

1 [Supporting California State Senate Bill No. 2 (Bradford) - Police Officers, Certification, and
2 Civil Rights]

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

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

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

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

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

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

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

22 WHEREAS, On April 12, 2015, Freddie Gray, a 25-year-old Black man, suffered a
23 severely damaged spinal cord while in the custody of the Baltimore Police Department and
24 died following a seven-day coma; and

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1 WHEREAS, On December 2, 2015, Mario Woods, a 26-year-old Bayview Black man,
2 was surrounded by San Francisco Police Department officers and shot more than 20 times
3 and no charges were ever filed against the officers who shot him; and

4 WHEREAS, On May 19, 2016, Jessica Williams, a 29-year-old Black San Francisco
5 woman, was shot and killed by a San Francisco Police Department officer with a single shot
6 and the officer who shot her was recommended for firing but instead was suspended for only
7 45 days; and

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

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

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

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

21 WHEREAS, On March 13, 2020, Breonna Taylor, a 26-year-old Black emergency
22 medical technician woman, was shot and killed while sleeping by three Louisville Metro Police
23 Department officers who broke into her apartment executing a wrong search warrant and at
24 the introduction of this Resolution, these officers still have not been arrested, reprimanded, or
25 fired; and

1 WHEREAS, On May 25, 2020, George Floyd, a 46-year-old Black man, was
2 handcuffed and killed by Minneapolis police kneeling on his neck, restricting his breath for
3 over eight minutes, thus reigniting nationwide protests against police brutality and a national
4 call for police reform; and

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

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

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

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

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

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

23 WHEREAS, These are just a few examples of the countless stories of excessive use of
24 force resulting in death or injury by law enforcement officers on Black and Brown people; and

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1 WHEREAS, Without systematic police reform, police brutality against Black and Brown
2 communities will continue to happen and police officers who commit serious misconduct will
3 not be held accountable; and

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

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

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

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

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

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

23 WHEREAS, Senate Bill No. 2 (SB 2), introduced by Senator Steven Bradford and co-
24 sponsored by Senate President pro Tempore Toni Atkins, will create a statewide

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1 decertification process to revoke the certification of a peace officer following the conviction of
2 serious crimes or termination from employment due to misconduct; and

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

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

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

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

19 FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the
20 Board to transmit a copy of this Resolution to the California State Assembly and the California
21 State Senate as well as the Bill's primary sponsor, State Senator Steven Bradford.

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Resolution

File Number: 210126

Date Passed: February 09, 2021

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

Unsigned

Mayor

2/19/21

Date Approved

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

02/19/2021

Date