even know what reason, you're hurting the people you claim to actually want to help. You can say all you want to the family of victims but if you're just going to keep going back to the same, oh we have to follow the rules of order, you're not doing anything. That is a lazy reformist, not even really reformist, way of approaching any sort of issue in this city. The violence that we are talking about in terms of law enforcement against citizens and anyone who lives here is something that you all stand by and watch. You reach out via GoFundMe, that's cool, did you put money into it? Did you do anything to actually address the issues of police violence, law enforcement violence against people? Did you do anything to care about actually getting the victims of police violence the resources they need to stop that cycle from being perpetuated? Take a second, cause it is inside you. The work that you need to do is internal, it is external just as much as it is internal, and you need to start thinking about what you prioritize. Do you care more about that little flag? Or do you care about people's lives.

Vote on motion to accept the annual report with a addendum:

AYES: Brookter, Carrion, Palmer, Soo, Wechter

NAYES: None

The motion passes. The annual report with a addendum is approved.

## ADJOURNMENT

All those in favor voted AYE. No NAYS.

Meeting was adjourned at 4:05 pm.



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Dan Leung  
Legal Assistant,  
Sheriff's Department Oversight Board

Full video recording may be accessed at

[https://sanfrancisco.granicus.com/player/clip/43069?view\\_id=192&redirect=true&h=7530567ee745834a3dc8f1d639576600](https://sanfrancisco.granicus.com/player/clip/43069?view_id=192&redirect=true&h=7530567ee745834a3dc8f1d639576600)