



Sheriff's Department Oversight Board

CITY AND COUNTY OF SAN FRANCISCO

JAYSON WECHTER
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Board Member

MICHAEL NGUYEN
Board Member

WILLIAM PALMER II
Board Member

JULIE D. SOO
Board Member

DAN LEUNG
Legal Assistant/
Acting Secretary

Sheriff's Department Oversight Board Regular In-Person Meeting Friday, April 7, 2023 / 2:00 pm

1 Dr. Carlton B. Goodlett Place, City Hall, Room 400
San Francisco, CA 94102

MEETING MINUTES

Meeting called to order at 2:04 pm. Pledge of Allegiance.

ROLL CALL

PRESENT: Brookter, Carrion, Nguyen, Palmer (at 2:34 pm), Soo, Wechter, Acting Secretary Leung

NOT PRESENT: Afuhaamango (excused)

A quorum of the Board was present.

GENERAL PUBLIC COMMENT

PUBLIC COMMENT:

Michael Petrelis, in person, asked that we make public comment 3 minutes instead of 2 minutes, stated that there was no place on the SDOB website to file a complaint and he had complained to Paul Henderson and Twitter about it. He received a response to file with the Sheriff. He does not believe he should file with the superior of the deputy he would like to complain against. He would like the system to be set up where the information is visible on the website, where there is a phone number he can call, and a special email for more information so the complaint can come to us instead of the sheriff's department. He would like to file a complaint against Andrew Martinez, III, star number 1245. He has the deputy on camera trying to prevent his speech on Tuesday at the Entertainment Commission. This deputy also follows him around when he comes to City Hall which he feels is intimidation. He would like the board and Sheriff to investigate why he is behaving this way towards him.

Vice President Carrion, confirmed with the acting secretary that the website has been updated with information on how to file a complaint.

ADOPTION OF MINUTES

Member Soo stated a few minor changes to the original March 3, 2023, agenda.

Motion to adopt the amended minutes with changes in red by President Wechter. Objection by Vice President Carrion. No second.

Motion to adopt the Meeting Minutes from March 3, 2023, as publicly amended by Member Soo and the community meeting minutes from March 14, 2023, and March 28, 2023, by Vice President Carrion, seconded by Member Soo.

04.07.2023 Meeting Minutes

Continued from ADOPTION OF MINUTES:

PUBLIC COMMENT:

Michael Petrelis, in person, stated there were no copies of the minutes for the public to inspect, and he was at a disadvantage not having the information they were looking at. He hopes that in the future, we have a few copies printed for the public who show up to view. He is interested in seeing the minutes from March 14 and March 28 to see if there were any members of the public there to speak. (The city attorney handed Mr. Petrelis copies of the minutes.) He further asked that we consider different times for our meetings so people who cannot attend on a Friday afternoon or who have to take time off with childcare may be able to attend if we have the meetings at 5 pm.

Member Soo responded that public comments may be submitted through email and that our meetings were based on availability of SFGovTV support and thanked Mr. Petrelis for his comments.

Vote to adopt the minutes of March 3, 2023, as publicly amended by Member Soo, and the community meeting minutes from March 14, 2023, and March 28, 2023:

AYES: Brookter, Carrion, Nguyen, Soo

NAYS: Wechter

Motion passes and approved by majority vote 4 – 1. Minutes of publicly amended March 3, 2023, and community meeting minutes from March 14, 2023, and March 28, 2023, are adopted.

RECRUITMENT OF INSPECTOR GENERAL

Michelle Phillips, first independent Inspector General for the city of Oakland, whose authority is civilian oversight of the Oakland Police Department, appeared remotely and presented on the process she went through to become the inspector general.

Questions from Vice President Carrion, Member Soo, and President Wechter.

PUBLIC COMMENT:

Michael Petrelis, in person, suggested that we have a rehearsal with the speaker before the meeting. He had a difficult time hearing the presentation even with the captioning. He asked if the slide presentation would be available to the public.

President Wechter asked for the City Attorney’s opinion on section H on the charter that says no SDOB or OIG staff shall have been employed previously by a law enforcement agency or labor organization representing law enforcement of employees and if that applies to sworn and unsworn civilians. Deputy City Attorney Clark responded that there was no distinction.

Paul Greene appeared to give updates on the recruitment efforts for the inspector general position.

Open discussion by Vice President Carrion, President Wechter, and Member Soo.

Open discussion on March and April Community Meetings by Vice President Carrion, President Wechter, and Member Soo.

PUBLIC COMMENT:

No public comment.

SHERIFFS CHIEF REPORT

Chief Richard Jue appeared in person and gave a presentation on investigations from 2019 to August 2022.

Questions from Member Soo, President Wechter, and Vice President Carrion.

Continued from SHERIFF'S CHIEF REPORT:

PUBLIC COMMENT:

Michael Petrelis, in person, stated this was not his first time at a law enforcement accountability rodeo and this gentleman did more dodging in a few minutes than he has seen in a long time. He dodged too many questions and why is there no specific breakdown of what was sustained or exonerated? What he presented was pretty useless, without specifics of what the deputies were charged with or what the complaints were about. He was not buying it. The real problem is that law enforcement is put in a special category, special privileges. They get personal protections that members of the public never get. He has been accused of crimes and have been through the system and had no choice in the matter of his name and mug shot getting out there. He doesn't get protection. Law enforcement is accused of doing something wrong – we never learn their names. This gentleman, this deputy from the Sheriff's Office, said that you have to go into closed session if you wanted to discuss specifics of what was sustained and who the deputies were. That does not build trust with the public. How this oversight board is going to address this really important matter of, they have protections and we are suppose to just trust them? You have to delve into it and it's not going to be easy. The Police Commission does the same thing when they are dealing with complaints against cops, they go into closed session, it is never revealed to us, and we're supposed to trust them? Doesn't happen. We really need full transparency. He doesn't want to come to another meeting where the deputy is dodging pretty basic questions of what were the break downs. That cannot be acceptable. He has waited a long time for a degree of accountability over the Sheriff's Department. He doesn't want to hear about they don't have enough staff, they don't have the technology. They've got it. They just use it as an excuse to protect themselves and finally, he thinks it always has to be explained that the Sheriff's Department investigated the deputies. That calls into question the independence of the investigation.

Vice President Carrion made clarifications and responded. President Wechter also responded.

BREAK: 3:31 pm until 3:40 pm.

MEDIA POLICY

Open discussion on the media policy by Member Soo.

Motion to adopt the media policy as written by Vice President Carrion, seconded by Member Soo.

Further open discussion by President Wechter, Members Soo, and Brookter, Vice President Carrion, Members Nguyen, and Palmer.

PUBLIC COMMENT:

Michael Petrelis, in person, believes that the Police Commission did develop a social media policy in the first year of the pandemic. Matt Dorsey was responsible for creating it. He may be wrong. He asked the board to verify what is going on with the Police Commission and their media policy, if they have one or don't. If they do have one, look at it but don't just accept it as something you should automatically copy. Regarding social media, he is looking at the Twitter account for this body, it is at SF_SDOB. There have been about 36 tweets and they have all been very informative, including where your meeting is. This morning they did post information about misconduct complaints investigated by the DPA. It lists 5 reasons for misconduct complaints. By only listing 5, a member of the public will say, well this doesn't involve sexual misconduct, but I still would like to file a complaint. What he is trying to articulate is that by limiting the number of reasons why a complaint can be investigated, you should say, regardless of that, please contact us if you would still like to file a complaint. When you look at other accounts that are being followed by your Twitter account, by the way, your Twitter account, I think you should ask who is maintaining it. Whoever is maintaining it, they are following the Warriors, the 49ers, the SF Giants, the Vice President, the President. Okay. I can understand following Kamala Harris and Joe Biden. I cannot understand why your Twitter account is following sports teams. I'm not into sports, and I question that. When you look at the number of followers of your Twitter account, there's one follower and you're looking at him. I would like for you to have more followers on your Twitter account. I think that whoever has started this account is doing a pretty good job of giving the facts about the meetings and complaints and what have you. There have been 32 tweets since they opened this account. I sometimes spend too much time on Twitter, and there are a lot of us on Twitter because it's live, it's fast, of course we have problems with

Continued from PUBLIC COMMENT under MEDIA POLICY

Elon Musk but you really need to engage with us on social media. And I think you can easily find a liaison from the board to guide the person who is creating and maintaining your social media.

Motion to adopt the media policy and have Member Palmer as the media liaison by Vice President Carrion, seconded by Member Soo:

AYES: Carrion, Palmer, Soo

NAYS: Bookter, Nguyen, Wechter

Vote on motion to adopt the media policy and have Member Palmer as the media liaison is tied and as such, is not adopted.

Motion to identify Member Palmer as the media liaison by Vice President Carrion, seconded by Member Brookter.

Open discussion on a media liaison by President Wechter, Vice President Carrion, Members Brookter, Soo, Nguyen, and Palmer.

PUBLIC COMMENT:

Michael Petrelis, in person, says this is not his first time at the law enforcement accountability rodeo. It really is, in his understanding, appointing a liaison, get to it, you need it. It will really, really enhance your work, enhance the accountability. We need this oversight board, to get to the Office of the Inspector General. Michelle Phillips and her presentation, it needs to be seen and heard by many more people. You really have to keep in mind that you are being watched by the communities that have been abused by the Sheriff's Department. We have waited a long time for this accountability. He does not want you putting in more time about do you need a liaison. Yes, you do. Yes, you need to decide these things relatively quickly. The larger issues of accountability are harmed. Okay. Please appoint Commissioner Palmer to the liaison. Figure out who is running your Twitter account. Keep improving on it and let's get to accountability please.

Vote to have Member Palmer as the SDOB media liaison.

AYES: Brookter, Carrion, Nguyen, Palmer, Soo, Wechter

NAYS: None

Motion approved and passes 6 – 0. Member Palmer shall be the media liaison for the SDOB.

FUTURE AGENDA ITEMS

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

- Prioritizing useful information from the Sheriff's Department for the inspector general.
- Goals, timelines, and benchmarks for the year.
- Quarterly and annual reports.
- Detailed reports from the Sheriff's Department to fulfill charter mandates.
- Information for a potential applicant, inventory of resources, IT, reporting capabilities for the Sheriff's Office, so a candidate for Inspector General can have a clear vision and the board can choose the right person.
- Sheriff's Office report on inventory on technology, availability data, availability of reports, DPA investigations – comment on how readily available particular information is and the process. If data is hard to get, that we know where the delays might be and the improvements.
- What are the points of disqualification? And who decides the disqualification? (in regard to applying to be a Sheriff's Deputy) – can wait until we are closer to hiring an inspector general.
- Presentation by DPH – later meeting
- Operational needs for improvement from Sheriff's Deputies.
- Updated report on revision updates after the board reviews the new policy – for a later meeting.
- Memo from DCA Clark on the definition of “employed by law enforcement” with regard to the charter amendment language for the Inspector General.

Continued from **FUTURE AGENDA ITEMS**

Margaret Bumgartner responded on the revision updates, LexiPol due to go live on April 15, 2023.

PUBLIC COMMENT

No public comment.

GENERAL PUBLIC COMMENT

No public comment.

ADJOURNMENT

All those in favor voted AYE. No NAYS.

Meeting was adjourned at 4:54 pm.



Dan Leung
Legal Assistant,
Sheriff's Department Oversight Board

Full video recording may be accessed at:

https://sanfrancisco.granicus.com/player/clip/43347?view_id=223&redirect=true&h=6b151a190d1ade10d1ce9bba19ba6a0a