

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