

FEBRUARY 21, 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 5:46 p.m.

PRESENT: Commissioners Benedicto, Yanez (remotely), Walker, Byrne, Yee, Vice President Carter-Oberstone and President Elias (arrived: 6:27 p.m.)

GENERAL PUBLIC COMMENT

Charlotte: Resident of San Francisco. Offered her sentiments towards the Commission and provided her opinion regarding measures on the ballot, Commissions role with the Police Department.

Ashley: Provided her opinion and support regarding Special Patrols, referenced personal stories.

Patricia: Spoke towards Commission regarding opinion on Special Patrols.

Frank Noto: Stop Crime Action, spoke about Proposition E, Traffic related issues, provided opinion.

Michael Petrelis: Showed a video of a burglary, spoke about access to video, community policing and accountability.

Jay Connor B Ortega: Concerned resident. Thanked the members of SFPD for all the work they do. Provided opinion regarding the Commission restricting Officers. Called for the Commissioner Elias' resignation, referencing a letter from DA Jenkins.

Name not stated: Spoke about needing to pay for what you do.

Paulette Brown: Spoke about son, Aubrey Abrakasa's, murder. Would like a permanent fixture to show unsolved homicides. Provided names of perpetrators in son's case.

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

Chief's Report

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

Chief Scott reported on crime trends YTD: Violent Crime down 15 percent; homicide down 57 percent; rape down 24 percent; robbery down 13 percent; assault down 15 percent; human trafficking down 25 percent. Property Crimes down 33 percent; burglary down 20 percent; motor vehicle theft down 7 percent; arson down 20 percent; larceny theft down 41 percent. Gun violence is down 14 percent compared to 2023; Two shooting incidents this week; total 14 fire-arm related incidents resulting in 19 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 non-fatal shootings, resulted in two victims who were injured from those shootings. 2/12/24 22:53, happened at an unknown location in the Central district, the victim was near several unknown individuals when a subject shot one time and struck the victim, victim did not provide any additional information as to where the shooting occurred or any further descriptions of the suspect, still under investigation. 2/16/24 21:10, 1000 Block of Connecticut, Bayview, Officers responded to a call of multiple gunshots and located a victim suffering from gunshot wounds, the victim advised that he had exited his residence when he was shot at, and the victim was then transported for medical aid, no arrests made, investigation ongoing.

Commissioner Carter-Oberstone asked about a hit and run pursuit involving a Muni bus and what the injuries were. The injuries, three people injured, the driver complained of pain, two passengers complained of pain, current conditions are unknown.

Pro-Palestine Cease Fire demonstration that occurred at the Octavia and 101 on ramp, Northern Station was notified of this protest, which began around 12:00 at Civic Center Plaza, crowd was estimated in the hundreds, about 500 estimated and a number of personal vehicles and pickup trucks some vehicles had amplified sound, about 1:00, the crowd marched southbound to Polk and initial information was that the group was going to march to Dolores Park, motorcycle units, Honda units responded to assist Northern Officers and CHP notified that they sent units to stage at the onramp of the 101 freeway, the crowd eventually did go to the freeway and attempted to block the 101 on ramp, CHP handled that part of the protest, and the protesters and vehicles were not allowed onto the freeway, the group remained Market and Octavia for about 45 minutes before turning around and walking away toward Market and Van Ness, no injuries and no arrests, no takeover of the freeway.

Hit and run involving a DUI suspect, in which a SFPD officer was injured, 1200 block of Mission 2/17/24 00:50, Officers were conducting enforcement when a vehicle collided with their patrol vehicle, the patrol vehicle was launched forward, almost hitting the officers, the vehicle continued until it hit a fire hydrant, the suspect was extracted from the vehicle and was arrested after the person was cleared medically and the Officers are okay on this particular incident.

Significant arrest: A couple of significant arrests. CHP had a person evading them, which resulted in a pursuit, asked for SFPD assistance when they reached city streets and the CHP was able to block the subject in an underground parking garage, when the subject started to ram CHP vehicles, SFPD Officers intervened, helped, assisted on the arrest, one officer received an injury to his hand during the incident, suspect was arrested. Carjacking, 2/15/24 01:30, 900 block of Howard, Southern, subject took the victim's taxi, taxi company had a live tracking system, and officers were able to locate the taxi on Paul Avenue and Bayshore Boulevard, when the officers found the vehicle, they found the subject was already receiving medical attention from the SFFD, the fire department said that the subject had flagged them down for help, and the subject was later arrested by SFPD after being cleared for those injuries. There was an elder abuse incident that occurred on 2/15/24 16:08, Wentworth and Jackson, Central, the victim was sitting at the corner of Wentworth and Jackson when the subject came up to the victim and demanded money, when the victim said they had no money, the subject hit the victim with a metal pipe, victim yelled for help and yelled for help, and several bystanders came to the victim's aid, Chinatown foot beat Officers were close by and located the subject and arrested him. Robbery with firearm at Mason and Jackson, Central, 2/17/24 01:05, victim was walking with her sisters when three subjects began to follow them, subject started running toward the victim and her sister, saw the victim and her sister ran, but all three subjects followed, they threw the victim to the ground and demanded their belongings, Officers responded and found all three subjects, shortly after all three were arrested without incident. Pursuit into San Francisco from an outside agency, 2/16/24 22:40, ended at Taraval and 17th Ave, South San Francisco PD was pursuing a truck that entered San Francisco, they asked for SFPD assistance, but SFPD informed them that they would not be involved in the pursuit, but would monitor and respond to the termination site, South San Francisco Police Officers involved advised us that the subject tried to ram the South San Francisco PD Officers, they eventually took the suspect into custody and recovered the truck.

Strategies: Last week's question from Commissioners, there's a question about autonomous vehicles, and it was asked if SFPD receives video from autonomous vehicles. The autonomous vehicle companies do not regularly or routinely provide video to SFPD, meaning that it is not automatic. However, they have provided videos with some of our crash investigations. They are not required to

allow us to access if they refuse in a situation where there's enough evidence to obtain a search warrant, the procedure is that SFPD will obtain a search warrant. Another question about the possibility of prohibiting autonomous vehicles from narrow, one-way roadways, that is regulated by the state of California, and there are no restrictions at this time. The city does not have the jurisdiction to do that at the local level.

PUBLIC COMMENT:

Michael Petrelis: Addressed a burglary in progress video from September 2023. Chief Scott advised that there was a Press Release, Chief Scott addressed incident response.

Paulette Brown: Spoke about rewards, paying tipsters for unsolved homicides. Asked for topic to be agendized, asked for a presentation on topic.

DPA Director's Report

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

Executive Director Henderson reported the following: In the year 2024: 89 cases opened; 96 closed; 305 pending; 12 cases sustained; 32 cases past 270-day; 1 cases mediated. SFPD Cases received in the past **week**: 14. – Southern-2-Officer used excessive force escorting complainant out of the concert; handcuffed complainant without cause; inappropriate behavior/comments; displayed disregard for complainant's personal safety and wellbeing; obstructed cell phone video. Bayview-1- The officer failed to investigate a theft. Mission-2-The officers did not assist him with a case regarding his kidnapped son. The officer drove improperly. Park-1-Officers arrested the complainant under false pretenses and without cause. Richmond-1-An officer ordered an occupied tent to be removed from the sidewalk. Taraval-1-Officers failed to investigate an incident involving the complainant, who was threatened with a gun. Not Applicable-4-Referral. Pending-3-Pending further investigation.

Audits: Audit item is on the agenda tonight.

Outstanding Issues: N/A

Outreach: Restocked all outreach material for each of the SFPD Stations.

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: Spoke about Patrol Specials, referenced a Controller's Report. Addressed topic and is working on details about bringing topic to agenda in March.

Vice President Carter-Oberstone: Wanted to reagendize topic of SF Safe, wants to follow up regarding evolving representations from the department. Reached out to SFPD and DPA regarding topic of rewards, to agendize for April.

PUBLIC COMMENT:

Michael Petrelis: Spoke about the unsolved murder of Paulette Brown’s son. Provided opinion regarding unsolved cases being presented to the public.

Paulette Brown: Vice President Carter-Oberstone addressed topic of rewards. Ms. Brown referenced criteria of paying tipsters.

- 5. SFPD Firearm Discharge Review Board Report & In-Custody Death Review Board Report 4th Quarter 2023 (DISCUSSION)

Deputy Chief Walsh introduced Internal Affairs Lieutenant Lisa Springer who presented.

PUBLIC COMMENT:

None

- 6. Presentation on Equipment/Fixed Assets including Automated License Plate Recognition (ALPR) Cameras included in the Organized Retail Theft Prevention Grant (DISCUSSION)

Assistant Chief David Lazar presented.

PUBLIC COMMENT:

Name not stated: Directed question to AC Lazar regarding cameras, addressed Commission regarding how to implement cameras in the future.

- 7. Presentation on the Department of Police Accountability’s audit of SFPD’s handling of officer misconduct data and policies. (DISCUSSION)

DPA’s Director of Audits, Steve Flaherty, presented.

PUBLIC COMMENT:

None

- 8. Discussion and possible action to adopt Department General Order 9.07, “Restricting the Use of Pretext Stops” (DISCUSSION & POSSIBLE ACTION)

(Previously approved for meet and confer on April 5, 2023, Resolution No. 23-31)

Vice President Carter-Oberstone spoke, referenced a public comment from earlier, continued to speak on DGO.

Motion: Vice President Carter-Oberstone, with 120 days maximum for implementation. Second: Commissioner Benedicto. 4-3.

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

NAYS: Commissioner Walker, Byrne, Yee

PUBLIC COMMENT:

Jay Connor B Ortega: Provided opinion regarding Commissioners comments and pretext stops.

Carolyn G.: San Francisco resident. Part of Coalition to End Bias Stops. Spoke about DGO 9.07 process,

Provided opinion on DGO, supports DGO 9.07.

Angela Chan: Former member of Police Commission. Spoke on process of DGO 9.07. Supports DGO 9.07.

Samina Usman: Provided opinion regarding pretextual stops. Supports DGO 9.07.

Isabella H.: Resident of San Francisco. Provided opinion regarding DGO 9.07 process. Supports DGO 9.07.

Carolina Velasquez: Opposes DGO 9.07, supports Officers doing their job. Provided data and opinion on enforcement, referenced SB50 failing. Provided opinion on Commissioners making changes.

Emanuela D.: Supports DGO 9.07 and stopping pretextual stops. Provided opinion on making comparisons to other cities.

Name not stated: Expressed gratitude towards Police force. Provided opinion regarding enforcement levels, safety, concerns of balances of power. Does not support DGO 9.07. Traffic stops play a crucial role.

Name not stated: Echoed speaker before her. Provided opinion regarding alternatives for ending bias stops. Addressed Commission regarding changes on laws and process for DGO.

Jan Diamond: Resident of San Francisco. Provided opinion on DGO 9.07, referenced SB50 failing at state level. Continued to speak on traffic stops. Does not support DGO 9.07

Name not stated: Provided opinion on DGO 9.07 and negative impact on safety and attitude towards Officers. Does not support DGO 9.07.

Name not stated: Addressed Commission regarding opinion on traffic stops and opinion regarding Commissioners regulating Officers.

Name not stated: Provided opinion on DGO 9.07 and the Commission, made several references, does not support DGO.

Name not stated: Provided opinion regarding DGO 9.07, traffic laws and the Commission. Does not support DGO 9.07.

Alan B.: Spoke on comments made by Commissioners. Provided opinion regarding process timeline for DGO 9.07. Does not agree with voting on DGO 9.07 tonight.

Zach Dillon: Public Defender. Coalition to end bias stops. Referenced a previous Commission Presentation and provided additional data.

Brian Cox: Public Defender. Provided opinion regarding DGO 9.07, racial disparities. Supports DGO 9.07.

Eric Arguello: Advocacy Manager under the Center for Social Justice for Glide, works closely with the Coalition to End Bias Stops. Supports DGO 9.07.

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

None

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

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

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

1st Open Session ended: 9:25 pm
Closed Session: (9:35 pm – 11:08 pm)

**11. 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, Yee, Byrne, Yanez (remotely), Benedicto, Vice President Carter-Oberstone, President Elias, Deputy City Attorney Alicia Cabrera, Deputy City Attorney Peter Cowan, Deputy City Attorney Kate Kimberlin (remotely), Director LaWanna Preston, 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:**

Discussion and possible action to decide guilt and penalty, if needed, or take other action, if necessary, on discipline charges filed in IAD Case No. 2020-0149 (DISCUSSION & POSSIBLE ACTION)

(Present: Commissioners Walker, Yee, Byrne, Yanez (remotely), Benedicto, Vice President Carter-Oberstone, President Elias, Chief Scott, Assistant Chief Denise Flaherty, Deputy City Attorney Kate Kimberlin (remotely), IAD Attorney, Officer's Attorney, Officer, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

(These proceedings were taken in shorthand form, Ellen Bellen, CSR., Behmke Reporting and Video Services)

Closed Session Ended: 11:08 p.m.
2nd Open Session (11:09 pm – 11:09 pm)

12. Vote to elect whether to disclose any or all discussion on Item 11 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 11, except for factual updates regarding 11a to be disclosed in the minutes, held in Closed Session. President Elias Seconded. 7-0.

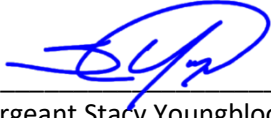
AYES: Commissioners Benedicto, Walker, Yanez (remotely), Byrne, Yee, Vice President Carter-Oberstone and President Elias

Closed Session 2.21.24 Disclosure
Disclosure for 11a

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). Director Preston provided an update regarding DGO 9.07.

ADJOURNMENT

Thereafter, the meeting was adjourned at 11:09 p.m.



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission