

**March 8, 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 5:38 p.m.

PRESENT: Commissioners Walker, Benedicto, Yanez, Byrne, Yee, Vice President Carter-Oberstone, President Elias (arrived: 5:48 p.m.)

**GENERAL PUBLIC COMMENT**

Paulette Brown: Spoke about son, Aubrey Abrakasa Jr.'s, unsolved homicide. Spoke on homicide rewards and other ways to come forward regarding unsolved homicides. Gave names of perpetrators. Provided personal story regarding son's murder.

Chris Romero: Executive Director of San Francisco Municipal Executives Association, referenced February 15<sup>th</sup> Commission Meeting where a city employee was questioned by Vice President Carter-Oberstone. Spoke on interrogation and entrapment of city employees at Commission Meetings. Spoke on how Commissioners should be speaking to city employees with respect. Commissioners respond.

\*\*Any information regarding the murder of Aubrey Abrakasa Jr., please call the anonymous 24/7 tip line at 415-575-4444.\*\*

2. **Adoption of Minutes (ACTION)**  
- for the Meetings of February 15<sup>th</sup> 2023- AMENDED.

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

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

**PUBLIC COMMENT**

None

**Chief's Report**

- Weekly crime trends
- Major/Significant Incidents

Chief Scott reported on crime trends YTD: Violent Crime up 6 percent; homicide N/C; rape down 31 percent; robbery up 18 percent; assault down 2 percent; human trafficking down 50 percent. Property Crimes down 15 percent; burglary down 10 percent; motor vehicle theft down 17 percent; arson up 9 percent; larceny theft down 15 percent. Gun violence is even compared to 2022; Seven shooting incidents this week; total 30 incidents resulting in 33 victims YTD. One homicide for the week; there are a total of 8 homicides YTD with 7 resulting from a firearm; 100% overall clearance.

Significant Incident: One homicide, Central District, 2/27/23 01:00, Pier 5, witness heard a pop followed by a male yelling, witness went outside and saw victim leaning against wall, witness call 911,

victim pronounced at scene, no arrests made, investigation ongoing. Suspicious death on 3/1/23 21:07, 200 block of Taylor, victim and acquaintance were in an apartment, residents left victim there, acquaintance called resident and stated that they were smoking an unknown substance, acquaintance saw victim asleep early in the morning and left again, when acquaintance returned victim was not breathing, 911 called, victim pronounced at scene, ruled suspicious death, waiting on Medical Examiner's determination on cause. Seven non-injury shootings – two in Southern (200 block of 9<sup>th</sup>, 900 block of B Ave on Treasure Island), two in Bayview (Fitzgerald and Jennings 2/28, George Court 3/4), Ingleside (LaSalle) and two at unknown locations, don't appear to be related, no arrests made, all investigations on going.

Significant arrest: Bayview, 1000 block of Kansas, attempted kidnapping of baby, suspect apprehended, case has been presented to DA's Office. Incident on Riordan High School grounds, battery of basketball player from opposing team, fight during game, punched from behind, started a brawl, no arrests made, investigation ongoing.

Strategies: Tenderloin operation still on going. 63% increase in Fentanyl YTD. Seized over 50,000 grams of Fentanyl. Number of strategies to disrupt drug sales.

#### **PUBLIC COMMENT**

Paulette Brown: Spoke on unsolved homicides. Referred to homicide reward presentations. Spoke about son. Wants answers.

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

- Report on recent DPA activities, and announcement  
DPA Attorney, Diana Rosenstein on behalf of Executive Director Henderson reported the following: In the year 2023: 112 cases opened; 117 closed; 273 pending; 8 cases sustained; 24 cases past 270-day; 2 cases mediated. Cases received in the past week: 13 new cases; - Bayview (1) Failing to investigate and take required action. Mission (1) Failing to write an incident report regarding a stolen license plate. Park (1) Officers harassed and threatened the complainant's family and accused his minor daughter of engaging in illegal activity. Richmond (2) Failing to return a call and harassing a person. Ingleside (1) Failing to conduct a wellness check. Tenderloin (3) Failing to provide name or badge number and failing to respond to calls of service. Airport (1) Failing to provide name and start number. Not Applicable (3) Inappropriate comments and failing to investigate.

Audits: N/A

Outstanding Issues: 87 pending cases for Chief's Hearings. Over 25 cases are 2 years old. Have solution moving forward, incorporate language for DGO 2.07.

Outreach: DPA presented at the Hayes Valley Neighborhood Association community meeting on March 6<sup>th</sup>, provided information about organization and discipline process. Presented at Bayview Station community meetings. Mediators received implicit bias training, Captain Canning spoke to mediators. 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.

President Elias: Recognized International Women’s Day, dedicating this meeting to that cause.

Thanked the women that take up the fight against issues that women face everyday.

Commissioner Walker: Wanted to reinforce appreciation that SFPD has committed to 30x30, to get more women on the force and in leadership, referred to the women in the department, thanked A/Assistant Chief Flaherty. Department and DPA working together on DGO edits. Regarding Patrol Specials and private security collaborations, met with remaining Patrol Specials, that are active, and City Attorney regarding legal positioning on beats, wants to present status to Commission. Meeting with Department regarding issues present. Working with community benefit districts, bringing more traffic to districts, coordinating and encouraging partnerships with Department and private sector, trying different programs. Meeting with Technology regarding body worn cameras and other cameras. Recognized International Women’s Day.

Commissioner Yanez: Social Media DGO, received request for extension, 120-day extension, generating work group. DGO revision 7.01, Juveniles, progressing, important additions to policy, expanding the department’s understanding of how juveniles’ development is different and approach should be different. April 12 joint Commission meeting. Asked Chief about the Capp St. strategy and containing issue. Asked Chief about an assault that occurred in February on 16<sup>th</sup> street of an employee of a headstart program, foot patrols requested in area, asked about strategy. Wants to agendize topic of policing immigrant communities.

Commissioner Benedicto: Serving as audit liaison to DPA, quarterly meeting next week to get status of audits. Accompanied AC Lazar to community event on Capp Street. DGO 7.01 significant progress, 2<sup>nd</sup> to last meeting tomorrow. Commended Commander Moran for work in working group. Moving forward on DGO 10.11 Body Worn Cameras, extension granted by Commission.

Vice President Carter-Oberstone: Met with Department and DPA to discuss DGO 8.10 First Amendment Surveillance Activities, working group moving forward, tentatively set start date for late March, discussing groups and individuals that might be invited to groups.

Commissioner Yee: Recognized International Women’s Day. Thanked Chief on 30x30 initiative. Percentages headed in right direction. Thanked women of the Command Staff, DPA, Commission and City Attorney.

Commissioner Byrne: No update.

**PUBLIC COMMENT**

None

6. **Discussion of March 2022 MOU regarding SFPD joining the FBI’s “San Francisco Violent Gang Safe Streets Task Force”, at the request of the Commission (DISCUSSION)**

Assistant Chief David Lazar presented.

**PUBLIC COMMENT**

None

7. **Discussion of the draft Memorandum of Understanding between the San Francisco Police Department/Department of Police Accountability and the San Francisco District Attorney's Office regarding the Investigation of Serious Uses of Force and In-custody Deaths for meet and confer purposes with the effected collective bargaining units as required by law. Judge Walker (Retired) assisted with the negotiation of the draft MOU that the DA's Office and SFPD have agreed upon. (DISCUSSION)**

Chief Scott presented. DPA Attorney Diana Rosenstein available for questions.

**PUBLIC COMMENT**

None

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

None

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

Commissioner Benedicto motions to hold item 10 in closed session, asserting the attorney-client privilege with regards to Item 10 (a). Commissioner Walker seconds. Approval 7-0.

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

10. **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: Update regarding Meet and Confer on Department General

Orders: 2.01, 2.08, 3.13, 5.07, 6.04, 8.01, 9.07, 11.08, 11.13 and 5.24. (DISCUSSION)

(Present: Commissioners Walker, Byrne, Yanez, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Deputy City Attorney Alicia Cabrera, SFPD Labor Director LaWanna Preston, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds)

**Disclosure of Factual Updates (per approved motion made by Commissioner Benedicto, second by Commissioner Walker):**

- 2.01:** *Civilian union meetings on hold, met with POA multiple times, most recently on 3/8/23. Advised MEA that they have until 3/13/23, otherwise issue for MEA to be closed;*
- 2.08:** *No future dates with POA. Advised MEA that they have until 3/13/23 to respond, otherwise closing meet and confer session out;*
- 3.13:** *Meeting next week with POA;*
- 5.07:** *Met with POA 3/8/23. MEA meeting 3/16/23;*
- 6.04:** *Meeting with POA and MEA on 3/16;*
- 8.01:** *No future dates with POA. Sent letter to MEA, if no response by 3/13/23 will close out;*
- 9.07:** *Met with POA- POA to submit proposal next week;*
- 11.08:** *Met with POA 3/8/23, MEA has until 3/13/23 to respond otherwise will be closed out.*
- 11.13:** *Met with POA 3/8/23. Meeting with MEA and SEIU on 3/16/23. Local 21, Local 16 and other Miscellaneous unions have not responded, will close out unless receive responses confirming dates; and*
- 5.24:** *No future dates with POA. MEA will send letter in a week. If no response received from MEA, a letter will be sent providing a deadline to respond.*

- 11. Vote to elect whether to disclose any or all discussion on Item 10 held in closed session including vote on whether to assert the attorney-client privilege with regards to Item 10 (a) (San Francisco Administrative Code Section 67.12(a)) (ACTION)

Commissioner Benedicto motions to DISCLOSE factual information received by the Commission in line item 10(a), which will be reflected in the minutes of this meeting, to include dates that parties met on each listed Department General Order, the dates of any future meetings, if there are no future meetings the disclosure will note that; and to NOT DISCLOSE labor negotiation discussions with regards to the rest of Item 10. 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 9:02 p.m.

  
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Sergeant Stacy Youngblood  
Secretary  
San Francisco Police Commission