

OCTOBER 4, 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 5:36 p.m.

PRESENT: Commissioners Walker, Benedicto, Yanez, Yee (arrived: 6:33 p.m.), Vice President Carter-Oberstone

EXCUSED: President Elias, Commissioner Byrne

1. Weekly Officer Recognition Certificate

Presentation of an Officer who has gone above and beyond in the performance of their duties.

- Sergeant Ramonik Johal, Star No. 4315, Special Victims Unit

Captain Alexa O'Brien, SVU, provided a background on Sgt. Johal and continued to speak about Sgt. Johal's work and a specific incident.

PUBLIC COMMENT

None

GENERAL PUBLIC COMMENT

Michelle L.: Civilian employee at a neighboring police department. Spoke about at-risk missing children and missing persons.

Name not stated: Continued with previous speaker's public comment regarding missing persons, spoke about DGO 6.01.

Paulette Brown: Spoke about the Sojourn trip.

Janelle Harris: Former Oakland Police Commissioner. Spoke about the Missing Persons Policy.

Provided photo of specific missing person.

Jay Ortega: Thanked SFPD Officers. Spoke on elected officials versus the police.

Name not stated: Spoke about and questioned Traffic Data and traffic issues versus drug issues.

Tracy McCray: Spoke about leaked material to media outlets. Questioned the Commission.

3. Consent Calendar (RECEIVE & FILE; ACTION)

- Police Commission Report of Disciplinary Actions, 3rd Quarter 2023
- DPA May, June and July Statistical Reports

Motion: Commissioner Benedicto. Second: Commissioner Yanez.

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

LATE: Commissioner Yee

EXCUSED: President Elias, Commissioner Byrne

PUBLIC COMMENT

None

4. Adoption of Minutes (ACTION)
- for the Meetings of September 6th, September 13th and September 20th, 2023

Motion: Commissioner Walker. Second: Commissioner Benedicto.

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

PUBLIC COMMENT

None

Chief's Report

- **Weekly crime trends**
- **Major/Significant Incidents**

Chief Scott reported on crime trends YTD: Violent Crime up 3 percent; homicide N/C; rape down 15 percent; robbery up 16 percent; assault down 8 percent; human trafficking down 7 percent. Property Crimes down 5 percent; burglary down 6 percent; motor vehicle theft up 10 percent; arson down 9 percent; larceny theft down 8 percent. Gun violence is down 2 percent compared to 2022; Two shooting incidents this week; total 137 incidents resulting in 160 victims YTD. No homicides for the week; there are a total of 40 homicides YTD with 27 resulting from a firearm; 75% overall clearance.

Significant Incident: Hit and Run collision, resulted in fatality, high profile – hit and run, the victim was then hit with a Cruise self-driving vehicle, victim transported and succumbed to injuries. Initial hit and run, driver is still outstanding, anonymous tip line 415-575-4444.

Significant arrest: Arrest on 10/4/23 for Homicide that occurred in the Richmond District on 8/29/23 – liquor store clerk assaulted by a robber. Attended community meeting for Richmond District, public was inquiring about investigation, did receive helpful information from the public. Assault on a sworn Office, suspect in a suspected stolen vehicle, 9/27/23 01:38, Tenderloin, Golden Gate and Hyde, Officers and CHP located a reported stolen vehicle, while attempting to detain suspect in a marked a vehicle, suspect rammed CHP vehicle and then attempted to ram SFPD vehicle, pursuit initiated as vehicle fled and terminated at dead end of Van Ness and McDowell, suspect was arrested. Shaw's Candy, 9/27/23 13:42, West Portal Ave, suspect assaulted an elderly worker at shop, when Officers arrived, bystanders had detained suspect, Taraval responded to 100 block of West Portal regarding assault in progress, male suspect had assaulted a victim without provocation and caused her to fall to sidewalk, coworker ran to the aid of victim and was also assaulted by suspect, coworker pushed into establishment, while inside store suspect assaulted another elderly victim which caused her to fall to the ground, during assault a worker from a nearby business witnessed the attacks and ran to their aid, witness held suspect but was also assaulted by suspect, suspect fled from store but was followed by witnesses and bystanders and detained by them, Officers arrested suspect and booked, victims treated and release, one transported, Chief Scott thanked the public that intervened, advised public

to use caution and do so safely. Assault and attempted murder 9/28/23 600 Block of Powell 15:48, Officers responded to a burglary call, upgraded to a verbal dispute between victim and neighbor, neighbor broke into apartment and trashed it, suspect confronted victim inside victim's apartment and attacked victim with a hammer, suspect also swung knife towards victim, did not make contact with knife, victim treated at scene, Officers arrived and arrested suspect.

Strategies: Fleet Week preparation. Thanked members of the Armed Services that are here, thank Department of Emergency Management. Advised the public to be safe and vigilant. Senator Feinstein's services tomorrow, 10/5, SFPD to be security for the service.

PUBLIC COMMENT:

Paulette Brown: Spoke about son, Aubrey Abrakasa Jr., and his murder. Spoke about a letter from Gavin Newson. Questioned the response for unsolved homicide cases. Asked about monetary rewards.

Jay Ortega: Spoke about Seattle Measure 110 in response to the drug issue. Commended Chief Scott's response to the SF drug issue.

Joe Cirillo: Licensed clinical social worker, spoke on the Dolores Hill bomb, questioned what happens to information of youth after charges were dropped. Spoke on SF Skateboarding Laws. Works with harm reduction therapy center, provided opinion on drug arrests and resources for support.

**If anyone has information on the murder of Aubrey Abrakasa, please call the Anonymous tip line 24/7 at 415-575-4444.

DPA Director's Report

- Report on recent DPA activities, and announcement

Executive Director Henderson reported the following: In the year 2023: 601 cases opened; 552 closed; 304 pending; 42 cases sustained; 22 cases past 270-day; 31 cases mediated. SFPD Cases received in the past week: 35- Central-5-The complainant alleges that officers failed to properly investigate. Officers pulled guns, detained, and handcuffed the complainant without cause. Southern-2- An officer failed to properly investigate and failed to make a required contact to the owner of a recovered car. The officer used profanity and made a homophobic comment. Bayview-1-The complainant alleges that the officers arrested them without cause and lied in their report. Mission-2-The complainant stated that the officer did not do anything to help when he reported that he was followed by a man. Officers delayed a response to a 911 call. When the officer did arrive, they failed to write a report. Northern-3-Officers failed to properly investigate a sexual assault, to preserve evidence, to activate their body-worn cameras, and to make an arrest. Officers responded to a call for service and instead of asking the complainant to leave they arrested him and placed him in tight handcuffs which caused bruising. Richmond-2-The officers failed to file a police report regarding a stolen animal. The officers failed to investigate the burglary of a vehicle as presented by the complainant. Ingleside-1-Officers were dismissive and unprofessional when the complainant called the station to ask a question. Taraval-2-Unhoused complainant was relieved of their personal property despite protest and threatened by officers if he did not get out of the way. Tenderloin-9-The officer failed to enforce a court restraining order and made inappropriate comments during a phone call. The complainant was followed and tased by a private security guard

while leaving a retail store. The officers failed to properly investigate, arrested the complainant without cause, and used unnecessary and excessive force. Not Applicable-6-Referral. Out of Town-1-Referral. Pending-1-The officer failed to comply with the SFPD policy on Stop Data Collection and falsified information.

Audits: Received exemption from Police Commission on DGO 8.10 for calendar year 2022 activities.

Outstanding Issues: N/A

Outreach: Conducted mediation conference, will have summary next week. Can contact DPA at 415-241-7711. 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 Benedicto: Spent time with SFPD's Policy Development Unit. Spoke on updating policies, some last updated in the 1990's. Spoke on Policy Analyst Position for the Commission Office. Acknowledged Domestic Violence Awareness month, Hispanic Heritage month and Filipino Heritage month. Acknowledged and spoke on the open letter from the Police Officers' Association and confidentiality.

Vice President Carter-Oberstone: Attended orientation with Policy Development Unit. Sitting on interview panel for Policy Analyst position.

Commissioner Yanez: Met with Commander Pera from Community Engagement Division, put in contact with group that reached out to Commissioner regarding youth development training and community policing strategies, connection made and coordinating calendars. Met with Juvenile Probation Commission President, invited Commissioner to attend Juvenile Probation Commission to provide update on progress with initiating a pre-booking program, requested an update for November. DGO 7.01, Juvenile DGO, received revised draft. Coordinating with Youth Commission regarding prebooking program. Met with a professor from SF State regarding data research, wants to engage a third party for department.

Commissioner Walker: Ongoing discussions for recruiting women for the department, childcare services- discussing at the state level with Senator and Governor's Office, also talked to Sheriff's Office, lactation stations and improvements. Patrol Specials meeting October 10th, pilot programs with community benefit district partners, spoke to DEM regarding their HEART program, separate infrastructure to be able to support and transport. October 22nd, Pink Brunch, supporting women's health, breast cancer awareness.

Commissioner Yee: September 22nd attended safety meeting with Community Youth Center and Chinese American Democratic Club in the community, safety forum in the Richmond District with Captain Canning, merchants concerned with break ins.

PUBLIC COMMENT:

None

8. Discussion and presentation on Benchmark: First Sign, a case management system, at the request of the Commission (DISCUSSION)

Ron Huberman, CEO of Benchmark Analytics, and Nick Montgomery, Chief Research Officer of Benchmark Analytics, presented.

PUBLIC COMMENT:

None

9. Discussion on Collaborative Reform Initiative Quarterly Update, 2nd Quarter 2023 (DISCUSSION)

Executive Director of Strategic Management Bureau Catherine McGuire and Debra Kirby, with Jensen Hughes, a contracted consultant, available for questions.

PUBLIC COMMENT

None

10. Presentation of the Disciplinary Review Board Findings and Recommendations, 1st Quarter 2023 (DISCUSSION)

(As required by Department General Order 2.04.08, DRB shall report quarterly to the public and to the Commission policy and training changes it recommends, and the measurement of the success or failure of each change, in a manner consistent with individual police officer privacy rights.)

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

PUBLIC COMMENT:

None

11. Discussion and possible action to adopt revised Department General Order 3.05 "Department Weapon Return Panel" (DISCUSSION & POSSIBLE ACTION)
(DGO does not require meet and confer process)

Chief Scott spoke about DGO.

Motion: Vice President Carter-Oberstone. Second: Commissioner Walker. 5-0.

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

EXCUSED: President Elias, Commissioner Byrne

PUBLIC COMMENT:

None

12. Discussion and possible action to approve revised Department General Order 8.04, "Critical Incident Response Team" for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)

Chief Scott spoke about DGO.

Motion: Vice President Carter-Oberstone with instructions from Resolution 23-30, Second: Commissioner Walker. 5-0.

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

EXCUSED: President Elias, Commissioner Byrne

PUBLIC COMMENT:

None

13. Public comment on all matters pertaining to Item 15 below, Closed Session, including public comment on Item 14, vote whether to hold Item 15 in closed session.

None

14. Vote on whether to hold Item 15 in Closed Session (San Francisco Administrative Code Section 67.10) (ACTION)

Motion: Commissioner Walker. Second: Commissioner Benedicto. Approval: 5-0.

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

EXCUSED: President Elias, Commissioner Byrne

1st Open Session ended: 9:10 pm

Closed Session: (9:20 pm – 9:53 pm)

15. **Closed Session**
Roll Call;

c. 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 on DGO 3.13 and 7.03 (DISCUSSION)

(Present: Commissioners Walker, Yanez, Benedicto, Yee, Vice President Carter-Oberstone, Director LaWanna Preston, Captain Sean Perdomo, Deputy City Attorney Alicia Cabrera, Chief Scott, Assistant Chief Denise Flaherty, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

a. CONFERENCE WITH LEGAL COUNSEL – Existing Claim. Pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1):

Frederick Schiff v. City and County of San Francisco, et al., United States District Court for the Northern District of California, Case No. 4:19-cv-03260-YGR, filed June 26, 2019 (DISCUSSION & POSSIBLE ACTION)

(Present: Commissioners Walker, Yanez, Benedicto, Yee, Vice President Carter-Oberstone, Deputy City Attorney Alicia Cabrera, Chief Scott, Assistant Chief Denise Flaherty, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

b. CONFERENCE WITH LEGAL COUNSEL – Existing Claim. Pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1):

Mohammad Habib v. City and County of San Francisco, et al., San Francisco Superior Court Case No. CGC-18-569287, filed August 29, 2018 (DISCUSSION & POSSIBLE ACTION)

(Present: Commissioners Walker, Yanez, Benedicto, Yee, Vice President Carter-Oberstone, Deputy City Attorney Alicia Cabrera, Chief Scott, Assistant Chief Denise Flaherty, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

Closed Session Ended: 9:53 p.m.

2nd Open Session (9:54 pm – 9:55 pm)

16. Vote to elect whether to disclose any or all discussion on Item 15 held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION)

Commissioner Benedicto motioned to not disclose any or all discussion on item 15 held in Closed Session, except for factual information in regard to 15c. Commissioner Walker Seconded. 5-0.

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

Factual Disclosure:

10.4.2023 Closed Session Update (Item 15(c))

The Police Commission met with its labor negotiator, Director LaWanna Preston to receive an update on labor negotiations with the San Francisco Police Officers Association (SFPOA) regarding DGO 7.03 and DGO 3.13 and 7.03.

