

April 19, 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 5:37 p.m.

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

EXCUSED: Commissioner Yanez

1. Weekly Officer Recognition Certificate Presentation

*Presentation of an Officer who has gone above and beyond in the performance of their duties.*

- Officer Hammed Suleman #1263, Bayview Station

Captain David Maron led presentation, provided background on Officer Suleman and spoke about a specific incident. Chief Scott presented Certificate to Ofc. Suleman.

**PUBLIC COMMENT**

None

**GENERAL PUBLIC COMMENT**

Paulette Brown: Spoke about son, Aubrey Abrakasa, Jr.'s, murder. Seventeen years since son's murder. Questioned homicide rewards. Continues to speak about son, the grief, the love she feels.

**\*\*Anyone with information on the murder of Aubrey Abrakasa, please call the Anonymous Tip Line at 415-575-4444\*\***

3. **Consent Calendar (RECEIVE & FILE; ACTION)**

- SFPD 1421 and SB 16 Monthly Report, *Data Run: March 31, 2023*

- DPA 1421 and SB 16 Monthly Report

*Pursuant to the request of the Police Commission, the Department provides this monthly update on the status of Public Record Act Requests received relating to Senate Bill 1421, Peace Officers: release of records. This report is a cumulative record of all requests and the production of documents since SB 1421 became effective on January 1, 2019 and is calculated for a month-over-month comparison*

Motion to receive and file: Commissioner Benedicto, Second: President Elias. Approval: 6-0.

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

EXCUSED: Commissioner Yanez

## **PUBLIC COMMENT**

None

### **Chief's Report**

- Weekly crime trends
- Major/Significant Incidents

Chief Scott reported on crime trends YTD: Violent Crime up 4 percent; homicide NC; rape down 24 percent; robbery up 10 percent; assault up 1 percent; human trafficking down 43 percent. Property Crimes down 11 percent; burglary down 11 percent; motor vehicle theft down 4 percent; arson up 10 percent; larceny theft down 13 percent. Gun violence is even compared to 2022; One shooting incident this week; total 51 incidents resulting in 54 victims YTD. No homicides for the week; there are a total of 13 homicides YTD with 8 resulting from a firearm; 85% overall clearance.

Significant Incident: One shooting, 200 block of Leavenworth, April 13<sup>th</sup>, 11:42 pm, Tenderloin Market and Deli, Officers responded, located victim with gunshot wound to leg, video footage from area showed victim inside market when three suspects entered market, one suspect wrapped arm around victim, second suspect approached with pistol, struggle ensued, firearm discharged, striking victim, victim wrestled pistol away and handed to a third person, all three ran from scene, victim transported, non-life threatening injuries, no arrests, investigation ongoing. Robbery with handgun, juvenile victim, 3030 Geary, Richmond District, waiting for bus afterschool, vehicle pulled up, showed pistol in waistband and demanded money, investigation ongoing, no arrests made. Possible hate crime at Dolores Park, April 14<sup>th</sup> 7:45 pm, victim at park when 8 unknown people approached yelling anti LGBTQ+ slurs towards victim, one suspect began to strike victim, other 7 joined in and struck victim multiple times, victim's cell phone taken during assault, victim evaluated by SFFD and SFPD and released at scene, no arrests, investigation ongoing.

Significant arrest: Narcotics suspects, Tenderloin, April 12<sup>th</sup>, three people taken in to custody for possession and sales, following three search warrants (one in SF, two in Oakland), more than 10lbs of Fentanyl, Methamphetamines, additional narcotics and weapons seized, each person charged, two people released on their own recognizances in other open narcotic cases, detentions sought for those two.

Strategies: Number of attempted stunt driving events over the weekend. Thanked stunt driving response Lieutenants. Able to cut off stunt driving as they left the city. Other agencies able to pick up drivers on way out.

Update for Commission: Posting on Bureau Orders, designed tab for website. Department Bulletin, Stop Data Collection System Update, expired April 7<sup>th</sup>, will provide an update.

## **PUBLIC COMMENT**

Terry F.: Provides opinion on agencies coming together to make San Francisco better.

Paulette Brown: Spoke on cases being solved, spoke on certain cases taking priority over another.

Questioning when and how her case can be solved.

Name not stated: Provides opinion on policing. Provides personal experience(s) with specific Officers.

## **DPA Director's Report**

- Report on recent DPA activities, and announcement

Executive Director Henderson reported the following: In the year 2023: 218 cases opened; 211 closed; 286 pending; 17 cases sustained; 23 cases past 270-day; 5 cases mediated. Cases received in the past week: 18 new cases; - Central (4) Failing to properly investigate. Making an inappropriate comment. Southern (1) Making an inappropriate comment. Bayview (1) Making an inappropriate comment. Mission (1) Failing to write an accurate incident report. Detaining a person without reasonable suspicion. Issuing a citation without cause. Northern (1) Failing to write an accurate incident report. Making an inappropriate comment. Park (1) Failing to properly investigate. Ingleside (1) Failing to properly investigate. Making inappropriate comments and failing to prepare an accurate police report. Tenderloin (4) Selectively enforcing traffic laws and failing to write an incident report. Airport (1) Making an inappropriate comment. Not Applicable (3) Referral.

Audits: Steve Flaherty from Audit Division will give presentation, next week, on Electronic Monitoring for Bias.

Outstanding Issues: N/A

Outreach: DPA Chief of Staff and Steve Flaherty met with executive director of SF SAFE to discuss ongoing opportunities for collaboration and future community events.

Can be found on community calendar on the DPA's website and posted on Twitter, Facebook, Instagram and on DPA's website.

## **PUBLIC COMMENT**

Name not stated: Spoke on personal experience with specific Officer.

## **Commission Reports**

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

Commissioner Walker: Attended SFPD Women's Luncheon, spoke about event. On-going meetings regarding Patrol Specials.

Vice President Carter-Oberstone: Attended Officer of the Month ceremony. Recognized Officers Parkin, Roach, Diaz, Zambrana and Diaz. Discussed Bureau Orders with Chief. Wants to agendaize passing a resolution regarding Bureau Orders being rescinded upon underlying DGOs promulgation. Discussed plain clothes and social media DGO with Chief. Continues to discuss Bureau Orders and expedited DGO process. Requests to agendaize and rescind the social media bureau order.

Commissioner Yee: Met with SF Stop Crime. Captain Hart met with community members as well. Discussed DGO 9.07 and Chief's additions. Thanked Mayor and Chief Scott for Officers' awards ceremony. Recognized community member who passed away, from Central Market Area, executor

asked that member be recognized, member co-founded Larkin Street Youth Services, held many police forums in the Tenderloin, set up the Tenderloin Task Force.

Commissioner Byrne: Asked Chief to see bureau orders before next meeting. Asked President Elias regarding other committees of three that have been formed, the subject and members on the committee. President Elias responded there are no current committees.

Commissioner Benedicto: Echoed what Commissioners said about Officers' awards and how Vice President Carter-Oberstone thanked Officers. Recognized the commanding officers at each station, Tenderloin- Cpt. Chin, Southern- Cpt. Martin, Central-A/Cpt. Farmer. DGO 10.11 Body Worn Camera has 2<sup>nd</sup> working group on 4/20. Discussed bureau orders. DGO 3.01 streamlines process around bureau orders. Working on C.A.R.T resolution with Commissioner Yanez.

**PUBLIC COMMENT**

None

- 7. Discussion on SFPD 30 x 30 Initiative Update (DISCUSSION)  
*Progress of SFPD's 30x30 Pledge to recruit, retain, and advance women in the Department and in policing overall.*

SFPD Commander Nicole Jones, Administration Bureau, presented.

**PUBLIC COMMENT**

None

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

None

- 9. Vote on whether to hold Item 10 in Closed Session including vote on whether to assert the attorney-client privilege with regards to Item 10 (c) and 10 (d) (San Francisco Administrative Code Section 67.10) (ACTION)

Commissioner Benedicto motions to hold item 10 in Closed Session including vote on whether to assert the attorney-client privilege with regards to Item 10 (c) and 10 (d). Commissioner Walker seconds. Approval 6-0.

AYES: Commissioner Walker, Byrne, Benedicto, Yee, Vice President Carter-Oberstone and President Elias.

EXCUSED: Commissioner Yanez

**1<sup>st</sup> Open session ended: 7:03 p.m.**

**CLOSED SESSION (7:13 p.m. – 9:03 p.m.)**

- 10. **Closed Session**  
**Roll Call;**

**c. PERSONNEL EXCEPTION. Pursuant to Government Code section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:**

Discussion and possible action to adopt Findings of Fact regarding Commission's decisions on April 22, 2022, on disciplinary charges filed in Case No. DPA 0428-18 (DISCUSSION & POSSIBLE ACTION)

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

**d. PERSONNEL EXCEPTION. Pursuant to Government Code Section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b) and Penal Code Section 832.7:**

Discussion and possible action to decide penalty on sustained specifications on disciplinary charges filed in Case No. DPA 00043112A (DISCUSSION & POSSIBLE ACTION)

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

*(These proceedings were taken in shorthand form., Tammy Moon, CSR., Behmke Reporting and Video Services)*

**a. THE COMMISSION IS NOT MEETING WITH THE SF POLICE OFFICERS ASSOCIATION IN CLOSED SESSION. CONFERENCE WITH LABOR NEGOTIATOR – COLLECTIVE BARGAINING. This item is for the Commission to meet in closed session with their labor negotiator and provide direction for bargaining with the San Francisco Police Officers Association (POA). The POA is not permitted to attend this closed session meeting. Pursuant to Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e):**

City Negotiator: LaWanna Preston, SFPD Labor Relations Director  
Organization representing Police Officers: SF Police Officers Association  
Anticipated Issues Under Negotiation: POA's correspondence on DGO 5.07 "Rights of Onlookers", POA's correspondence on DGO 9.07 "Restricting the Use Of Pretext Stops" and POA's correspondence on DGO 6.04 "Assaults on Police Officers" (DISCUSSION)

(Present: Commissioners Walker, Byrne, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Deputy City Attorney Alicia Cabrera, Labor Relations Director LaWanna Preston, Senior Labor Relations Analyst Isabelle Choy, Chief Scott, Acting Assistant Chief Denise Flaherty, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

**b. THE COMMISSION IS NOT MEETING WITH THE SF POLICE OFFICERS ASSOCIATION IN CLOSED SESSION. CONFERENCE WITH LABOR NEGOTIATOR – COLLECTIVE BARGAINING.** This item is for the Commission to meet in closed session with their labor negotiator and provide direction for bargaining with the San Francisco Police Officers Association (POA). The POA is not permitted to attend this closed session meeting. Pursuant to Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e):

City Negotiator: LaWanna Preston, SFPD Labor Relations Director  
Organization representing Police Officers: San Francisco Municipal Executives Association  
Anticipated Issues Under Negotiation: Response to DGOs 2.01, 2.08, 11.08, 5.24, 8.01 and SB1421 & SB16 (DISCUSSION)

(Present: Commissioners Walker, Byrne, Benedicto, Yee, Vice President Carter-Oberstone, President Elias, Deputy City Attorney Alicia Cabrera, Labor Relations Director LaWanna Preston, Senior Labor Relations Analyst Isabelle Choy, Chief Scott, Acting Assistant Chief Denise Flaherty, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

CLOSED SESSION ENDED: 9:03 p.m.

**OPEN SESSION** (9:04 p.m.- 9:05 p.m.)

11. Vote to elect whether to disclose any or all discussion on Item 10 held in closed session including vote on whether to assert the attorney-client privilege with regards to Item 10 (c) and 10 (d) (San Francisco Administrative Code Section 67.12(a)) (ACTION)

Commissioner Benedicto motions to not disclose any or all discussions on item 10 held in closed session and assert the attorney-client privilege with regards to item 10 (c) and 10 (d) and motions to disclose factual information with regards to item 10 (a) and 10 (b). President Elias Seconds. Approval 6-0.

***Factual information for 10a and 10b:***

***Item 10(a)***

***The Commission had a conference with its labor negotiator Director Lawanna Preston regarding the meet and confer for DGOs 5.07, 9.07, and 6.04 with the San Francisco Police Officers Association (SFPOA) and provided direction to its labor negotiator. The SFPD had a meet and confer session on DGO 5.07 with the SFPOA on March 8, 2023, and received a letter from the SFPOA on March 21, 2023. The SFPD received a letter from the SFPOA regarding DGO 9.07 on April 5, 202. The SFPD received a letter from the SFPOA on March 23, 2023 regarding DGO 6.04. The Commission deliberated and provided instructions to Director Preston, who will prepare responses to the SFPOA.***

**Item 10(b)**

***The Commission had a conference with Director Preston regarding the meet and confer for DGOs 2.01, 2.08, 11.08, 5.24, 8.01 and SB1421 & SB16 with the San Francisco Municipal Executives Association (SFMEA). The Commission deliberated and provided instructions to Director Preston, who will prepare responses to the SFMEA.***

AYES: Commissioner Walker, Byrne, Benedicto, Yee, Vice President  
Carter-Oberstone and President Elias.

EXCUSED: Commissioner Yanez

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Thereafter, the meeting was adjourned at 9:05 p.m.

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Sergeant Stacy Youngblood  
Secretary  
San Francisco Police Commission