

OCTOBER 5, 2022,

REMOTE MEETING VIA VIDEOCONFERENCE

The Police Commission of the City and County of San Francisco met via videoconference at 5:35 p.m.

PRESENT: Commissioners Elias, Byrne, Yee, Carter-Oberstone, Benedicto, Walker,
Commissioner Yanez

GENERAL PUBLIC COMMENT

Francisco DeCosta, speaking on quality of life, Commissioners, freedom.
District 1 Resident, stated a quote from Wealth & Disparities, provided information and spoke on DOJ findings.

Susan Buckman, Wealth & Disparities, stated a quote. Spoke on a previous commission meeting regarding Officer involved shootings and need for reports prior to 2017.

Jane Bridges, Wealth & Disparities, stated a quote. Spoke on September 7, 2022, commission meeting and training for Officers to help address racial disparities.

Paul Allen, spoke on traffic enforcement [caller then disconnected].

Adoption of Minutes

- **For the meetings of September 7, 14 and 21, 2022**

Motion by Commissioner Elias, second by Commissioner Walker. Approved 7-0.

Adopted minutes for September 7 and 21, 2022, meetings.

Minutes for September 14, 2022, tabled.

AYES: Commissioner Walker, Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

PUBLIC COMMENT

None

Presentation regarding 30 x 30 Advancing Women in Policing

Vice President Carter-Oberstone introduced Maureen McGough, a founder of the 30 x 30 initiative and the chief of the policing project at NYU law school.

During questions and feedback, Chief Scott announced SFPD will join the 30x30 initiative.

Presentation regarding SFPD strategies for recruitment of women

Commander Nicole Jones presented on strategies for recruitment of women

PUBLIC COMMENT

Caller spoke on the appointment of Commissioners.

Chief's Report

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

Chief Scott reported on crime trends YTD: Violent Crime up 8 percent; homicide down 7 percent; rape up 11 percent; robbery up 5 percent; assault up 11 percent; human trafficking down 50 percent. Property Crimes up 8 percent; burglary down 22 percent; motor vehicle theft up 4 percent; arson down 14 percent; larceny theft up 17 percent. Gun violence is down 4 percent compared to 2021; Five shooting incidents for the week ending on 10/2/22; total 142 incidents resulting in 164 victims YTD. One homicide for the week ending 10/2/22; there are a total of 40 homicides YTD with 27 resulting from a firearm; 55% overall clearance. Guns seized 805; ghost guns seized 163 YTD.

Significant Incident: 5 injury shootings this week. No arrests, investigation ongoing. CHP and SFPD collaborating regarding a sideshow/stunt cars possibly crossing over the bridge. Fatal collision collided with tree.

Significant arrest: Three homicide arrests made. Robbery arrest. Mission District multiple arrests.

Strategies: Regarding shootings and homicides, collaborating with Oakland. Shotspotter.

PUBLIC COMMENT

Paulette Brown spoke about her son's murder in 2006. The case has not been solved. Thanked the DA's office for son's headstone. Speaker, name unknown, opinions.

DPA Director's Report

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

Executive Director Henderson reported the following: In the year 2022: 526 cases opened; 566 closed; 236 pending; 49 cases sustained; 23 cases past 270-day; 17 cases mediated. Cases received in the past week: 9 new cases; 1 (Central) excessive force, failure to respond to multiple call for service and making racist jokes. 1 (Southern) failing to respond to a call for service, arresting a person without cause, and failing to write an incident report. 1 (Bayview) Forcing entry into a home without an explanation, threatening a person, and failing to investigate a crime. 2 (Northern) Referral DEM. 1 (Park) Referral to Sheriff's Office. 1 (Richmond) Driving recklessly. 2 (Tenderloin) Arresting a person without cause, failing to properly investigate, and writing an incident report.

Audits: Issuing interim reports for Audit

Outreach: 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.**

President Elias discusses DGO process. Advised to reach out to DPA and the department to begin working on DGOs. Moving discipline cases forward to clear any backlog.

President Elias to Commissioner Yee: Implementing policy and ideas regarding SFPD and making SF residents safer. Commissioner Yee begins discusses his ideas.

Commissioner Yee requests to add 6.14 to an Agenda. Commissioner Yee addresses community policing.

Commissioner Yanez requests to add 2.09 (use of social media) to an Agenda. Community policing plans, DGO. Requests update regarding timeline for “benchmark system” which will replace early intervention system. Discusses.

Vice President Carter-Oberstone reports back regarding DGO 9.01 feedback. Reports back regarding multiple DGOs that need to be addressed and have timelines, DGOs 3.13, 6.08, 8.03, 8.10 and 9.05.

Commissioner Kevin Benedicto reports on DGO 7.01 and 5.16. Audit liaison for DPA, reiterated DPA’s interim audits. DGO 9.01 update.

Commissioner Yee following up on previous community outreach.

President Elias- starts 90-day timeline for DGO 5.18.

PUBLIC COMMENT

None

7. Presentation regarding the Status of Sustained DPA Cases Pending Chief’s Review (DISCUSSION)

Commander Paul Yep, Risk Management Division, presented a slideshow with data compiled by Lt. Wilhelm compiled.

PUBLIC COMMENT:

None

8. Presentation regarding the Department’s Community Policing Plans (DISCUSSION)

Captain Chris Del Gandio, Commander Julian Ng, Director Diana Oliva-Aroche presented.

PUBLIC COMMENT:

Susan Buckman, Wealth & Disparities, provided thoughts on community policing, such as softball games, grants, one area of focus- Tenderloin.

Gloria Barry (District 10)- Thoughts on presentation, community events, donations, marketing

9. Discussion and possible action to approve the Awards Certification Panel’s Recommendations (DISCUSSION & POSSIBLE ACTION)

Commissioner Byrne discusses criteria to be met per DGO 3.09. Letter signed by Chief regarding Officers meeting qualifications. Recommends adopting awards per letter from Chief.

Commissioner Yee discusses September 9, 2022, meeting. Supports recommendations for Meritous Conduct Awards.

Commissioner Yee seconds.

PUBLIC COMMENT

None

Motion by Commissioner Elias. Approved 7-0.

AYES: Commissioner Walker, Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

10. Discussion and possible action to approve revised Department General Order 2.01, "General Rules of Conduct," for the Department to use in meeting and conferring with the San Francisco Police Officers Association as required by law (DISCUSSION & POSSIBLE ACTION)

Item pulled and to be rescheduled for a later time.

11. Discussion and possible action to approve revised Department General Order 2.08, "Peace Officer Rights in Disciplinary Investigations," for the Department to use in meeting and conferring with the San Francisco Police Officers Association as required by law (DISCUSSION & POSSIBLE ACTION)

President Elias makes motion to adopt. Second Kevin Benedicto. Approved 7-0.

PUBLIC COMMENT:

None

AYES: Commissioner Walker, Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

12. Discussion and possible action to approve revised Department General Order 8.01, "Major and Critical Incident Evaluation and Notifications," for the Department to use in meeting and conferring with the San Francisco Police Officers Association as required by law (DISCUSSION & POSSIBLE ACTION)

Move to next week for approval with changes. Put over with chief's amendments.

PUBLIC COMMENT:

None

- 13. Discussion and possible action to adopt a resolution urging the Board of Supervisors to authorize the Chief of Police to accept and expend an in-kind gift of two (2) utility vehicles with an estimated market value of \$38,644.58 from the Union Square Alliance to support officers working in the Union Square Alliance area for high visibility patrol. The two (2) utility vehicles will be an outright gift to the Police Department (DISCUSSION & POSSIBLE ACTION)**

Director Patrick Leung (CFO). Questions from Commission.

President Elias makes motion to adopt. Kevin Benedicto seconds. Approved 7-0.

PUBLIC COMMENT:

Susan Buckman- opinion regarding gift

AYES: Commissioner Walker, Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

- 14. Discussion and possible action to adopt a resolution urging the Board of Supervisors to authorize the Chief of Police to accept and expend a grant in the amount of \$69,818 from the California Governor’s Office of Emergency Services (Cal OES) for the Criminology Laboratory for the project period beginning on April 1, 2022, and ending on June 30, 2023 (DISCUSSION & POSSIBLE ACTION)**

Director Patrick Leung (CFO). No questions from Commission.

President Elias makes motion to adopt. Debra Walker seconds. Approved 7-0.

PUBLIC COMMENT:

None

AYES: Commissioner Walker, Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

ABSENT: N/A

- 15. PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION**

None

- 16. VOTE ON WHETHER TO HOLD CLOSED SESSION INCLUDING VOTE ON WHETHER TO ASSERT ATTORNEY-CLIENT PRIVILEGE WITH REGARDS TO ITEMS 13(b), (c), AND (d)**

Motion by Kevin Benedicto, second by Larry Yee. Approved 7-0.

AYES: Commissioner Walker, Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias
ABSENT: N/A

CLOSED SESSION (10:03 pm-10:31 pm)

Roll Call;

17 a. **PUBLIC EMPLOYEE PERFORMANCE: Chief of Police**

Pursuant to Government code Section 67.10(b) and Penal Code 832.7: Review of findings and Chief's decision to return or not return officers to duty following officer-involved shootings (OIS 22-005)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Walker, Yanez, Chief Scott, Deputy Chief Flaherty, Deputy City Attorney Cabrera, Sgt. Chung, Sgt. Reynolds, Risa Tom, 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 adopt proposed Findings of fact regarding the Commission's decision in non-disciplinary charges filed in the following cases, or take other action if necessary: (ACTION)

- (i) IAD 2021-0225
- (ii) IAD 2021-0181
- (iii) IAD 2021-0305

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Walker, Yanez, Chief Scott, Deputy City Attorney Porianda, Sgt. Reynolds, Risa Tom, Kristine Singh)

Motion to adopt by President Elias, second by Kevin Benedicto. Approved 7-0.

AYES: Commissioner Walker, Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias
ABSENT: N/A

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 (ACTION)

(Present: Commissioners Elias, Yee, Byrne, Carter-Oberstone, Benedicto, Walker, Yanez, Chief Scott, Sgt. Reynolds, Risa Tom, Kristine Singh)

OPEN SESSION (10:34 p.m.)

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION

Motion by President Elias, second by Commissioner Walker for non-disclosure. Approved 7-0.

AYES: Commissioner Walker, Benedicto, Yanez, Carter-Oberstone, Byrne, Yee, Elias

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 10:34 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission