

**February 8, 2023,**

**REGULAR MEETING, CITY HALL**

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco at 5:33 p.m.

PRESENT: Commissioners Walker, Byrne, Yanez, Benedicto, Yee (arrived 5:37 p.m.), Vice President Carter-Oberstone

ABSENT: President Elias

6. **Discussion of deadlines per DGO 3.01, Written Communications System, for revisions of DGO 8.10 [Guidelines or First Amendment Activity], 6.18 [Warrant Arrests], and 9.03 [Mandatory Blood Tests for Drivers Under the Influence], at the request of the commission.**  
(DISCUSSION)

Vice President Carter-Oberstone led discussion. Commissioner Benedicto followed. Both DPA and SFPD members present for questioning.

**PUBLIC COMMENT**

None

8. **S.F. Admin Code 19b - SFPD Use of Non-City Entity Surveillance Camera Policy Implementation update – at the request of the Commission** (DISCUSSION)

Legislative Compliance and Special Projects Manager, Asja Steeves, presented.

**PUBLIC COMMENT**

None

**GENERAL PUBLIC COMMENT**

Paulette Brown: Speaks on son, Aubrey Abrakasa Jr.'s, murder. Asking for a resolution to these unsolved murders. Introduces grandson and speaks on effect of murder on her grandson.

**Chief's Report**

- Weekly crime trends
- Major/Significant Incidents

Assistant Chief David Lazar on behalf of Chief Scott (remotely) reported on crime trends YTD: Violent Crime up 3 percent; homicide up 25 percent; rape down 42 percent; robbery up 11 percent; assault down 0.46 percent; human trafficking down 50 percent. Property Crimes down 22 percent; burglary down 17 percent; motor vehicle theft down 20 percent; arson down 14 percent; larceny theft down 24 percent. Gun violence is up 20 percent compared to 2022; Two shooting incidents this week; total 15 incidents resulting in 18 victims YTD. One homicide for the week; there are a total of 5 homicides YTD with 5 resulting from a firearm; 125% overall clearance.

Significant Incident: Homicide 100 block of Hester, 1/31/23, gunshots heard, deceased person in vehicle. Shooting on 2/1/23, Ellis and Hyde, robbery, victim shot in leg. Shooting, person walking dog heard shots and discovered they were shot, 800 Block of Ellsworth, Ingleside, 2/3/23. 2600 Block of Balboa, Richmond, Jewish Synagogue incident, suspect shot blanks, suspect taken into custody. AAPI attack on bus, Kearny Street, suspect taken into custody. Elder abuse, AAPI, suspect threw brick and heavy object at victims, suspect taken into custody and charged. Stunt driving- coming from Oakland 150 vehicles, Jennings and Armstrong/41<sup>st</sup> and Noriega, able to prevent and intervene, got vehicles to leave area.

Significant arrest: Two subjects, along with juvenile, operation performed- 6lbs of fentanyl off street, investigation led to Oakland, additional 14 lbs of fentanyl, ghost gun, ammunition, paraphernalia, 14k in cash located.

Strategies: Department celebrated Lunar New Year with community. Community Academy for public through Community Engagement Division 2/23-4/20/23, applications on website. The 279<sup>th</sup> Recruit Class started, graduating in September. With Acting Assistant Chief Flaherty attended graduation for Leadership Development Institute, internal leadership program. Tenderloin, seized 11,844 grams of fentanyl YTD, this week 24k in cash seizures. Capp Street prostitution issues, Supervisor Ronen and AC Lazar walked the neighborhood, have strategies. Assistant Chief Lazar and Chief Scott provided update on SFPD/DA MOU.

#### **PUBLIC COMMENT**

Paulette Brown: Speaks on unsolved homicides. Reads son's murder suspects' names. Asks about reward money to solve homicides. Asks for more to be done.

#### **DPA Director's Report**

- Report on recent DPA activities, and announcement

Executive Director Henderson reported the following: In the year 2023: 53 cases opened; 74 closed; 256 pending; 7 cases sustained; 27 cases past 270-day; 1 case mediated. Cases received in the past week: 14 new cases; Central (3) Parking citation violation and retaliatory behavior. Southern (1) Failing to make an arrest. Bayview (2) Using excessive force and failing to intervene in a report of trafficking a minor. Mission (1) Failing to take action against vehicle break-ins. Northern (2) Improperly towing a vehicle. Richmond (1) Stopping a vehicle without cause and failing to activate BWC. Taraval (2) Neighbor dispute. Tenderloin (2) Failing to prepare an incident report and arresting a person outside of SFPD's jurisdiction.

- **DPA Monthly Statistical Reports: November and December 2022**

Audits: DPA and Controller's Office have completed their review of SFPD's 24 month status updates on recommendations made in the 2020 Use of Force Audit, recommendations made and periodic check ins. 10 of 37 recommendations remain open. Notice given and published, most recommendations are about review of Use of Force incidents- training and publishing data.

Outstanding Issues: Would like to provide more reports for public acknowledgment of the work DPA does.

Outreach: On 2/10/23 participating in Northern California Public Interest Service Day, introduce law students to public service. 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.

Vice President Carter-Oberstone: DGO 9.07, Chief Scott's language. Sent the Chief proposed language. Agendize for closed session, meet and confer update regarding DGO 9.07.

Commissioner Byrne: Immigration program, U-Visa (victims of crime can apply). Make information available to public. Vice President Carter-Oberstone mentions T-Visa.

Commissioner Benedicto: Attended Lunar New Year Parade. DGOs 10.11 Body Worn Camera started discussion with SFPD. DGO 7.01 Juveniles, attending meetings. DGO 5.16 Search Warrants internal deadlines for internal comments, draft to be submitted 2/17. Request to agendize for March 1<sup>st</sup> Commission Meeting. Would also like closed session update on DGO 9.07. Sending Commission Office Resolution for DGO meet and confer instructions/directions and Rules of Order.

Commissioner Yanez: Continuing to work on Juvenile DGO. Agendize Juvenile Probation Commission and Police Commission to meet. Spoke to DA Brooke Jenkins regarding restorative justice. Spoke on "Make it Right" program.

Commissioner Yee: February 5<sup>th</sup> attended Visitacion Valley Community Lunar New Year celebrations joined by Lt. Don Anderson. On 2/15 AAPI Summit. Speaks on violence in Chinese community and reporting crime. Wanted to thank Commander Julian Ng for setting up AAPI Summit.

Commissioner Walker: Moving forward with DGOs. Meeting set up with SFPD and DPA. Met with community and businesses regarding issue with patrol specials. Will meet with Officers on history of and going forward with patrol specials. Agendize patrol special topic. Scheduled to speak with DPA regarding controlling data and access with technology being used.

**PUBLIC COMMENT**

None

**9. SFPD Budget Hearing for Fiscal Year 2024-2025: Discussion and possible action to approve SFPD Budget (DISCUSSION AND POSSIBLE ACTION)**

SFPD CFO Patrick Leung presented.

Motion: Commissioner Walker, Second: Commissioner Yee. Approval: 6-0.

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

ABSENT: President Elias

**PUBLIC COMMENT**

Caller: Name not stated. Provided opinion on SFPD Budget.

**10. DPA Budget Presentation: Fiscal Year 2024-2025 (DISCUSSION)**

DPA Director of Operations Nicole Armstrong presented.

**PUBLIC COMMENT**

None

**5. Discussion of the draft Memorandum of Understanding between the San Francisco Police Department and the San Francisco District Attorney's Office regarding the Investigation of Serious Uses of Force and In-custody Deaths for meet and confer purposes with the effected collective bargaining units as required by law. Judge Walker (Retired) assisted with the negotiation of the draft MOU that the DA's Office and SFPD have agreed upon. (DISCUSSION & POSSIBLE ACTION)**

Taken off agenda, do not have a revised version.

**7. Discussion of SFPD's internal policy development and timelines as defined in DGO 3.01 [Written Communications System] (DISCUSSION)**

Vice President Carter-Oberstone pulled item from agenda until specific presenter are available.

11. Public comment on all matters pertaining to Item 13 below, Closed Session, including public comment on Item 12, vote whether to hold Item 13 in closed session, including vote on whether to assert the attorney-client privilege with regards to Item 13 (a).

None

12. Vote on whether to hold Item 13 in Closed Session including vote on whether to assert the attorney-client privilege with regards to Item 13 (a) (San Francisco Administrative Code Section 67.10) (ACTION)

Commissioner Benedicto motions to hold item 13 in closed session. Commissioner Walker seconds. Approval 6-0.

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

ABSENT: President Elias

**1<sup>st</sup> Open session ended: 9:36 p.m.**

**CLOSED SESSION (9:41 p.m. – 9:46 p.m.)**

**13. Closed Session  
Roll Call;**

**a. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation. Pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1):**

*Jose Chavarria v. City and County of San Francisco, San Francisco Superior Court Case No. CGC-20-586880, filed September 30, 2020* (DISCUSSION & POSSIBLE ACTION)

(Present: Commissioners Walker, Byrne, Yanez, Benedicto, Yee, Vice President Carter-Oberstone, Deputy City Attorney Alicia Cabrera, Deputy Chief Denise Flaherty, Assistant Chief David Lazar, Sergeant Stacy Youngblood, Sergeant Sondra Reynold, 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:**

Status and calendaring of pending disciplinary cases (ACTION)

(Present: Commissioners Walker, Byrne, Yanez, Benedicto, Yee, Vice President Carter-Oberstone, Deputy City Attorney Alicia Cabrera, Deputy Chief Denise Flaherty, Assistant David Chief Lazar, Sergeant Stacy Youngblood, Sergeant Sondra Reynold, Kristine Singh)

CLOSED SESSION ENDED: 9:46 p.m.

**OPEN SESSION (9:47 p.m. – 9:49 p.m.)**

**14. VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION ON ITEM 13 HELD IN CLOSED SESSION INCLUDING VOTE ON WHETHER TO ASSERT THE ATTORNEY-CLIENT PRIVILEGE WITH REGARDS TO ITEM 13 (A) (SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.12(A)) (ACTION)**

Commissioner Benedicto. Commissioner Walker Seconds. Approval 6-0.

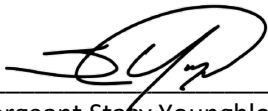
AYES: Commissioners Walker, Byrne, Yanez, Benedicto, Yee, Vice President Carter-Oberstone

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Thereafter, the meeting was adjourned at 9:49 p.m.



---

Sergeant Stacy Youngblood  
Secretary  
San Francisco Police Commission