

NOVEMBER 1, 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 5:31 p.m.

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

EXCUSED: President Elias

GENERAL PUBLIC COMMENT

Name not stated: Addressed the Commission and provided her opinion on the Commission, asked to help and not hinder the Police. Asked who is holding Commission accountable.

Jay Ortega: Thanked members of the SFPD for the work they do on the streets. Provided opinion on the Board of Supervisors and their responsibilities. Does not want Officers to feel as if they will get in trouble. Advised that if the Commission fails SFPD, the people will not.

Alan B.: No comments of own prepared. Thanked Jay Ortega for his comment and for representing a portion of the community that isn't heard.

- 3. Consent Calendar (RECEIVE & FILE; ACTION)
- DPA August and September 2023 Monthly Statistical Reports

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

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

EXCUSED: President Elias

PUBLIC COMMENT

None

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

Lieutenant Meehan read and provided award to Sergeant Bugarin. Chief Scott spoke about Sergeant Bugarin. DPA's Janelle Caywood provided a background on Sergeant Bugarin's accomplishments and spoke about Sgt. Bugarin.

PUBLIC COMMENT

Terry F.: Provided opinion on uniforms.

- 4. Adoption of Minutes (ACTION)
- for the Meetings of October 4th, October 11th and October 18th, 2023

Motion: Commissioner Benedicto. Second: Vice President Carter-Oberstone. 6-0.

AYES: Commissioners Walker, Benedicto, Yanez, 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 2 percent; homicide up 7 percent; rape down 15 percent; robbery up 14 percent; assault down 7 percent; human trafficking down 13 percent. Property Crimes down 8 percent; burglary down 7 percent; motor vehicle theft up 8 percent; arson down 10 percent; larceny theft down 11 percent. Gun violence is down 6 percent compared to 2022; Three shooting incidents this week; total 147 incidents resulting in 174 victims YTD. Three homicides for the week; there are a total of 46 homicides YTD with 28 resulting from a firearm; 72% overall clearance.

Significant Incident: Stabbing, Market and Octavia, 10/26/23 01:26, the victim was stabbed during an altercation with the subject. Officers rendered aid until medics arrived and then the victim was transported with life threatening injuries. The victim succumbed to his injuries and during the investigation, a possible suspect was identified. The suspect was located and later detained that morning by Bayview officers in the area of Gerald Avenue and Upton street. The investigation is ongoing. The next homicide to report is a homicide that occurred on 10/26 at 15:18. This was on the 1100 block of Buchanan. One victim received fatal injuries and one victim non-fatal injuries. And this was a shooting, approximately 15:18. Witnesses heard an argument between the subject and one of the victims then heard several gunshots. One victim fell to the ground and then the subject shot victim to run over to victim one. Victim two was also struck by gunfire and the subject fled. And the two victims were transported to the hospital and treated for gunshot wounds. Unfortunately, one of the victims succumbed to her injuries and the suspect appeared to be known by the victims. There has been an arrest in that case. Third homicide was a stabbing that occurred at Courtland and Hilton, on 10/29 16:13, Bayview following an altercation, officers located two victims suffering from stab wounds, both victims were transported where one did not survive the stabbing. The second victim is in critical condition. No arrest currently. There is evidence to follow up on this case and I will keep the commission and the public posted on this case. Another stabbing that occurred in September, that victim just died this week. So that is another homicide that will be recorded for the month of October. 10/23/23 at 00:40, 16th and Florida in the Mission, a victim which was a passenger in a vehicle. The vehicle pulled over, the victim exited, and the driver shot the victim twice and then fled. The victim was transported and is in stable condition. That investigation is ongoing. Then at 05:11, 10/28, in the 1000 block of Quesada in the Bayview, the victim was in a vehicle and heard several gunshots. The victim then realized that they had been shot and was transported to the hospital in stable condition. That is also still under investigation. No arrest currently. And finally, and the 900 block of Geary in the Northern, 10/29 02:01, the victim of this case sustained gunshot wounds following an altercation with the suspect. The victim was transported in stable condition and that is still also under investigation. Following up on leads on that case.

Significant arrest: A couple of significant arrests. Thursday morning announced through a press conference that we had additional arrests from a shooting that occurred on 6/18/23. This was the shooting along the Embarcadero. Stretched about a mile and a half. Initially, there was an individual that was arrested in that case, but that person was later released. And these arrests, which in total two arrests and one identification of a suspect that is in custody on other charges. Three individuals in all, we were able to connect to this crime. The two individuals were booked. The third individual

has not been booked on this particular case as of yet. But we have identified that person and we expect charges to be filed on that case as well as you all might remember, this was on the Embarcadero with two vehicles exchanging gunfire as they travel from Beach Street, basically down the Embarcadero, almost to the baseball stadium. As the suspects were driving, one of the vehicles struck. A ten-year-old and the second vehicle struck a 16 year old victim. Both of who were crossing the street at the Embarcadero. Thanked the investigators who really put in a lot of work on this case to put this together. They served five search warrants. They recovered 13 handguns, four assault rifles and a large volume of ammunition. There is still work to be done on this case. We're not done yet. There are other aspects of this case to investigate. But our officers and our investigators led by Lieutenant Tom McGuire, did an outstanding job at this point in this case. Two incidents. First, the auto burglary arrest that occurred on 100 block of Santa Rosa in the Ingleside on 10/28. This was a stolen vehicle that was spotted by officers after being involved in an attempted robbery in the Mission district, in which shots were fired. Multiple plainclothes units followed the vehicle to the 700 block of York Street where the driver exited, attempted, and committed an auto burglary. The vehicle then fled to the 2000 block of Burrow Street, where the suspect fled on foot and was later taken into custody by SFPD officers. The subject, who is a juvenile, was booked into the juvenile justice center and the attempted robbery that occurred in Mission district connected to this individual is still under investigation. Lastly, this incident was a very high-profile incident. This was explosives related incident that occurred, started at the 600 block of Filbert on 10/29 17:52, officers responded to a call of a battery aggravated assault at the location, which was a church witness has pointed the officers to the subject as he fled in a vehicle as officers followed the subject vehicle, the subjects threw an explosive device at their vehicle, which exploded as officers pursued the vehicle. The subject threw a second explosive device out of his vehicle, and that device also exploded as the suspect got on the freeway and fled toward the east bay. The CHP took over the pursuit and SFPD officers terminated their portion of this pursuit. The CHP took the suspect into custody in the city of Martinez. Several crime scenes were located and processed. And this investigation is ongoing. That subject or suspect has been charged with multiple crimes.

Strategies: Provided update regarding APEC.

PUBLIC COMMENT:

Terry F.: Provides opinion regarding APEC, spoke on topic of responsibility.

Jay Ortega: Addressed Chief, asked if there's any way for the public to assist during APEC.

Mark Bruno: Spoke about homelessness, with the help of Police to have volunteers to help the homeless population that isn't on drugs or alcohol.

Name not stated: Spoke to Commissioner Yanez, questioned who Commissioner was faulting for overdoses.

Alan: Provided opinion regarding Commissioners speaking on overdoses. Continued to speak on topic of overdoses.

Paulette Brown: Spoke about the digital posters at the stations. Acknowledged Day of the Dead.

Spoke about the unsolved Homicides, provided photographs she brings with her. Spoke about son, Aubrey Abrakasa and his unsolved case.

****For anyone with information on the murder of Aubrey Abrakasa please call the 24/7 anonymous tipline at 415-575-4444****

DPA Director's Report

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

Director Henderson reported the following: In the year 2023: 668 cases opened; 610 closed; 316 pending; 48 cases sustained; 21 cases past 270-day; 35 cases mediated. SFPD Cases received in the past week: 46. Central-2-Officer wrote an inaccurate incident report and refused to take a supplemental report. An officer improperly parked an unmarked vehicle. Southern-4-The Officer spoke inappropriately with the complainant, placed the handcuffs too tight, and drove their patrol vehicle in a reckless manner. The complainant was issued citations without cause. The complainant stated that police failed to attend to reports of violent threats. Bayview-1-The complainant stated that officers failed to investigate a crime as it was reported and in turn wrote an inaccurate report. Mission-7-Officers used unnecessary force on 16-year-old juvenile during arrest, resulting in injuries. The complainant witnessed an officer behaving aggressively toward street vendors. The complainant stated that the officer and the entire police station dismissed him while he was trying to provide more evidence about his assault and attack. Northern-5-The officers failed to investigate a battery and did not write a report. The officer was rude and unhelpful when the complainant requested a protective order for her juvenile daughter who was assaulted at her middle school by another student. Park-1-An officer responded rudely to an inquiry made by the complainant. Richmond-4--Officers failed to investigate a reported vehicle and money theft despite being provided with the suspect's information by the complainant. Officers' failure of duty regarding enforcement, professionalism, and proper investigating. Ingleside-1-The officer wrote an inaccurate citation and failed to provide a copy of the citation to the complainant. Taraval-3-The complainant stated that officers violated his 4th amendment rights. The complainant stated that officers failed to investigate and apply handcuffs appropriately. The complainant also stated that officers did not document nor return all of her property and were overall rude and discourteous throughout the encounter. Tenderloin-5-The officer at the district station failed to take a police report. Officers used excessive force while making an arrest. Not Applicable-9-During a phone call, the officer made inappropriate comments/behavior and used profanity. The officer made inappropriate comments on social media. Referrals. Pending-4-The officer failed to aid the complainant in making a police report and treated him poorly. Officers failed to investigate a shooting and falsely accused an innocent person of the crime.

Audits: Sent over the draft of the last audit, waiting for responses from the Department.

Outstanding Issues: N/A

Outreach: 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: Asked to agendize the APEC coordination for next week. Asked to agendize to define for the Commission – "Weekly crime trends and public safety concerns (Provide an overview of offenses, incidents, or events occurring in San Francisco having an impact on public safety.

Commission discussion on unplanned events and activities the Chief describes will be limited to determining whether to calendar for a future meeting.)” (from Chief’s report line item).

Commissioner Benedicto: Attended Officer of the Month ceremony, with Commissioner Walker. DGO 7.01, Juveniles, draft posted on SFPD website for public comment.

Vice President Carter-Oberstone: Spoke about interviewing for the Policy Analyst position and unable to hire due to hiring freeze. Spoke about topic of rewards specifically related to Paulette Brown’s, member of the public, concerns. Agendize presentation on what other jurisdictions are doing on reward policies, ideas, asked for DPA and SFPD to work together, again specifically related to a member of the public’s concern. Addressed properly agendizing topics.

Commissioner Yanez: Spoke on topic of staffing. Acknowledged First day of Indigenous Heritage month and Dia de los Muertos. Wants to agendize Community Policing Manual. November 2nd have district community policing plans. Met with Youth Commission and Juvenile Probation Commission, will provided update at Juvenile Probation Commission Meeting on progress on establishing juvenile pre booking program.

Commissioner Yee: Reported on October 19th Town Hall meeting, OIS at Chinese Consulate.

PUBLIC COMMENT:

Alan B.: Provided opinions regarding Commissioners discussing topics, advises that its not censorship.

- 8. Discussion and possible action to adopt revised Department General Order 5.01, “Use of Force Policy and Proper Control of a Person” which reflects changes made to tire deflation devices (DISCUSSION & POSSIBLE ACTION)

(Previously approved for meet and confer on September 6, 2023, Resolution No. 23-80)

Chief Scott spoke on DGO. Vice President Carter-Oberstone spoke, commended Lt. Jonas and DPA’s Janelle Caywood for their work on DGO. Lieutenant Jonas spoke for Department.

Motion: Vice President Carter-Oberstone with 30 business day delay in implementation.

Second: Commissioner Walker. 6-0.

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

EXCUSED: President Elias

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)

SFPD Director Catherine McGuire, Program Manager Jason Cunningham and Sgt. Gabriel Rivera presented.

PUBLIC COMMENT:

Jay Ortega: Added and would like to see two suggestive breakdowns.

Alan B.: Had questions and comments regarding presentation. Asked Commission to focus on compelling compliance, to educate, have more outreach.

Paulette Brown: Provided opinion on Use of Force, Sojourn Trip. Asked to not take the Sojourn Trip

away.

10. Public comment on all matters pertaining to Item 12 below, Closed Session, including public comment on Item 11, vote whether to hold Item 12 in closed session.

None

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

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

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

EXCUSED: President Elias

1st Open Session ended: 8:43 pm

Closed Session: (9:00 pm – 9:19 pm)

12. **Closed Session**
Roll Call;

a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police. Pursuant to Government Code Section 67.10(b) and Penal Code Section 832.7:

Review of findings and Chief's decision to return or not return officers to duty following officer-involved shooting (OIS 23-005) (DISCUSSION)

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

b. 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:

Discussion and possible action to take off calendar non-disciplinary charges filed in Case No. IAD 2021-0255 (DISCUSSION AND POSSIBLE ACTION)

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

c. 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:

Status and calendaring of pending disciplinary cases (DISCUSSION)

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

Closed Session Ended: 9:19 p.m.

2nd Open Session (9:20 pm – 9:20 pm)

13. Vote to elect whether to disclose any or all discussion on Item 12 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 12 held in Closed Session. Commissioner Walker Seconded. 6-0.

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

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 9:20 p.m.



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

NOVEMBER 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 5:32 p.m.

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

EXCUSED: President Elias

GENERAL PUBLIC COMMENT

Name not stated: Brought up points from last meeting regarding topic of drug crisis. Provided opinion regarding topic.

Naj Daniels: SEIU 1021 representative. Spoke on their issue regarding DPA complaints to DEM and dispatchers. Asked for the Commission to look into this effecting civil service employees.

Name not stated: San Francisco resident. Provided opinion regarding policing, compared to other countries. High anti police bias in San Francisco. Provided opinion regarding last week's meeting.

Terry F.: Spoke about comment that he shared with Board of Supervisors.

Paulette Brown: Spoke about son, Aubrey Abrakasa's, murder. Provided names of perpetrators. Spoke and provided images of unsolved homicides. Asking for justice, closure.

Alan B.: Supports first speakers comments.

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

3. Consent Calendar (RECEIVE & FILE; ACTION)

- SFPD 3rd Quarter 2023 Audit of Electronic Communication Devices for Bias
- SFPD Firearm Discharge Review Board Report & In-Custody Death Review Board Report: 3rd Qtr 2023
- 2023 Department Awards Certification
- SFPD 1421 and SB 16 Monthly Report (October 31, 2023)
- DPA 1421 and SB 16 Monthly Report (November 1, 2023)

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, Yee, Byrne, Vice President Carter-Oberstone

EXCUSED: President Elias

PUBLIC COMMENT

None

Chief's Report

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

- ***including a brief overview of staffing and resources for the upcoming APEC Leaders' Meeting 11/12 – 11/17/23.***

Chief Scott reported on crime trends YTD: Violent Crime up 3 percent; homicide up 9 percent; rape down 14 percent; robbery up 14 percent; assault down 6 percent; human trafficking down 18 percent. Property Crimes down 8 percent; burglary down 7 percent; motor vehicle theft up 8 percent; arson down 10 percent; larceny theft down 11 percent. Gun violence is down 6 percent compared to 2022; One shooting incident this week; total 148 incidents resulting in 175 victims YTD. One homicide for the week; there are a total of 49 homicides YTD with 30 resulting from a firearm; 72% overall clearance.

Significant Incident: Homicide during this past week, 10/30/23, 19:18, 300 block of Leavenworth in the Tenderloin. The victim was transported to the hospital for a gunshot wound. The witness said that the victim was walking on the sidewalk when he heard a loud sound that he thought to be a firework. The witness said that the victim screamed in pain, fell to the ground and succumbed to their injuries at the hospital. No arrest has been made at this time. That investigation is ongoing. There was another shooting, Halloween night at 21:10, 15th and Shotwell subject and the victim were involved in a road rage incident where the subject used the vehicle to strike the victim in the victim's vehicle. The physical altercation then happened from there and the subject shot the victim in the lower extremities, still under investigation. Another significant incident of note, there was a home invasion with that resulted in a possible traumatic brain injury to the victim. This happened on the 200 block of Santos in the Ingleside district on 11/2 03:03. Three unknown subjects announced themselves as police officers then kicked in the door of the home. The front door hearing the commotion, residents locked their bedroom door and hid inside the subjects, then kicked down the bedroom door and demanded gold chains. The subjects pistol whipped, kicked and punched the victim. The victim lost consciousness and suffered an 11 inch laceration to their head. The subject also stole gold jewelry, cash and two vehicles from the residence, driving the stolen vehicles. The unknown subjects fled and have not been captured at this time, still under investigation. Stunt driving event, California and Divisadero over the weekend. There were about 50 vehicles in a caravan and officers arrived and dispersed the group and they dispersed in different directions. Officers were able to monitor a small group of about five cars, which traveled westbound on California , and the group eventually dispersed towards downtown and south of market. No arrests have been made at this time, continue those investigations.

Significant arrest: N/A

Strategies: APEC update. Seen several hundred law enforcement officers from outside agencies, actually more than that responding to San Francisco to assist with security. The CHP will send the largest group of officers. The CHP will have a presence at both bridges and at various venues or APEC venues throughout the city. They will have a role in site security, dignitary, escorts as well as they will be available to assist. If needed for any type of civil disobedience that may occur, that's beyond the capabilities of the SFPD, several other bay area law enforcement agencies will also assist in our escort of the dignitaries around the city during APEC, those agencies include San Mateo County Sheriffs, Brisbane Police Department, Belmont Police Department, Daly City Police Department, Foster City Police Department, Menlo Park Police Departmen, San Mateo Police Department and South San Francisco Police Department, their help is very, very much appreciated. San Jose State Police department is also sending officers to help with some of our fixed posts in the site venues as well as the Fairfield Police Department. Total around 50 additional officers and as far as the San Francisco Police Department, every able-bodied officer will be working as the department will mobilize during

this next week, approximately just under 600 officers over the week will be assigned to APEC in various capacities. The rest of the officers will be basically working in the field, working patrol our stations will be staffed. Don't expect any interruption in service in terms of responding to emergency calls for service as a matter of fact, because we're mobilized, each district station will have probably more deployment than they have on a typical night because we do have to plan for contingencies as to contingencies in the event that unexpected things happen or the events go beyond what the scheduled deployment can handle. We have contacted the California Office of Emergency Services, if we need mutual aid, we will request mutual aid. Alameda County is the regional for this region, mutual aid coordinator, we have been in contact with them just drawing up contingency plans. The plan is for the SFPD to handle any protests that happened as if they happen as a result of APEC. If it goes if it goes beyond our capabilities, then we have the CHP if we have to trigger mutual aid, we will do so. And that is really the high level snapshot of APEC for next week. We expect that people, all the dignitaries and their and their staffs to start some of them, I think are already starting to fly into town. But this weekend will probably be when most people fly into town or come to town and they will be here for approximately a week.

PUBLIC COMMENT:

Terry F.: Spoke about owning yourself and perspective. Provided opinion regarding APEC.

Paulette Brown: Spoke about digital posters at the district stations.

Alan B.: Spoke on potential upcoming disturbances regarding time during APEC.

DPA Director's Report

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

Chief of Staff, Sarah Hawkins, on behalf of Director Henderson reported the following: In the year 2023: 689 cases opened; 628 closed; 317 pending; 50 cases sustained; 22 cases past 270-day; 36 cases mediated. SFPD Cases received in the past week: 19. Central-3-An officer improperly parked an unmarked vehicle. The officers at the counter were not helpful to the complainant, and in a second contact with the same officers, they did not assist in looking up his incident. Southern-2-The complainant was issued citations without cause. Mission-3-The officers failed to execute an arrest and did not take the situation seriously. The complainant stated that an officer displayed harassing and disrespectful behavior. Northern-1-The officers failed to investigate a battery and did not write a report. Richmond-1-Police approached the complainant for no reason. They threw him to the ground and arrested him. Ingleside-1-The complainant said he was intimidated by the police. Tenderloin-2-The complainant stated that the officer engaged in unwarranted action. The complainant attempted to inform an officer that he had been sexually assaulted but the officer sent him to another station. Not Applicable-4-The complainant alleges he is being harassed by officers and they entered his residence without cause. Referrals

Audits: Providing Full Misconduct Audit in a future Commission Meeting, early January.

Outstanding Issues: N/A

Outreach: YouTube channel launched.

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:

Name not stated: Directed question to DPA regarding how many reports are initiated by DPA versus by the public.

Paulette Brown: Spoke on DPA providing investigators to help with unsolved Homicides, with witnesses and other ways to investigate unsolved Homicides such as researching what other agencies do.

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: Announced there will not be a meeting on November 15th.

Commissioner Yanez: Went to the Juvenile Probation Commission Hearing, they are introducing a resolution regarding pre booking diversion program. DPA provided feedback on community policing manual, wants to look at updated draft. DGO 7.01, Juveniles, open until 12/13 for public comment.

Commissioner Benedicto: DGO 7.01, Juveniles, currently in public comment phase. Thanked community stakeholders for working on DGO. Attended Solutions Conference with Commissioner Walker, ten pilot programs.

Commissioner Byrne: Made public aware that December 6th is the SFPD Department Awards Ceremony.

Commissioner Walker: Spoke about Solutions Conference, discussed alternatives to support Officers. Spoke about incidents that were observed in their neighborhood.

PUBLIC COMMENT:

None

- 6. Presentation and Discussion between SFPD and DPA on SFPD’s Pursuit Policy and associated data, at the request of the Commission (DISCUSSION)

To be rescheduled

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

None

- 8. Vote on whether to hold Item 9 in Closed Session (San Francisco Administrative Code Section 67.10) (ACTION)

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

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

EXCUSED: President Elias

1st Open Session ended: 6:27 pm

Closed Session: (6:32 pm – 6:42 pm)

9. **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, Yanez, Yee, Vice President Carter-Oberstone, Chief Scott, Assistant Chief Denise Flaherty, Deputy City Attorney Peter Cowan, Deputy City Attorney Alicia Cabrera, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

b. 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 Case No. IAD Admin 2023-0181A/EEO File No. 4172 (ACTION)

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

c. 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 Case No. IAD Admin 2023-0181B/EEO File No. 4172 (ACTION)

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

Closed Session Ended: 6:42 p.m.

2nd Open Session (6:43 pm – 6:43 pm)

10. **Vote to elect whether to disclose any or all discussion on Item 9 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 9 held in Closed Session. Commissioner Walker Seconded. 6-0.

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

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 6:43 p.m.



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

DECEMBER 5, 2023

SPECIAL MEETING, CITY HALL

The Police Commission of the City and County of San Francisco met in Room 408, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco at 4:33 p.m.

PRESENT: Commissioners Benedicto, Yanez, Vice President Carter-Oberstone and President Elias

EXCUSED: Commissioners Walker, Byrne and Yee

1. Public comment on all matters pertaining to Item 3 below, Closed Session, including public comment on Item 2, vote whether to hold Item 3 in closed session.

Name not stated: Provided opinion on pretext stops. Does not agree with curtailing the use of pretext stops.

Name not stated: Spoke on SB 50, the State version of a ban on pretext stops, failing in Sacramento, compared DGO 9.07 to this ruling. Provided opinion on pretext stops and DGO 9.07.

Name not stated: Provided opinion and data regarding pretext stops.

Name not stated: Provided opinion on Commission and pretext stops.

Alan B.: Referenced previous speakers, expressed that his opinions are similar.

2. Vote on whether to hold Item 3 in Closed Session (San Francisco Administrative Code Section 67.10) (ACTION)

Motion: Commissioner Benedicto. Second: Vice President Carter-Oberstone. 4-0.

AYES: Commissioners Benedicto, Yanez, Vice President Carter-Oberstone and President Elias

EXCUSED: Commissioners Walker, Byrne and Yee

1st Open Session ended: 4:45 pm

Closed Session: (4:47 pm – 5:23 pm)

3. **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 & POSSIBLE ACTION)

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

Closed Session Ended: 5:23 p.m.
2nd Open Session (5:24 pm – 5:26 pm)

4. Vote to elect whether to disclose any or all discussion on Item 3 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 3, except for factual updates regarding 3a, held in Closed Session. Vice President Carter-Oberstone Seconded. 4-0.

AYES: Commissioners Benedicto, Yanez, Vice President Carter-Oberstone and President Elias


EXCUSED: Commissioners Walker, Byrne and Yee

Closed Session 12.5.2023 Disclosure

Regarding DGO 9.07, the Commission reviewed the latest SFPOA correspondence and engaged in discussion. 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 on October 18, 2023. Director Preston provided a update to the Commission. The San Francisco City Attorney's Office was present in closed session. The Commission provided guidance and instructions to Director Preston to respond to the SFPOA.

ADJOURNMENT

Thereafter, the meeting was adjourned at 5:26 p.m.



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission