

FEBRUARY 14, 2024

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 5:34 p.m.

PRESENT: Commissioners Benedicto, Yanez, Walker, Byrne, Yee, Vice President Carter-Oberstone (arrived: 5:55 pm) and President Elias

1. Weekly Officer Recognition Certificate

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

- Sergeant Anthony Suhrke, Star No. 1054, Night Investigations Unit

Lieutenant Jacqueline Sellinger, Night Investigations, provided a background about Sergeant Suhrke and his work, provided words of gratitude and praise.

PUBLIC COMMENT

None

GENERAL PUBLIC COMMENT

Did not state name: Provided opinion and stance on DGO 9.07.

Did not state name: Spoke on Officer of the Week, provided thanks to members of SFPD. Provided opinion and stance on DGO 9.07, referenced state legislature not being passed.

Paulette Brown: Spoke about son, Aubrey Abrakasa's, murder. Asked to agendize topic of tipsters, unsolved murders.

Alan B.: Spoke on pretextual stop policy, provided opinion regarding policy. Addressed Commission.

** Anyone with 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)

-\$5,000 Donation to SFPD's Wilderness Program from the San Francisco Police Officers' Association

-Safe Streets for All 2023 4th Quarter

-Family Code § 6228 Incident Report Release Quarterly Report 2023 Q4: Oct 1, 2023-Dec 31, 2023

-DGO 5.15, "Enforcement of Immigration Laws", Annual Report to the Commission (1/31/23-2/31/23)

-SFPD 1421 and SB 16 Monthly Report (January 31, 2024)

-DPA 1421 and SB 16 Monthly Report (January 31, 2024)

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. 7-0.

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

PUBLIC COMMENT

None

Chief's Report

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

Chief Scott reported on crime trends YTD: Violent Crime down 13 percent; homicide down 40 percent; rape down 27 percent; robbery down 13 percent; assault down 12 percent; human trafficking N/C. Property Crimes down 36 percent; burglary down 22 percent; motor vehicle theft down 11 percent; arson down 36 percent; larceny theft down 43 percent. Gun violence is down 15 percent compared to 2023; Two shooting incidents this week; total 17 fire-arm related incidents resulting in 17 victims YTD. No homicides for the week; there are a total of 3 homicides YTD with 3 resulting from a firearm; 33% overall clearance.

Significant Incident: Two nonfatal shootings resulted in two victims hit, the first one was on the unit block of Turk street in the Tenderloin, 2/7/24 16:22, victim was engaged in a conversation with a subject at a convenience store as they walked outside, the subject displayed a gun and pointed it at the victim, an altercation resulted in a gunshot wound to the victim, victim was transported with non life threatening injuries and no arrests have been made in that case at this point. Bayview, Cesar Chavez and Kansas, 2/8/24 20:30, preliminary investigation determined was a self-inflicted accidental discharge of a firearm, minor injuries, non-life threatening. A couple of other incidents to report, there have been two blessing scams and had a press conference last week, just a summary, for the past decade, SFPD has been keenly aware and have been proactive and preventative in investigative measures of blessing scams, which are basically bait and switch type of scams perpetrated usually against elderly Asian members of the community. More details on two recent incidents, one in 1/23 and the Excelsior, and one on 1/25 in the Mission district, the suspects were able to make off with hundreds of thousands of dollars in jewelry and cash, the suspects approached their victims and usually speak about evil spirits that will harm them and their families, and how the victim can ward off these dangers, victims are told to bring their valuables, cash and jewelry back to the back to the suspect, where they are placed into a bag to be blessed, they are then told not to open the bag for fear that the blessing will not work, when they do open the bag, their belongings are gone. Chief thanked the recent victims for stepping forward to report these crimes, cases are being investigated by our Special Victims Unit and previous efforts in investigating these types of scams have led to arrests of suspects, including in 2019, in which suspects were wanted for swindling over \$180,000 from victims in San Francisco, they were arrested at the Los Angeles International Airport as they attempted to flee the country. Urging anyone who feels like they've been a victim of this type of crime or any crime to report it to the SFPD. The two cases that were mentioned are still under investigation. Arson of Waymo vehicle, 2/10/24 21:01, 700 Block of Jackson, Central, large crowds were setting off fireworks in the Chinatown community for the Lunar New Year holiday, based on preliminary investigation, it appears that the Waymo vehicle stops around it, was vandalized and then set fire by suspects who have yet to be identified, when police officers arrived at the scene, the large crowd fled in different directions, leaving the Waymo vehicle a complete loss, a second vehicle was parked next to the Waymo, and that vehicle also sustained moderate fire damage from the heat, SFPD arrived and extinguished the fire, the investigation is ongoing, any information regarding this case, please call the anonymous 24/7 tip line at 415-575-4444. Traffic collision on 2/8/24 01:06, 19th Avenue and Crespi, Taraval, vehicle traveling Southbound on 19th Avenue passed Crespi Avenue possibly lost control and rear ended a park unoccupied tow truck, causing the vehicle to catch on fire, a bystander attempted to assist the sole occupant of the vehicle, but was unable to enter the vehicle, the occupant did not survive.

Significant arrest: This is the result of a federal investigation that was started by the San Francisco Burglary Detail, multinational investigation involving stolen bicycles out of the city and resold in the

country of Mexico, the federal indictment was filed last month and unsealed on this past Thursday, the Federal Grand Jury indicted San Jose resident, Victoriano Romero, and charged him with conspiracy and other charges related to his scheme to steal high end bicycles from the bay area, all around the bay area, the indictment detailed at least seven bicycles valued at thousands of dollars each that were stolen out of homes in San Francisco and sold to Mr. Romero in San Jose, two other bicycles were stolen from homes in Redwood City, in April of 2021 SFPD served a search warrant on Mr. Romero's business in San Jose and found one of the stolen bicycles disassembled and ready to transport to Mexico, the bicycle was returned to his owner, SFPD would like to thank federal partners, the FBI and the US Attorney's office for their work on this case. Commissioners asked for update regarding carjacking from the swimmer, Central district, 2/2/24 05:49, when the victim parked at Beach Street and Hyde, victim was approached by two suspects who asked them for a ride, when victim proceeded to walk away, he was struck by one of the suspects from behind, victim fell to the ground, his keys were taken and both suspects entered his car and fled, later that day, Stockton PD notified that they had the vehicle and two possible suspects in custody, coordinated with Stockton PD to process the vehicle for evidence and confirmed the identity of the suspects as being involved in the San Francisco case, both suspects were arrested, investigation still ongoing because there could be other crimes involved with these two individuals.

Strategies: Super Bowl, deployed very heavily on Super Bowl Sunday, there are no incidents of significance to report. Stunt driving event that developed on Saturday night into Sunday morning, about 400 vehicles were crossing the Bay Bridge into the city, due to the quick response of the Stunt Driving Response Unit, who assembled the units were able to break up the group and actually turn them around back onto the Bay Bridge, no injuries or issues were reported after these cars got back on the Bay Bridge eastbound. Drug market efforts-year end recap, 998 cases for felony narcotic sales were presented to the District Attorney's Office, the highest number since 2018, of those reported 867 of the cases were filed in 2023, Since the inception of DMACC 135,428g of narcotics seized, 78,963g of fentanyl have been seized, YTD 2024, 14,249g of fentanyl has been seized.

PUBLIC COMMENT:

Paulette Brown: Referenced an article about zero rewards for unsolved homicides. Spoke about criteria to pay for tips on cases, questioned it, asked for topic to be agendized.

Alan B.: Provided opinion regarding policies provided to Officers.

DPA Director's Report

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

Executive Director Henderson reported the following: In the year 2024: 82 cases opened; 86 closed; 308 pending; 9 cases sustained; 33 cases past 270-day; 1 cases mediated. SFPD Cases received in the past **weeks**: 15. Southern-1-SFPD seized the complainant's air rifle and refuses to release it to him. Bayview-2-Officers failed to secure the complainant's vehicle and did not properly investigate the incident. Officers failed to make an arrest. Northern-2-The complainant stated that an officer issued parking tickets rather than focusing on important duties. The complainant stated that officers either did not show up or treated him like a perpetrator and discriminated against him when they showed up in an incident. Park-3-Officers did not respond to the complainant's residence regarding stolen documents. The officer failed to take a report for stolen firearms from the complainant's residence. Richmond-3-the officers failed to enforce a protective order. The complainant stated an officer made a false report and only believed the other parties involved. The complainant stated she was wrongly arrested. Taraval-1-Referral. Tenderloin-2-The complainant was hit in the face by a security officer and the officer's failed to accept a citizen's arrest. The

complainant stated that a female officer ran the red light while driving a police vehicle and was unapologetic about it. Not Applicable-1-Referral.

Audits: Association of Local Government Auditors selected DPA to present at their 2024 Annual Conference, alongside the Aurora, Colorado City Auditor and co presenting on an introduction to law enforcement auditing. Stop Data Audit – Commissioners received a brief survey from DPA.

Outstanding Issues: N/A

Outreach: N/A

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 Yanez: Asked Chief when the 2023 Language Access Report would be available. Would like language Access DGO and report agendaized for March.

PUBLIC COMMENT:

None

****Sergeant Youngblood, Secretary of the Police Commission, advised for line items #7 and #8, materials were not posted along-side the agenda because they were created after the posting of the agenda. These materials were disseminated to the whole Commission earlier in the meeting and will be posted the next day. Copies were publicly made available at the meeting. Members of the public may also contact the Commission Office for copies of the documents. ****

7. Presentation and discussion on SFPD and DPA Sparks Report 4th Quarter 2023 (DISCUSSION)
Quarterly reports to the Commission regarding policy proposals under consideration.

- SFPD
- DPA

Acting Assistant Chief Peter Walsh presented for SFPD.
Director of Policy Janelle Caywood presented for DPA.

PUBLIC COMMENT:

None

8. Presentation on the update of fourteen (14) specified Department General Orders, at the request of the Commission (DISCUSSION)

<i>DGO 1.03-1.05 Duties of Patrol Officers, Sergeants, and Station Personnel*</i>	<i>DGO 1.06/1.07 Duties of Superior Officers and Command Officers*</i>	<i>DGO 2.06 Vehicle Collisions Involving Members*</i>	<i>DGO 2.07 Discipline Process for Sworn Members*</i>	<i>DGO 5.06 Citation Release*</i>	<i>DGO 5.08 Non- Uniformed Officers*</i>	<i>DGO 6.10 Missing Persons*</i>
<i>DGO 6.14 Psychological Evaluation of Adults*</i>	<i>DGO 6.18 Warrant Arrest*</i>	<i>DGO 7.01 Juvenile Procedures*</i>	<i>DGO 9.03 Chemical Testing for DUI*</i>	<i>DGO 9.05 Traffic Citation Control *</i>	<i>DGO 9.06 Vehicle Tows*</i>	<i>DGO regarding Probation/Parole*</i>

*For the current phase of Department General Order, please refer to supporting document.

Acting Assistant Chief Peter Walsh presented for SFPD.
Director of Policy Janelle Caywood presented for DPA.

PUBLIC COMMENT:

None

9. Discussion and possible action to adopt Department General Order 8.04, "Critical Incident Response Team" (DISCUSSION & POSSIBLE ACTION)
(Previously approved for meet and confer on October 4, 2023, Resolution No. 23-95)

Chief Scott spoke, Sergeant Art Howard, from Behavioral Science Unit, available for the department.

Motion: Commissioner Benedicto. Second: Commissioner Walker. 7-0.

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

PUBLIC COMMENT:

None

10. Discussion and possible action to approve revised Department General Order 3.12, "Department Training Plan" for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)

Captain Sean Perdomo presented.

Motion to Amend and approve: Commissioner Benedicto, Page 2, DGO 8.04, Procedures, D, paragraph two move to Procedures, C, also subject to labor resolution 23-30, Second: Commissioner Walker . 7-0.

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

PUBLIC COMMENT:

None

11. Discussion and possible action to approve revised Department General Order 6.20, "Member-Involved Domestic Violence" for the Department to use in meeting and conferring with the effected bargaining units as required by law (DISCUSSION & POSSIBLE ACTION)

Sergeant Katherine Winters, Internal Affairs Division, presented.

Motion to Amend and approve: Commissioner Byrne, Page 4, paragraph K DGO 6.20, should be replaced with shall, also subject to labor resolutions 23-30. Second: Commissioner Walker. 7-0.

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

PUBLIC COMMENT:

None

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

None

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

Motion: Commissioner Benedicto. Second: Commissioner Yee. 7-0.

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

1st Open Session ended: 8:02 pm

Closed Session: (8:03 pm – 8:26 pm)

**14. 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 9.04 (DISCUSSION)

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

- 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 5.25 (DISCUSSION)

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

- c. 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, Yee, Byrne, Yanez, Benedicto, Vice President Carter-Oberstone, President Elias, Chief Scott, A/Assistant Chief Peter Walsh, Deputy City Attorney Alicia Cabrera, Deputy City Attorney Peter Cownan, Director LaWanna Preston, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

- d. 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. 53599-23 (ACTION)

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

Closed Session Ended: 8:26 p.m.

2nd Open Session (8:26 pm – 8:27 pm)

- 15. Vote to elect whether to disclose any or all discussion on Item 14 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 14, except for factual updates regarding 14a-14c to be disclosed in the minutes, held in Closed Session. Commissioner Walker Seconded. 7-0.

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

Closed Session 2.14.24 Disclosure

Disclosure for Items 14(a) through 14(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 9.04, Director Preston provided an update on negotiations with the SFPOA. The SFPOA sent correspondence to SFPD with proposed modifications. The Commission provided direction to Director Preston to respond to the SFPOA's proposals.

Regarding DGO 5.25, Director Preston provided an update on negotiations with the SFPOA. The SFPOA sent correspondence to SFPD with proposed modifications. The Commission provided direction to Director Preston to respond to the SFPOA's proposals.

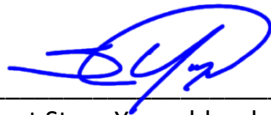
Regarding DGO 9.07, Director Preston provided an update on negotiations with the SFPOA. The SFPOA sent correspondence to SFPD. The Commission provided direction to Director Preston to respond to the SFPOA's proposals.

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 8:27 p.m.



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission