

NOVEMBER 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 5:32 p.m.

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

EXCUSED: President Elias

GENERAL PUBLIC COMMENT

Name not stated: Brought up points from last meeting regarding topic of drug crisis. Provided opinion regarding topic.

Naj Daniels: SEIU 1021 representative. Spoke on their issue regarding DPA complaints to DEM and dispatchers. Asked for the Commission to look into this effecting civil service employees.

Name not stated: San Francisco resident. Provided opinion regarding policing, compared to other countries. High anti police bias in San Francisco. Provided opinion regarding last week's meeting.

Terry F.: Spoke about comment that he shared with Board of Supervisors.

Paulette Brown: Spoke about son, Aubrey Abrakasa's, murder. Provided names of perpetrators. Spoke and provided images of unsolved homicides. Asking for justice, closure.

Alan B.: Supports first speakers comments.

****If anyone has information regarding the murder of Aubrey Abrakasa, please call the 24/7 anonymous tip line at 415-575-4444****

3. Consent Calendar (RECEIVE & FILE; ACTION)

- SFPD 3rd Quarter 2023 Audit of Electronic Communication Devices for Bias
- SFPD Firearm Discharge Review Board Report & In-Custody Death Review Board Report: 3rd Qtr 2023
- 2023 Department Awards Certification
- SFPD 1421 and SB 16 Monthly Report (October 31, 2023)
- DPA 1421 and SB 16 Monthly Report (November 1, 2023)

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

Motion: Commissioner Benedicto. Second: Commissioner Walker. 6-0.

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

EXCUSED: President Elias

PUBLIC COMMENT

None

Chief's Report

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

- ***including a brief overview of staffing and resources for the upcoming APEC Leaders' Meeting 11/12 – 11/17/23.***

Chief Scott reported on crime trends YTD: Violent Crime up 3 percent; homicide up 9 percent; rape down 14 percent; robbery up 14 percent; assault down 6 percent; human trafficking down 18 percent. Property Crimes down 8 percent; burglary down 7 percent; motor vehicle theft up 8 percent; arson down 10 percent; larceny theft down 11 percent. Gun violence is down 6 percent compared to 2022; One shooting incident this week; total 148 incidents resulting in 175 victims YTD. One homicide for the week; there are a total of 49 homicides YTD with 30 resulting from a firearm; 72% overall clearance.

Significant Incident: Homicide during this past week, 10/30/23, 19:18, 300 block of Leavenworth in the Tenderloin. The victim was transported to the hospital for a gunshot wound. The witness said that the victim was walking on the sidewalk when he heard a loud sound that he thought to be a firework. The witness said that the victim screamed in pain, fell to the ground and succumbed to their injuries at the hospital. No arrest has been made at this time. That investigation is ongoing. There was another shooting, Halloween night at 21:10, 15th and Shotwell subject and the victim were involved in a road rage incident where the subject used the vehicle to strike the victim in the victim's vehicle. The physical altercation then happened from there and the subject shot the victim in the lower extremities, still under investigation. Another significant incident of note, there was a home invasion with that resulted in a possible traumatic brain injury to the victim. This happened on the 200 block of Santos in the Ingleside district on 11/2 03:03. Three unknown subjects announced themselves as police officers then kicked in the door of the home. The front door hearing the commotion, residents locked their bedroom door and hid inside the subjects, then kicked down the bedroom door and demanded gold chains. The subjects pistol whipped, kicked and punched the victim. The victim lost consciousness and suffered an 11 inch laceration to their head. The subject also stole gold jewelry, cash and two vehicles from the residence, driving the stolen vehicles. The unknown subjects fled and have not been captured at this time, still under investigation. Stunt driving event, California and Divisadero over the weekend. There were about 50 vehicles in a caravan and officers arrived and dispersed the group and they dispersed in different directions. Officers were able to monitor a small group of about five cars, which traveled westbound on California, and the group eventually dispersed towards downtown and south of market. No arrests have been made at this time, continue those investigations.

Significant arrest: N/A

Strategies: APEC update. Seen several hundred law enforcement officers from outside agencies, actually more than that responding to San Francisco to assist with security. The CHP will send the largest group of officers. The CHP will have a presence at both bridges and at various venues or APEC venues throughout the city. They will have a role in site security, dignitary, escorts as well as they will be available to assist. If needed for any type of civil disobedience that may occur, that's beyond the capabilities of the SFPD, several other bay area law enforcement agencies will also assist in our escort of the dignitaries around the city during APEC, those agencies include San Mateo County Sheriffs, Brisbane Police Department, Belmont Police Department, Daly City Police Department, Foster City Police Department, Menlo Park Police Department, San Mateo Police Department and South San Francisco Police Department, their help is very, very much appreciated. San Jose State Police department is also sending officers to help with some of our fixed posts in the site venues as well as the Fairfield Police Department. Total around 50 additional officers and as far as the San Francisco Police Department, every able-bodied officer will be working as the department will mobilize during

this next week, approximately just under 600 officers over the week will be assigned to APEC in various capacities. The rest of the officers will be basically working in the field, working patrol our stations will be staffed. Don't expect any interruption in service in terms of responding to emergency calls for service as a matter of fact, because we're mobilized, each district station will have probably more deployment than they have on a typical night because we do have to plan for contingencies as to contingencies in the event that unexpected things happen or the events go beyond what the scheduled deployment can handle. We have contacted the California Office of Emergency Services, if we need mutual aid, we will request mutual aid. Alameda County is the regional for this region, mutual aid coordinator, we have been in contact with them just drawing up contingency plans. The plan is for the SFPD to handle any protests that happened as if they happen as a result of APEC. If it goes if it goes beyond our capabilities, then we have the CHP if we have to trigger mutual aid, we will do so. And that is really the high level snapshot of APEC for next week. We expect that people, all the dignitaries and their and their staffs to start some of them, I think are already starting to fly into town. But this weekend will probably be when most people fly into town or come to town and they will be here for approximately a week.

PUBLIC COMMENT:

Terry F.: Spoke about owning yourself and perspective. Provided opinion regarding APEC.

Paulette Brown: Spoke about digital posters at the district stations.

Alan B.: Spoke on potential upcoming disturbances regarding time during APEC.

DPA Director's Report

- Report on recent DPA activities, and announcement

Chief of Staff, Sarah Hawkins, on behalf of Director Henderson reported the following: In the year 2023: 689 cases opened; 628 closed; 317 pending; 50 cases sustained; 22 cases past 270-day; 36 cases mediated. SFPD Cases received in the past week: 19. Central-3-An officer improperly parked an unmarked vehicle. The officers at the counter were not helpful to the complainant, and in a second contact with the same officers, they did not assist in looking up his incident. Southern-2-The complainant was issued citations without cause. Mission-3-The officers failed to execute an arrest and did not take the situation seriously. The complainant stated that an officer displayed harassing and disrespectful behavior. Northern-1-The officers failed to investigate a battery and did not write a report. Richmond-1-Police approached the complainant for no reason. They threw him to the ground and arrested him. Ingleside-1-The complainant said he was intimidated by the police. Tenderloin-2-The complainant stated that the officer engaged in unwarranted action. The complainant attempted to inform an officer that he had been sexually assaulted but the officer sent him to another station. Not Applicable-4-The complainant alleges he is being harassed by officers and they entered his residence without cause. Referrals

Audits: Providing Full Misconduct Audit in a future Commission Meeting, early January.

Outstanding Issues: N/A

Outreach: YouTube channel launched.

Can contact DPA at 415-241-7711. Can be found on community calendar on the DPA's website and posted on Twitter, Facebook, Instagram and on DPA's website.

PUBLIC COMMENT:

Name not stated: Directed question to DPA regarding how many reports are initiated by DPA versus by the public.

Paulette Brown: Spoke on DPA providing investigators to help with unsolved Homicides, with witnesses and other ways to investigate unsolved Homicides such as researching what other agencies do.

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: Announced there will not be a meeting on November 15th.

Commissioner Yanez: Went to the Juvenile Probation Commission Hearing, they are introducing a resolution regarding pre booking diversion program. DPA provided feedback on community policing manual, wants to look at updated draft. DGO 7.01, Juveniles, open until 12/13 for public comment.

Commissioner Benedicto: DGO 7.01, Juveniles, currently in public comment phase. Thanked community stakeholders for working on DGO. Attended Solutions Conference with Commissioner Walker, ten pilot programs.

Commissioner Byrne: Made public aware that December 6th is the SFPD Department Awards Ceremony.

Commissioner Walker: Spoke about Solutions Conference, discussed alternatives to support Officers. Spoke about incidents that were observed in their neighborhood.

PUBLIC COMMENT:

None

- 6. Presentation and Discussion between SFPD and DPA on SFPD’s Pursuit Policy and associated data, at the request of the Commission (DISCUSSION)

To be rescheduled

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

None

- 8. Vote on whether to hold Item 9 in Closed Session (San Francisco Administrative Code Section 67.10) (ACTION)

Motion: Commissioner Benedicto. Second: Commissioner Walker. 6-0.

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

EXCUSED: President Elias

1st Open Session ended: 6:27 pm

Closed Session: (6:32 pm – 6:42 pm)

9. **Closed Session**

Roll Call;

- a. **CONFERENCE WITH LABOR NEGOTIATOR – COLLECTIVE BARGAINING.** This item is for the Commission to meet in closed session with their labor negotiator and provide direction for bargaining with the San Francisco Police Officers Association (POA). The 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: Discussion on DGO 9.07 (DISCUSSION)

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

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

Assignment of a Commissioner for the taking of evidence on the disciplinary charges filed in Case No. IAD Admin 2023-0181A/EEO File No. 4172 (ACTION)

(Present: Commissioners Walker, Benedicto, Byrne, Yanez, Yee, Vice President Carter-Oberstone, Chief Scott, Assistant Chief Denise Flaherty, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

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

Assignment of a Commissioner for the taking of evidence on the disciplinary charges filed in Case No. IAD Admin 2023-0181B/EEO File No. 4172 (ACTION)

(Present: Commissioners Walker, Benedicto, Byrne, Yanez, Yee, Vice President Carter-Oberstone, Chief Scott, Assistant Chief Denise Flaherty, Sergeant Stacy Youngblood, Sergeant Sondra Reynolds, Kristine Singh)

Closed Session Ended: 6:42 p.m.

2nd Open Session (6:43 pm – 6:43 pm)

10. **Vote to elect whether to disclose any or all discussion on Item 9 held in closed session (San Francisco Administrative Code Section 67.12(a)) (ACTION)**

Commissioner Benedicto motioned to not disclose any or all discussion on item 9 held in Closed Session. Commissioner Walker Seconded. 6-0.

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

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 6:43 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission