

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 5:38 p.m.

PRESENT: Commissioners Walker, Byrne, Yanez, Benedicto, Yee, Vice President Carter-Oberstone, President Elias (arrived 5:45 p.m.)

**1. Presentation of Certificate of Appreciation (ACTION)**

- Ms. Angela Jenkins, Bias Working Group
- Mr. Rome Jones, Bias Working Group

Chief Scott spoke and presented certificates.  
Ms. Jenkins addressed Commission and public.  
Mr. Jones addressed Commission and public.

**PUBLIC COMMENT**

Sister of Rome Jones: Did not state name. Spoke about Mr. Jones.  
Julie Traun: Provided story regarding recruiting Rome Jones for the working groups. Spoke on community involvement and outreach.

**GENERAL PUBLIC COMMENT**

Greg Johnson- Tenderloin resident. A part of The Central City S.R.O. Collaborative (CCSROC). Thanked responses to the Tenderloin area and spoke on sustainability in those responses.  
Clifford Gilmore- With Tenderloin Housing Clinic and CCSROC. Part of resident organized safety committee. Spoke on current atmosphere in the Tenderloin giving hope to residents. Spoke on sustainability.  
Susan M.: A part of CCSROC. Thanked the Tenderloin Station.  
Steven D.: A part of CCSROC. Provided personal stories regarding the current state of neighborhood. Asked to please continue the work that is being done in the Tenderloin.  
Gloria Barry: Spoke on outreach to the community.

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

- SFPD 1421 & SB 16 Report
- DPA 1421 & SB 16 Report
- SFPD 2022 4Q Document Protocol Report
- DPA 2022 4Q Document Protocol Report
- SFPD Fourth Quarter 2022 Audit of Electronic Communication Devices for Bias
- Family Code § 6228 Incident Report Release Quarterly Report 2022 Q4: Oct 1, 2022-Dec 31, 2022
- Semi-Annual Report and Resolution Sexual Assault Evidence Kit (SAEK) July 1 – Dec 31, 2022
- Annual Report DGO 11.02, Secondary Employment, Calendar Year 2022

Motion to Receive and File: Commissioner Benedicto, Second: Vice President Carter-Oberstone Approval: 7-0.

AYES: Commissioners Walker, Byrne, Yanez, Benedicto, 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 2 percent; homicide N/C; rape down 39 percent; robbery up 11 percent; assault down 2 percent; human trafficking N/C. Property Crimes down 21 percent; burglary down 13 percent; motor vehicle theft down 20 percent; arson up 3 percent; larceny theft down 22 percent. Gun violence is up 11 percent compared to 2022; Two shooting incidents this week; total 17 incidents resulting in 20 victims YTD. No homicides for the week; there are a total of 5 homicides YTD with 5 resulting from a firearm; 100% overall clearance.

Significant Incident: Death case, waiting for medical examiner, incident occurred on 2/12/23. On 2/14/23 01:00, Tenderloin, victim located at Ellis and Hyde Street, victim had extensive injuries, victim pronounced deceased at scene, crime scene and knife located nearby, surveillance located, assault captured on camera, victim may have stabbed a subject that fled the scene, other subject located with stab wound and transported, investigation on going. At 700 Block of O'Farrell Street on 2/12/23 09:25, Fire personnel tended to a victim with facial injuries, victim deceased on scene, medical examiner conducting investigation. Two non-injury shootings- 2/8/23 23:10 Harbor Rd. in Bayview district, victim heard gunshot and felt they were shot, self-transported to hospital, non-life threatening injuries, investigation ongoing, 2/11/23 18:05 Cashmere and Dedman, responded to multiple 911 calls, located 17 year old victim with multiple gunshot wounds, victim transported and in stable condition, victim and friends walking in area when heard four gunshots, did not see who fired shots, investigation ongoing.

Significant arrest: 2/4/23 arrest made, 7 residential burglaries from December 2022, Mission Officers identified and located suspect, multiple charges for subject.

Strategies: Crime tend of Burglaries- subjects brand store front prior to burglary, connected to a series of burglaries, Alameda PD arrested one suspect-connected to SF Burglaries, investigation on going. Stunt driving events, Stunt Driving Response Unit dispersed group. Several stations involved, located multiple Stunt Driving demonstrations. Adjusted Tenderloin strategies/operations to disrupt activities related to narcotics. Combination of multiple factors to sustain Tenderloin strategies. Arrests and Fentanyl seizures have increased. Mission, prostitution activity on Capp Street, Officers assigned to area, motorcycle Officers citing solicitors.

### **PUBLIC COMMENT**

None

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

- Report on recent DPA activities, and announcement

Executive Director Henderson reported the following: In the year 2023: 71 cases opened; 81 closed; 267 pending; 7 cases sustained; 25 cases past 270-day; 2 cases mediated. Cases received in the past week: 14 new cases; - Central (1) Officers were behaving inappropriately towards an unhoused person. Southern (2) Officers failed to process an incident report promptly and behaved inappropriately. Mission (5) Officers are writing inaccurate reports, behaving inappropriately, and failing to take enforcement action to prevent vehicle break-ins. Northern (3) Officers misuse emergency lights, fail to take required action, and tow a vehicle without cause. Richmond (1) Officers stopped a vehicle without cause and failed to turn on BWC. Taraval (1) Driving recklessly. Out of Town (1) Referral to Richmond Police Department.

Audits: Drafting next interim report as part of the misconduct audit, SFPD's monitoring of department communications. Plan to deliver draft to department by end of February.

Operations: Development of new online form, expanded program for Police Department and public, next step is to test form and create a guide for SFPD Officers as well as video training for DPA staff.

Outreach: On 2/10/23 several members from DPA participated as panelists for Northern California Public Interest Public Service Day, a career fair for students to meet and interview with public interest and public sector legal organizations, preparing for Summer programs. On 2/18/23 plan on taking part in National LGBT Taskforce Creating Change Conference. On 2/13/23 spoke at Alice B. Toklas Democratic Club regarding concerns in the LGBT community and policing. 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.

Vice President Carter-Oberstone: On 1/11 passed DGO 9.07. Speaks on language Chief Scott provided, working with Chief on that language, found language that is agreed upon. Thanked Chief for working on this with him. Update coming soon.

Commissioner Benedicto: DGO 7.01 Juveniles and Youth. Working with Commissioner Yanez and working group. Thanked SFPD and DPA members involved.

Commissioner Yee: AAPI Summit today at Victoria Hall in Chinatown. Thanked Commander Julian Ng for putting it together. City Attorney David Chiu, District Attorney Brooke Jenkins and Chief Scott attended. Victim Community Board has funding for victims if a crime occurred.

Commissioners Yanez, Byrne, Walker and President Elias: No update.

#### **PUBLIC COMMENT**

None

7. **SFPD 2022 Third Quarter Disciplinary Review Board (DISCUSSION)**

Acting Assistant Chief Denise Flaherty and DPA Chief of Staff Sarah Hawkins presented.

**PUBLIC COMMENT**

None

8. **Discussion and possible action to approve Department General Order 11.13, "Directed and Recommended Referrals to the SFPD Behavioral Science Unit," for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)**

Acting Deputy Chief Nicole Jones presented and spoke on DGO 11.13.

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

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

**PUBLIC COMMENT**

None

9. **Discussion of deadlines per DGO 3.01, Written Communications System, for revisions of DGO 8.10 [Guidelines or First Amendment Activity], at the request of the commission. (DISCUSSION)**

- *To include SFPD's internal policy development and timelines as defined in DGO 3.01 [Written Communications System]*

Vice President Carter-Oberstone spoke on item. Deputy Chief Raj Vaswani, from Investigations, present to speak on DGO 8.10. DPA Director of Policy Janelle Caywood present for questions.

**PUBLIC COMMENT**

None

10. Public comment on all matters pertaining to Item 12 below, Closed Session, including public comment on Item 11, vote whether to hold Item 12 in closed session, including vote on whether to assert the attorney-client privilege with regards to Item 12 (a).

None

11. Vote on whether to hold Item 12 in Closed Session including vote on whether to assert the attorney-client privilege with regards to Item 12 (a) (San Francisco Administrative Code Section 67.10) (ACTION)

Vice President Carter-Oberstone motions to hold item 12 in closed session. Commissioner Byrne seconds. Approval 7-0.

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

**1<sup>st</sup> Open session ended: 8:14 p.m.**

**CLOSED SESSION (8:19 p.m. – 08:46 p.m.)**

**12. Closed Session**

**Roll Call;**

**c. 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 April 20, 2022, on disciplinary charges filed in Case No. DPA 00044025-19 (DISCUSSION & POSSIBLE ACTION)

(Present: Commissioners Walker, Byrne, Yanez, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Deputy City Attorney Kate Kimberlin, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

**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 and update on Department General Order 9.07 "Curtailing the Use of Pretext Stops", (*Adopted for meet & confer at the January 11, 2023 Commission Meeting*) (DISCUSSION)

(Present: Commissioners Walker, Byrne, Yanez, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Deputy City Attorneys Alicia Cabrera and Kate Kimberlin, SFPD Labor Relations Director LaWanna Preston, Chief Scott, Acting Assistant Chief Denise Flaherty, 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:**

Discussion and possible action to accept or reject Settlement Agreement filed in Case No. IAD 2022-0013 or take other action, if necessary (DISCUSSION & POSSIBLE ACTION)

(Present: Commissioners Walker, Byrne, Yanez, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Deputy City Attorney Kate Kimberlin, IAD Attorney Ashley

Worsham, Officer's Attorney, Subject Officer, Chief Scott, Acting Assistant Chief Denise Flaherty, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

*(These proceedings were taken in shorthand form, Lucy Carillo-Grubbs, CSR., Behmke Reporting and Video Services)*

**d. 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, Byrne, Yanez, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Deputy City Attorney Kate Kimberlin, Chief Scott, Acting Assistant Chief Denise Flaherty, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

CLOSED SESSION ENDED: 8:46 p.m.  
**OPEN SESSION** (8:47 p.m. – 8:49 p.m.)

**13. VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION ON ITEM 12 HELD IN CLOSED SESSION INCLUDING VOTE ON WHETHER TO ASSERT THE ATTORNEY-CLIENT PRIVILEGE WITH REGARDS TO ITEM 12 (A) (SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.12(A)) (ACTION)**

Commissioner Benedicto motions to not disclose any or all discussion on item 12 held in closed session, with the exception of factual updates provided by the SFPD Labor Relations Director on 12(a), including vote on whether to assert the attorney-client privilege with regards to Item 12 (a) San Francisco Administrative Code Section 67.12(a)). Commissioner Walker Seconds. Approval

**Factual Update:**

**SFPD Labor Relations Director LaWanna Preston provided an update to the Commission. The draft DGO was sent to the bargaining units, and the first meeting between the department and the bargaining units is scheduled for February 24, 2023.**

AYES: Commissioners Walker, Byrne, Yanez, Benedicto, 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