

**February 1, 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 5:37 p.m.

PRESENT: Commissioners Walker, Byrne, Benedicto, Yanez, Yee, Vice President Carter-Oberstone (arrived 5:43 p.m.)

ABSENT: President Elias

Commissioner Benedicto will chair the meeting in absence of President Elias and Vice President Carter-Oberstone being en route to meeting.

Vice President Carter-Oberstone led meeting beginning at 5:43 p.m.

**GENERAL PUBLIC COMMENT**

Paulette Brown: Speaks on son, Aubrey Abrakasa Jr.'s, case. Speaks on community violence and unsolved murders. Asks to solve son's case.

Barry T.: Speaks about street access in the city, taxi service access in the area.

Susan Buckman: District 6. Wealth & Disparities. Speaks on and discusses Chief Scott's response regarding Tyre Nichols.

David Calderon: Speaks on specific case, 921547783, and handling of case and DPA complaint.

Ramona Burton: Speaks on brother, Mark Anthony Coats', murder. Asks for justice on loved one's cases.

**2. Adoption of Minutes (ACTION)**

- for the Meetings of January 11 and January 18, 2023

Motion: Commissioner Benedicto, Second: Commissioner Byrne. Approval 6-0.

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

ABSENT: President Elias

**PUBLIC COMMENT**

None

**Chief's Report**

- Weekly crime trends
- Major/Significant Incidents

Chief Scott reported on crime trends YTD: Violent Crime up 2 percent; homicide up 33 percent; rape down 47 percent; robbery up 10 percent; assault down 2 percent; human trafficking down 50 percent. Property Crimes down 20 percent; burglary down 18 percent; motor vehicle theft down 20 percent; arson down 14 percent; larceny theft down 21 percent. Gun violence is up 67 percent compared to 2022; One shooting incident this week; total 12 incidents resulting in 11 victims

YTD. One homicide for the week; there are a total of 5 homicides YTD with 4 resulting from a firearm; 133% overall clearance.

Significant Incident: Shooting Homicide, 1/28/23 20:18, 700 Block of Missouri, responded to Shot Spotter activation, multiple spent cartridges located, bullet holes on buildings and vehicles, Officers saw vehicle fleeing area, Officers pursued suspect, pursuit ended in Daly City-Eastmoor exit, SFGH advised victim arrived by private vehicle, no arrests made, investigation on going. Suspicious death, 500 Block of Spear, Bayview, Hunter's Point Naval Shipyard, deceased person inside abandoned building, victim identified as missing person last seen 1/12/23, determined to be suspicious death, investigation on going. Non-Injury Shooting, 1/25/23 19:35, California and Polk, Northern, two victims struck by gunfire, shoot out occurred between person shot and two unknown suspects, bystander hit, individual shot transported and listed in critical condition-believed to be involved in shootout, no arrests made, investigation on going. Carjacking of elderly couple, Laguna and Lombard, Northern, pumping gas, second victim inside vehicle ordered out of vehicle with handgun, struggle for victim's purse, two suspects entered vehicle's victim and fled, victims sustained non-life-threatening injuries, no arrests made. Threats to a Jewish Community high school 1/26/23 1443 1800 block of Ellis, unknown person called staff at school and stated two people coming to school with AK 47s, traced call to out of state, investigation on going.

Significant arrest: Two homicide arrests. First arrest, from Grove and Larkin 11/11/22 homicide, on 1/28/23 Officers saw and recognized suspects, detained without incident, located firearm, probable cause developed to arrest two suspects, both from San Lorenzo. Second arrest, from a 9/8/21 0630 Homicide, male victim suffered from stab wound, succumbed to injuries at hospital, a 27-year-old suspect- sf resident, identified as principal suspect, arrest warrant issued, 1/20/23 suspect detained by Milpitas PD Officers, booked into Santa Clara County Jail for charge of murder related to SF Homicide.

Strategies: Lunar New Year Parade- heavy deployment and participation by SFPD 2/4/23.

#### **PUBLIC COMMENT**

Paulette Brown: Speaks on community and police gun violence, unsolved homicides. Speaks on homicide rewards and asks for venues to place reward posters.

Cheryl Bunton: District 10. Speaks on Ms. Brown's case. Asks to work on unsolved murders.

#### **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 2023: 43 cases opened; 65 closed; 253 pending; 7 cases sustained; 26 cases past 270-day; 1 case mediated. Cases received in the past week: 24 new cases; Central (1) Failing to intervene with an ongoing assault. Southern (4) Failing to recover the stolen cellphone, yelling at a complainant, and failing to investigate. Bayview (1) Making inappropriate comments. Mission (2) Using excessive force, unlawfully arresting the complainant, and entering the complainant's house. Northern (4) Refusing to write a police report and behaving inappropriately when severing a restraining order. Park (1) Failing to help a complainant fill out a car burglary report. Richmond (3) Improperly driving and harassing a person by knocking on his door to enforce a 72-hour parking notice. Ingleside (3) Failing to act against

illegal activities and allowing burglary suspects to flee a scene. Tenderloin (3) Failing to arrest a person who committed battery due to racial bias and failing to document an assault. Not Applicable (2) Referral.

Audits: Drafting next interim report focus on how SFPD audits electronic communications. Producing smaller, mini, audits which will be a part of larger audit report so that it is more digestible, and issue focused. Two outstanding recommendations closed.

Outstanding Issues: DGOs. DGO 6.18, Warrant Arrests, deadline November 28<sup>th</sup>, no draft yet. DGO 9.03, DUI Arrests, was supposed to schedule meeting in October.

Outreach: Richmond Station Community meeting, use meeting to inform public. Diana Rosenstein continues to work with Lt. Angela Wilhelm for station trainings with Officers regarding Officers' disciplinary process on both sides. Eight stations complete, by March all district stations to have received training.

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 Carter-Oberstone: Spoke on the 1/11/23 DGO 9.07 vote. Spoke on Chief Scott's language for DGO 9.07. Commission does plan on responding to Chief Scott with proposed language. Attended SFPD Academy Graduation, congratulated graduating members. Would like to agendize next reporting period for 30 by 30, as also mentioned by Commissioner Walker.

Commissioner Walker: Congratulated recent Academy graduates. Brought up 30 by 30, spoke on recruitment of women. Would like to agendize topic. Spoke on Patrol Specials. Spoke on technology available for cameras. DGOs-waiting on final draft language.

Commissioner Benedicto: Attended Academy graduation. Mentioned DGO 9.07 Amendments made by Chief. Spoke on Tyre Nichols case, traffic stop reform.

Commissioner Yanez: Acknowledge and recognized Black History Month. Spoke on Juvenile DGO. Would like to agendize. Early Intervention System DGO, spoke on Benchmark system, would like to agendize.

Commissioner Byrne: Ride along with Tenderloin Station, plain clothes unit dealing with matters in area. Walking with Sgt. Chung through area of 7<sup>th</sup> and Market, witnessed incident of overdose victim being saved. Asks for more Officers in Tenderloin area.

Commissioner Yee: On 1/20, attended meeting in China Town. Speaks on Lunar Year Celebration on 2/5 in Visitacion Valley. Spoke on drug use in Tenderloin.

**PUBLIC COMMENT**

Paulette Brown: Commended Officer who saved life in Tenderloin (mentioned by Commissioner Byrne). Asked for anyone with information on son's murder to call.

Cheryl S.: District 10. Commended Sgt. Chung and Officers that work in the Tenderloin. Agreed with more Officers being sent to Tenderloin. Spoke on women in policing, asks for pipelines for career opportunities for women, different ethnic groups.

**6. Sparks Reports: 3rd and 4th Quarter (DISCUSSION)**

- SFPD

Captain Dennis Toomer, Professional Standards & Principled Policing Unit, and Sergeant Joelle Harrell, Written Directives Unit, presented.

- DPA

Director of Policy Janelle Caywood presented.

**PUBLIC COMMENT**

None

**7. Discussion on Military Equipment and Robots, at the request of the Commission (DISCUSSION)**

Legislative Compliance and Special Projects Manager, Asja Steeves, presented.

**PUBLIC COMMENT**

Ramona Burton: Spoke on topic. Would like AB 481 be more publicized.

Paulette Brown: Spoke on topic. Provided opinion on types of equipment used and how it were to be used on the public.

Gloria Barry: District 10. Speaks on topic and provides opinion on line item not being presented at proper time, asked that item should've been pulled. Spoke on Officer training and reform.

Susan Buckman: District 6. Read from AB 481. Provides opinion.

N. Daniels: District 10. Provided opinion on Officers and article in Mission Local.

Yolanda Williams: Provided opinion on line item. Spoke on reform and training of Officers. Provided opinion on Mission Local article associated with Mission Station Officers.

**8. Discussion and possible action to approve revised Department General Order 5.07, "Rights of On-Lookers," for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)**

Captain Tom Harvey, SFPD Academy, presented.

Commissioner Benedicto motions, with Amendment to Page 2, 5.07.02 A (6) to read "See 5.07.02.F" not "See 5.07.02. E" and to include Instructions for bargaining. Commissioner Walker seconds.

Approval 6-0.

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

**PUBLIC COMMENT**

Ramona Burton: Made comment on wording for DGO.  
Paulette Brown: Spoke on public involvement.  
N. Daniels: Spoke on an incident and provided opinion on topic.

**9. Discussion and possible action to approve revised Department General Order 6.04, "Assaults on Police Officers," for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)**

Deputy Chief Raj Vaswani and Captain Mark Im presented.

Commissioner Benedicto motions, including bargaining instructions. Commissioner Walker seconds. Approval 6-0.

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

**PUBLIC COMMENT**

None

**10. Discussion and possible action to approve revised Department General Order 2.01, "General Rules of Conduct," for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)**

*This version is revised to make it clear that DGO 2.01 applies to all employees of the department and the department should meet and confer with all effected collective bargaining units as required by law.*

Line item 10 pulled from agenda.

**11. Public comment on all matters pertaining to Item 13 below, Closed Session, including public comment on Item 12, vote whether to hold Item 13 in closed session.**

Line item 11 pulled from agenda.

**12. Vote on whether to hold Item 13 in Closed Session (San Francisco Administrative Code Section 67.10) (ACTION)**

Line item 12 pulled from agenda.

**CLOSED SESSION**

13. **Closed Session**  
**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:**  
Status and calendaring of pending disciplinary cases (ACTION)

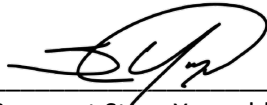
Line item 13 pulled from agenda.

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

Line item 14 pulled from agenda.

**ADJOURNMENT**

Thereafter, the meeting was adjourned at 8:23 p.m.



---

Sergeant Stacy Youngblood  
Secretary  
San Francisco Police Commission