

**DECEMBER 2, 2020**

**REMOTE MEETING VIA VIDEOCONFERENCE**

The Police Commission of the City and County of San Francisco met via videoconference at 5:40 p.m.

PRESENT: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Cohen

**ADOPTION OF MINUTES**

- **For the meeting of November 18, 2020**

Commissioner Elias requested that the minutes be amended to add, under items to be considered at future commission meetings, her request to hear from Mr. Dante King directly.

Motion by Commissioner DeJesus, second by Commissioner Elias as amended. Approved 5-0.

AYES: Commissioners Taylor, DeJesus, Elias, Hamasaki, Cohen

ABSTAINED: Commissioner Brookter

**PUBLIC COMMENT**

None

**REPORTS TO THE COMMISSION**

**a. Chief's Request**

- **Weekly crime trends**
- **Major/Significant Incidents**
- **Status of Department's efforts to implement Proposition E, Police Staffing Levels**

Chief Scott reported on crime trends: Part one crime, down 25 percent. The Chief stated that the biggest issues are hot prowls and garage burglaries targeting bicycles and small hand tools. Significant arrests have been made. The Chief continued with homicides up 36 percent, there were seven homicides in December. Chief Scott then reported on major events: Two fatal traffic collisions: 38<sup>th</sup> & Geary a vehicle made contact with a 68-year-old male crossing the street. Victim did not survive his injuries, driver stayed at the scene; Mission District, on 16<sup>th</sup> & Bryant, a male on scooter was struck, vehicle fled and was found abandoned in the Bayview, victim did not survive his injuries; Dr. Grant Colfax, Health Director, announced that the city moved to purple tier and certain activities are rolled back and the city will comply with limited stay at home order until December 31<sup>st</sup>. The Chief then gave an update on the Prop E proposal. The Chief stated that staffing and deployment and improving methodology to have systems in place has been going on for three years. In 2018, the Staffing & Deployment Unit was created and responsible for staffing and deployment tracking throughout the Department. The unit includes sworn and non-sworn members including an analyst. The unit have completely automated the Department's personnel tracking system and created a current and historical record of employees' assignments in the Department.

**b. DPA Director's Report**

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

Director Henderson gave an update on year-to-date stats: 725 cases opened cases and closed 808 cases year to date; 355 pending cases; 39 cases sustained; 34 cases past 270 days; 32 cases mediated; 32 cases pending with the Chief; 13 cases pending with the Commission. Outreach: Participated in race equity leadership group; hosted a mediation based discussion panel with DPA mediators; hosted DPA 101 Informational Session for CHALK, "Community in Harmony Advocating for Learning and Kids Organization."

Director Henderson stated that he would like to make a presentation to the Commission, at a later date, in regards to changes in the election on the oversight reform that is taking place in the state to talk about what the current state of things are as well as where DPA is in context of those things.

**c. Commission Reports**

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

Commissioner Elias requested that the Dante King be present at the Commission to discuss his allegations of bias in the department and made a motion to agendaize and have Mr. King before the Commission on December 16<sup>th</sup>. Second by Commissioner Cohen.

AYES: Commissioners DeJesus, Hamasaki, Elias, Brookter, Cohen, Taylor. Approved 6-0.

PUBLIC COMMENT on motion regarding attendance of Dante King  
Unidentified supports the motion.

Commissioner Elias would like DGO 5.03 for December 16<sup>th</sup>. Moved to January 6<sup>th</sup> agenda to allow for posting.

PUBLIC COMMENT;

Ms. Paulette Brown called in regards to her son Aubry Abrakasa and concerns she had about the Feds regarding her son being in a gang and asked the Commissioners to write a letter to the Feds about recanting their story of her son being part of a gang.

Commissioner Hamasaki replied to Ms. Brown saying that he does not have the facts of the case to make a determination and asked if there is any other way to support her.

Unidentified spoke regarding the Commission being antagonistic against each other.

#### **PRESENTATION OF THE SAFE STREETS FOR ALL QUARTERLY REPORT, 3<sup>RD</sup> Quarter 2020**

Commander Dan Perea presented the Safe Streets for All, 3<sup>rd</sup> Quarter 2020 report.

PUBLIC COMMENT

Unidentified spoke of traffic enforcement having no role in traffic fatalities in the streets.

#### **PRESENTATION OF THE SFPD/DPA REPORT ON GENERAL ORDERS/POLICY PROPOSALS "SPARKS REPORT," 3<sup>RD</sup> QUARTER 2020**

Chief of Staff Sarah Hawkins and Executive Director Catherine Maguire presented the SFPD/DPA Report on General Orders/Policy Proposals Report, 3<sup>rd</sup> Quarter 2020.

PUBLIC COMMENT

None

#### **DISCUSSION AND POSSIBLE ACTION ISSUE DEPARTMENT BULLETIN 20-163, "GROOMING STANDARDS," MODIFYING DEPARTMENT GENERAL ORDER 10.02, "EQUIPMENT"**

Assistant Chief Bob Moser presented Department Bulletin 20-163, "Grooming Standards," modifying DGO 10.02, "Equipment."

Motion by Commissioner Brookter, second by Commissioner Elias. Approved 6-0.

AYES: Commissioners DeJesus, Hamasaki, Elias, Brookter, Cohen, Taylor

PUBLIC COMMENT

None

#### **RESOLUTION 20-79**

#### **APPROVAL TO ISSUE DEPARTMENT BULLETIN 20-163, "GROOMING STANDARDS," MODIFYING DEPARTMENT GENERAL ORDER 10.02, "EQUIPMENT"**

RESOLVED, that the Police Commission hereby approves the issuance of Department Bulletin 20-163, "Grooming Standards," modifying Department General Order 10.02, "Equipment."

AYES: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Cohen

## GENERAL PUBLIC COMMENT

Anonymous emailed the following comment: "SFPD was recently found to have violated various Sunshine laws, including for lacking a key by footnote or clear reference for their redactions (SOTF 19098). Your Commission has a similar pending complaint against it. DPA also has a similar complaint against it - but, unlike your Commission or SFPD, which claim to have changed their training and practices to comply with SFAC 67.26 in SB 1421 records after I began litigation, DPA refuses to change their ways. I urge you to direct Mr. Henderson to comply with the law, and immediately cause DPA to justify their SB 1421 redactions. The cost of redoing ever more productions due to Henderson's obstinance is unacceptable. Chief Scott was also found to have personally violated (and later, willfully violated) the law for refusing to disclose information about his meetings and calendar (SOTF 19112). You must direct Scott to comply."

## PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

## VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Hamasaki, second by Commissioner Brookter, to go into Closed Session. Approved 6-0.

**CLOSED SESSION** (8:08 p.m. – 9:37 p.m.)

**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:**

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION – Chief of Police**

**Review of findings and Chief's decision to return or not return officer(s) to duty following officer-involved shooting (OIS 20-004)**

(Present: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Cohen, Chief Scott, Assistant Chief Moser, Deputy City Attorney Cabrera, Sergeant Youngblood, Sergeant Reynolds, Ret. Sergeant Kilshaw, Risa Tom, Sergeant Ospital)

**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 accept or reject settlement agreement filed in case no. DPA 03348-18, or take other action if necessary**

(Present: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Cohen, Deputy City Attorney Zarefsky, Sergeant Youngblood, Sergeant Reynolds, Risa Tom, Attorney D. Rosenstein, Attorney A. Berry-Wilkinson, and members involved)

*(These proceedings were taken in shorthand form by Ms. Paula Behmke, CSR., Behmke Reporting and Video Services)*

**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 disciplinary charges filed in case no. DPA 44131-19**

(Present: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Cohen, Chief Scott, Assistant Chief Moser, Deputy City Attorney Zarefsky, Sergeant Youngblood, Sergeant Reynolds, Risa Tom)

**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**

(Present: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Cohen, Chief Scott, Deputy Chief Yee, Sergeant Youngblood, Sergeant Reynolds, Risa Tom)

**OPEN SESSION** (9:37 p.m.)

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

Motion by Commissioner Elias, second by Commissioner Hamasaki for non-disclosure. Approved 6-0.

PUBLIC COMMENT

None

**ADJOURNMENT**

Motion by Commissioner Elias, second by Commissioner Brookter. Approved 6-0.

Thereafter, the meeting was adjourned at 9:40 p.m.

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Sergeant Stacy Youngblood  
Secretary  
San Francisco Police Commission

**DECEMBER 16, 2020**

**REMOTE MEETING VIA VIDEOCONFERENCE**

The Police Commission of the City and County of San Francisco met via videoconference at 5:34 p.m.

PRESENT: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Cohen

**PRESENTATION OF THE CENTER FOR POLICING EQUITY REPORT**

Put over to a later date.

**REPORTS TO THE COMMISSION**

- a. **Chief's Request**
- **Weekly crime trends**
- **Major/Significant Incidents**
- **Presentation of the SB 1421 Monthly Update**

Chief Scott reported on crime trends: Part one crime, down 25 percent; burglaries, up 46 percent; homicides, 46 year-to-date; shootings are up 23 percent; number of victims by gun violence are up 25 percent; domestic violence, there was a decline in both domestic violence and sexual assaults throughout the year. From March 17<sup>th</sup> to November 30<sup>th</sup>, for domestic violence, 2,015 reported as compared to 2,609 in 2019, which is a 23 percent decrease. Sexual assaults, 351 reported incidents from March 17<sup>th</sup> to November 30<sup>th</sup>, which is a 44 percent decrease as compared to 2019 where there were 649 incidents.

The Chief then talked about the Street Crisis Response Team that was put in place on November 30, 2020. The purpose of the Street Crisis Response Team is to relieve police officers from responding to non-violent criminal calls when people are in mental crisis. For the period of November 30<sup>th</sup> to December 11<sup>th</sup>, the team responded to 34 calls; 24 documents accounts of clients in need. The outcome includes connections and linkages to psychiatric urgent care treatment, transport to medical emergency departments, and overdose reversals. The team works very well together which consist of SFFD paramedics, nonprofit community-based organization, and public health clinicians. The Department have worked with all the organizations on protocols as to when the police will be called. During the same period, the team handled 34 calls, there were over 500 calls for service citywide. The Chief stated that this pilot program is focused basically in the Tenderloin area. The hope is that the capacity will grow and calls can be shift away from police response to the CRT team.

Commander Rob O'Sullivan presented the monthly SB 1421 update.

- b. **DPA Director's Report**
- **Report on recent DPA activities, and announcements**

Director Henderson gave an update on year-to-date stats: 743 cases opened cases and closed 836 cases year to date; 348 pending cases; 42 cases sustained; 32 cases past 270 days; 49 cases mediated; 26 cases pending with the Chief; 13 cases pending with the Commission.

Director Henderson gave an update on sustained cases. In 209, the DPA sustained 86 cases containing 185 sustained allegations, compared with 45 sustained cases containing 108 sustained allegations in 2020. There was 52% reduction in sustained Neglect of Duty allegations in 2020. In 2019, the DPA sustained 136 Neglect of Duty allegations, compared with 66 Neglect of Duty allegations sustained in 2020. The reduction in sustained findings in 2020 is due, in part, to the Police Department's improved compliance with DGO 10.11, Body Worn Cameras. In 2019, the DPA sustained 66 body worn camera related allegations, compared with 29 in 2020.

Outreach: Mediation Table Talk for the community to talk about mediation changes; on December 8<sup>th</sup> and 10<sup>th</sup>, participated in the Mega Black meeting around criminal justice; December 15<sup>th</sup>, participated in stakeholder engagement series partnering with Edwood Center for Children on how to work with public agencies during the pandemic. In January, hosting a panel about language access and a panel on oversight and audits. He went on to give the SB 1421 update.

- c. **Commission Reports**
- **Commission President's Report**

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

Commissioner Hamasaki thanked the Wealth and Disparities in Black organization for meeting with him and Commissioners Elias and Cohen. He went on to talk about filing of charges by the District Attorney against officers and comments made by the Chief. He stated that these cases are now in the criminal justice system and that no members of the department should comment on the merits of a pending case.

Commissioner Elias announced that she visited the Crime Information Services Unit which is the unit that processes all requests for police reports by victims of domestic violence. She stated that because of conversations that happened before the Commission, policies and procedures were put into place to ensure that victims were provided their police reports in a timely manner. She stated that the Department went from 60 plus days to 1.3 days. She thanked Captain Falzon and the team for their hard, diligent work and for taking the time to show kindness and compassion to the victims. She went on to request the Chief to give a brief overview as to how Internal Affairs investigations work and the process what triggers the investigations and how investigations are handled and where investigations go.

Commissioner Brookter thanked Director Maguire, Director Leung, and Director Oliva-Roche for meeting with him regarding budget.

Commissioner DeJesus asked about the Bar Association's letter in regards to DGO 5.03. She also asked about not having a meeting last week.

Commissioner Cohen asked about when elections can move forward.

Commissioner Elias made a motion that on January 6 to agendaize suspension of bylaws to have an election and to agendaize the election on the same date. Second by Commissioner Hamasaki.

AYES: Commissioners DeJesus, Hamasaki, Elias, Brookter, Cohen, Taylor

#### Public Comment

Unidentified asked that these rules be put on the website.

#### **DEPARTMENT OF POLICE ACCOUNTABILITY UPDATE ON RACIAL BIAS COMPLAINT-PAUL HENDERSON/DANTE KING**

Commissioner Taylor gave a brief background on this item and stated that the Commission and asked the Commission to stay clear of (transcribe)

Chief of Staff Sarah Hawkins introduced Mr. Dante King.

Mr. Dante King presented his report.

*(The Commission took a brief break from 7:25 p.m. and reconvened at 7:34 p.m.)*

Chief of Staff Hawkins presented the DPA's Bias Audit Proposal.

#### Public Comment

Unidentified thanked Dante King for speaking tonight and hopes that big changes happen due to his testimony tonight.

Rebecca Young, Public Defender's Office, spoke of how she was blown away by Mr. King's statement tonight and that she is grateful for his courage and strength and that police officers are not here just to protect white San Franciscans.

Julie Traun thanked Dante King and spoke that the training was challenging and difficult and thanked the Commissioners and Chief Scott for listening to Mr. King with respect.

Damaris Evans attended one of the training with the sergeants that Dante provided and corroborated with what Julie has said.

#### **PRESENTATION OF THE SFPD'S RACIAL EQUITY PLAN**

Director Tiffany Sutton presented the SFPD's Racial Equity Plan along with Lieutenant Williams.

Public Comment

Yulanda Williams, President OFJ, spoke of attending the course that Dante King gave and said that there has been a lot of damage that has been done and asked how the Department can have a racial equity plan without the leadership of the OFJ involved in the conversation.

Ms. Paulette Brown thanked Dante King and commended him and talked about her son on how the Feds have implied that her son was a gang member.

Gloria Berry gave an example of what a solution can be and spoke of her experience in the military of sexual harassment and spoke of accountability for officers accused of bias.

Arlene Drummond, OFJ, spoke of including retired members in the process and the conversation.

**PRESENTATION OF DPA'S RACIAL EQUITY PLAN**

Tinnetta Thompson presented the DPA's Racial Equity Plan.

Public Comment

None

**DISCUSSION AND POSSIBLE ACTION ISSUE DEPARTMENT BULLETIN 20-175, "ACTIVATION OF BODY WORN CAMERA." THIS IS A RE-ISSUE OF DEPARTMENT BULLETIN 18-256 WHICH EXPIRES ON DECEMBER 18, 2020. REFERENCE: DGO 10.11, "BODY WORN CAMERAS"**

Assistant Chief Moser presented DB 20-175, "Activation of Body Worn Cameras."

Motion by Commissioner Hamasaki, second by Commissioner Cohen. Approved 6-0.

**RESOLUTION 20-83**

**APPROVAL TO ISSUE DEPARTMENT BULLETIN 20-175, "ACTIVATION OF BODY WORN CAMERA." THIS IS A RE-ISSUE OF DEPARTMENT BULLETIN 18-256 WHICH EXPIRES ON DECEMBER 18, 2020**

RESOLVED, that the Police Commission hereby approves the issuance of Department Bulletin 20-175, "Activation of Body Worn Camera." This bulletin is a re-issue of Department Bulletin 18-256 which expires on December 18, 2020.

AYES: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Cohen

Public Comment

None

**GENERAL PUBLIC COMMENT**

Ms. Paulette Brown spoke in regards to her son Aubry Abrakasa and that to this date it is still an unsolved homicide and that she had not heard from her investigator regarding her son's case. She thanked Commissioner DeJesus for her letter to the Feds in regards to her son being affiliated with a gang.

**PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION**

None

**VOTE ON WHETHER TO HOLD CLOSED SESSION**

Motion by Commissioner Elias, second by Commissioner Brookter, to go into Closed Session. Approved 5-0.

**CLOSED SESSION (10:14 p.m. – 10:36 p.m.)**

**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): Maurice Caldwell v. CCSF, et al., Case No. 12-CV-1892 EDL, filed April 16, 2012**

(Present: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Chief Scott, Assistant Chief Moser, Deputy City Attorney Cabrera, Sergeant Youngblood, Sergeant Reynolds, Ret. Sergeant Kilshaw, Risa Tom)

**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 take off calendar disciplinary case nos. ALW 2015-0038 and ALW IAD 2018-0226 due to member's resignation as of close of business September 30, 2020**

(Present: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Chief Scott, Assistant Chief Moser, Sergeant Youngblood, Sergeant Reynolds, Ret. Sergeant Kilshaw, Risa Tom)

**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 disciplinary charges filed in case no. IAD 2018-0213**

(Present: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Chief Scott, Assistant Chief Moser, Sergeant Youngblood, Sergeant Reynolds, Ret. Sergeant Kilshaw, Risa Tom)

**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 disciplinary charges filed in case no. DPA 43625-19**

(Present: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Chief Scott, Assistant Chief Moser, Sergeant Youngblood, Sergeant Reynolds, Ret. Sergeant Kilshaw, Risa Tom)

**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 disciplinary charges filed in case no. IAD 2020-0143**

(Present: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Chief Scott, Assistant Chief Moser, Sergeant Youngblood, Sergeant Reynolds, Ret. Sergeant Kilshaw, Risa Tom)

**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**

(Present: Commissioners Taylor, DeJesus, Elias, Hamasaki, Brookter, Chief Scott, Assistant Chief Moser, Sergeant Youngblood, Sergeant Reynolds, Ret. Sergeant Kilshaw, Risa Tom)

**OPEN SESSION (10:38 p.m.)**

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

Motion by Commissioner Elias, second by Commissioner Brookter for non-disclosure.  
Approved 5-0.

**PUBLIC COMMENT**

None

**ADJOURNMENT**

Motion by Commissioner Elias, second by Commissioner DeJesus. Approved 5-0.

Thereafter, the meeting was adjourned at 10:40 p.m.

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Sergeant Stacy Youngblood  
Secretary  
San Francisco Police Commission