

File No. 200574 Committee Item No. _____
Board Item No. 2

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____ Date _____

Board of Supervisors Meeting Date June 4, 2020

Cmte Board

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|-------------------------------------|--------------------------|----------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Curfew Order 053120</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Alisa Somera Date June 3, 2020

1 [Establishment of Curfew to Meet Local Emergency - Peril to Safety of Persons and Property]

2

3 **Motion concurring in the Mayor’s action to establish a curfew to meet the local**
4 **emergency conditions of extreme peril to the safety of persons and property.**

5

6 WHEREAS, On May 25, 2020, police officers in Minneapolis, Minnesota forcibly
7 arrested an unarmed black Minneapolis resident named George Floyd; the officers placed Mr.
8 Floyd prone on the ground and a police officer pressed his knee against Mr. Floyd’s neck for
9 more than eight minutes while Mr. Floyd repeatedly stated that he could not breathe; after
10 about six minutes in this position, Mr. Floyd became unresponsive, and he was declared
11 deceased after paramedics arrived; this incident was captured on a video that was widely
12 disseminated and caused outrage across the country and around the world; and

13 WHEREAS, The day after Mr. Floyd’s death, protestors began to assemble in
14 Minneapolis demanding the officers involved be criminally charged; the protests in
15 Minneapolis continued over the course of the next several days; while most engaged in
16 peaceful protest, some individuals used the unrest as cover for wrongdoing, leading to
17 confrontations with law enforcement, looting, and vandalization and arson of businesses and
18 government buildings; protests have spread to many other cities in the United States,
19 including Los Angeles, Oakland, San Jose and San Francisco; and

20 WHEREAS, On May 29, 2020, a protest in Oakland turned into dangerous civil unrest,
21 with people blocking streets, shutting down the Bay Bridge, and looting various businesses;
22 the violence increased, resulting in the death of a Federal Protective Service Officer in
23 Oakland and leaving another officer critically injured; and

24 WHEREAS, On May 30, 2020, protests in San Francisco began peacefully, but later in
25 the evening looters broke into the Westfield Centre and other retail businesses in the Union

1 Square area, and several fires were set across the City, including at stores on Market Street;
2 some in the crowd defaced buildings and ATM machines, pulled down signs and barriers,
3 stacked trash bins in the street, and smashed windows; and

4 WHEREAS, On the night of May 30, 2020, thousands of people in San Francisco
5 protested peacefully and lawfully, but a significant number of people engaged in criminal
6 behavior, including violence, vandalism, looting of businesses, arson, and failure to follow
7 lawful dispersal orders, resulting in conditions of extreme peril to the safety of persons and
8 property and making the unrestricted presence of person on City streets and sidewalks after
9 8:00 p.m. dangerous to both them and the public safety; and

10 WHEREAS, On May 31, 2020, after the Mayor issued the curfew order discussed
11 below, the Police Department arrested 87 people for curfew violations and issued 33 citations;
12 the Chief of Police announced that police recovered a loaded firearm, a backpack full of
13 fireworks and explosives, and other weapons or items that could be used for vandalism; and

14 WHEREAS, On June 1, 2020, peaceful protests occurred in the City during the day and
15 the curfew order was generally respected without major incident; other Bay Area cities
16 including Oakland, Hayward, Fremont, Lafayette, Walnut Creek, Vallejo, and Santa Rosa
17 enacted curfews; there were reports of looting and vandalization in Richmond, Vallejo, and
18 Fairfield; and

19 WHEREAS, On May 31, 2020, in anticipation of continued civil unrest and violence,
20 Mayor London N. Breed proclaimed the existence of a local emergency threatening the lives,
21 property, or welfare of the City and County and its citizens, which proclamation is on file with
22 the Clerk of the Board of Supervisors in File No. 200573; and

23 WHEREAS, The Mayor's proclamation of local emergency shall continue to exist until it
24 is terminated by the Mayor or the Board of Supervisors; and

25

1 WHEREAS, On May 31, 2020, the Mayor issued an Order Setting Curfew During Local
2 Emergency, which prohibits people from being on any public street, sidewalk, plaza, park,
3 other public property, or unimproved private property within the boundaries of the City and
4 County of San Francisco between 8:00 p.m. and 5:00 a.m., with certain exceptions including
5 first responders, people traveling to a home or workplace or to obtain medical assistance,
6 representatives of the media, and people experiencing homelessness; the Mayor’s Order
7 Setting Curfew During Local Emergency is on file with the Clerk of the Board of Supervisors in
8 File No. 200574; now, therefore, be it

9 MOVED, That the Board of Supervisors concurs with the action taken by the Mayor to
10 meet the local emergency included in the Mayor’s Order Setting Curfew During Local
11 Emergency, issued on May 31, 2020.

12
13 n:\govern\as2020\2000563\01451848.docx



ORDER SETTING CURFEW DURING LOCAL EMERGENCY

WHEREAS, On May 31, 2020, I, London N. Breed, Mayor of the City and County of San Francisco, declared a Local State of Emergency pursuant to California Government Code Sections 8550 et seq., San Francisco Charter Section 3.100(14), and Chapter 7 of the San Francisco Administrative Code; and

WHEREAS, Conditions of extreme peril to the safety of persons and property have arisen within the City and County, arising from unrest and violence in San Francisco and other cities in the Bay Area and around the country in the wake of the tragic death of George Floyd; and

WHEREAS, On the night of May 30, 2020, before the issuance of the declaration of Local Emergency, thousands of people in San Francisco protested peacefully and lawfully, but a significant number of people engaged in criminal behavior, including violence, vandalism, looting of businesses, arson, and failure to follow lawful dispersal orders; and

WHEREAS, These conditions make the unrestricted presence of persons on City streets and sidewalks after 8:00 p.m. dangerous to both them and the public safety,

NOW, THEREFORE,

Pursuant to the authorities cited above and Government Code Section 8634, I hereby declare the following Order necessary for the protection of life and property:

No person, except as set forth below, shall be on any public street, sidewalk, plaza, park, other public property, or unimproved private property within the boundaries of the City and County of San Francisco between 8:00 p.m. and 5:00 a.m. of the following day, beginning at 8:00 p.m. on May 31, 2020, until the termination of this Order.

This Order shall not apply to: (1) peace officers, firefighters, other City and County employees engaged in authorized emergency operations, members of the National Guard, or any other responding military personnel deployed to the City and County; (2) individuals who can establish to the satisfaction of a peace officer that they are in such place for the sole purpose of traveling to a home or workplace or to obtain medical assistance; (3) authorized representatives of any news service, newspaper, radio or



television station or network, or other media organization; or (4) people experiencing homelessness.

Violation of this curfew is a misdemeanor under California Government Code Section 8665 and San Francisco Administrative Code Section 7.17, and violators may be subject to immediate arrest.

This Order shall remain in effect until such time as the Declaration of Local Emergency is terminated, or sooner at the direction of the Mayor.

DATED: May 31, 2020

A handwritten signature in cursive script, reading "London Breed".

London N. Breed
Mayor of San Francisco