Regarding DGO 7.03, Director Preston provided an update on negotiations with the SFPOA. On August 9, 2023, the SFPOA sent correspondence to SFPD with proposed modifications and questions. At its September 13, 2023 meeting, the Commission considered the SFPOA correspondence and requested further information from SFPD including the input of a subject matter expert. After receiving additional information from SFPD and the subject matter expert, the Commission considered the SFPOA correspondence and provided direction to Director Preston to respond to the SFPOA's proposals.

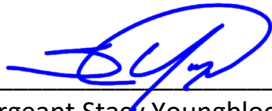
Regarding DGO 3.13, Director Preston provided an update on negotiations with the SFPOA, including recent meetings regarding this DGO. The Commission considered the SFPOA proposal and consulted with the subject matter expert and provided direction to Director Preston to respond to the SFPOA's proposals.

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 9:55 p.m.



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

OCTOBER 11, 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 5:30 p.m.

PRESENT: Commissioners Walker, Benedicto, Yanez (remotely), Yee (arrived: 5:35), Byrne, Vice President Carter-Oberstone

EXCUSED: President Elias

1. Weekly Officer Recognition Certificate

Presentation of an Officer who has gone above and beyond in the performance of their duties.

- Sgt. Kevin Cuadro, Star No. 1253, Robbery Unit

Captain Mark Cota, Major Crimes Unit, spoke about and provided a background on Sgt. Cuadro as well as specific incidents.

PUBLIC COMMENT

Dr. Miller: Thanked Officer for his work.

GENERAL PUBLIC COMMENT

Terry F.: Spoke about everyone being at peace and bringing solutions, own yourself and your own happiness.

Dr. Miller: Doctor, On behalf of those with disabilities, concerned about city ADA violations. Would like a police response to this.

Paulette Brown: Spoke about son, Aubrey Abrakasa, Jr., who was murdered. Thanked DA Brooke Jenkins for son's headstone. Asked on status of another investigator and help for unsolved murders.

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

3. Consent Calendar (RECEIVE & FILE; ACTION)

- Family Code § 6228 Incident Report Release Quarterly Report 2023 Q2: April 1, 2023- June 30, 2023
- SFPD 1421 and SB 16 Monthly Report
- DPA 1421 and SB 16 Monthly Report

Pursuant to the request of the Police Commission, the Department provides this monthly update on the status of Public Record Act Requests received relating to Senate Bill 1421, Peace Officers: release of records. This report is a cumulative record of all requests and the production of documents since SB 1421 became effective on January 1, 2019 and is calculated for a month-over-month comparison

Motion: Commissioner Benedicto. Second: Commissioner Walker. 6-0.

AYES: Commissioners Walker, Benedicto, Yanez (remotely), Yee, Byrne, Vice President Carter-Oberstone

EXCUSED: President Elias

PUBLIC COMMENT

None

Chief's Report

- **Weekly crime trends**
- **Major/Significant Incidents**

Chief Scott reported on crime trends YTD: Violent Crime up 3 percent; homicide up 5 percent; rape down 13 percent; robbery up 16 percent; assault down 7 percent; human trafficking down 7 percent. Property Crimes down 6 percent; burglary down 6 percent; motor vehicle theft up 10 percent; arson down 11 percent; larceny theft down 8 percent. Gun violence is down 3 percent compared to 2022; One shooting incident this week; total 139 incidents resulting in 162 victims YTD. One homicide for the week; there are a total of 42 homicides YTD with 27 resulting from a firearm; 75% overall clearance.

Significant Incident: Homicide, 200 block of Mission, 10/7/23 01:57, victim along with several companions were confronted by a group of subjects, during altercation shots fired, victim struck at least once, victim transported and succumbed to injuries, investigation ongoing, no arrests. Shooting, Mission and Cesar Chavez, 10/8/23 20:00, victim was walking when heard gunshot and felt pain, self-transported to hospital out of the city, injuries believed to be no life threatening. 10/7/23 during fleet week, rooftop party, a lady fell from roof, succumbed to her injuries. Officer involved shooting at Chinese Consulate on Geary Street, will be having a town hall meeting.

Significant arrest: Aggravated assault on elderly victim, 10/5/23 07:50, Bay and Lyon, Northern District, victim was walking dog when unknown subject approached him and hit him in the head with an unknown object, victim fell and hit his head on sidewalk, transported, surveillance footage located, identify of suspect developed, suspect located that day by Northern Officers and taken into custody. Armed robbery series, 9/26-10/4/23, three armed commercial robberies occurred, in and around the Mission District, between midnight and early morning hours, robberies involved taking over businesses, forcing victims to floor or backrooms at gunpoint, some victims pistol whipped, loss of currency and merchandise, atm machines, during course of investigation- determined robberies committed by same suspects, identified two suspects, on 10/4 several units participated to take suspects in to custody, both suspects taken in to custody, search warrant served, evidence recovered, both suspects booked, one of the robberies, at 2200 Bryant a market, two victims inside market, same two suspects with firearms entered and physically assaulted victims, suspect robbed one victim and left with market safe.

Strategies: Retail theft operation, part of series of retail blitz operations, occurred in San Francisco Center, with assistance of CHP, uniformed and plain clothes Officers conducted operations, observed 9 individuals stealing from various stores, individuals arrested and property recovered. Department obtained funding, through organized retail crime grant, of \$15.3 Million. Ongoing drug market breakdowns, 44 arrests, seized 2100 grams of illegal narcotics.

PUBLIC COMMENT:

Paulette Brown: Spoke about son, Aubrey Abrakasa's murder. Spoke on rewards and additional investigators regarding unsolved cases. Provided names of suspects in murder case. Continued to plead for justice for her son and all unsolved homicides.

Yolanda Williams: SF NAACP, on behalf of Dr. Brown, spoke about possible threats on Sundays to African-American Churches. Asked for assistance and consideration to protect the parishioners attending the church.

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

DPA Director's Report

- Report on recent DPA activities, and announcement

Chief of Staff, Sarah Hawkins, on behalf of Executive Director Henderson reported the following: In the year 2023: 617 cases opened; 574 closed; 296 pending; 43 cases sustained; 22 cases past 270-day; 31 cases mediated. SFPD Cases received in the past week: 9. Central-1-Not applicable. Southern-3-The complainant stated that officers would not take a report from her and failed to take action against the alleged suspects. Front counter staff at a local district station were discourteous, loud and unhelpful. Bayview-1-The officer improperly arrested the complainant. Mission-1-The complainant stated that an officer is targeting her business and asking people to monitor her customers. Northern-1-The officers used excessive force and made an improper arrest. Ingleside-1-The officers arrived on the scene and took the complainant's laptop and cell phone and failed to issue a property receipt. Tenderloin-1-Officers detained the complainant for a mental health evaluation, obtained a search warrant and searched the residence, issued a citation without cause.

Audits: N/A

Outstanding Issues: DPA and SFPD's FTFO have coordinated to provide all DPA investigators and attorneys with training using the firearms training system simulator.

Outreach: On 10/3/23 hosted first community connect event which focused on Mediation Department, in person at Google community space, attended by members of the community, DPA volunteer mediators, DPA staff, 25 attendees, presentations, DPA 101, panel of mediators spoke. Having more community events this year, new outreach director. Can contact DPA at 415-241-7711. Can be found on community calendar on the DPA's website and posted on Twitter, Facebook, Instagram and on DPA's website.

PUBLIC COMMENT:

Terry F.: Spoke about training regarding foot pursuits.

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: Attended Town Hall meeting with Officers for feedback regarding vehicle chase policy. Spoke about POA president addressing leak. Letters between POA and Vice President Carter-Oberstone posted to Commission website.

Commissioner Yee: Asian Community celebration for promotion of Asian Command Staff. New Central Station Captain, Captain Kim. Attended Chinses Heritage parade.

Commissioner Walker: Follow up meeting regarding Patrol Specials and the program. Getting better idea of how to address issues, legal steps, legislation. Community Benefit District Alliance assistance. Investigation into the leaked information and the conversation, spoke about communication via the Commissioner letterhead. Agendize speaking on behalf of Commission, how to speak to press.

Commissioner Benedicto: Attended closed door session regarding vehicle pursuit policy with Vice President Carter-Oberstone. Flyer for SFPD Pink Brunch. Acknowledged Patrol Specials conversation.

Commissioner Yanez: Acknowledged Indigenous People's Day. Received update regarding Dolores Hill Bomb, expenditures on overtime, elaborated. Requested additional information. Wants information regarding strategies with law enforcement and skateboarding. Forwarded DGO 7.01 on Juveniles to Commissioner Benedicto, continued to speak on pre-booking topic. Agendize Language Access DGO. Addressed topic of a leak, letter from POA. Read letter from a coalition regarding DGO 9.07. Addressed Commissioner and POA interactions, past and future.

PUBLIC COMMENT:

Yolanda Williams: President for the Officers for Justice. Asked to address the fraudulent data entries made by an Officer or Officers, wants better oversight. Provided opinion regarding an Officer challenging a Commissioner. Wants to implement reforms and prioritize transparency in relation to addressing the problem of "leak".

Paulette Brown: Spoke on digital homicide posters. Addressed the television at stations not being powered on. Questioned why televisions are there but not on.

- 7. Discussion and possible action to approve Department General Order 5.25, "Foot Pursuits" for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)

Captain Sean Perdomo, Lt. A. Meehan, Sgt. J. Bugarin, from the Academy, presented and spoke on policy.

DPA Attorney Janelle Caywood spoke for DPA.

Motion: Commissioner Benedicto, with instructions from Labor Relations Resolution 23-30. Second: President Carter-Oberstone. 6-0.

AYES: Commissioners Walker, Benedicto, Yanez (remotely), Yee, Byrne, Vice President Carter-Oberstone

EXCUSED: President Elias

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 (San Francisco Administrative Code Section 67.10) (ACTION)

Motion: Commissioner Walker. Second: Commissioner Benedicto. Approval: 6-0.

AYES: Commissioners Walker, Byrne, Benedicto, Yanez (remotely), Yee, Vice President Carter-Oberstone
EXCUSED: President Elias

1st Open Session ended: 7:18 pm

Closed Session: (7:23 pm – 7:37 pm)

- 10. Closed Session
Roll Call;**

b. 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 on DGO 9.07 (DISCUSSION)

(Present: Commissioners Walker, Yanez (remotely), Benedicto, Yee, Vice President Carter-Oberstone, Director LaWanna Preston, Deputy City Attorney Alicia Cabrera, Chief Scott, Acting Assistant Chief Peter Walsh, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

- 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:**

Assignment of a Commissioner for the taking of evidence on the disciplinary charges filed in DPA Case No. 00050292-22 (ACTION)

(Present: Commissioners Walker, Yanez (remotely), Benedicto, Yee, Vice President Carter-Oberstone, Deputy City Attorney Alicia Cabrera, Chief Scott, Acting Assistant Chief Peter Walsh, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

Closed Session Ended: 7:37 p.m.
2nd Open Session (7:38 pm – 7:38 pm)

11. Vote to elect whether to disclose any or all discussion on Item 10 held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION)

Commissioner Benedicto motioned to not disclose any or all discussion on item 10 held in Closed Session, except for factual information in regard to 10b. Commissioner Walker Seconded. 6-0.

AYES: Commissioners Walker, Benedicto, Byrne, Yanez (remotely), Yee, Vice President Carter-Oberstone
EXCUSED: President Elias

Factual Disclosure:

Commission 10.11.23 Closed Session Disclosure

The Police Commission met with its labor negotiator, Director LaWanna Preston to receive an update on labor negotiations with the San Francisco Police Officers Association (SFPOA) regarding DGO 9.07.

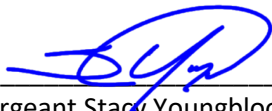
Regarding DGO 9.07, Director Preston provided an update on negotiations with the SFPOA. In response to prior Commission direction, Director Preston sent correspondence to the SFPOA on September 27, 2023. The SFPOA responded on October 10, 2023. The Commission considered the SFPOA correspondence. Director Preston will return to provide an update at a future commission meeting.

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 7:38 p.m.



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

OCTOBER 11, 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 5:35 p.m.

Vice President Max Carter-Oberstone acknowledged the untimely passing of Attorney Christopher Shea.

PRESENT: Commissioners Walker, Benedicto, Yee, Byrne, Vice President Carter-Oberstone
EXCUSED: President Elias, Commissioner Yanez

1. Weekly Officer Recognition Certificate

Presentation of an Officer who has gone above and beyond in the performance of their duties.

- Sergeant Justin Bugarin, Star No. 1728, Academy

Postponed until November 1, 2023 due to member being away at training and unable to attend meeting.

GENERAL PUBLIC COMMENT

Paul Allen: Discussed Annual Statement of Purpose for Commissioners to comply.

Angela T.: Provided opinion on approval of DGO 5.25 to go to meet and confer. Elaborated on opinion.

Jay Connor B. Ortega: Thanked men and women of SFPD. Spoke on investigation regarding private information being leaked to media. Asked for an investigation. Asked Commission to support Mayoral ballot initiatives in favor of Police. Continued to speak on support for SFPD.

Terry F.: Provided opinion.

Paulette Brown: Spoke on son, Aubrey Abrakasa, Jr.'s, murder. Has been 17 years. Wants other ways to have unsolved homicides investigated. Spoke on behalf of other parents that are also dealing with their children's unsolved homicides.

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

3. Consent Calendar (RECEIVE & FILE; ACTION)

- Starbucks Coffee Donation, total cost \$800, \$80 per district station for National Coffee with a Cop.
- 2023 Department Awards Certification

Motion: Commissioner Benedicto. Second: Commissioner Walker. 5-0.

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

EXCUSED: President Elias, Commissioner Yanez

PUBLIC COMMENT

None

9. Presentation and discussion on the increase of Use of Force on people of color, at the request of the commission (DISCUSSION)

Vice President Carter-Oberstone noted this item is to be re-calendared, pulled from this meeting.

Chief's Report

- **Weekly crime trends**
- **Major/Significant Incidents**

Chief Scott reported on crime trends YTD: Violent Crime up 3 percent; homicide up 2 percent; rape down 14 percent; robbery up 16 percent; assault down 6 percent; human trafficking down 13 percent. Property Crimes down 7 percent; burglary down 6 percent; motor vehicle theft up 9 percent; arson down 10 percent; larceny theft down 9 percent. Gun violence is down 3 percent compared to 2022; Three shooting incidents this week; total 142 incidents resulting in 167 victims YTD. No homicides for the week; there are a total of 43 homicides YTD with 28 resulting from a firearm; 72% overall clearance.

Significant Incident: Three non-fatal shooting incidents, resulting in five victims. 1st at Polk and Sutter, Northern District, 10/12/23 03:30, victim on sidewalk approached by two suspects, demanded victims belongings, after suspects fled with victims belongings the victim realized they had been shot, victim transported with non-life threatening injuries, investigation on going, no arrests. 2nd at Leavenworth and Golden Gate, three victims, 10/12/23 12:43, three victims were in and/or near a vehicle when suspect pulled up and fired several shots then fled, two victims transported, third victim self-transported, all in stable condition, non-life threatening injuries, investigation ongoing, no arrests. 3rd incident, self-inflicted wound, not believed to be a criminal matter.

Significant arrest: Organized retail theft blitz, Ingleside Officers conducted a surveillance operation at Walgreens, Mission and Geneva, multiple subjects entered the store, dressed in masks and dark clothing. The subjects quickly grabbed and concealed store merchandise, Officers were able to arrest six of the eight individuals, including one juvenile, also a baby with this group of suspects, other subjects were able to exit the store before officers could detain them, that investigation is ongoing, merchandise that they were attempting to steal was recovered and six out of the eight individuals were arrested. Auto burglary, turned into an assault on an Officer and a vehicle pursuit, Officers responded to a vehicle break in at Irving Street and 43rd Ave, 10/12/23 02:12, suspects fled on foot and jumped into a waiting vehicle at a high rate of speed, Officers attempted to stop the suspect during the foot pursuit and was dragged by the suspect's vehicle for approximately three feet, sustaining minor injuries, a pursuit was initiated and as the vehicle entered the freeway, CHP assisted and the vehicle eventually stopped and a single occupant fled, eluding capture, investigation ongoing. Armed Robbery at Smart and Final, 10/12/23 10:53, two suspects walked to the cash register to make a purchase, when the clerk opened the register, a note was passed to the clerk indicating that the person had a gun and the store was being robbed, the suspect was able to escape with cash, no arrest has been made, investigation ongoing, evidence is being examined.

Strategies: Joint news conference today regarding the APEC, the Asian Pacific Economic Cooperation Conference that will be happening next month, led by the U.S. Secret Service, who is the lead law enforcement agency on this, national special security event which is equivalent of a presidential inauguration in terms of the security needs, twenty one 21 heads of state, including our head of state

and Vice President, expected to have about 20,000 visitors to attend this conference in one way or another, about a thousand media outlets will be here, Officers will be fully deployed, mobilized, some disruption with public transportation, that information can be found on the SFMTA website, there's a link APEC and it has a map with all the closures, keep the public informed, including the maps that were made public with the street closures.

PUBLIC COMMENT:

None

DPA Director's Report

- **Report on recent DPA activities, and announcement**

Director Henderson reported the following: In the year 2023: 630 cases opened; 577 closed; 308 pending; 43 cases sustained; 22 cases past 270-day; 31 cases mediated. SFPD Cases received in the past week: 17. Central-1-The complainant was surveilled by the police without cause, cited for an offense he did not commit and was not allowed to use the restroom. Southern-4-An officer spoke inappropriately with the complainant, placed the handcuffs too tight, and drove their patrol vehicle in a reckless manner. The officer behaved inappropriately. Bayview-2-An officer failed to investigate properly and did not notify when the case was closed. The officer failed to properly investigate a report of an assault. In addition, an officer was rude and dismissive. Northern-2-The Department of Police Accountability opened a mandated investigation into an officer-involved shooting. The complainant stated that an officer behaved inappropriately and a commanding officer failed to intervene. Ingleside-2-The complainant stated that officers failed to promptly respond to a call for service, failed to make a custodial arrest, behaved improperly and an officer did not provide his name when requested. Taraval-1-Officers failed to investigate and write a police report, and failed to arrest the complainant's neighbor who poured gasoline around the complainant's property as a form of intimidation. Tenderloin-3-The officer lied about witnessing a domestic violence incident and subsequently arrested the complainant without cause. The officer at the district station failed to take a police report. Not Applicable-2-Pending further investigation

Audits: This week the latest audit draft proposal should go out, should be given to the Police Department for final review this week.

Outstanding Issues: N/A

Outreach: Quarterly reports now available, on social media threads, includes images from community connect processes that are engaged in, new outreach director visited and walked through the Tenderloin with staff from the Mayor's Office, also attended an event in the Castro, with The Lesbians Who Tech group, addressing Civil Rights and Public Safety. Can contact DPA at 415-241-7711. 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 Walker: Attended neighborhood meetings. General comments were in appreciation of the work department is doing.

Commissioner Yee: Spoke about being on the Department Awards Committee with Commissioner Byrne. Thanked Commission Office Sergeants.

Commissioner Benedicto: Thanked Commissioners Yee and Byrne for representing the Commission on Awards Committee. Will reach out to department regarding DGOs he is working on. Brought up agenda item DGO 7.01 on Juveniles.

Vice President Carter-Oberstone: Spoke on Mayor Breed's ballot initiatives. Vehicle pursuit, Use of Force, public outreach process. Provided opinion on impacts of proposals. Commissioner Walker objected to discussion of ballot initiatives, City Attorney advised Commission on this.

RECESS: at 6:11 pm – No Quorum

Return to Open Session: at 6:16 pm – Quorum.

Vice President Carter-Oberstone: Will postpone comments until a future time.

PUBLIC COMMENT:

None

7. Presentation and discussion on the Crisis Intervention Team's 2022 Annual Report (DISCUSSION)

Required per Department General Order 5.21.V.B.

SFPD's CIT Unit: Sergeant Laura Colin and Officer Elizabeth Prillinger presented. Acknowledged and credited Lieutenant Mario Molina for the CIT Unit.

PUBLIC COMMENT:

Paul Allen: Wanted to understand the relationship between the CIT Unit and CIT trained Officers versus crisis response vehicles, with no Officers on board, that are run by the health department.

8. Presentation and discussion on SFPD and DPA Sparks Reports 3rd Quarter 2023 (DISCUSSION)
Quarterly reports to the Commission regarding policy proposals under consideration.

- SFPD

- DPA

SFPD's Policy Development Division Manager Asja Steeves presented. Captain Dennis Toomer also present from PDD.

DPA's Policy Director Janelle Caywood presented.

PUBLIC COMMENT:

None

10. Discussion and possible action to approve revised Department General Order 9.04, "Seat Belt Policy" for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)

Officer Michal Olkiewicz from Traffic Department available from department.

Motion: Commissioner Benedicto with instructions from labor resolution 23-30. Second: Commissioner Byrne. 5-0.

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

PUBLIC COMMENT:

None

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.

None

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

Motion: Commissioner Benedicto. Second: Commissioner Byrne. 5-0.

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

1st Open Session ended: 8:08 pm

Closed Session: (8:18 pm – 8:41 pm)

13. **Closed Session
Roll Call;**

a. 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 on DGO 9.07 (DISCUSSION)

(Present: Commissioners Walker, Benedicto, Byrne, Yee, Vice President Carter-Oberstone, Director LaWanna Preston, Chief Scott, Assistant Chief Denise Flaherty, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

Closed Session Ended: 8:41 p.m.
2nd Open Session (8:42 pm – 8:42 pm)

14. Vote to elect whether to disclose any or all discussion on Item 13 held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION)

Commissioner Benedicto motioned to not disclose any or all discussion on item 13 held in Closed Session, except for factual information in regard to 13a. Commissioner Walker Seconded. 5-0.

Motion: Commissioner Benedicto. Second: Commissioner Walker. 5-0.

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

EXCUSED: President Elias, Commissioner Yanez

Factual Disclosure 13a:

The Police Commission met with its labor negotiator, Director LaWanna Preston to receive an update on labor negotiations with the San Francisco Police Officers Association (SFPOA) regarding DGO 9.07.

Regarding DGO 9.07, Director Preston provided an update on negotiations with the SFPOA. In response to prior Commission direction, Director Preston sent correspondence to the SFPOA on September 27, 2023. The SFPOA responded on October 10, 2023. The Commission considered the SFPOA correspondence. Director Preston presented on this item on October 11, 2023, and returned to provide a further update. Director Preston will return to provide an update at a later Commission meeting.

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 8:42 p.m.



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission