

MAY 8, 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 5:37 p.m.

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

1. Weekly Officer Recognition Certificate
Presentation of an Officer who has gone above and beyond in the performance of their duties.
 - Officer Andrew Young, Star No. 2485, Healthy Streets Operations Center (HSOC)

Sergeant Dennis Hoang provided a background on Officer Young and illustrated Officer Young's work.

PUBLIC COMMENT

None

GENERAL PUBLIC COMMENT

Name not stated: provided photo and questioned Police Commission on photograph. Spoke on sidewalks.

Name not stated: addressed the voters on San Francisco. Provided opinion regarding department and electing officials.

Chris Kline: Spoke about technology being used on citizens.

Jay Connor B. Ortega: Thanked the members of SFPD and congratulated Officer of the Week.

Addressed Commissioner Benedicto and referenced what was said at passed meetings, referenced Prop E and DGOs needing to be fixed.

Paulette Brown: Provided a photo of her mother, who recently passed, and spoke about her son, Aubrey Abrakasa, Jr.'s, murder.

3. Consent Calendar (RECEIVE & FILE; ACTION)
 - SFPD Audit of Electronic Communication Devices for Bias, 1st Quarter 2024
 - Safe Streets for All 2024 1st Quarter
 - Family Code § 6228 Incident Report Release Quarterly Report 2024 Q1: January 1, 2024-March 31, 2024
 - SFPD 1421 and SB 16 Monthly Report (April 30, 2024)
 - DPA 1421 and SB 16 Monthly Report (May 1, 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. 2nd: President Elias. Vote: 5-0.

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

PUBLIC COMMENT

None

4. Adoption of Minutes (ACTION)

- for the Meeting of April 17, 2024.

Motion: Commissioner Benedicto. 2nd: Vice President Carter-Oberstone. Vote: 5-0.

AYES: Commissioners Benedicto, Yanez, 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 42 percent; rape down 17 percent; robbery down 17 percent; assault down 8 percent; human trafficking down 38 percent. Property Crimes down 33 percent; burglary down 19 percent; motor vehicle theft down 15 percent; arson down 4 percent; larceny theft down 39 percent. Gun violence is down 36 percent compared to 2023; No shooting incidents this week; total 35 fire-arm related incidents resulting in 43 victims YTD. One homicides for the week; there are a total of 11 homicides YTD with 8 resulting from a firearm; 73% overall clearance.

Significant Incident: This past week, there was one homicide in the 1700 block of Quesada Avenue in the Bayview district, this occurred on 4/29/24 at 21:32, the officers responded to the area following a shotspotter activation, when they arrived, a victim with gunshot wounds was located and the officers rendered aid, but unfortunately, when the suspect was transported to a local hospital, they succumbed to their injuries, no arrests at this time, but officers are following up on leads and will keep the public posted on the status of that investigation. Elder abuse battery that occurred on 5/1/24 10:20, 100 block of Post Street, two victims were standing outside when an unknown person pulled up to them, got out of the car and pushed both victims down to the ground, subject jumped back into their vehicle and fled the scene, investigation ongoing with no arrests yet. A carjacking occurred at San Francisco State, 1600 block of Holloway Avenue, on the campus jurisdiction of the state campus police, San Francisco State campus police, 5/1/24 15:54, victim was walking back to their car when they saw three unknown subjects around the car and two unknown subjects inside their car, victim pulled out their phone to record the incident, at which time one of the subjects pulled out a gun and told the victim to delete the videos. subjects were able to take the victim's vehicle and flee from the scene, SF State PD is handling that investigation, although SFPD did respond. Hate or prejudice based incident that occurred at Sunset and Ulloa, 5/1/24 15:15, the subject was yelling racial slurs toward the victim, victim confronted the subject and the subject pulled out a taser, subject then fled the scene and the victim did not want any further police action, except for a report which our officers gladly took, a witness tweeted about the incident and it did get some attention on social media, that person was not arrested, other than brandishing the taser, there were no other crimes committed. First Amendment activity, there have been first amendment activities on both SF State and USF campuses, those first amendment activities have been handled by the respective campus, either public safety or campus police, SFPD has not been called to assist, and they continue to manage those incidents, those incidents have been peaceful.

Significant arrest: Stabbing at 7th and Market, 5/5/24 07:52, the victim and the subject got into an argument when the subject stabbed the victim multiple times, officers were able to locate the subject and make an arrest.

Strategies: There were no shootings this week, no stunt driving incidents, and no major traffic related incidents this week.

PUBLIC COMMENT:

Name not stated: Spoke about Mission Station, “Hill Bomb” and electing a Chief.

Paulette Brown: Spoke about son, Aubrey Abrakasa, and other unsolved homicides.

DPA Director’s Report

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

Executive Director Henderson reported the following: In the year 2024: 250 cases opened; 281 closed; 286 pending; 28 cases sustained; 25 cases past 270-day; 5 cases mediated. SFPD Cases received in the past **weeks (since the last Commission Meeting)**: 23. Southern, 2. Bayview, 2. Mission, 3. Northern, 2. Park, 1. Ingleside, 1. Tenderloin, 2. Airport, 1. Not Applicable, 7. Pending, 2. Allegation Summary: Conduct Unbecoming – 13% – The officer behaved or spoke inappropriately. Use of Force – 8% - The officer used unnecessary or excessive force. Neglect of Duty - 8%- The officer failed to properly investigate. Neglect of Duty – 8%-The officer failed to take required action. Use of Force-8%-The officer detained a person at gunpoint without justification.

Audits: DPA’s Audit Director presented two topics at the ALGA (Association of Local Government Auditors) 2024 conference: 1) an introduction to law enforcement auditing, and 2) an overview of DPA’s Knighton Award winning audit on SFPD’s handling of officer misconduct.

Outstanding Issues: DPA began meeting with SFPD subject matter experts from multiple divisions who use social media accounts during their investigations. DPA’s Operations Division is in the final stage of uploading DPA data to DataSF.

Outreach: DPA presented at both the SFPD Promotion Class and the Tenderloin Station Meeting. 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:

Commission Reports

- **Commission President’s Report**
- **Commissioners’ Reports**
- **Commission announcements and scheduling of items identified for consideration at future Commission Meetings**

Commissioner Benedicto: Attended demonstration of the BOLAWRAP with President Elias. Provided opinion regarding use of the BOLAWRAP (which will be presented at a Commission Meeting). Working with Commander Jones regarding issues with SFMTA, stolen vehicles and ticketing of stolen

vehicles, continuing to work with SFPD and their collaboration with SFMTA. President Elias continued to speak about the BOLAWRAP being presented at next week's meeting.

Commissioner Yee: On April 24th attended Denim Day at SFPD, recognizing victims of Sexual Assault. Attended Officer of the Month Ceremony.

Commissioner Yanez: Making progress on pre-booking diversion program. Spoke on Investigative Social Media DGO. Recognized DPA's Jermain Jones on becoming the new Policy Attorney.

Vice President Carter-Oberstone: Spoke on DGO 9.07, addressed Chief on status of implementation.

PUBLIC COMMENT:

H. Brown: Provided opinion regarding electing Police Chief, provided opinion regarding Commission/Commissioners, politics in appointing.

8. Joint presentation and discussion (with DPA and SFPD) on the City and County of San Francisco's Homicide Reward Program, industry best practices, and efforts to solicit information to solve cases (DISCUSSION)

Captain Noah Mallinger, Major Investigations, and Lieutenant Kelvin Sanders, Homicide, presented for SFPD.

DPA's Policy Attorney Jermain Jones presented for DPA.

PUBLIC COMMENT:

H. Brown: provides opinion regarding eyewitnesses to murders.

Paulette Brown: Provides opinion regarding presentation. Referenced material/articles, continued to question reward policy. Asked for action on this issue.

9. Discussion and possible action to approve the Police Commission's Statement of Purpose and forward to the Mayor and Board of Supervisors for approval (DISCUSSION & ACTION)

(City Charter section 4.102 states the statement of purpose is subject to approval by the Mayor and Board of Supervisors)

Member of the public, Paul Allen, who assisted in drafting the Statement of Purpose, presented.

Vice President Carter-Oberstone thanked Mr. Allen and

Motion: Vice President Carter-Oberstone. 2nd: Commissioner Benedicto. Vote: 4-1.

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

NAY: Commissioner Yee

PUBLIC COMMENT:

None

10. Presentation and discussion on SFPD and DPA Sparks Reports 1st Quarter 2024 (DISCUSSION)
Quarterly reports to the Commission regarding policy proposals under consideration.

- SFPD

- DPA

Policy Development Division Manager, Asja Steeves, presented for SFPD. Policy Attorney, Jermain Jones, presented for DPA.

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(d)) (ACTION)

Motion: Commissioner Benedicto. 2nd: Commissioner Yanez. Vote: 5-0.

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

1st Open Session ended: 8:27 pm

Closed Session: (8:32 pm – 8:43 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 San Francisco Municipal Executive Association (SFMEA) and Service Employees International Union 1021 (SEIU). The POA, SFMEA and SEIU are 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 members: SFPOA, SFMEA, SEIU Local 1021

Anticipated Issues Under Negotiation: Discussion on DGO 2.06 (DISCUSSION)

(Present: Commissioners Yanez, Benedicto, Yee, Vice President Carter-Oberstone (recused prior to item presentation), President Elias, Deputy City Attorney Alicia Cabrera, Director LaWanna Preston, Senior Analyst Leavelle Davis, 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 IAD Case No. 2023-0083 (ACTION)

(Present: Commissioners Yanez, Benedicto, Yee, Vice President Carter-Oberstone, Chief Scott, Assistant Chief Peter Walsh, Deputy City Attorney Alicia Cabrera, 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:**

Discussion and possible action to take off calendar the appeal of Chief's decision filed in DPA Case No. DPA 45140-20 and remand back to the Chief (DISCUSSION AND POSSIBLE ACTION)

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

Closed Session Ended: 8:43 p.m.
2nd Open Session (8:44 pm – 8:44 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 item 13 held in closed session with the exception of factual details that are not privileged and will be provided in the minutes. Commissioner Carter-Oberstone Seconded. 4-0.

Motion: Commissioner Benedicto. 2nd: Commissioner Carter-Oberstone. Vote: 4-0.

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

Disclosure of 13a:

*Vote for Vice President Carter-Oberstone voluntarily recusing himself from this item:
Motion: Commissioner Benedicto. 2nd: Commissioner Yanez. 4-0.*

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

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), the San Francisco Municipal Executive Association (SFMEA), and the Service Employees International Union 1021 (SEIU) regarding DGO 2.06.


Regarding DGO 2.06, Director Preston provided an update regarding DGO 2.06, and the Commission provided direction to Director Preston on responses and next steps regarding DGO 2.06 and the SFPOA, SFMEA, and SEIU.

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 8:44 p.m.



Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission