Resolution supporting California State Senate Bill No. 2, authored by Senator Steven Bradford and co-authored by Senate President pro Tempore Toni Atkins, on Peace Officers, Certification, and Civil Rights.

WHEREAS, Law enforcement across the United States have a history of using excessive use of force on people of color especially on Black and Brown men; and

WHEREAS, Law enforcement officers involved in excessive use of force incidents are often not reprimanded, fired, or charged after murdering a person; and

WHEREAS, On March 21, 2014, Alex Nieto, a 28-year-old life-long San Francisco Bernal Heights resident, was shot and killed at Bernal Heights Park by four San Francisco Police Department officers while sitting and enjoying his dinner before work; and

WHEREAS, On July 17, 2014, Eric Garner, a 27-year-old Black man, said his last words “I can’t breathe,” as he was killed by New York City police officers as they sat on his head and pinned him to the ground on a sidewalk; and

WHEREAS, On August 9, 2014, Michael Brown Jr., an 18-year-old Black recent high school graduate, was shot six times in the head and right arm by a Ferguson police officer killing him; and

WHEREAS, On November 22, 2014, Tamir Rice, a 12-year-old Black boy, was shot and killed by Cleveland Police for holding a toy gun; and

WHEREAS, On April 12, 2015, Freddie Gray, a 25-year-old Black man, suffered a severely damaged spinal cord while in the custody of the Baltimore Police Department and died following a seven-day coma; and
WHEREAS, On December 2, 2015, Mario Woods, a 26-year-old Bayview Black man, was surrounded by San Francisco Police Department officers and shot more than 20 times and no charges were ever filed against the officers who shot him; and

WHEREAS, On May 19, 2016, Jessica Williams, a 29-year-old Black San Francisco woman, was shot and killed by a San Francisco Police Department officer with a single shot and the officer who shot her was recommended for firing but instead was suspended for only 45 days; and

WHEREAS, On July 5, 2016, Alton Sterling, a 37-year-old Black man, was shot at close range by two white Baton Rouge police officers in Louisiana; and

WHEREAS, On July 6, 2016, Philando Castile, a 32-year-old Black man, was shot and killed during a traffic stop in Falcon Heights, Minnesota, in front of his partner and her daughter; and

WHEREAS, On April 7, 2016, Luis Gongora-Pat, a 45-year-old homeless San Francisco resident, was shot and killed by San Francisco Police Department officers in the Mission District and the Department of Police Accountability subsequently found that the officer failed to create time and distance before firing; and

WHEREAS, On April 7, 2017, Amilcar Perez-Lopez, a 21-year-old Guatemalan immigrant, was shot and killed by San Francisco Police Department officers in the Mission District and the officers were subsequently cleared in 2017 by former District Attorney George Gascón; and

WHEREAS, On March 13, 2020, Breonna Taylor, a 26-year-old Black emergency medical technician woman, was shot and killed while sleeping by three Louisville Metro Police Department officers who broke into her apartment executing a wrong search warrant and at the introduction of this Resolution, these officers still have not been arrested, reprimanded, or fired; and
WHEREAS, On May 25, 2020, George Floyd, a 46-year-old Black man, was handcuffed and killed by Minneapolis police kneeling on his neck, restricting his breath for over eight minutes, thus reigniting nationwide protests against police brutality and a national call for police reform; and

WHEREAS, On May 31, 2020, Justin Howell, a 20-year-old Black Texas State University student, was shot in the head with “less-lethal” rounds by Austin police officers while protesting police brutality and is currently still hospitalized with a fractured skull and brain damage; and

WHEREAS, On June 2, 2020, Sean Monterrosa, a 22-year-old San Francisco resident, was shot five times and killed by a Vallejo Police Department officer despite kneeling, unarmed, and having his hands up in a surrender position; and

WHEREAS, On June 3, 2020, Jamel Floyd, a 35-year-old Black man with known asthma and diabetes conditions was pepper sprayed by staff and died in custody at the Metropolitan Detention Center in Brooklyn, a prison known for inhuman conditions; and

WHEREAS, On August 23, 2020, Jacob Blake, a 29-year-old Black man, was shot seven times in front of his three children while trying to get into his car by a Kenosha police officer in Wisconsin and he is now paralyzed waist down; and

WHEREAS, From 2016 through 2019, police killed 621 Californians, and police departments in our state have some of the highest rates of killings in the nation; and

WHEREAS, Of the unarmed people California police killed, three out of four were people of color and Black and Latinx families and communities of color are disproportionately vulnerable to police violence, creating generations of individual and community trauma; and

WHEREAS, These are just a few examples of the countless stories of excessive use of force resulting in death or injury by law enforcement officers on Black and Brown people; and
WHEREAS, Without systematic police reform, police brutality against Black and Brown communities will continue to happen and police officers who commit serious misconduct will not be held accountable; and

WHEREAS, California currently does not license its police force and it is one of only five states that is unable to decertify officers who commit serious misconduct; and

WHEREAS, More than 200 professions and trades, including doctors, lawyers, and contractors are licensed or certified by the State of California in order to maintain professional standards and to protect the public; and

WHEREAS, California police officers have more authority than nearly any other profession with the power to carry a firearm, stop and search, arrest, and even use deadly force on people without having a license to do so; and

WHEREAS, California is one of only five states in the nation that does not have the authority to decertify law enforcement officers who have committed serious misconduct and other states, such as Florida and Georgia, have led the nation in police officer decertification by inquiring into misconduct without regard to conviction for certain offenses; and

WHEREAS, Without a strong decertification process, law enforcement officers who have committed misconduct, been fired, or resigned under investigation are allowed to bounce from community to community; and

WHEREAS, The San Francisco Board of Supervisors passed Resolution 291-20 on June 23, 2020, urging the San Francisco Civil Service Commission to adopt rules to disqualify any applicant for employment in the Uniformed Ranks of the Police Department and the Sheriff’s Office based on prior acts of misconduct; and

WHEREAS, Senate Bill No. 2 (SB 2), introduced by Senator Steven Bradford and co-sponsored by Senate President pro Tempore Toni Atkins, will create a statewide
decertification process to revoke the certification of a peace officer following the conviction of serious crimes or termination from employment due to misconduct; and

WHEREAS, SB 2 will strengthen the Tom Bane Civil Rights Act to prevent law enforcement abuses and other civil rights violations; and

WHEREAS, The judicially created doctrine of qualified immunity in federal courts, and broad interpretations of California law immunities and restrictive views on the cause of action under the Tom Bane Civil Rights Act, too often lead to officers escaping accountability in civil courts, even when they have broken the law or violated the rights of members of the public; and

WHEREAS, SB 2 is supported by a coalition of community organizations including: Alliance for Boys and Men of Color, ACLU of California, Anti-Police-Terror Project, Black Lives Matter Los Angeles, California Families United 4 Justice, Communities United for Restorative Youth Justice, PolicyLink, STOP Coalition, and Youth Justice Coalition; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors hereby supports California State Bill No. 2, Police Officers, Certification, and Civil Rights, and urges the California State Legislature to pass this bill in order to address the effects of police brutality in Black and Brown communities and create tools of accountability for misconduct within law enforcement; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the Board to transmit a copy of this Resolution to the California State Assembly and the California State Senate as well as the Bill’s primary sponsor, State Senator Steven Bradford.
Resolution supporting California State Senate Bill No. 2, authored by Senator Steven Bradford and co-authored by Senate President pro Tempore Toni Atkins, on Peace Officers, Certification, and Civil Rights.

February 09, 2021 Board of Supervisors - ADOPTED
Ayes: 11 - Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 210126

I hereby certify that the foregoing Resolution was ADOPTED on 2/9/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board

Mayor

Date Approved
2/19/21

02/19/2021