

OCTOBER 18, 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