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SAN FRANCISCO POLICE DEPARTMENT

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IN RE: )  
DGO 9.01 "Traffic )  
Enforcement" Working Group )  
Meeting )  
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AUDIO TRANSCRIPTION OF  
WORKING GROUP MEETING  
THURSDAY, AUGUST 25, 2022  
FILE NO. DGO 9.01 WG RECORDING 8.25.22

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1 APPEARANCES:

2 Kevin Benedicto - Commissioner

3 Susan Brockman - Wealth and Disparities in the Black  
4 Community Organization

5 Janelle Caywood - Department of Police Accountability

6 Brian Cox, Esq. - Public Defender

7 Angela Jenkins - Community Member

8 Carolyn Ji Jong Goossen - Director of Local Policy, Public  
9 Defender's Office

10 Crispin Jones - SFPD Police Officer

11 Jermaine Jones - Department of Police Accountability

12 John Jones - Community Member

13 Nicole Jones - SFPD Commander

14 Rome Jones - Community Member

15 Brian Kneuker - Asian Police Officers Association

16 Donald Luu - Chinese Chamber of Commerce

17 Tracy McCray - President of Police Officers Association

18 Wesley Saver - GLIDE

19 William Scott - Chief of Police

20 Officer Serin - SFPD Police Officer

21 Allyssa Victory, Esq. - ACLU

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1 (Begin transcription 00:00:17 - 00:19:39)

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3 UNIDENTIFIED SPEAKER: All right, everyone. The  
4 chair has called the meeting to order. We're going to  
5 start with line item 1, which is roll call for members  
6 that are in the working group.

7 If you are in the working group, we are  
8 recording this for the minutes, if you can please project,  
9 not talk over each other. And I just need everybody in  
10 the working group to say your name and the unit or from  
11 the community so that we have that on record. If we could  
12 start with Commissioner Benedicto.

13 COMMISSIONER BENEDICTO: Hi. Kevin Benedicto, Police  
14 Commission.

15 COMMISSIONER CARTER-OBERSTONE: Max Carter-Oberstone,  
16 Police Commission.

17 CHIEF SCOTT: William Scott, Chief of Police.

18 ALLYSSA VICTORY: Allyssa Victory, staff attorney  
19 with ACLU Northern California's Criminal Justice Program.

20 JANELLE CAYWOOD: Janelle Caywood with the Department  
21 of Police Accountability.

22 COMMANDER JONES: Nicole Jones, commander of the  
23 Administration Bureau, SFPD.

24 COMMANDER YEP: Commander Paul Yep, Risk Management  
25 office.

1           BRIAN KNEUKER: Brian Kneuker, San Francisco Asian  
2 Police Officers Association.

3           UNIDENTIFIABLE SPEAKER: Angel.

4           ANGELA JENKINS: Angela Jenkins, community member.

5           SUSAN BROCKMAN: Susan Brockman [phonetic],  
6 representing Wealth and Disparities in the Black  
7 Community.

8           UNIDENTIFIED SPEAKER: Brian Cox, Public Defender.

9           WESLEY SAVER: Wesley Saver, GLIDE.

10          OFFICER CRISPIN JONES: Crispin Jones, San Francisco  
11 Police Department Traffic Company.

12          TRACY McCRAY: Tracy McCray, SF POA.

13          UNIDENTIFIED SPEAKER: [Indiscernible] working group  
14 [inaudible].

15          UNIDENTIFIED SPEAKER: Yes, go ahead.

16          PAUL JAY: [Indiscernible], Paul Jay [phonetic].

17          UNIDENTIFIED SPEAKER: Perfect.

18                 Commissioner Elias is en route and will be here  
19 presently [verbatim].

20                 We are going to take one item out of order. We  
21 are going to go directly to line item 3, Discussion on  
22 Draft Department General Order 9.01, Traffic Enforcement  
23 and Curtailing the Use of Pretext Stops; discussions  
24 Regarding Section 1, Purpose; Section 2, Definitions; and  
25 Section 5, Limiting Searches and Questions.

1           COMMISSIONER CARTER-OBERSTONE: Good morning,  
2 everyone. Thank you for joining us for our second working  
3 group meeting for DGO 9.01.

4           I wanted to start by thanking the Controller's  
5 Office and, in particular, Alice Kassinger, for helping  
6 plan and facilitate this meeting. And so I want to  
7 introduce Alice first and let her say a few words.

8           ALICE KASSINGER: Hi. Thank you so much. I think  
9 some of you may have heard me introduce myself last time.  
10 I am the project manager with the City Performance Unit of  
11 the Controller's Office.

12           As Max said, we are here just to provide a  
13 little support on structure and agendizing. And I will be  
14 walking you through a little bit about what we're going to  
15 do today, what's on the wall, why I gave you these  
16 mysterious tasks, after Max gives his introductory  
17 presentation. And at the end we are also going to be  
18 taking some comments, have -- have a venue for you to give  
19 feedback on how this session went, what you liked, what  
20 you want to change in the future. Thank you, guys, so  
21 much.

22           Max, go ahead.

23           COMMISSIONER CARTER-OBERSTONE: Great. Thank you.

24           We're going to -- we've got a packed agenda  
25 today, so -- but I did want to start off with some

1 introductory slides that probably, frankly, should have  
2 been gone through in the first meeting, just so everyone's  
3 on the same page. So I will try to be brief, but --

4 Sara [phonetic], could you -- could you take  
5 this off, the slides. I'm just going to stand over here  
6 so I can see what's going on.

7 Great.

8 So I think many, if not everyone, in this room  
9 knows; but -- but for those who don't, the Police  
10 Commission is a seven-member civilian oversight body.  
11 Its -- the chief kind of duties are to set all policy for  
12 the police department. That means everything that affects  
13 what line officers [indiscernible] do within the field  
14 when they carry out their official duties. And it  
15 includes the SFPD's kind of institutional obligations like  
16 data recording. We also hear and adjudicate the more  
17 serious officer-discipline cases.

18 Next slide, please. Sorry.

19 So, yeah, what is this -- what is the  
20 pretext-stop policy that we're all talking about today and  
21 what is the goal here?

22 I think just in one sentence, the goal of the  
23 policy is to reduce racial disparities in traffic  
24 enforcement while increasing public safety. And the chief  
25 [indiscernible] this DGO tries to accomplish that is by

1 limiting officer discretion.

2           We -- we know that for every person and for  
3 every profession, not just for police officers,  
4 discretionary decisions tend to be those that are most  
5 susceptible to being impacted [phonetic] by implicit bias  
6 and, therefore, the most likely to result in racially  
7 disparate outcomes.

8           And so this DGO tries to limit officer  
9 discretion in two key ways: First, by banning stops for  
10 certain low-level traffic offenses subject to some  
11 important exceptions; and then also, secondly, limiting  
12 the use of consent searches, limiting the use of  
13 investigatory questions, and, of course, the traffic stop.

14           This DGO was drafted by the commission in close  
15 collaboration with the police department and the  
16 Department of Police Accountability.

17           And then, finally, at the last meeting, I think  
18 somebody raised a question about the legality of the draft  
19 policy. And I do want to flag that there was a request  
20 made to the City Attorney's Office to provide a written  
21 opinion detailing if there are any legal concerns about  
22 the policy. I think it's critical that we have the City  
23 Attorney's Office opinion before we reconvene -- before  
24 this working group reconvenes so that we can take into  
25 account any legal issues in the course of a policy-making

1 process.

2 So what is the goal of this group?

3 [Indiscernible] also [indiscernible] questions about this  
4 last time.

5 This -- this -- this working group is  
6 fundamentally an advisory [inaudible]. It is a forum to  
7 leverage the expertise of everyone in this room. It is a  
8 place for the exchange of ideas, for conversation, and,  
9 hopefully, for the [indiscernible] of ideas.

10 And, ultimately, I hope that during the course  
11 of our conversations, you will get to hear all of the best  
12 arguments for and against this policy. And I hope that we  
13 will unearth all of the most relevant facts that relate to  
14 this policy. And at the end of the day, the commission,  
15 the full seven-member body, will be able to use all this  
16 valuable information to make the most informed decision  
17 they can possibly make as it relates to this -- as it  
18 relates to this policy.

19 Can we go back [inaudible]? I think Slide --

20 Oh, perfect.

21 So why is this policy needed?

22 Rather than speaking at a high level, I thought  
23 that it might be useful to just pluck out one example that  
24 is emblematic of a larger problem. So I just decided to  
25 zoom in on one offense in the traffic code: Failure to



1 drive with two license plates.

2 I picked this out because this is one of the  
3 most common things people got stopped for. In 2019 over  
4 4,100 people were stopped for this. Black people were  
5 stopped at a rate of -- or -- I'm sorry -- white people  
6 were stopped at a rate of 26 per 10,000. Black people  
7 were stopped at a rate of 420 per 10,000 residents, so  
8 over 16 times more likely to be stopped for this offense.

9 You know, these racial disparities obviously  
10 impose grievous societal costs. And so if we're going to  
11 impose these types of costs on society, you would hope  
12 that there would be a counter [indiscernible] that would  
13 be bigger than the cost we're imposing. But as far as I  
14 have been able to tell thus far, from the data least, I  
15 don't see [inaudible].

16 So in over 4,100 stops that were made, only 15  
17 resulted in the discovery of a gun. So that's 0.4 percent  
18 of these stops. 3.5 percent of the stops resulted in  
19 discovery of drugs. And of course that -- that includes  
20 drugs of quantity, including, you know, small recreational  
21 amounts of drugs. And then 85 percent of stops resulted  
22 in no discovery of any contraband.

23 And I will just note that the regulations that  
24 define contraband in this context are very broad and  
25 include things that are legal in most situations, like

1 cell phones and money, and a broad category that's simply  
2 term "other contraband" and that is undefined.

3           So, you know, given the enormous cost and given  
4 the fact that at least we can't really identify concrete  
5 benefits -- or substantial concrete benefits [inaudible],  
6 I think continuing to do things the way we are currently  
7 doing them is -- is not an option. It is -- it is not  
8 a -- it is a defensible [phonetic] option, in my opinion.

9           I think we covered this one.

10           So others may have asked last time -- I think at  
11 least one person asked -- how is this working group  
12 different than the community town hall listening sessions  
13 that -- that are being [inaudible]?

14           And so that is a totally separate process being  
15 spearheaded by the Human Rights Commission. It serves a  
16 similar function in that it's soliciting feedback from the  
17 public, but they are going directly into communities  
18 and -- and where people live to ensure, you know, that  
19 this policy reflects the ideas and concerns of the people  
20 that it will impact most. But that is a separate policy.  
21 At the end of the day, that information will be collected  
22 and -- and shared with the commission. And at least  
23 myself, Kevin, and Cindy will be attending the town halls  
24 that HRC puts on.

25           So I just want to talk about -- a little bit

1 about this process that we're all engaging in together,  
2 you know, and how it's different from the typical DGO  
3 process.

4 In general, DGO revision happens within the  
5 police department. It happens over -- usually over a year  
6 or the course of years. Drafts -- intermittent drafts are  
7 generally not shared with the public. It's very rare for  
8 there to be working groups like this one. And when they  
9 do exist, they are generally closed to the public and they  
10 are generally known to be listening sessions.

11 This process is definitely a reaction and a  
12 response to that. We tried to create the most transparent  
13 process -- publicly transparent process that we've ever  
14 had for the enactment of a DGO. So at the very outset, we  
15 shared a draft with the [indiscernible] public, and we  
16 solicited feedback from the earliest time. We opened up  
17 this group to the public. It's -- it's not closed to the  
18 public, as -- as [inaudible] working groups are. We  
19 analyze -- we just discussed a robust community outreach  
20 component by HRC. And, also, the three commissioners here  
21 will be having four separate town halls that are  
22 officers-specific so that we can hear directly from  
23 officers.

24 Lastly, I'll say there -- there has been -- not  
25 at the time but a little bit of criticism that I have

1 heard that this process that we're doing could be even  
2 more solicitous of community feedback and could be even  
3 more transparent. And that feedback is well-taken. We're  
4 kind of trying something new, so we definitely want to  
5 hear from people feel about it.

6 At the same time, for the folks who feel like  
7 there could be an even greater community-facing component,  
8 I would just ask, you know, please keep that same energy  
9 as it relates to the dozens of DGOs being [inaudible] by  
10 the department that really have no serious public-facing  
11 component, because those DGOs are very critical and  
12 important too. And you will definitely have my support if  
13 you speak up and ask for more transparency in that -- in  
14 those forums as well.

15 So just very quickly -- and I should say all of  
16 these slides will be posted, so no need to take notes on  
17 this. But I just wanted to announce the dates for the  
18 next working group sessions. So this -- these working  
19 groups will pause during the month of September so that  
20 HR -- or while HRC does its community outreach. And we  
21 will reconvene on October 6th for our first meeting.  
22 Recommendation grids for that meeting will be due  
23 September 13th. And then we'll reconvene again on  
24 October 20th, and recommendation grids for that meeting  
25 will be due on October 12th.

1           At our next meeting, we'll be talking about the  
2 [indiscernible] list. And at the fourth meeting, we'll be  
3 talking about anything we don't get to on the [inaudible]  
4 list, as well as the Supervisory Review and Reporting  
5 sections of the DGO.

6           This is just a quick slide on where you can find  
7 data and reports. I encourage people to visit the  
8 department's website and also check out the Center for  
9 Policing Equity report that it did on our traffic  
10 enforcement, specifically.

11           And that is -- that's it.

12           UNIDENTIFIED SPEAKER: And --

13           COMMISSIONER CARTER-OBERSTONE: Oh, before you go,  
14 Alice, I know the chief wanted to say a brief word. I'm  
15 sorry about that.

16           CHIEF SCOTT: Thank you. Thank you, Commissioner  
17 [indiscernible].

18           I'm going to be very brief so we can get on with  
19 the business of the day. I just want to thank everybody  
20 for attending. And these -- these types of community  
21 working group sessions, I think, are really, really  
22 important and is a part of where we want to be as a  
23 department. As the commissioner said, there's a lot of  
24 work ahead of us in terms of more input and more  
25 involvement with the community on many of our policies.

1 So this is just one many. We have hundreds of policies,  
2 and they all have to be touched every five years, and we  
3 would love to have the community feedback on those that  
4 are of interest to you.

5 One thing I want to also say is I want to thank  
6 the offices who are here now.

7 So just so everybody understands kind of how  
8 this process is working, there's a recommendation grid  
9 that the Police Commission is managing, where we're taking  
10 feedback from all sources. And that includes feedback  
11 from the department, feedback from the officers, feedback  
12 from community members, feedback from some of academic  
13 partners; we're going to have feedback from the California  
14 Department of Justice. So we're -- we are listening to  
15 everybody. And at the end of the day, the commission will  
16 make the decision as to where we will go with this policy.

17 I bring that up because part of our reform  
18 efforts and our collaborative reform initiative, we really  
19 want the officers who have to do the work and the members  
20 of this department who have to implement those policies to  
21 have a voice, and so their voices need to be heard. And  
22 they are here to speak for themselves as far as what they  
23 see as their professional opinions of -- of these  
24 policies.

25 If you look at the grid, if you've seen the grid

1 already, for those of you, the department has a position.  
2 And when you see "Chief William Scott," that's the  
3 department's position on these issues. But I want to  
4 delineate the difference between the department's position  
5 and officers who are speaking their -- their opinions  
6 because they have a right to do that and it's really  
7 important that they do because, at the end of the day,  
8 this impacts all of us -- the officers who do the work,  
9 the community members who are impacted by the work. And,  
10 ultimately, as it was stated earlier, it's about the  
11 safety and the -- of the city and all of that it entails.  
12 Safety is not just reducing crime. Safety is doing police  
13 work actively and constitutionally. Safety is people  
14 having a comfort level that we are there to help them, not  
15 to hurt them. So "safety" means a lot of things.

16 But the reason I am kind of going on and on  
17 about this is that we want this process to be productive  
18 and helpful. And it's our goal that no voice is drowned  
19 out. Every voice is heard, every opinion will be  
20 considered, and everybody has a right to have that  
21 opinion. So I just wanted to make that clear so everybody  
22 knows kind of what the rules of engagement are here.

23 And, again, thank you for -- for being here this  
24 morning.

25 COMMISSIONER CARTER-OBERSTONE: Great. Thank you,

1 Chief.

2           And just before I hand it over to -- to Alice, I  
3 do want to say that all three of the commissioners here  
4 reviewed the recommendation grids really carefully. And I  
5 just want to thank everyone for the incredible,  
6 thoughtful, and detailed recommendations that we received.  
7 I can tell that many of them took a lot of time and it  
8 involved very close reads of -- of the policy. And this  
9 policy -- I can already tell -- is going to be a lot  
10 better for the recommendations that we've already received  
11 to this point.

12           We're going to try to get through as many of  
13 them as possible. I know that we probably won't be able  
14 to get a chance to get to every single one. But if we  
15 don't get to your specific recommendation, please know  
16 that it's been closely reviewed and considered by us.

17 CHIEF SCOTT: I didn't get one thing [overlapping].

18 ALICE KASSINGER: All right. Thank you guys so much  
19 for coming [overlapping].

20 COMMISSIONER CARTER-OBERSTONE: I'm sorry, Alice.  
21 Alice, [overlapping] --

22 ALICE KASSINGER: Okay. You got two seconds  
23 [inaudible].

24 CHIEF SCOTT: I got two seconds. I have one last  
25 thing -- and I forgot to say this -- but this is really



1 important.

2 We have Tracy McCray, the president of the POA,  
3 here. She is here to speak on behalf of herself. This  
4 does not subvert the POA's legal ability for meet and  
5 confer once this policy is -- is drafted and given to the  
6 Police Commission for approval. I just want to make that  
7 clear because there's been some confusion on that.

8 The POA has a right to be here and voice their  
9 opinions, but they still have a right to meet and confer.  
10 Legally, they still have a right. So I just want to be  
11 very clear on because I think for us to go forward, we  
12 need to all understand what the rules are. And so I just  
13 wanted to thank you.

14 ALICE KASSINGER: Thank you, Chief.

15 UNIDENTIFIABLE SPEAKER: Thanks, Chief.

16 ALICE KASSINGER: Thank you.

17 All right. We're behind, behind, behind, so  
18 we're going to get started. I'm going to take two seconds  
19 just to briefly introduce how we're going to do this  
20 exercise. Some of you may not have had the time or the  
21 ability to read through all the really great  
22 recommendations that were submitted. So we're going to  
23 make sure that when we discuss, we're discussing something  
24 that we've all read and we know what we're talking about.

25 So what we're going to do is members and

1 audience members together, I'm going to split you guys  
2 among these stations on the walls, randomly. I'm going to  
3 give you guys two minutes at each section. You're going  
4 to take the time to quietly read the recommendations that  
5 we have up on the wall. You all have been given dot  
6 stickers.

7           Members of the working group, yours should be  
8 blue. Members of the public, yours should be yellow,  
9 maybe even green. If you run out of stickers, you let me  
10 or my incredible colleague Jeff Jack Palmwright [phonetic]  
11 know. We'll get you some more.

12           What you see is gradients of agreement. So  
13 every recommendation has -- is numbered 1 through 27,  
14 completely randomly. And there's a corresponding number  
15 on the sheet next to it. You will -- remember, quietly.  
16 It's, you know, a legal reason for Brown Act we can't have  
17 small group discussion going on that other people can't  
18 hear.

19           You're going to take your sticker and put it one  
20 of the five options to represent for each recommendation  
21 how strongly you agree or disagree:

22           So it's "I fully agree." "If this was part of  
23 the memo, I would" -- "and I had the ability to pass the  
24 memo, I would do it right now."

25           "I have some reservations." "I like what was

1 put here, but I got some more questions I would want to  
2 ask before moving forward."

3 "Abstain" or "neutral." You don't really have a  
4 comment or a feeling about it.

5 "I seriously disagree with this, and I veto  
6 this." "There is no way I would move forward with  
7 anything on this."

8 Are there any questions about those options or  
9 how this exercise will work?

10 (Working group went into breakout groups.)

11 (Working group reconvenes at 00:37:30.)

12 ALICE KASSINGER: Okay. Thank you, guys.

13 I know -- I heard a lot of feedback. I just  
14 want, you know, my colleague Jeff -- we should have done  
15 this [indiscernible] on the doors. There's Plus/Delta.  
16 We're going to make sure that there are sticky notes. I  
17 want you guys to obviously feel encouraged and free to  
18 write about "Let's talk about this session itself." You  
19 hated that exercise? Write it down. Write down why.  
20 You're welcome to also make suggestions for how you want  
21 it to be [indiscernible] paper as well. You can also note  
22 down things that you want to do next time that you didn't  
23 see today.

24 I'm going to turn it back over to the  
25 commissioners. We just had two diving [phonetic]

1 questions, but we're really going to go back to root  
2 discussion now that we know that everybody has read the  
3 recommendations as best as they could in a very limited  
4 time.

5 I will also remind that recommendations,  
6 verbatim, were printed out in a packet right outside the  
7 doors. So in case you missed that, please, you know,  
8 raise your hand. Let me know. I'm happy to go get some  
9 and bring them to you, especially if you feel like you  
10 didn't get a chance to read them on the wall today.

11 All right, Max and Kevin. Please take it away.

12 COMMISSIONER BENEDICTO: I told you -- real quick,  
13 I'm Kevin Benedicto. I'm on the Police Commission as  
14 well, one of [indiscernible] -- is just to -- I know I  
15 spoke to some people on the side during this process.

16 Just to provide a little bit of additional  
17 context, we -- this is the first time we're trying an  
18 exercise like this. So we really do appreciate the  
19 feedback from the working group and members of the  
20 audience. I would definitely take advantage of the  
21 Plus/Delta that -- that Alice had said.

22 But also that, you know, this exercise is meant  
23 to just be sort of a jumping-off point for the substance  
24 of the discussion and a supplement to the very detailed  
25 recommendations in the recommendation matrix. So, you

1 know, in this instance is the commission going to sort of  
2 look at these dots on here and decide, "Oh, this one got  
3 the most dots. That's the" -- "what's going to be  
4 adopted." The point is to see if there were clusters that  
5 were meaningful and informed the discussion. And that's  
6 the purpose.

7 Another thing is that this working group, as  
8 Commissioner Carter-Oberstone said, is the largest and  
9 most inclusive working group we've done. For those of you  
10 that have been part of the more exclusive, invite-only  
11 working groups, the process could be more freewheeling  
12 because it's smaller and there's nine people around the  
13 table. Because we've chosen to allow more people to  
14 participate in this process, we need mechanisms that  
15 are -- are -- are less [indiscernible] allowing that  
16 discussion and sort of meant to provide us a bit of -- of  
17 feedback in that way. So that -- that was sort of the  
18 guiding thought behind this.

19 We are now going to move into a substantive  
20 discussion but will get your views. And, again, we are --  
21 we are reviewing recommendation matrix very closely. So,  
22 you know, this dot is not the "be all and end all" of your  
23 organization or of your view on any of these  
24 recommendations.

25 Sir.

1 JOHN JONES: The deadline for filing supplemental  
2 suggestions was August 19th, a deadline that I respected.

3 How is it the ACLU gets to file briefs on  
4 August 23rd, filled with this cherry-picked citations that  
5 none of us can look up?

6 The ACLU -- ACLU materials should not be out on  
7 that table. They should be told not so politely to file  
8 their papers on time. My name is John Jones, and I  
9 approve this message.

10 COMMISSIONER CARTER-OBERSTONE: All right. Thank  
11 you. That's -- that's noted.

12 I -- I think the ACLU did submit their  
13 recommendations on time in the grid. And I don't think we  
14 set an explicit deadline for -- for materials out on the  
15 table, which I think were accepted from a number of  
16 groups. But your point is well-taken, and I'm glad to  
17 know somebody is -- is checking citations.

18 JOHN JONES: You know, just file the papers on time  
19 like the rest of us have to. That's all you have to do.

20 COMMISSIONER CARTER-OBERSTONE: Okay. I hear you.  
21 That's convincing.

22 JOHN JONES: What's so special about that?

23 COMMISSIONER CARTER-OBERSTONE: It's -- I'm -- I'm --  
24 very compelling. It's very compelling. I appreciate it.

25 So in -- in our -- we're kind of butting up

1 against the end of our time. I -- I thought that we could  
2 spend some time -- there were some themes in the  
3 recommendation grids and some issues that kind of a lot of  
4 people touched on, and I was hoping we could use some time  
5 as a group to discuss them. I'm just going to flag at the  
6 outset we're not going to be able to get to every one on  
7 every topic, but -- but I do want to kind of make sure  
8 that we get some additional discussion on some of the  
9 things in the recommendation grid.

10           And I'll just start with one thing which is  
11 there were -- one thing -- theme that came up was the  
12 issue of discretion and whether it was a net benefit for  
13 officers to continue to enjoy broad discretion in  
14 enforcing our traffic laws, and other folks felt that --  
15 and I've already added myself -- we're in the camp of --  
16 of limiting officer discretion to address racial  
17 disparities.

18           I think that the POA and Officer Crispin Jones  
19 had some comments on the issue of discretion -- of  
20 maintaining the importance of discretion. And I think  
21 that the coalition and -- and others had suggested that  
22 it's -- about the importance of restricting discretion.  
23 And so I just wanted to open it up on that general topic  
24 first.

25           UNIDENTIFIED SPEAKER: So my opinion about

1 discretion -- and what I spoke about it and what I speak  
2 about it in the academy -- is that by removing discretion  
3 from the officer, they become robotic. They'll have to  
4 issue citations in every situation; they won't be allowed  
5 to consider the human element. So maybe somebody's having  
6 a bad day; maybe somebody has a legitimate excuse for why  
7 they committed the traffic violation. We're talking about  
8 low-level offenses such as burned-out brake lights and  
9 burned-out headlights. There's -- it's common that people  
10 don't know that their taillights and brake lights don't  
11 work because they don't walk around behind their car. And  
12 if we remove the discretion, then the officer would have  
13 to issue citations in every situation because they're not  
14 allowed to consider the human element; they're not allowed  
15 to have the discretion to advise somebody of a violation.  
16 And taking that away from them, I think, goes down a very  
17 slippery slope.

18 UNIDENTIFIED SPEAKER: So like -- like him, I'll just  
19 chime in. But I think my perception of what we're trying  
20 to do with removing discretion is not removing an  
21 officer's discretion to let somebody off with a warning or  
22 [inaudible]. I think the -- it is [inaudible] discretion  
23 to -- to limit what happens after the stop occurs so that  
24 the -- the stop is really just to the violation, not to  
25 matters that are not going to the violation.



1           So when I think of discretion, I think it's kind  
2 of that because that [indiscernible] behavior and their  
3 [indiscernible] harm [phonetic] is like -- that are --  
4 that result from those interactions. So my view of  
5 discretion is not necessarily the same although I -- I  
6 think I -- I do agree with you because people have bad  
7 days and there's reasons why their taillight is busted,  
8 and there might be a reason to let somebody off with a  
9 warning or fix-it ticket or whatever. But I think it's --  
10 my view of it that it's tailored with discussion of  
11 discretions [inaudible] what happens on matters that are  
12 not even [inaudible].

13           TRACY McCRAY: I hear you on that. But, also, when  
14 you have traffic stops for investigative purposes. So we  
15 have people -- you know, our Plainclothes Unit or Crime  
16 Violence Reduction Unit, you know, it's different from  
17 when the traffic people [indiscernible] doing enforcement,  
18 right?

19           UNIDENTIFIED SPEAKER: Uh-huh.

20           TRACY McCRAY: They're in uniform, and they're seeing  
21 somebody that commit a violation and they're stopping them  
22 for that violation -- right? --

23           UNIDENTIFIED SPEAKER: Uh-huh.

24           TRACY McCRAY: -- versus where our specialized units  
25 who are investigating some serious, serious crimes, they

1 have the discretion about talking to someone to see about  
2 a particular crime, right? Our whole job is based on  
3 discretion. And if you start limiting that and putting  
4 rules and curtailing that, where else will you do that in  
5 other areas that we -- we work in?

6 UNIDENTIFIED SPEAKER: Uh-huh.

7 TRACY McCRAY: So I get -- you know, we have to have  
8 that because it's the spirit of the law, the letter of the  
9 law.

10 And, look, I got stopped this morning on my way  
11 to work. You know, a guy got me with the -- with the  
12 LiDAR. I was doing -- it was 35; I was going 45. I never  
13 said who I was. He came up to the window. I was like,  
14 "Yeah, you caught me" --

15 UNIDENTIFIED SPEAKER: Uh-huh.

16 TRACY McCRAY: -- because I was trying to get to work  
17 because we had a little break-in this morning, but  
18 whatever. But he used his discretion, and I didn't say  
19 who I was.

20 UNIDENTIFIED SPEAKER: Uh-huh.

21 TRACY McCRAY: And I was like, "Yup, you got me." I  
22 couldn't -- couldn't argue with the -- with the LiDAR,  
23 right? So, you know, he had this discretion and used it.

24 UNIDENTIFIED SPEAKER: I -- I love the idea of  
25 downside discretion.

1           COMMISSIONER CARTER-OBERSTONE: I'm sorry, Mike. Can  
2 we just get -- Susan's had her hand up for a while.

3           UNIDENTIFIED SPEAKER: Yes.

4           MIKE: Oh, I'm sorry.

5           COMMISSIONER CARTER-OBERSTONE: Sorry.

6           SUSAN BROCKMAN: No, that's all right.

7                   I wanted to make two points: One to follow up  
8 on what Brian was saying is that I actually see discretion  
9 a little bit different. Discretion happens before the  
10 stop is made, the discretion to decide to stop someone for  
11 something that really is insignificant. So I think that  
12 an officer making discretion in that part, I think  
13 [inaudible] discretion of [indiscernible] earlier.

14                   And then as to the issue of officers having  
15 discretion, I think that it's so often exploited and  
16 abused --

17           UNIDENTIFIED SPEAKER: Uh-huh.

18           SUSAN BROCKMAN: -- that it's no longer something  
19 that we feel [inaudible] police exercise [inaudible].

20           UNIDENTIFIED SPEAKER: Uh-huh.

21           SUSAN BROCKMAN: And then if there weren't an issue  
22 of racism and [inaudible] stops coming up and if every  
23 stop was fair, we would say officers used their discretion  
24 [indiscernible] and all the time and [inaudible]  
25 discretionary. That's not true. I think discretion has

1 become a tool in which officers can operate on  
2 [inaudible].

3 UNIDENTIFIED SPEAKER: Can I ask you, Max, to back up  
4 a couple of slides to the -- what was it? -- the broken  
5 taillight, the data [overlapping].

6 UNIDENTIFIED SPEAKER: No, it's to the license plate.

7 UNIDENTIFIED SPEAKER: License plate. Sorry.

8 Just to use it as an illustration, Tracy, what  
9 you were saying, you know, how many of those stop are  
10 conducted by plainclothes officers versus uniformed cops?

11 You know, and I think it's because the racial  
12 disparities are so substantial there, I think, you know,  
13 it's important to really think about, Yeah, you can have  
14 the discretion. What was the harm caused by -- you know,  
15 to the community?

16 You know, Chief's got [inaudible]  
17 [indiscernible] Department of Safety and [inaudible]. And  
18 I think we have to be very clear about the fact that  
19 there's a lot of psychological harm, not to mention  
20 physical harm and other risks, that accompany a traffic  
21 stop.

22 So you can -- I think when we talk about that,  
23 you have to be -- that has to be [inaudible] of that  
24 discussion. So to me, you know, focusing on whether or  
25 not someone has discretion [inaudible] non-uniform versus

1 uniform, you know, the -- the data is very clear. And I  
2 think -- I mean, that's -- I think that's what we're  
3 trying to do is like try to -- try to craft a policy that  
4 limits that discretion because that's the result of  
5 discretion -- right? -- the disparities. So that's the  
6 problem [inaudible].

7 UNIDENTIFIED SPEAKER: [Inaudible] was saying a  
8 shared concern [inaudible]. I mean, why is that -- there  
9 is undue weight in an -- in -- in an outside -- outsized  
10 role and in a permissible role --

11 UNIDENTIFIED SPEAKER: Uh-huh.

12 UNIDENTIFIED SPEAKER: -- to the officer's calculus  
13 for something that -- such as race, anything they can  
14 perceive here, right? That's what we're trying to remove.

15 And the challenge here is try to capture that,  
16 right? And so if we can remove that underlying reason  
17 where a stop has little to do with a technical stop --  
18 right? -- it's -- it's -- it's pursuing -- it's  
19 investigating a crime that they've not identified; they're  
20 looking for something. So that's -- that's [inaudible].

21 UNIDENTIFIED SPEAKER: [Indiscernible].

22 UNIDENTIFIABLE SPEAKER: [Indiscernible]. We've  
23 spoken before.

24 I wish we could, you know -- we could really  
25 improve this and this would fix the racism over the last

1 50 to 60 years. It will not. And there are certain  
2 things that are helpful.

3 But like I said, to be fair, when you remove,  
4 you know, any -- any matter, like you said, that this is  
5 what we must do no matter, a lot of the time, who is going  
6 to pay the -- pay the price for that? It will be the  
7 public. We won't have the option of giving someone a  
8 break. And this is any of the communities.

9 I've grown up in all of them in the city from  
10 day one. So I've had the -- the unfortunate feeling of  
11 being -- of feeling disparity as far as how things were --  
12 why I was stopped, the wrong reasons; some for the right  
13 reasons. So I've experienced all that.

14 So when you take away an officer's discretion  
15 completely, you also -- so you take some of the  
16 neighborhoods that we're speaking of. So say Bayview.  
17 That's where most of my time is spent. You have a --  
18 there's a huge problem. Part of that problem is the whole  
19 neighborhood was just neglected for about 30 years. And  
20 so now -- and I understand we do need to address -- these  
21 types of meetings have to happen; change in the police  
22 department does have to happen. I just say that you need  
23 to take care in what you remove from the department --

24 UNIDENTIFIED SPEAKER: Uh-huh.

25 UNIDENTIFIED SPEAKER: -- because in order to -- for

1 the citizens of the city to get what they want and  
2 deserve, officers need to have some of that latitude in  
3 order to give you what you want. If you take care -- take  
4 it away completely, you will not get it. It's just -- you  
5 know, these are just hard issues to have to consider  
6 [inaudible].

7 COMMISSIONER CARTER-OBERSTONE: I appreciate that,  
8 and -- and I do want to just address that point and --  
9 and -- because Officer Jones said something similar.

10 I do just want to clear as a factual matter,  
11 this draft as it currently exists would not take away all  
12 officer discretion. And in fact Commander Yep, in one of  
13 our closed-door meetings when we were drafting this  
14 policy, made a point that when he was doing traffic  
15 enforcement, sometimes he would pull somebody over for a  
16 moving violation and exercise his discretion to give them  
17 a ticket for a lower violation, for an equipment violation  
18 instead because of the particular circumstances.

19 This DGO -- I -- I heard that, and I thought it  
20 was a great point. And this -- this DGO has an exception  
21 for exactly that situation that Commander Yep called out  
22 where, you know, he identified some low-level violations  
23 that we don't want officers to make stops for; but you can  
24 ticket someone for that violation if you pulled them over  
25 for, say, a moving violation and you want to give them a

1 break and give them a ticket for a lower -- for -- for a  
2 lower infraction.

3 So I do this as a -- as a factual matter so I  
4 make clear what's currently -- we're all currently doing.  
5 I would still permit a lot of discretion to -- to not  
6 enforce or to enforce for a lesser offense.

7 If there's going to be one more comment on this,  
8 Chief, and then let's move on.

9 CHIEF SCOTT: Okay.

10 COMMISSIONER CARTER-OBERSTONE: Okay. We'll take two  
11 more comments, and then we'll move on to the next issue.

12 UNIDENTIFIED SPEAKER: Right.

13 COMMISSIONER CARTER-OBERSTONE: Chief -- or I'm  
14 sorry.

15 Do you want to go first?

16 UNIDENTIFIED SPEAKER: Yes.

17 Okay. I want to agree that I'm not hearing  
18 ultimatums of officers have unlimited discretion.

19 [Inaudible] really the case that all -- they're still  
20 limited by the law, by our constitution, by existing  
21 policies. And I see this as a chance to revise in what  
22 are the limits of the discretion. I hope you find it in  
23 this particular circumstances. And we're trying to get at  
24 the real issue of the racial disparities and of the  
25 pretextualness and that pretext where it comes in to



1 questioning and how it goes beyond what -- what we're  
2 stopped for.

3           So I, again, just want to echo I'm not hearing  
4 this debate of, "Oh, we have to completely remove  
5 discretion" or give unlimited, but it is about what is the  
6 policy limits to ensure people's rights are protected and  
7 that we can address the extreme disparities that we see  
8 coming out of [inaudible] stops.

9           COMMISSIONER CARTER-OBERSTONE: Great. Thank you.

10           Chief, do you want to have the last word on  
11 this?

12           CHIEF SCOTT: Yeah, I -- so it's kind of similar to  
13 what we just said here.

14           Really, the policy questions in our minds are  
15 what happens -- "What types of discretion are we talking  
16 about limiting?" Because we -- you know, part of this --  
17 our -- our -- the forum [phonetic] initiative, we've been  
18 working with a lot of academic partners, including the  
19 Center for Policing Equity, Spar -- Stanford. And I think  
20 there's agreement among the academic community that there  
21 needs to be limits to discretion. The issue is what does  
22 that mean.

23           So does it mean limit searches? Does it mean  
24 limit certain types of offenses? Does it mean limiting  
25 pretext stops?

1           These are all things that are on paper now in  
2 policy. And I -- and for what we're trying to do as an  
3 organization is find this balance between what that means  
4 and the other part of the equation is how that impacts the  
5 general public and public safety and the officers who have  
6 to do their job who want to protect the public.

7           So I know that it's a little bit similar to what  
8 you said. I think that the difficulty in this  
9 conversation is what's the [indiscernible] right here?

10           The department is taking the position that we  
11 realize in order to change the disparities issue, we're  
12 going to have to limit discretion. What we're trying to  
13 find is the balance of what discretion is reasonable to  
14 the limit where officers can still do the things that they  
15 need to do to keep the public safe within the scope of  
16 their duties. So I think that's the real discussion that  
17 we're -- we're here for.

18           COMMISSIONER CARTER-OBERSTONE: Great.

19           UNIDENTIFIED SPEAKER: [Inaudible].

20           UNIDENTIFIED SPEAKER: Oh, good.

21           UNIDENTIFIED SPEAKER: No [phonetic]?

22           UNIDENTIFIED SPEAKER: Just as a reminder, whenever  
23 anybody speaks, if you wouldn't mind, just say your name  
24 prior. That way, it makes it a little bit cleaner for the  
25 news. Thank you.

1 UNIDENTIFIED SPEAKER: Great.

2 COMMISSIONER CARTER-OBERSTONE: Great. Thank you.

3 So that was great. Appreciate everyone's  
4 thoughts on that. I wanted to move on to something else  
5 that came up in the recommendation grids which is the  
6 issue of parole and probation searches, Incident 2,  
7 "Traffic stop."

8 This is something that, if I recall, three  
9 participants -- or three working group members brought up:  
10 The Department of Police Accountability, Officer Jones  
11 raised this issue, and Officer -- the coalition raised  
12 this issue.

13 And there wasn't 100 percent overlap, but there  
14 was some support, I think, between all three members on  
15 the notion that there should be some limits. And it's not  
16 necessarily something I went into this thinking that --  
17 that this -- this group would have overlap on.

18 So to be clear, currently, the draft policy says  
19 nothing about placing any limits whatsoever on parole or  
20 probation searches or questioning incident to a traffic  
21 stop, but it was raised by those three commenters. So I  
22 did want to open up for discussion on that topic.

23 JANELLE CAYWOOD: [Inaudible].

24 UNIDENTIFIED SPEAKER: [Inaudible].

25 JANELLE CAYWOOD: Good morning -- or good afternoon.

1 I am Janelle Caywood. I'm a policy director at the  
2 Department of Police Accountability.

3 From our perspective, because pretext stops,  
4 whether or not they're occurring, is often [indiscernible]  
5 on the state of mind of the officer who want to limit  
6 behaviors that are the hallmark of pretext stops.

7 In the earlier drafts that we developed with the  
8 commissioner and with Chief Scott, we requested that  
9 during the course of traffic stops, that consent searches  
10 and questions about unrelated investigations be limited.  
11 That made it into the draft.

12 Our third recommendation is that there not being  
13 probation and parole searches conducted on the heels of a  
14 traffic stop.

15 So those are the three hallmarks in argue  
16 [phonetic] of a probation stop. You pull some over --  
17 someone over for a minor traffic offense. The officer  
18 starts questioning them about unrelated crimes. That  
19 issue is addressed in the policy. The officer asks for  
20 consent to search. That's addressed in the draft policy.  
21 But we also think that there needs to be parameters or  
22 guardrails limiting officers from conducting probation and  
23 parole searches on the heels of a routine traffic  
24 infraction.

25 COMMISSIONER CARTER-OBERSTONE: Okay. Thank you.

1           OFFICER SERIN:  Yeah, I'm Officer Serin [phonetic],  
2 Northern station.

3                   Is there any direction that -- you know, here,  
4 we're not supposed to ask questions.  And I'm -- I can get  
5 on board with that.  If I pull you over for a tint  
6 ticket -- or a tint violation or no license plates on your  
7 car, come up to the car, "Officer Serin.  License" -- "I  
8 pulled you over.  You have no license plates on your car."

9                   You're supposed to have two, right?  In the  
10 state of California, in legislation, everybody's supposed  
11 to have two.  I pay my registration; I pay my insurance,  
12 just like probably everybody in this room.

13                   They don't got any ID on them.  So now what?  Do  
14 I -- can I ask you where you live?  Can I ask you if  
15 you're on probation or parole because maybe I can identify  
16 you that way.  "Have you been arrested in the city?"  
17 That's -- that's [indiscernible] available to me?

18                   There has to be some -- some guidelines.  I  
19 mean, you can't -- like, does everybody in this room --  
20 does everybody in this room want no cars on the roadway  
21 with license plates and no lights on at night and -- like,  
22 is there -- can we all be on that level that we probably  
23 shouldn't have cars on the roadway that are fully tinted  
24 out where we can't see who's in it?  Ninety percent of the  
25 time I can't see -- I just see an egregious movement, a

1 CDC violation, and I make a stop. I use discretion all  
2 the time. Cops use discretion. We [phonetic] advise --  
3 You said 4,000 -- 4,000 stops were made in 2019  
4 for license plates. Out of those stops, 85 percent  
5 nothing was found. In 2019, there was 103,000 stops.  
6 That's what your office gave me last week, 103,000. So  
7 you said I have 103,000; 4,000 were stopped for license  
8 plates. A very -- very, very low percentage on a license  
9 plate.

10 COMMISSIONER CARTER-OBERSTONE: I do just want to  
11 stay let's stay on top- -- like, there's a --

12 UNIDENTIFIED SPEAKER: Yeah.

13 COMMISSIONER CARTER-OBERSTONE: -- we're going to get  
14 to all of this throughout these working groups --

15 OFFICER SERIN: Okay.

16 COMMISSIONER CARTER-OBERSTONE: -- a lot of points  
17 you're raising. But we are trying to confine it to the  
18 subject matter for each working group and, within subject  
19 matter for each working group, specific questions that I  
20 want us to be able to get to today before we leave.

21 OFFICER SERIN: Oh [inaudible].

22 COMMISSIONER CARTER-OBERSTONE: So I hear you. I  
23 appreciate your -- your comment.

24 OFFICER SERIN: Do you agree we shouldn't have cars  
25 on the roadway with no license plates and fully tinted

1 out -- do you agree with that? --

2 COMMISSIONER CARTER-OBERSTONE: I --

3 OFFICER SERIN: -- driving around whoever -- in  
4 whatever neighborhood, whenever you want? Do you think we  
5 should have that?

6 COMMISSIONER CARTER-OBERSTONE: Well, it -- honestly,  
7 I would love to have this conversation with you, but it's  
8 not on topic right --

9 OFFICER SERIN: [Overlapping].

10 COMMISSIONER CARTER-OBERSTONE: It's not -- right  
11 now, I want us to be able to discuss --

12 OFFICER SERIN: Okay.

13 COMMISSIONER CARTER-OBERSTONE: -- parole and  
14 probation searches, which is the topic, and --

15 OFFICER SERIN: Yes, sir.

16 COMMISSIONER CARTER-OBERSTONE: -- and -- and please  
17 save your question, please save your comment --

18 OFFICER SERIN: Yes, sir.

19 COMMISSIONER CARTER-OBERSTONE: -- for our next  
20 working group meeting where we will be talking about the  
21 stuff that --

22 OFFICER SERIN: I'll be there.

23 COMMISSIONER CARTER-OBERSTONE: -- you just raised.

24 OFFICER SERIN: Yes, sir.

25 COMMISSIONER CARTER-OBERSTONE: And I think I just

1 made a mistake. I shouldn't have called on you because  
2 this right now is for working group members.

3 OFFICER SERIN: I apologize.

4 COMMISSIONER CARTER-OBERSTONE: And there's -- no  
5 need for apologies. My mistake.

6 But there will be a public comment portion at  
7 the end of this where anyone from the public can comment.  
8 So I was out of order by --

9 OFFICER SERIN: Thanks for letting me [overlapping].

10 COMMISSIONER CARTER-OBERSTONE: You had a very  
11 assertive hand raise, and I just kind of went with it.  
12 But --

13 (Unidentifiable speakers speaking  
14 simultaneously is indiscernible and/or  
15 inaudible and not transcribed.)

16 COMMISSIONER CARTER-OBERSTONE: But that was my  
17 mistake.

18 John, I'm sorry. Your comment is also going to  
19 have to wait for a public comment [overlapping].

20 UNIDENTIFIED SPEAKER: [Indiscernible].

21 UNIDENTIFIED SPEAKER: [Inaudible].

22 COMMISSIONER CARTER-OBERSTONE: Yes, please. On  
23 parole/probation searches. We're still on that.

24 UNIDENTIFIED SPEAKER: Yes, thank you. Absolutely.

25 I agree with what -- what DPA has stated that



1 even people stopped and being asked that question can  
2 indicate the bias itself to assume that, you know, people  
3 of color are more likely to be on probation and parole.

4 We are recommending that the question be  
5 prohibited entirely or that there will be blanket language  
6 about prohibiting questions that are unrelated to the stop  
7 and to the reasons for the stop.

8 And having a probation or parole violation is a  
9 very different type of -- type of events than a traffic  
10 infraction/traffic violation [inaudible] separate  
11 reasonable suspicion or probable cause for that to occur.

12 UNIDENTIFIED SPEAKER: All right. Chief?

13 CHIEF SCOTT: Yeah, I -- and so there's -- I think  
14 there's a couple issues to unpack here.

15 Where the department is in agreement is officers  
16 should be -- there's discretion about the officer walking  
17 up on a traffic stop and saying, "Are you on probation?"  
18 "Are you on parole?" without any other reason to say that.  
19 The department is in agreement that that's not  
20 [indiscernible] in the course of the way things are.

21 UNIDENTIFIED SPEAKER: Uh-huh.

22 CHIEF SCOTT: However, the -- the flip side of that  
23 is in the course of that traffic stop, say the officer is  
24 doing the -- the records -- I mean, the check on the  
25 license or whatever. They're going to run the person for

1 warrants; they're going to run a person. If that parole  
2 flag then comes up, I think this is where the department  
3 is slightly in a different position because when you are  
4 on parole, you're -- you're -- basically, you have signed  
5 a document say -- that says "In order to get out of  
6 prison, I have to abide by these certain conditions,"  
7 correct?

8           And if those conditions are -- if an officer  
9 then asks them basic questions as a part of that traffic  
10 stop investigation, I think we really need to think that  
11 through because these are the type things -- and this is  
12 feedback that I'm getting from officers -- that there's a  
13 little skepticism because now you're getting into an area  
14 where we're -- we're really inhibited from doing the job  
15 that I think we should be doing.

16           I think we're all for limiting asking the  
17 question. But during the course of the investigation,  
18 officers they have to run the person. It is a part of  
19 what they do on a traffic stop. That's what they do. And  
20 that's what they should be doing.

21           So if they find out that person is in parole,  
22 they already know where -- our position was if there is  
23 evidence of criminal activity, then that can be taken to a  
24 further degree. So, I mean, I -- I -- I think we're  
25 partially together on that, but I think we're -- we're not

1 on what happens after an officer discovers what -- whether  
2 or not a person is on parole, if that makes sense.

3 UNIDENTIFIED SPEAKER: My -- my question is really if  
4 you're stopping somebody for a traffic stop, how does --  
5 invoking their parole search or probation search, how is  
6 that useful?

7 If -- if you're stopping them for the broken  
8 taillight, you come up, you talk with them, you issue the  
9 ticket for the broken taillight.

10 What benefit or purpose is there to execute a  
11 search, a parole or probation search?

12 CHIEF SCOTT: Well, it's not our position that that's  
13 an automatic thing. But we've discussed internally in  
14 our -- in our internal work group meetings is if there is  
15 some type of reasonable -- reasonable suspicion from that  
16 point and the search is -- it should be proper for an  
17 officer to do a parole search at that point because if you  
18 know a person is on parole -- they blew a stop sign. You  
19 run them. They're on parole. You verify it because  
20 sometimes the system is [indiscernible] still on parole.  
21 And then you see something that indicates criminal  
22 activity.

23 Are we saying -- well, we're -- we're saying  
24 that that should be okay for that officer to take that to  
25 whatever degree of searching you need to search to further

1 investigate that reasonable suspicion. I think --

2 UNIDENTIFIED SPEAKER: But I'm saying like say you --  
3 I -- you stop them for the taillight. You're issuing the  
4 ticket for taillight. You find out he's on parole and he  
5 has a search condition. So at that -- no other -- there's  
6 nothing else. He hasn't made any furtive movements, no  
7 other -- no other factors.

8 So at that point -- because the only thing that  
9 is known to you is that he has a search condition, so at  
10 that point do you get to say, "All right. I get to search  
11 you because you're on parole"?

12 CHIEF SCOTT: No. What -- what --

13 UNIDENTIFIED SPEAKER: I guess I'm trying to  
14 understand the correlation between the two. Like, I  
15 stopped you for the traffic violation. I now find out  
16 you're on parole and you have search conditions.

17 Do I get to exercise that?

18 CHIEF SCOTT: Well, as part of -- our position was if  
19 there are other things there, then yes.

20 But to just ignore or not ask the question or  
21 not determine whether a person is parole -- is -- is on  
22 parole is -- we're in disagreement with that.

23 UNIDENTIFIED SPEAKER: So they should be able to ask,  
24 "Hey, are you on probation or parole?"

25 CHIEF SCOTT: No, no, that's -- so in a traffic

1 stop -- they ran a stop sign.

2 UNIDENTIFIED SPEAKER: Right.

3 CHIEF SCOTT: The restriction should be you don't go  
4 up and ask, "Are you on parole?"

5 Okay. You run the person. And then  
6 [indiscernible] --

7 UNIDENTIFIED SPEAKER: Right.

8 CHIEF SCOTT: -- yeah, they're on parole.

9 UNIDENTIFIED SPEAKER: Okay.

10 CHIEF SCOTT: And that, with other factors, will  
11 trigger that parole search.

12 UNIDENTIFIED SPEAKER: If the other factors are  
13 reasonable suspicion that a separate crime occurred, I  
14 mean, I could get behind that barrier.

15 What we're trying to -- what we don't want is  
16 probation or parole searches on the heels of a traffic  
17 violation only, because we want to avoid "hotspot"  
18 policing which is a term where officers go into high-crime  
19 neighborhoods, see a Black youth in a hoodie and say,  
20 "Okay. Well, maybe they're on probation or parole. It's  
21 a crap shoot. Let's pull them over for this tick" --  
22 ticky-tacky thing" for the purpose of conducting a  
23 probation or parole search, if they happen to be on it.  
24 That's what we want to avoid.

25 But if there's a boundary around it where

1 officers can conduct a probation or parole search if  
2 there's reasonable suspicion for a separate crime, then I  
3 think that -- that's like a guardrail we could live with.

4 CHIEF SCOTT: Yeah, I mean, we're trying to put  
5 guardrails. We -- we understand the issue at hand so I  
6 took the commissioner's question.

7 Where this conversation has gone is that  
8 officers should just ignore the parole issue altogether,  
9 and I -- we don't agree with that.

10 COMMISSIONER CARTER-OBERSTONE: Okay. Great.

11 I want to get to one last -- one last topic  
12 before we go.

13 John, your comments may have to wait till the  
14 public comment at the end.

15 UNIDENTIFIED SPEAKER: [Inaudible].

16 COMMISSIONER CARTER-OBERSTONE: No. You have to  
17 wait -- no, no, no, you're going to have to wait --

18 UNIDENTIFIED SPEAKER: [Overlapping].

19 COMMISSIONER CARTER-OBERSTONE: -- until general  
20 public comment to -- to make your comment or question.

21 UNIDENTIFIED SPEAKER: [Inaudible].

22 JOHN JONES: I think we all agree that  
23 [overlapping] --

24 COMMISSIONER CARTER-OBERSTONE: John, John, John,  
25 I -- I'm so sorry to interrupt, but right now we're --

1 we're having a working group [indiscernible] discussion.

2 JOHN JONES: I'm sorry. [Overlapping] --

3 COMMISSIONER CARTER-OBERSTONE: If you have a -- if  
4 you have a comment --

5 JOHN JONES: Yes.

6 COMMISSIONER CARTER-OBERSTONE: -- it's going to have  
7 to wait for a public comment at the end.

8 UNIDENTIFIED SPEAKER: He's on the board.

9 JOHN JONES: Public comment [indiscernible]?

10 COMMISSIONER CARTER-OBERSTONE: [Overlapping] --

11 JOHN JONES: Am I not a member of the public?

12 COMMISSIONER CARTER-OBERSTONE: Yes. But we're not  
13 doing public comment right now.

14 JOHN JONES: I see.

15 COMMISSIONER CARTER-OBERSTONE: Okay.

16 [Overlapping] --

17 JOHN JONES: So this colloquy is supposed to be for  
18 our mutual benefit. Is that it?

19 COMMISSIONER CARTER-OBERSTONE: I think that's it.

20 JOHN JONES: That's it? Okay.

21 COMMISSIONER CARTER-OBERSTONE: I think that's it.

22 Thank you.

23 Okay. Last topic that I wanted to -- to cover  
24 before we leave. There was the issue -- and this is less  
25 of a policy issue but more of a -- a form issue.

1           There were various comments about the need for  
2 either more concision in the document, and others had the  
3 opposing view that -- that we needed to -- to have more  
4 explanation.

5           So POA, in -- in -- in two different areas, I  
6 believe, said we need to be way more concise; we need to  
7 cut this down. And the reason given, I think, in both  
8 instances was clarity for officers in the field who will  
9 need to be, you know, pulling this up on their phone at  
10 2:00 a.m., perhaps, to figure out what they're supposed to  
11 do.

12           UNIDENTIFIED SPEAKER: Uh-huh.

13           COMMISSIONER CARTER-OBERSTONE: There was BASEF  
14 [phonetic] -- who's not, I think, present today -- they  
15 had a comment basically using the same rationale, saying  
16 that for the benefit of officers, we actually need to  
17 provide way more context "because you haven't brought  
18 enough context here. So here is a rewrite that is way  
19 longer than what you're currently doing."

20           And as someone who has zero experience enforcing  
21 our traffic laws, this is something that I was actually  
22 very interested to hear from -- from folks about what is  
23 most helpful to the end user of the DGO in terms of should  
24 we have a document where we provide a lot of explanation  
25 and background so folks feel like, "Okay. I'm not"



1 [inaudible] "doing this. I understand why this document  
2 says what it does" or is it better to just have something  
3 more bare bones that just is a clear cookbook for what you  
4 need to be doing?

5 I would love to hear any thoughts on that as a  
6 last topic before we move on.

7 UNIDENTIFIED SPEAKER: Well, you know, I've always  
8 been with the "clear and concise," which -- and it's true.  
9 I mean, officers need that, whether it's 2 at -- 2:00 a.m.  
10 in the morning or 2:00 p.m. in the afternoon because they  
11 don't want to be sitting there, leafing through, you know,  
12 basically a textbook of, you know, words and phrases.  
13 They need to understand what it is you want them to do.  
14 And that's what these policies, you know, are supposed to  
15 be able to tell them, right? If they have a question,  
16 clear and concise -- right? -- and talk about --

17 Yeah, we don't teach -- you know, the -- in the  
18 academy when you do your traffic stops, you know, it's  
19 identify yourself, state the reason you stopped them,  
20 "Please give me your license, registration, and  
21 insurance," and go back and do it from there.

22 If the parole or probation is going to show --  
23 it's going to pop up when you run them --

24 UNIDENTIFIED SPEAKER: Right.

25 UNIDENTIFIED SPEAKER: -- you know. And then it's

1 going to say, oh, they have a search condition. You have  
2 the authority to exercise that. Your discretion is do you  
3 want to.

4 UNIDENTIFIED SPEAKER: Right.

5 UNIDENTIFIED SPEAKER: Is there other reasonable  
6 suspicion that is added to the weight of what you just  
7 found out -- right? -- and then act on it.

8 And so it's just like, just the policies have to  
9 be clear and concise.

10 UNIDENTIFIED SPEAKER: And I think to remove the --  
11 to -- to make the policy clear and concise removes any  
12 ambiguity that the officer, at 2:00 in the morning, isn't  
13 having to research a policy and read through it and then  
14 call their sergeant and say, "What should I do here?" It  
15 should be very clear and concise. They should understand  
16 that this is what they should do when faced with these  
17 situations, not just for traffic but for all of our  
18 policies.

19 COMMISSIONER CARTER-OBERSTONE: Susan.

20 SUSAN BROCKMAN: I think that making something  
21 concise definitely allows a lot of ambiguity because if  
22 they -- if it says don't do this, then what about that?  
23 What about that?

24 And I think that if -- if you think that an  
25 officer cannot absorb a lot of information in a policy,

1 then they should not be acting on their discretion or act  
2 upon it. And if they are unsure of a policy, they should  
3 be calling their sergeant or calling someone for more  
4 information.

5 So I do worry that -- that if you leave  
6 something so vague, you're going to have them just doing  
7 anything that they want.

8 COMMISSIONER CARTER-OBERSTONE: Brian and then  
9 [inaudible], do you want to do it?

10 UNIDENTIFIED SPEAKER: Yes, sir.

11 COMMISSIONER CARTER-OBERSTONE: Well, let's have  
12 Brian and then [inaudible].

13 BRIAN COX: I assume this is going to be in the  
14 training rotation protocol for this.

15 UNIDENTIFIED SPEAKER: Yes [phonetic].

16 BRIAN COX: [Indiscernible] like our policies  
17 [inaudible]. So I [indiscernible], you know, [inaudible].

18 But will the training kind of distill some of  
19 that? [Inaudible] bullet points for people even if the  
20 policies -- and they're substantive -- to kind of flesh  
21 out these complex ideas?

22 UNIDENTIFIED SPEAKER: That's -- that's generally how  
23 I do it is I reduce it into bullet points, and they're  
24 easy to understand.

25 BRIAN COX: So then --

1 UNIDENTIFIED SPEAKER: And then I provide examples  
2 of -- of those situations.

3 BRIAN COX: Uh-huh.

4 UNIDENTIFIED SPEAKER: Then the officer kind of  
5 [inaudible].

6 BRIAN COX: I have no questions.

7 COMMISSIONER CARTER-OBERSTONE: Okay. Okay. Chief  
8 and then [inaudible].

9 UNIDENTIFIED SPEAKER: I'm fine [inaudible].

10 COMMISSIONER CARTER-OBERSTONE: Okay. So the chief  
11 and then Commander Jones.

12 CHIEF SCOTT: Yeah. We're talking about the purpose  
13 part -- right? -- the [overlapping].

14 COMMISSIONER CARTER-OBERSTONE: You know what?  
15 Really, any section.

16 CHIEF SCOTT: Okay.

17 COMMISSIONER CARTER-OBERSTONE: The -- the comments  
18 we got were various sections. But, yeah, purpose was one  
19 of them.

20 CHIEF SCOTT: Okay. Great. Thank you.

21 Well, I was just going to say I -- I think what  
22 I'm hearing, it is important that we have the context of  
23 the why. The question -- policy questions, whether that  
24 context needs to be in a policy. And I think there's  
25 other ways -- there -- and I think there are other ways to

1 get at that, like Crispin was just saying.

2           The feedback that I get as far as that is -- and  
3 I'm not going to repeat what Tracy said, but I'll  
4 reiterate it. You know, we have all these paragraphs  
5 that -- that are, you know, historical context and things  
6 like that. I'm not saying they're -- it's not important,  
7 because it is. The officer -- and I understand why  
8 they're, you know, grasping at getting to what we want  
9 them to get to.

10           However, these policies become so voluminous  
11 that it just kind of gets kind of lost in -- in the noise.  
12 And I think there are other ways to get -- to get at that.  
13 And what we were trying to do, when we incorporate an  
14 implementation plan, is to really focus on some of the  
15 "why" in the discussions as we implement the policies.  
16 That also will be documented because when we have a lesson  
17 plan or we have a module of training, we -- we document  
18 that as well.

19           But what I'm hearing feedback from the -- the  
20 officers who have to read these policies and apply them is  
21 these things will come just kind of -- it gets lost in --  
22 in all the flowery language and all that; the meat of what  
23 we're trying to tell them what they need to do gets lost.

24           UNIDENTIFIED SPEAKER: [Inaudible].

25           CHIEF SCOTT: So that's what we're trying to have

1 that balance in.

2 I'm for concise and really making the -- the  
3 contextual part, keeping it -- keeping it as concise as --  
4 as we can keep it. I'm not saying it shouldn't be there  
5 at all, but I think we need to really try to not have just  
6 voluminous paragraph after paragraph of opinions and  
7 things like that that really don't help the policy move  
8 forward.

9 So that -- that's kind of what the department's  
10 position [inaudible] discussion [inaudible].

11 COMMISSIONER CARTER-OBERSTONE: Okay. Let's have  
12 Commander Jones.

13 And then, Rome, did you want to say something?

14 And I think those would have to be the two last  
15 comments because the commissioners actually have an  
16 officer -- a town hall after this that you don't want to  
17 be too late to.

18 COMMANDER JONES: I also just wanted to advocate for  
19 clear and concise, but I wanted us all to be on the same  
20 page about what we mean when we say "clear and concise"  
21 because that means different things to different people.

22 I think that if we make a statement to our  
23 officers that says, "Absent reasonable suspicion or  
24 probable cause, you shall not" X, Y, Z, that's clear and  
25 concise for us.

1           I think what I would advocate for is to give a  
2 little credit that, you know, we understand what  
3 "reasonable suspicion" means and we're continuing to train  
4 on it and that we don't need a road map Step 1, Step 2,  
5 Step 3, Step 4, Step 5 that we can -- you know, we will be  
6 able to understand and train those concepts. So I just  
7 wanted to make that statement.

8           UNIDENTIFIED SPEAKER: [Inaudible].

9           ROME JONES: I just wanted to say I hope "clear and  
10 concise" isn't like some slippery language for "vague and  
11 open to interpretation" because that -- that's kind of  
12 what I'm getting, and that sounds like kind of dangerous.

13           So I actually would envision that there's a way  
14 to do both of these things: Have a longer explanation and  
15 a shorter one. I'm sure, like, in the moment of  
16 decisions, you need a very, like, clear answer quickly.

17           UNIDENTIFIED SPEAKER: Cool.

18           ROME JONES: Also, like, if you're a grownup who gets  
19 paid ninety, a hundred thousand dollars a year -- I don't  
20 know where they start at, but let's assume -- I would  
21 assume that you would take note and then be like, "I  
22 didn't understand this situation. I'm going to go back  
23 and reread whatever I should be reading to have a deeper  
24 understanding for the next time I'm in that situation."

25           And then if we can't trust you to do that,

1 should our city really be paying you this amount of money  
2 to enforce laws?

3 COMMISSIONER CARTER-OBERSTONE: Great.

4 Matthew [phonetic], we're going to have to leave  
5 it on -- on that note.

6 UNIDENTIFIED SPEAKER: [Indiscernible] do  
7 announcements?

8 COMMISSIONER CARTER-OBERSTONE: So --

9 UNIDENTIFIED SPEAKER: But go -- [unintelligible].

10 COMMISSIONER CARTER-OBERSTONE: I think -- so, yeah,  
11 we're going to -- we have a couple other agenda items we  
12 have to do. I think --

13 UNIDENTIFIED SPEAKER: Adoption of minutes.

14 COMMISSIONER CARTER-OBERSTONE: Adoption of minutes  
15 and general --

16 UNIDENTIFIED SPEAKER: [Inaudible].

17 COMMISSIONER CARTER-OBERSTONE: -- public comment.

18 Did you want to --

19 COMMANDER JONES: Just a couple of announcements with  
20 respect to the chief mentioned earlier the Center for  
21 Policing Equity. The department reached out to them and  
22 solicited their feedback on this process. They provided  
23 their feedback with respect to the pretext stops and the  
24 DGO. And I've asked that it be posted on the station  
25 [phonetic] websites, so please check it out. It's there.



1           Secondly, DPM [phonetic] and the department are  
2 working on a probation and parole DGO currently that's  
3 being drafted and will hopefully soon be up for a final  
4 draft for us to vote on and/or solicit feedback from,  
5 because with respect to that DGO, I am [indiscernible]  
6 that we will be using the 3.01 process and soliciting  
7 feedback from the public for the 30-day-window period, as  
8 well as officers.

9           And thank you to the POA. I'm told that they  
10 provided lunch. So a huge thank you to Tracy and the POA.

11           Those are my announcements.

12           UNIDENTIFIED SPEAKER: [Inaudible] the minutes.  
13 [Inaudible].

14           UNIDENTIFIED SPEAKER: All right. So we're going to  
15 go back to line item 2, which is going to be the Adoption  
16 of Minutes from the August 2nd, 2022, Meeting. It's an  
17 action item. This is going to be a line item vote. One  
18 of the commissioners will make a motion and a second. And  
19 then everybody's that's on the working group either needs  
20 to say "yes" or "no" for the approval. I just need  
21 [inaudible].

22           UNIDENTIFIED SPEAKER: [Inaudible].

23           UNIDENTIFIED SPEAKER: All right. So I just need a  
24 motion.

25           COMMISSIONER ELIAS: Motion.

1 UNIDENTIFIED SPEAKER: And a second.

2 COMMISSIONER BENEDICTO: Second.

3 UNIDENTIFIED SPEAKER: All right. Motion by  
4 Commissioner Elias; second by Commissioner Benedicto.

5 On that motion to pass the minutes, how do you  
6 vote, Tracy McCray?

7 TRACY McCRAY: Aye.

8 UNIDENTIFIED SPEAKER: "Aye" for Tracy McCray.  
9 Crispin Jones?

10 OFFICER CRISPIN JONES: Aye.

11 UNIDENTIFIED SPEAKER: Crispin Jones, "aye."  
12 Brian Cox?

13 BRIAN COX: Aye.

14 UNIDENTIFIED SPEAKER: Brian Cox is "aye."  
15 Angela Jenkins?

16 ANGELA JENKINS: Aye.

17 UNIDENTIFIED SPEAKER: Angela Jenkins is "aye."  
18 Susan Brockman?

19 SUSAN BROCKMAN: I wasn't here.

20 UNIDENTIFIED SPEAKER: You weren't here for the last  
21 time?

22 SUSAN BROCKMAN: No.

23 UNIDENTIFIED SPEAKER: Okay. If anything, then you  
24 can just [inaudible].

25 SUSAN BROCKMAN: [Inaudible].

1 UNIDENTIFIED SPEAKER: Yeah, you can [inaudible].  
2 All right. Brian Kneuker?  
3 BRIAN KNEUKER: Aye.  
4 UNIDENTIFIED SPEAKER: Brian Kneuker is "aye."  
5 Commander Yep?  
6 COMMANDER YEP: Aye.  
7 UNIDENTIFIED SPEAKER: Commander Yep is "aye."  
8 UNIDENTIFIED SPEAKER: Commander Jones?  
9 COMMANDER JONES: Aye.  
10 UNIDENTIFIED SPEAKER: Commander Jones is "aye."  
11 Janelle Caywood?  
12 JANELLE CAYWOOD: Aye.  
13 UNIDENTIFIED SPEAKER: Janelle Caywood is "aye."  
14 Allyssa?  
15 ALLYSSA VICTORY: Aye.  
16 UNIDENTIFIED SPEAKER: It's "aye."  
17 Montgomery [inaudible]?  
18 MONTGOMERY: Aye.  
19 UNIDENTIFIED SPEAKER: "Aye."  
20 Chief Scott?  
21 CHIEF SCOTT: Aye.  
22 UNIDENTIFIED SPEAKER: Rome Jones?  
23 ROME JONES: Aye.  
24 UNIDENTIFIED SPEAKER: All right. And Commissioner  
25 Carter-Oberstone?

1 COMMISSIONER CARTER-OBERSTONE: Aye.

2 UNIDENTIFIED SPEAKER: Commissioner Benedicto?

3 COMMISSIONER BENEDICTO: Aye.

4 UNIDENTIFIED SPEAKER: All right. We have all  
5 unanimous. The motion passes.

6 Line item 4, we have already covered the  
7 upcoming working dates unless you want to cover it again.

8 All right. So the next item is going to be  
9 general public comment.

10 General public comment, due to the need to get  
11 through this, [indiscernible] number of people will be  
12 limited to one minute. If you have public comment, please  
13 raise your hand.

14 Please state your name and then your comment.

15 DONALD LUU: Yes. My name is Donald Luu. I do not  
16 have any comment for today's presentation, but I will  
17 have -- provide a comment next time as we discuss the  
18 guiding rules.

19 It is unclear to me, you know, who's on the  
20 working group and who's -- who's the public. I thought  
21 I'm -- I'm on the -- on the working group. It's unclear.

22 So does that mean that, you know, when we sign  
23 in next time, we can -- we can ask to be on the working  
24 group? I -- I -- I need to -- I need to have that  
25 [inaudible] because next time I would like to have -- I

1 would -- I would like to have the opportunity [inaudible]  
2 to make more comments beside the very short time that we  
3 have [inaudible].

4 COMMISSIONER CARTER-OBERSTONE: Okay. I -- I  
5 think -- let's talk about this. Well, maybe it's -- it's  
6 better to address right now.

7 So for the first working group, we allowed  
8 anyone who wanted to be on the working group to opt in,  
9 and so it was totally open. And I believe you were here.  
10 I believe you did express a desire to be on the working  
11 group. And so you're -- as -- as far as I was counting, I  
12 thought you were in the working group.

13 I -- I -- so I think it's going to be difficult  
14 for future meetings if someone shows up for the first time  
15 or the third or the fourth meeting to join the working  
16 group for the first time, though.

17 (Timer.)

18 COMMISSIONER CARTER-OBERSTONE: But because I agree  
19 we -- we were not clear and I personally was not clear on  
20 this, if there's anyone who's here that wasn't on the  
21 working group for the first one but wants to be on the  
22 working group going forward, we will welcome you; but I  
23 don't think we're going to take any new folks for the  
24 third one.

25 UNIDENTIFIED SPEAKER: Thank you [inaudible].

1 UNIDENTIFIED SPEAKER: Just for clarity, if do you  
2 want to be on the -- on the working group, there is a  
3 sign-in sheet. Please write your name and your e-mail  
4 address so that we can send you the [inaudible].

5 All right. Next -- next public comment.

6 Yes, sir. Please state your name and your  
7 comment.

8 UNIDENTIFIED SPEAKER: Yes, please [phonetic].

9 COMMANDER JONES: You're up, Mr. Jones.

10 JOHN JONES: Oh. I think we would all agree that you  
11 cannot justify a search by what it turns up. We all agree  
12 on that.

13 I would suggest to you that you cannot condemn a  
14 search by what it does not turn up for the same reason, if  
15 what a search turns up is irrelevant to the bona fides of  
16 the search to start with.

17 If you look at the statistics proposed --  
18 propounded in favor of this rule, this new rule, it rests  
19 on the presumption that you conferred from a particular  
20 group as low -- you get a low percentage of contraband, or  
21 whatever, in the search as to that group; therefore,  
22 searches as to that group are banned.

23 But the -- what flows from a search is  
24 irrelevant, the bona fides of the search. And if you  
25 accept that, 50 percent of the rationale in favor of this

1 proposed rule is irrelevant and should be discarded.

2 Most of the people on this --

3 (Timer.)

4 JOHN JONES: -- committee have legal training. They  
5 know this. This is -- this is Search and Seizure 101 in  
6 law school.

7 So two questions: I suggest you, one, disregard  
8 the reasoning and you question where it comes from. These  
9 are people who know better, and they're flushing this on  
10 you to try to convince you that this new proposed rule  
11 actually has merit.

12 My name is John Jones, and I approve this  
13 message.

14 UNIDENTIFIED SPEAKER: Any other public comment?

15 Yes, ma'am.

16 TATIANA WOODS: Hello, everyone. My name Tatiana  
17 [phonetic] Woods. I'm a policy advocate at Legal  
18 Services --

19 (Telephone ringing.)

20 TATIANA WOODS: -- for Prisoners With Children.

21 I don't think anyone in any community would  
22 describe a traffic stop as a positive contact with police  
23 especially when their stop immediately turns to unrelated  
24 questions about why that officer really pulled you over:  
25 "Where are you going?" "What's your address?" "Have you

1 ever been arrested or are you on probation or parole?"

2 "Can you roll down the back window?"

3           None of these questions have anything to do with  
4 a broken taillight or driving without a front license  
5 plate, but this is how those stops go. Along with shining  
6 flashlights, searching for something more than whatever  
7 traffic violation happened, stops like this lead to a  
8 feeling of being targeted. And we know from SFPD data  
9 that stops are handled differently --

10           (Timer.)

11           TATIANA WOODS: -- in different neighborhoods in the  
12 city.

13           Thank you for taking steps to limit these  
14 interactions and for making sure traffic stops are no  
15 longer an excuse to harass someone in Bayview-Hunters  
16 Point or the Mission.

17           And I am from Bayview-Hunters Point. I grew up  
18 on Harbor Road, born and raised. And I've witnessed these  
19 types of traffic stops. Also, I've also been a victim of  
20 these type of traffic stops. I was actually beaten out of  
21 my car one day just because I'm on probation and they  
22 thought I had somebody in the back seat with a firearm.

23           Thank you for hearing my public comment. And I  
24 hope you guys take that into consideration.

25           UNIDENTIFIED SPEAKER: Thank you.



1 Any other public comment?

2 Officer.

3 UNIDENTIFIABLE SPEAKER: Yeah, Officer Serin,  
4 Northern station.

5 To touch on your point, Mr. Rome, we're 500  
6 officers short right now, so we ain't hiring nobody at  
7 \$100,000 right now.

8 To take your point, ma'am, about knowing a lot  
9 of policies, I behoove anybody in here -- we got 200  
10 bulletins-plus every year; we got DGOs; we got penal  
11 codes.

12 Anybody do a -- like a scenario? I'll give you  
13 all the reading you need, I'll give you six months, and  
14 we'll do some scenarios testing to see how it is to do a  
15 traffic stop to why we ask to roll down the back window,  
16 ma'am. For safety. I can't see in the car. That's why I  
17 ask to roll down the back window.

18 Now, I agree with everybody. If I pull you  
19 over, like I said to the commissioner, yeah, pull you over  
20 for a license plate. "How you doing? Officer Serin. The  
21 reason I stopped you is because you have no license plates  
22 on your car."

23 And that's a law here in the state of California  
24 that everybody in this room, I believe, follows -- I hope,  
25 follows. That's how we treat people during that traffic

1 stop. I can get behind all that.

2 But a blanket of not enforcing anything --  
3 Commissioner, you couldn't even ask --

4 (Timer.)

5 DONALD LUU: -- you said you don't want cars in  
6 your -- in your city with tinted-out windows and no  
7 license plates on it at 2:00 in the morning with maybe no  
8 lights on, too; maybe one taillight out. You want these  
9 cars rolling around in whatever neighborhood? Okay.

10 I don't think that's the best for public safety,  
11 like you said, sir.

12 And safety, too, is how we treat them  
13 [indiscernible] into the car.

14 So I think we need to just use reasonableness.  
15 We need to keep our feelings out of it, keep our feelings  
16 out of it, and be reasonable and accomplish the goal.

17 I want to stay here in the city. Okay? I've  
18 been a cop for ten years, on the streets, on the streets.

19 So just thank you for your time, and I hope you  
20 can come to a reasonable goal here because . . .

21 UNIDENTIFIED SPEAKER: Yes, ma'am.

22 CARLYN JI JONG GOOSSEN: Hi. Good afternoon. My  
23 name is Caroline Ji Jong Goossen. I am a policy  
24 [indiscernible] with the Public Defender's office. I'm  
25 also a mother, and I run the prayer community in

1 San Francisco.

2           And we've been talking about these issues -- I  
3 just wanted to share because you can't tell in the room.  
4 Of course it's during a workday at police headquarters --  
5 but over 60 organizations, members of communities ranging  
6 from faith communities, communities of color across this  
7 city, civil rights groups, and traffic safety groups have  
8 been talking about this issue for well over a year in  
9 San Francisco. These are very reasonable and commonsense  
10 ways that we can increase human rights in the city and  
11 address racism and racial bias.

12           And I just want to thank everybody who's been a  
13 part of it. I want to thank the [indiscernible] community  
14 members who come out to a place that not everyone always,  
15 you know, feels safe here and to -- I just appreciate all  
16 the work that's gone into this new commission [inaudible].

17 UNIDENTIFIED SPEAKER: Thanks [phonetic].

18 CARLYN JI JONG GOOSSEN: So thank you.

19 UNIDENTIFIED SPEAKER: Any other member?

20           All right. Seeing none, public comment is  
21 closed.

22           We'll move on to line item 5, Adjournment.

23 UNIDENTIFIED SPEAKER: [Inaudible].

24 COMMISSIONER CARTER-OBERSTONE: Thank you, everyone.

25 UNIDENTIFIED SPEAKER: Thank you.

1 (Unidentifiable speakers speaking  
2 simultaneously is indiscernible and/or  
3 inaudible and not transcribed.)

4 UNIDENTIFIED SPEAKER: [Overlapping]. Please feel  
5 free to fill them out and [inaudible].

6 UNIDENTIFIED SPEAKER: Officer Martin? I wanted to  
7 say thank you [overlapping].

8 (Unidentifiable speakers speaking  
9 simultaneously is indiscernible and/or  
10 inaudible and not transcribed.)

11 (End of transcription. See next page.)

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