

The Police Commission of the City and County of San Francisco met via videoconference at 5:47 p.m.

PRESENT: Commissioners Cohen, Elias, Hamasaki, Yee, Byrne
ABSENT: Commissioner Brookter

GENERAL PUBLIC COMMENT

Unidentified called in regard to Commissioner Hamasaki’s tweet regarding a video of someone kicking out a stack of milk crates that a police officer was standing on causing the officer to be knocked to the ground. Caller stated that Commissioner Hamasaki’s caption on the video is “OK. I sometimes complain about community policing/coffee with a cop type deals but I fully support any cops who want to try this harhar.” Caller stated he is wondering why it’s ok for members of the commission to cheer on violence against police and asked Commissioners Cohen and Elias to do something about Commissioner Hamasaki cheering on violence against a police officer. He asked that Commissioner Hamasaki be held accountable.

Unidentified called in regard to Commissioner Hamasaki’s conduct and concerns regarding Commissioner Hamasaki’s tweeter page and his violation of department general orders and social media policy. Caller stated that for a department that is trying to root out all implicit and unconscious bias one of its policy makers clearly demonstrate strong bias toward law enforcement.

Michael Petrellis commented and stated that on July 8th in the Mission outside Manny’s where DA Boudin was speaking, he was assaulted and stated that he asked the Department to release the video of the assailant so that he can put it out to the public to identify the assailant. He asked the Commission why the Department have not issued an alert to help identify the assailant.

Tony Montoya, SFPOA President, spoke of his letter submitted to the Mayor and the Commission President asking for the removal of Commissioner Hamasaki from the Commission. He stated that Commissioner Hamasaki consistently attack police officers in his comments in social media. He stated that Commissioner Hamasaki’s tweet is cruel and is unnecessary and that it sends a signal to patrol officers that in Commissioner Hamasaki’s eyes they are less than human.

Susan Buckman, Wealth & Disparities, spoke in regard to DPA Internship presentation and disparities in traffic stops. She asked that San Francisco stop routine traffic stops that target Black drivers.

Jean Bridges, Wealth & Disparities, spoke in regard to traffic stop presentation and supports the elimination of routine traffic stops.

Ms. Paulette Brown spoke in regard to her son Aubrey Abrakasa and to ask for help to solve her son’s unsolved homicide case and thanked Chief Scott and everyone who attended the anniversary event.

ADOPTION OF MINUTES

- **For the meetings of May, June & July 2021**

Motion by Commissioner Hamasaki, second by Commissioner Elias to adopt the minutes.

AYES: Commissioners Hamasaki, Yee, Byrne, Elias, Cohen
ABSENT: Commissioner Brookter

CONSENT CALENDAR

- **2nd Quarter Safe Streets for All Report**

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

AYES: Commissioners Hamasaki, Yee, Byrne, Elias, Cohen
ABSENT: Commissioner Brookter

Chief’s Report

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

Chief Scott reported on crime trends: Part 1 Violent Crime, down 5 percent: Homicide up 6 percent; rape down 17 percent; robbery down 9 percent; assault up 9 percent; human trafficking up 5 percent. Property Crimes, down 5 percent: Burglary up 1 percent; motor vehicle theft down 2

percent; arson up 9 percent; larceny theft down .16 percent. Gun violence up 78 percent. There were no shooting incidents for the week ending on 8/29/21. There were no homicides. There are 34 homicides YTD: 4 homicides in August, 6 homicides in July. Overall clearance rate 92 percent. Chief spoke of the homicide of a 16-year old that is still not solved and asked for the public's help. On 8/31/21, there was an incident on Silver where officers responded to shot-spotter and located a victim who was 15-years old who was deceased inside a van. No arrest has been made on this case.

Firearm seizure: 676 gun seizures YTD with 115 ghost guns seized.

District strategies: Tenderloin, the Chief commended Commissioner Byrne for spending a lot of time in the Tenderloin talking to the officers and the community. As far as strategy, continued presence of officers in the midmarket area; community partnership and talked of community ambassadors. The Chief stated that the Department is tracking contacts with the public and some of the work that's going on with the decreased deployment: 4600 positive contacts, 149 cites and arrests, 4,568 contacts regarding wellbeing checks and unhoused-type of situations. The Chief clarified that the officers are not doing enforcement on unhoused people, officers are out there to engaged and get help for individuals who need help. Northern, six additional officers to patrol around the Palace of Fine Arts, Alamo Square and Japantown, ongoing uniformed presence with the Housing Unit, passing calls and extra patrols around the Church Street corridor, Hayes Valley, Fillmore corridor, upper Cole Street. Mission, two additional officers deployed in the Castro and upper Market area, along with traffic enforcement in the Castro, and ongoing uniformed presence by way of passing calls at the 24th Street corridor, 16th Street and Mission, 14th and 15th Streets with a fixed post on Saturdays. Bayview, focused is on robbery and burglary enforcement, uniformed presence and passing calls in the 3rd Street corridor. In August and part of July, there are increased deployment on 3rd Street particularly in the nighttime weekend hours. This has helped with less gun violence along 3rd Street. Central, the bulk of tourism deployment, about 26 officers, have made a difference and have seen a decline in car break-ins.

Significant Incident: Ingleside: On August 22nd, Ingleside received number of calls regarding a subject identifying as a San Francisco Police officer soliciting for personal and financial information. The Chief stated that this is a scam and to not give personal or financial information to anybody who calls saying they are from the San Francisco Police Department. Bank robbery in the 4600 block of Mission Wells Fargo where an officer working 10B next door was able to detain the suspect inside the bank without incident. In the Central, a subject entered a rental car company, grabbed keys, and stole two cars with a combined value of over \$80,000. No arrest made and investigation is ongoing. There was also an unprovoked attack on a 51-year old female was confronted and shoved by a person described as a white male adult who have been sleeping in the streets in the area. The victim hit the back of her head when she was knocked down and suffered injuries. Victim is in stable condition. Witnesses detained the suspect until police arrived and arrested the suspect. In the Tenderloin, Turk and Leavenworth, on August 28th, a 22-year old male was jaywalking when a vehicle abruptly accelerated, striking him, knocking him to the ground. The vehicle then fled. The victim and a witness believed this to be an intentional act. The victim was transported with possible fractures but not other serious injury. This case is under investigation and no arrest made.

Stunt driving: The Chief stated that the Stunt Driving Detail is working every night. No events this week He stated that the objective is to collect as much evidence, i.e. video footage, and investigate these cases when they happen in San Francisco.

Major events: Giants are in town; Chase Center event will start with a series of city events and eventually live concerts will come. No terrorism to report at this time.

The Chief spoke of upcoming promotions. Commander Dan Perea, Commander Rob O'Sullivan will be promoted to Deputy Chief, Captains Nicole Jones, Rachel Moran, and Paul Yep will be promoted to Commander. Promotions will go into effect in November. The Chief also spoke of Ms. Paulette Brown and her idea to have a venue and rewards into the district stations and the department started a video loop with rewards announcements available to help solve homicides. At this point, Bayview and Northern have it on their monitors and will roll out to all district stations.

PUBLIC COMMENT

Ms. Paulette Brown thanked the Chief for the acknowledgment and spoke of a witness to her son's case.

DPA Director's Report

- Report on recent DPA activities, and announcements

Director Henderson introduced Acting Chief of Staff Diana Rosenstein.

Director Henderson reported: 14 new cases in the past week: 13 percent pending investigative tasks; 8 percent failure to take required action; 8 percent displayed threatening, intimidating, or harassing behavior; 4 percent drove improperly. 539 cases opened; 574 cases closed; 316 pending; 35 sustained; 27 past 270-day; 25 cases mediated.

Director Henderson reported that in August, the DOJ COPS office released the report titled, "Civilian Oversight of Law Enforcement," and stated that NACOLE was the lead drafting agency from that report and they drew from the database, including DPA, of 97 police oversight programs to identify important issues in the field.

Director Henderson announced that yesterday, DPA launched its new website. The new website enclosed new features such as division breakdown, report pages, information about Know Your Rights, as well as a dashboard that allows stakeholders to examine and explore case metrix from 2016 to the present. People can also go to the new website to file a complaint, answer questions, and apply for internship.

Outreach: Can be found on community calendar on the DPA's website and posted on Tweeter, Facebook, Instagram and on DHR's website. In August, participated in HR Diversity Working Group; continued virtual speakers series; interns worked on podcast with the Public Defender's Office; virtual meeting with heads of other civilian oversight agencies to talk about common challenges, accomplishments and goals, and share resources.

PUBLIC COMMENT

None

Commission Reports

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

Commissioner Hamasaki addressed the comments by the Police Union and spoke of it as being a dishonest and disingenuous attack on him and stated "There's no assaults on any police officer. My post was intended actually to encourage police to get out in the community. If you look at the video, they're out in the community. People are having fun and laughing, and the officer is participating in a popular game known as the "Milk Crate Challenge." I actually thought that was kind of cool of him. I don't know how it's been twisted in this way but that's not the case. That was not my intention. If you have other issues with my role in this Commission then maybe we can take that up in policies, right. My concern really is that our members follow the rules, do their job, and that we have an upright and respectable department. So, I think we've made some really positive progress but I think there's also some people who don't agree with that progress and are trying to undermine it. And, I'm going to leave it at that, but there's nothing about that post that was intended nor ... it would take a lot of creative interpretation to be read the way that the police union suggested. So, I think that's unfortunate and I do understand you may have disagreements with me on policy, but let's leave it there. Thank you."

Commissioner Yee stated that August was a busy month for him but he was happy to attend the National Night Out at Balboa Park and then went to Central Station at the Northbeach Boys and Girls Club. He stated that it was nice to see the crowds interacting with the police. Commissioner Yee then spoke of attending the 273rd Academy Graduation and that 19 new officers will be coming into San Francisco Department. He also announced that the Chinatown Night Out will be on September 8th at Portsmouth Square from 4 to 10 p.m. He also talked about meeting up with Captain Maron at Bayview Station.

PUBLIC COMMENT

None

PRESENTATION BY SENATOR NANCY SKINNER REGARDING SB 16, PEACE OFFICERS RELEASE OF RECORDS

Commissioner Cohen thanked Senator Skinner for joining the meeting to talk about Senate Bill 16. Commissioner Cohen then explained Senate Bill 16, "... Senate Bill 16 is to make public law enforcement record on all use of force, wrongful arrests, or wrong searches public. Senator Skinner and I both believe that transparency is essential if we are to achieve our goal for police reforms. And I also want to acknowledge that Senator Skinner understood and understands the importance of transparency in policing when she authored Senate Bill 1421 ... and Senate Bill 1421 lifted the veil of secrecy on policy conduct. So, because of Senator Skinner's work, our Commission received monthly Senate Bill 1421 reports indicating the department's response to a couple of things, indicating the department's response to public record requests to officer-involve shootings and also discharge, discharge incidents, great bodily harm incidents, sexual assault incidents, dishonesty cases and general document production requests.

So Senator Skinner, you've been busy. Thank you very much. Let me also say that the vast number of our officers serve with great courage and that they are committed to fair and equal and just law enforcement, and our officers, many of them, most of them are just by the book officers. They care about the process and they take very seriously their commitments to public service. I believe the Chief would agree with me in this description of our Department. But, needless to say, within any organization, there are always a few bad apples. There are officers who will engage in all kinds of misconduct, that should never carry a badge in any police department and without the transparency in records of misconduct, these bad apples, these officers can engage in jurisdiction shopping and get jobs in other agencies. And there is a danger that these officers will carry their misconduct instincts to new agencies. So Senate Bill 16 makes such jurisdiction shopping more difficult and I am a fan of Senator Skinner and I applaud her work. It has not been easy on a statewide level. She's been diligent in police reform and she has my deepest respect. And I also want to acknowledge that I applaud the commitment of our own officers within SFPD who conduct themselves at the highest level of integrity, of professionalism each day in open and also in transparent environment. So, with that, I will welcome Senator Skinner to join us."

Senator Skinner spoke of SB 1421 which was signed into law in 2018. SB 1421 lifted a veil of secrecy that California had. She stated that the public was completely unable to access any records on police conduct. Senator Skinner explained that SB 16 builds upon SB 1421 and that it adds a few more categories of records: officers who have engaged bias and discriminatory behavior; officers who have engaged in unlawful arrests and searches; officers who have engaged in excessive or unreasonable force. Complaints must be sustained. Senator Skinner also explained that what the bill does is to require the agency to establish the record before the officer can quit the agency and that when an agency hires an officer, the agency must request the records and review the records before hiring. It doesn't limit the agency if it chooses to hire but it allows the agency to know who they're hiring.

Commissioner Elias thanked Senator Skinner for speaking to the Commission and all her work in this area.

Commissioner Hamasaki thanked Senator Skinner and stated that it is important to make these dramatic strides forward in addressing public safety ensuring that the officers that wear the uniform are fit to and officers hopping from one jurisdiction to another bringing their problems with them. He thanked Senator Skinner for her work in keeping the community safe.

Commissioner Yee thank Senator Skinner for her work in making it more transparent and making police departments more accountable throughout the state of California. He went on to ask the Senator if there will be additional resource that will be afforded to local police departments or funding of the staff for additional data and information that needs to be processed. Senator Skinner explained that in the beginning the workload will be high but after that, the workload will not be high and will be a lot less.

Director Henderson thanked Senator Skinner for her commitment to her work in reform and accountability.

Chief Scott thanked Senator Skinner for her work. He stated that the transparency created by her work is a good thing however, there have been challenges with the backlog. The Chief stated that it takes an army of people to get the requests processed. The Chief stated that these things are

not insurmountable but it will take time, staffing and money. Senator Skinner stated that if the Commission or the Department wants to prepare a report that can outline ways that the Department can see some improvement or some ways that would achieve the goal of the law but lessen the burden on the agency, that could be helpful.

PUBLIC COMMENT

Zack Dillon, Public Defender's Office, thanked Senator Skinner for her work in getting SB 1421 enacted and getting SB 16 so close into becoming a law. He also spoke in regards to how the monthly SB 1421 updates are now relegated to the Consent Calendar and not discussed and not reviewed by the Commission. He said that the veil is still in place in San Francisco and that the flood of requests have not be addressed.

(The Commission recessed at 7:38 p.m. and reconvened at 7:51 p.m.)

PRESENTATION REGARDING THE DEPARTMENT'S FIELD TACTICS FORCE OPTIONS UNIT

Lieutenant Michael Nevin and Sgt. Justin Bugarin presented the Field Tactics Force Options Unit Presentation. Purpose of the unit is to provide training oversight, consistency, and guidance with respect to the application of force tactics and force options by sworn members during encounters with suspects. The FTFO Unit participates in incident review boards and preparing related analysis and recommendations from the perspective of training.

Commissioner Elias thanked Lieutenant Nevin and Sgt. Bugarin for their presentation. She went on to commend Lt. Nevin and Sgt. Bugarin for their dedication and passion for this training. She stated that she is so happy that officers will be receiving this training and stated that this model is being used by other jurisdictions and that Lt. Nevin and his staff have received awards and recognition and encouraged her colleagues to participate in the training.

Chief Scott thanked Lt. Nevin, Sgt. Bugarin, and Commander Flaherty for their work in this training and spoke of national recognition by being asked to present on CMCR at last year's Internal Association of Chiefs Conference which is a conference with police departments from all over the world. The Chief stated that the officers can't seem to get enough of this training and that it is one of the most popular training modules that the Department has. The Chief again commended Lt. Nevin, Sgt. Bugarin, Commander Flaherty, the officers and the DPA for their input.

Commissioner Yee stated that he spoke with Captain Maron and that Captain Maron stated that more FTFO training is needed.

Acting Chief of Staff Rosenstein stated she took the full course and that it gave her the opportunity to see things from the perspective of the officers. She stated that it was a completely judgment-free zone for the officers to talk everything through. She stated that the officers were allowed to say whatever they were feeling and nobody told them how they should feel or how they should think and that everything was accepted. She stated that created an environment for everyone to be heard, to be honest, and to truly think about how to change certain outcomes that could be detrimental not just to the officers but to the public also. She thanked Lt. Nevin and Sgt. Bugarin for welcoming the DPA and for giving the DPA the opportunity to participate and give input.

PUBLIC COMMENT

None

PRESENTATION REGARDIG DPA'S SUMMER INTERSHIP PROGRAM

Director Henderson gave a brief background on the internship program and introduced Tinnetta Thompson who presented the DPA's Summer Internship Program.

PUBLIC COMMENT

None

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION INCLUDING VOTE ON WHETHER TO ASSERT ATTORNEY-CLIENT PRIVILEGE WITH REGARDS TO ITEM 12(a)

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

AYES: Commissioners Hamasaki, Yee, Byrne, Elias, Cohen
ABSENT: Commissioner Brookter

CLOSED SESSION (8:41 p.m. – 8:50 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):
***Taryn Saldiver v. City and County of San Francisco, et. al.*, US District Court Case NO. 20-cv-05474 JSC, filed August 6, 2020**

(Present: Commissioners Cohen, Elias, Hamasaki, Yee, Byrne, Chief Scott, Assistant Chief Moser, Deputy City Attorney Cabrera, 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:
Assignment of a Commissioner for the taking of evidence on the Appeal of the Chief's Suspension file din case no. ALW IAD 2019-0123

(Present: Commissioners Cohen, Elias, Hamasaki, Yee, Byrne, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, 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:
Discussion and possible action to take off calendar the following cases:

- **Appeal of the Chief's Suspension file din Case No. ALW IAD 2019-0075 due to member's resignation effective close of business August 16, 2021**

(Present: Commissioners Cohen, Elias, Hamasaki, Byrne, Yee, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, 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 Cohen, Elias, Hamasaki, Byrne, Yee, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, Sergeant Youngblood, Sergeant Reynolds, Risa Tom)

Open Session (8:50 p.m.)

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

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

AYES: Commissioner Hamasaki, Yee, Byrne, Elias, Cohen
ABSENT: Commissioner Brookter

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 8:51 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

The Police Commission of the City and County of San Francisco met via videoconference at 5:39 p.m.

PRESENT: Commissioners Cohen, Elias, Hamasaki, Yee, Byrne
ABSENT: Commissioner Brookter

(Commissioner Yee joined the meeting at 6 p.m. Commissioner Hamasaki was excused at 6 p.m.)

GENERAL PUBLIC COMMENT

Susan Buckman, Wealth & Disparities, spoke of the work Berkeley is doing about eliminating racial bias through traffic stop.

Unidentified spoke in regard to Commissioner Hamasaki and his professionalism and bias and stated that Commissioner Cohen seem to allow status quo and appears to turn a blind eye by allowing Commissioner Hamasaki’s conduct to continue and asked who will address the removal of John Hamasaki.

Kit Hodge, Wealth & Disparities, spoke of eliminating racial profiling through traffic stop.

Unidentified spoke in support of John Hamasaki and stated that his engagement in social media had engendered trust in the policing establishment in San Francisco and thanked Commissioner Hamasaki for his time and attention to social media and that he is doing an excellent job showing that there is humanity in the criminally unjust mass incarcerations.

Sergeant Reynolds read a public comment under the Americans with Disabilities Act:

“Last week, John Hamasaki tried and failed to defend the posting a video that appears to show someone kicking milk crates out from under an officer and commenting “I fully support any cops who want to try this.” When he says no one assaulted the officer (which is true), Hamasaki did not know that when he posted the video, as evidenced by his response to the person who posted, “So that guy is going to end up with assault charges for kicking the crates from under him? That was a shitty thing to do.” Hamasaki responds, “yea that’s not part of the challenge.” It’s clear at the time he posted the video Hamasaki thought the person intentionally kicked the crates. If Hamasaki now claims he knew it was a joke, then why didn’t he post the version of the video that shows it was a joke? Hamasaki is disgraceful.” Maria H.

Chief’s Report

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

Chief Scott reported on crime trends: Part 1 Violent Crime, down .12 percent: Homicide up 9 percent; rape down 30 percent; robbery down 8 percent; assault up 11 percent; human trafficking up 5 percent. Property Crimes, up 1 percent: Burglary up 1 percent; motor vehicle theft down 2 percent; arson up 8 percent; larceny theft up 1 percent. Gun violence up 74 percent. There were 4 shooting incidents for the week ending on 9/5/21; a total of 128 incidents resulting in 155 victim YTD. There were 2 homicides the week ending on 9/5/21; 36 homicides YTD: 2 homicides in September; 4 homicides in August; overall clearance rate is 92 percent.

Gun Seizure: 115 ghost guns recovered YTD.

The Chief talked about the homicide in the 700 block of Kirkwood, the victim left the house on an errand. The girlfriend heard shots and heard knocking on the door and found the victim on doorway suffering from gunshot wounds. The victim was transported and later succumbed to his injuries. The 2nd homicide was a shot spotter notification. When officers responded at San Bruno and Silver, they located a 15 year old male was shot inside a van, no suspect identified. The Chief gave an update on an arrest made on a homicide that occurred on August 17th in the Tenderloin District. The victim was a 48-year old male who was privately transported to the hospital and later succumbed to his injuries. The investigation revealed that the victim was assaulted by a number of suspects in the 800 block of Larkin when one of the suspects shot the victim. One suspect was arrested in Oakland on September 1st. A second suspect was arrested on September 3rd. The investigation is ongoing.

District strategies: 14 additional officers placed in the Central District to patrol Union Square, Market Street, Powell Street, Chinatown, lower Grant Avenue, Pier 39, and Fisherman’s Wharf. The Chief announced that the ambassador program has reached its 2nd phase and hired another group of

retired SFPD members and announced that they are very well received by the community. Additional officers are deployed in Golden Gate Park on bikes. Southern: Focusing on car break-ins along Powell and Harrison Streets. Increased visibility with support from the Honda Unit. Park: Deployed 2 additional officers in addition to the regular foot beat officers to work the Haight Street commercial corridor to help with quality of life issues.

The Chief announced that Saturday is the 20th anniversary of 9-11. There will be a memorial service led by the Fire Department on Saturday morning. The department is also meeting with its Federal partners for a briefing on what's going on around the nation in regard to terrorism.

PUBLIC COMMENT

Ms. Paulette Brown spoke in regard to her son, Aubrey Abrakasa, case and spoke of how his case is still unsolved and thanked the Department for being at his vigil and hopes that her investigator will get in touch with the witness.

DPA Director's Report

- **Report on recent DPA activities, and announcement**
- **Presentation of the June & July 2021 Monthly Statistical Reports**

Director Henderson reported: 18 new cases in the past week: 37 percent behaved or spoke in a manner unbecoming an officer; 15 percent failed to take required action; 4 percent displayed threatening, intimidating, or harassing behavior; 4 percent prepared an incomplete or inaccurate incident report; 4 percent discourteous behavior or statements were related to ethnicity or race; 4 percent failed to properly process property; 4 percent pending complainant interview; 4 percent discourteous behavior or statements were related to ethnicity or race. 540 cases opened; 590 cases closed; 312 pending; 35 sustained; 23 past 270-day; 25 cases mediated.

Director Henderson presented the June & July 2021 monthly statistical reports.

Audit: Today, the DPA and the Controller's Office had their conference with the SFPD for their audit of how the Police Department handled complaints of officers' misconduct.

Outreach: Can be found on community calendar on the DPA's website and posted on Tweeter, Facebook, Instagram and on DHR's website. Virtual presentations at the monthly district community meetings including Mission Station, Tenderloin Station, and the Bayview Station. On Sept 2nd, participated in Mega Black organization with the HRC Director.

PUBLIC COMMENT

None

Commission Reports

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

Commissioner Yee announced that he just came back from the Chinatown Night Out and stated many of the communities are out and enjoying themselves and thanked the Chinese Chamber of Commerce and thanked all the elective officials who showed up and all the officers who are making Chinatown safe.

Commissioner Byrne met with the Chief to discuss what is going on in the Tenderloin. He also reported on going to the 50th Anniversary of the death of Sgt. Young at Ingleside Station. He stated that also present was a civilian police worker who was also shot when Sgt. Young was killed. He stated that it was very touching and very good of the Department to remember one of their own.

Commissioner Cohen reported that she is still working to bring other elective leaders to come and join the meeting. She also spoke of having a conversation with Ms. Felicia Jones of Wealth and Disparities.

PUBLIC COMMENT

None

PRESENTATION OF THE DEPARTMENT'S COLLECTION AND ANALYSIS OF SEXUAL ASSAULT KIT EVIDENCE AND REPORTING OF RESULTS TO SEXUAL ASSAULT VICTIMS REPORT, PER COMMISSION RESOLUTION 16-28

Acting Deputy Chief Vaswani presented the Sexual Assault Kit Evidence and Reporting of Results of Sexual Assault Victims Report. Also present is Lt. Tim O'Connor of the Special Victims Unit.

PUBLIC COMMENT

None

DISCUSSION AND POSSIBLE ACTION TO APPROVE REVISED DRAFT DEPARTMENT GENERAL ORDER 5.16, "SEARCH WARRANTS," FOR MEETING AND CONFERRING WITH THE SFPOA AND THE SF MUNICIPAL EXECUTIVES ASSOCIATION POLICE AS REQUIRED BY LAW

Captain Jim Ahern and Attorney Kara Lacy presented the general order. Captain Ahern thanked DPA's Sharon Woo and Janelle Caywood for their input on this DGO.

The Chief stated that there will be a 90-day training on the policy changes.

(The Commission recessed at 7:17 p.m. and reconvened at 7:40 p.m.)

PUBLIC COMMENT

Unidentified stated that the policy should not be decided in such a rush and to take a moment to get outside commentary.

Brian Cox spoke regarding SFPD military tactics and spoke of no-knock warrants and asked the Commission to vote no on this DGO.

Danielle Harris spoke of concerns of the legal accuracy of parts of this order and asked for additional time to evaluate the general order.

Motion by Commissioner Byrne to put over next week, second by Commissioner Elias. Approved 4-0.

Ayes: Commissioners Byrne, Yee, Elias, Cohen

Absent: Commissioner Brookter, Hamasaki

Put over next week.

ADJOURNMENT

Thereafter, the meeting was adjourned at 7:55 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission

SEPTEMBER 15, 2021

REMOTE MEETING VIA VIDEOCONFERENCE

The Police Commission of the City and County of San Francisco met via videoconference at 6:03 p.m.

PRESENT: Commissioners Cohen, Elias, Hamasaki, Yee, Byrne
ABSENT: Commissioner Brookter

(Commissioner Yee joined the meeting at 6:14 p.m.)

Sergeant Youngblood announced that line item 9, DGO 5.16, and line item 10, DGO 2.01 have been removed from tonight's agenda and will be scheduled at a later time.

GENERAL PUBLIC COMMENT

Steven Martin Pinto spoke to address the conduct of Commissioner John Hamasaki. He stated that Commissioner Hamasaki has been unbecoming as a public official and spoke of how Commissioner Hamasaki have violated DGO 2.01 on several occasions by mocking victims of crimes, making baseless accusations against one of the Board of Supervisors, making unfounded baseless accusations against one of the petition gatherers for the recall of a school board. He also stated that Commissioner Hamasaki has publicly celebrated the injury of a police officer in another department. He asked that the Commission look at Commissioner Hamasaki's history and his dealings with the public and ask if this is appropriate for a police commissioner to conduct himself and if not, suggested that he be removed from the commission.

Keith Lam stated he is a victim of crime in relation to an SFPD case no. 210334712 and thanked the SFPD's Special Investigation Unit for working of the case tirelessly and thanked Chief Scott for taking the case seriously. He spoke of how the public expects the Police Commission to adhere to high ethical standards. He stated that citizens and the media are watching.

Unidentified thanked Commissioner Hamasaki for his excellent job of managing to convey and discuss issues online. He stated that Commissioner Hamasaki is available to be able to discuss the issue of search warrants and that if there are complaints from the Public Defender and from the District Attorney they are discussed on the forum that is Commissioner Hamasaki's political tweeter. He stated that he appreciates it and that it is a wonderful advance in the commission to have him and to have that tweeter available. He went on to talk about how important to value the 4th Amendment Right and the city examine how police and technology interacts.

Louise Whitlock called for the resignation of Commissioner John Hamasaki. She stated that this past weekend, Commissioner Hamasaki engaged in character assassination, libeling, and smearing of a private citizen and her friend Keith Lam who spoke to the commission about the crimes committed against him by a white male while gathering signatures for the recall of members of the Board of Education. She stated that the perpetrator is still at large. She stated that Commissioner Hamasaki deliberately libeled and smeared Mr. Lam by tweeting out to Heather Knight of the SF Chronicle "Do you have any concerns about Mr. Lam calling for proud boys and capital rioters to get involved? This type of violence extremists have no place in San Francisco." She stated that these are complete lies and that Mr. Lam have never supported any of that type of behavior. She stated that regardless of Commissioner Hamasaki's motive, she stated that you can't have someone in the commission who behaves like this and stated that it is time for Commissioner Hamasaki to resign and if not, he must be removed from office.

Ms. Paulette Brown called in regard to her son, Aubrey Abrakasa, who was murdered August 14, 2006. She thanked the Chief and Commissioner Cohen for acknowledging that the posters are at police stations and that the perpetrators are still out there who murdered her son.

CONSENT CALENDAR

- SFPD Monthly SB 1421 Report
- DPA Monthly SB 1421 Report
- SFPD/DPA Document Protocol Report, 2nd Quarter 2021

PUBLIC COMMENT

None

Motion by Commissioner Yee, second by Commissioner Byrne. Approved 5-0.

AYES: Commissioners Yee, Byrne, Hamasaki, Elias, Cohen
ABSENT: Commissioner Brookter

Chief's Report

- Weekly crime trends
- Major/Significant Incidents

Chief Scott reported on crime trends: Part 1 Violent Crime, down .30 percent: Homicide up 6 percent; rape down 16 percent; robbery down 7 percent; assault up 11 percent; human trafficking up 5 percent. Property Crimes, up 1 percent: Burglary up 1 percent; motor vehicle theft down 2 percent; arson up 7 percent; larceny theft up 3 percent. Gun violence up 62 percent. There were 4 shooting incidents for the week ending on 9/12/21; a total of 132 incidents resulting in 159 victims YTD. There was 1 homicide the week ending on 9/12/21; 37 homicides YTD: 3 homicides in September; 4 homicides in August; overall clearance rate is 97 percent.

Gun Seizure: 714 YTD, 115 ghost guns recovered YTD.

Significant Incident: The Chief reported on one homicide at Haight and Shrader where the officers located a victim male, 65-years old, suffering from multiple stab wounds. The victim was transported to the hospital and later succumbed to his injuries. Video was recovered from the area with images of the suspects, however, no arrest has been made.

The Chief also reported on 4 shootings: First, on Geary and Mission on September 7th, where the victim was standing on the sidewalk with a group when he heard a loud bang from a passing vehicle and realized he suffered a gunshot wound to his lower extremities. Victim was transporter and no arrest have been made. Second, on September 9th, shooting at Reardon and Bayview where a 911 call was received stating there were subjects with guns in the area. A short time later, two groups exchanged gunfire which included high powered assault rifles. One victim was shot and transported with non-life threatening injuries. Two suspects were arrested and three firearms were recovered. There were approximately 152 casings of various calibers that were fired in this incident. Investigation is still ongoing. Third, on September 9th, at Third and Palou, officers responded to a drug overdosed and discovered the victim has received a gunshot wound. Victim was transported. No arrest made. Fourth, on September 13th, at Hyde and Golden Gate, a victim, 31-years old, was walking felt a shot to his lower extremities. Victim was transported and no arrest made.

The Chief talked of a burglary arrest of a prolific burglar. Burglary unit served a search warrant on a subject wanted for a commercial burglary in the Northern, a hot prowler in the Richmond, and a residential burglary on his own apartment complex. Burglary Unit made the arrest and suspect was taken into custody. During the search of the resident, hundreds of highly collectible, mint-condition comic books were located that have been stolen in a burglary from a resident earlier this summer. The suspect also had a warrant for receiving stolen property out of San Mateo County. The case is with the District Attorney's Office. Another incident occurred on Muni, at McAlister and Gough in the Northern District, two victims, a 49-year old male and a 67-year old female, were aboard a bus and was confronted by seven or eight subjects. The victim was sprayed in the face with red spray paint and as the suspects exited the bus, the victim was again hit. No arrest made but investigation is ongoing. Another incident, 73-year old, riding a Muni bus when three subjects surrounded him, held him down while they went through his pockets. The suspects took several hundred dollars from the victim, then exited the bus. No arrest made; investigation is ongoing. The Tactical Unit assisted in a search warrant at the request of Carlsbad investigators on one of their homicides. The search warrant was for multiple homicide suspects wanted out of Carlsbad, California. This resulted in four subjects detained and eventually arrested for homicide.

District strategies: Taraval – increased burglaries along the Irving Street corridor. Increased patrol along that corridor and officers are assigned along the business corridor to engage in community engagement and build relationship. Mission – traffic operations in the Castro focused on the top 5 vehicle violations that includes speed violations. Increased presence also helps in some of the other issues in the area of 24th Street corridor, 16th & Mission, 14th and 15th Streets, fixed post on Saturdays. Upper Market and the Castro, increased deployment by two officers in addition to the regular foot beats. Bayview – the focus and strategy is to reduce robberies and burglaries. Traffic enforcement and community engagement efforts along the 3rd Street corridor, high uniformed presence and passing calls in those corridors and on 3rd Street.

Major Events: No major events in terms of protests. Chase Center is having their first concert on the 9th. Oracle Park, the Giants are in there on their way to the playoffs. Golden Gate Park, band festival has been happening every Saturdays. SF Marathon is this weekend. Salesforce Dreamforce

Conference is starting on the 16th through the 22nd. Westfield biggest group ride will be on September 18th.

Commissioner Yee thanked Captain Ng and his officers and the Department for keeping visitors and the community safe during the Autumn Moon Festival.

PUBLIC COMMENT

Unidentified spoke in regard to the war on drugs and spoke of the Iron Wall Prohibition and stated that harder the enforcement, the harder the drugs.

DPA Director's Report

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

Director Henderson reported: 11 new cases in the past week: 36 percent behaved or spoke in a manner unbecoming an officer; 18 percent were referred to another department or agency; 9 percent conducted improper search and seizure; 9 percent failed to properly investigate; 9 percent mental health related incidents; 9 percent displayed threatening, intimidating, or harassing behavior; 9 percent failed to comply with DGO 5.20, language access service for limited English proficiency. 558 cases opened; 590 cases closed; 296 pending; 35 sustained; 22 past 270-day; 25 cases mediated.

Outreach: Can be found on community calendar on the DPA's website and posted on Tweeter, Facebook, Instagram and on DHR's website. September 7th, participated in a virtual Bayview Station community meeting; September 13th, two events, one with Dream Keepers, job faire hosted by the Human Rights Commission. Also on September 13th, Restorative Justice event held at Mission Preparatory School.

PUBLIC COMMENT

Unidentified asked the following question: "Obviously this DPA report is central to our police department's understanding of its own behavior and given that and the controversial nature of prohibition in our streets, I wonder whether we might, in data, have a conversation or analysis of how effective overall that policy's been."

Commission Reports

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

Commissioner Hamasaki reported that he had a meeting the Public Defender's Office and also met with the Wealth and Disparities in the Black Community to discuss how to reform the traffic enforcements which ties into the concerns around bias policing. He stated that what they are trying to do is identify ways to implement policies that can directly address the racial disparities in traffic stops and pedestrian stops. He stated that goal is to get input from the Wealth and Disparities and other groups and then present it to the Department and DPA and the Commission to develop policy.

Commissioner Byrne reported that he will meet with the Chief and Commissioner Brookter to discuss the awards recommendations on Friday. Sunday, the Police/Fire Mass will be held at St. Mary's Cathedral.

Commissioner Yee reported that he was asked to join the Asian's Society Townhall meeting, moderated by Eugene Robinson, to talk about anti-Asian hate and police reform.

Commissioner Cohen reported that she's been busy keeping up with the DGOs, working on language and grammar and making sure that when changes are made to DGOs that there be a more efficient notification system so that people have adequate time and knowledge of the changes. She also spoke with the Chief about data and how data will inform community policing, policing strategy, paying careful attention to resources. She also had a conversation with Director Henderson about future audits what they may look like and any kind of trends that the DPA is seeing. She also had a conversation with the Chief of Staff of the District Attorney's Office to make sure there is a collaborative approach as to how the commission conducts its business. She also had a conversation with the SF Bar Association about the work being done at the Commission. She will also be attending the Police/Fire Mass on Sunday.

Commissioner Elias announced that today marks National Hispanic Heritage Month and that she looks forward to the events celebrating our heritage.

PUBLIC COMMENT

Unidentified wanted to point out the errors of prohibition.

UPDATE ON PROP E STAFFING ANALYSIS

Chief Scott presented the Prop E update on Staffing Analysis. Chief Scott gave a brief background on Prop E. This is just a status update but, in a few months, there will be a full staffing report presented to the Commission. Chief Scott stated that the methodology is based on the Matrix Report.

PUBLIC COMMENT

None

PRESENTATION OF THE MONTHLY COLLABORATIVE REFORM INITIATIVE ("CRI") UPDATE

Chief Scott presented the monthly CRI update.

For this reporting period:

46	recommendations moved to substantial compliance
0	Hillard Heintze External Review
16	California DOJ External Review

Current Status:

Use of Force category – 51 in substantial compliance, 88 percent
Bias category – 42 in substantial compliance, 78 percent
Community Policing category – 54 in substantial compliance, 90 percent
Accountability category - 61 in substantial compliance, 90 percent
Recruitment category – 29 in substantial compliance, 91 percent

PUBLIC COMMENT

None

PRESENTATION OF THE INTERNAL AFFAIRS SUMMARY REPORT

Commander Robert O'Sullivan presented the Internal Affairs Summary report.

PUBLIC COMMENT

None

DISCUSSION AND POSSIBLE ACTION TO APPROVE DRAFT DEPARTMENT GENERAL ORDER 5.16, "SEARCH WARRANTS," FOR MEETING AND CONFERRING WITH THE SFPOA AND THE SF MUNICIPAL EXECUTIVES ASSOCIATION POLICE AS REQUIRED BY LAW

Taken off calendar to be scheduled for a later date.

DISCUSSION AND POSSIBLE ACTION TO APPROVE DRAFT DEPARTMENT GENERAL ORDER 2.01, "GENERAL RULES OF CONDUCT," FOR MEETING AND CONFERRING WITH THE SFPOA AS REQUIRED BY LAW

Taken off calendar to be scheduled for a later date.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO ITEM 13, BELOW, CLOSED SESSION, INCLUDING PUBLIC COMMENT ON ITEM 12, VOTE ON WHETHER TO HOLD ITEM 13 IN CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

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

CLOSED SESSION (8:10 p.m. - 8:40 p.m.)

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: Department General Order 6.09, "Domestic Violence"

(PRESENT: Commissioners Cohen, Elias, Hamasaki, Yee, Byrne, Chief Scott, Assistant Chief Moser, Deputy City Attorney Cabrera, Sgt. Youngblood, Sgt. Reynolds, Phil Lohaus, Director Preston)

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:

Discussion and possible action to adopt proposed Findings of Fact regarding the Commission's decision in Disciplinary Charges filed in Case No. IAD 2019-0172, or take other action if necessary

(PRESENT: Commissioners Cohen, Elias, Hamasaki, Yee, Byrne, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds)

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:

Status and calendaring of pending disciplinary cases (ACTION)

(PRESENT: Commissioners Cohen, Elias, Hamasaki, Yee, Byrne, Chief Scott, Assistant Chief Moser, Deputy City Attorney Porianda, Sgt. Youngblood, Sgt. Reynolds)

OPEN SESSION (8:40 p.m.)

VOTE TO DISCLOSE OR NOT DISCLOSE ANY OR ALL DISCUSSION IN CLOSED SESSION

Motion by Commissioner Cohen, second by Commissioner Elias for non-disclosure. Approved 5.0.

PUBLIC COMMENT

None

ADJOURNMENT

Thereafter, the meeting was adjourned at 8:40 p.m.

Sergeant Stacy Youngblood
Secretary
San Francisco Police Commission