

MINUTES OF THE FIRE COMMISSION SPECIAL MEETING
April 25, 2022 – 10:00 AM

President Feinstein called the meeting to order at 10:01 a.m.

Item No.

1. ROLL CALL

President	Katherine Feinstein
Vice President	Stephen A. Nakajo
Commissioner	Francee Covington
Commissioner	Armie Morgan

Also present: Court Reporter Sarah MacDevitt
Member
Chief Jeanine Nicholson
Deputy City Attorney Jennifer Stoughton
Deputy City Attorney Brad Russ
Fire Commission Secretary Maureen Conefrey

2. CASE NO. 2021-11: HEARING AND DELIBERATIONS ON VERIFIED COMPLAINT FILED WITH THE COMMISSION BY CHIEF OF DEPARTMENT
[Discussion and possible action]

On November 3, 2021, Chief of Department Jeanine Nicholson filed a Verified Complaint with the Fire Commission against member for a non-disciplinary separation

This case may be heard in Closed Session pursuant to Government Code Section 54957(b) and San Francisco Administrative Code Section 67.10(b).

A. Public Comment on Special Meeting Agenda Item; Possible Closed Session

Members of the public may comment on all matters pertaining to Agenda Item 2 and whether to consider the matter in closed session. [Government Code §54954.3(a), Administrative Code §67.15(b)]

PUBLIC SPEAKER: This is Dan Yonts, retired San Francisco Fire. In witnessing these hearings, it appears they have nothing to do with health or public safety. I have heard the public and city attorneys defer to the experts quite often, but they have chosen to ignore the science, data, and testimonies of brilliant physicians and scientists. Instead they chose to listen to heads of agencies who have significant financial conflicts of interest. The most surprising is the City's unquestioning trust of Anthony Fauci who devastated the lives so many people in San Francisco during his mismanagement of the AIDS crisis. He forced good doctors to go underground to provide beneficial therapeutics, therapeutics that he made illegal in a singular push of his horrific drug AZT. This time Fauci has pushed another drug he has a vested interest in, Remdesivir even though the study he cited had Remdesivir pulled from the trials after killing 54 percent of the test subjects and was shown to cause kidney failure. France wasn't so trusting. They did their own trial in 2020. Five subjects. Two of them died and the trial was stopped. Two others had to get kidney transplants. Under Fauci, the U.S. has the highest number of COVID deaths per capita of any industrialized nation. Third-world countries with very low vaccine rates using vilified therapeutics are doing way better. These terminations are really about holding on to federal funds. They are beyond unjust and are immoral. Please stop firing these good firefighters using politicized science, and placing financial interest over the lives of the public. That's all.

PUBLIC SPEAKER: Okay. This is Greg Savin. D student forced to retire prematurely. Sadly, we are here to witness the unlawful termination of our brother Jack Shanahan, a strong, dedicated worker, husband, and father of two, the youngest just being a few months old. Everyone attending these meetings knows by now these hearings are just a charade. The commissioners pretend to listen to statement, evidence, and facts and then pretend to actually deliberate before coming back with a predetermined outcome recommending termination. The public has been watching and no one is fooled. The logic behind your decisions has become almost laughable. This is all based on a health order that states that the vaccine will prevent you from getting COVID, but the City is claiming that it is only authorized to prevent COVID-19. If anyone can explain what the difference is, I would love to hear it. This is not about safety. It is all about politics and money. We know that if the City can maintain their 100-percent vaccinated compliance, it will mean a huge compensation of federal money. Even our down department doctor, Dr. Brokaw, is all over social media stating that politics and health are inseparable. If the vaccine is so effective, then why are we still not allowed to have open public hearings? The monthly commission meetings are open to the public, but City Attorney Yan feels that it would turn into a super spreader event if we were allowed to have our hearings open to the public. None of this makes sense, and sadly we will lose another dedicated firefighter to this madness while the City is crying about staffing shortages. Thank you. ¶¶: Thank you.

PUBLIC SPEAKER: Good morning. Thank you. I would like to address the interested public due to the fact that arguing science, data, sound logic, and common sense to the commission, chief, and city attorneys appears to be a futile endeavor. Gaslighting: Gaslighting defined by the website Psychology Today, is defined as: "An insidious form of manipulation and psychological control. Victims of gaslighting are deliberately and systematically fed false information that leads them to question what they know to be true, often about themselves. They may end up doubting their memory, their perception, and even their sanity. Over time, a gaslighter's manipulations can grow more complex and potent, making it increasingly difficult for the victim to see the truth." Why do I bring this up? The chief and her attorneys are attempting to gaslight the public. You 5 may hear from the City Attorney Stoughton, phrases like there are no breaches of Skelly rights, no breach of due process, no violation of constitution -- or no breach of violation for the constitution in the State of California or for the United States of America. She may say this because everyone playing a part in this hearing is well aware that there's been a dedicated effort to eliminate firefighters who did not get the shots, and this is with all parties involved in this hearing. Though these paper victories that have happened thus far from the chief, Leanne [sic] Stoughton, and the commission may feel good in the moment, these "victories" are frail, shallow, and extraordinarily problematic for all involved in the long run. You see, you forgot due process. You forgot that even though every commercial on TV and every advertisement on the radio says

PUBLIC SPEAKER: Thank you. As a concerned California resident, I respectfully call upon the fire commissioners to open their final deliberations to the public and push back against the order of the City's health officer based on its unintended consequences for the citizens of San Francisco. During a February 24th separation hearing that resulted in the firing of a former Marine pilot, father of three, and seven-year-veteran firefighter, fire commissioner Ken Cleaveland when asked for his vote to keep the commission's final deliberations closed to the public said, "I vote no. I do believe we should keep this discussion public. This is a matter that goes far beyond the four commissioners here and needs to be addressed in open session." However, the deliberations were voted closed. So we can only assume based on the testimony during the hearing that Commissioner Cleaveland was referring to the unintended consequences resulting from the implementation of the health officer's order, the impact on San Francisco citizens of an already short-staffed fire service now further burdened the loss of more than 17 well-trained and experienced public safety personnel, those firefighters who early on in the pandemic were deemed

essential front line heroes, trained and willing to take calculated risk when saving other people's lives, but also chose to ensure their own personal safety by avoiding the unknown and unintended health risks that can accompany any new vaccine. The commissioners said ignoring or amending the health order was, quote, out their purview. However, Commissioner Cleaveland apparently felt it was his responsibility to -- and I'm quoting a former firefighter -- to assert yourself in protection of those that serve under your charge because the next day, following an apparent disagreement of principle during the closed deliberations, Commissioner Cleaveland chose to step down from eight years of public service, removing his voice from the conversation forever, another unintended consequence of this order. Thank you.

PUBLIC SPEAKER: Christopher Salas, retired fireman under duress, City and County of San Francisco resident, voter. Good morning to the kangaroo court where the decision to terminate our brother Jack Shanahan has been made before a word has been spoken or any evidence has been presented. The City and county of San Francisco says that the burden of proof is on them and the San Francisco Fire Department by a preponderance of the evidence. Yet the City's case as well as the City's health order has been decimated by scientific facts and tremendous arguments put forth by multiple terminated firefighters and our attorney Heather Gibson. Meanwhile, the City lawyer and the chief of the fire department continue to trot out the same tired arguments that have been debunked multiple times at every hearing. They continue to present a paint-by-numbers argument that a first grader could dismantle. Isn't it fortunate for the City's lawyers that honor, integrity, courage, and truth are all missing in the deliberations, the secret deliberations of the compromised fire commission. Otherwise, we would all still be working. Here are a few facts that have been presented and ignored. It is undisputed that 99.8 percent of the unvaccinated school age and working people without comorbidities recover from COVID, even if they catch it, with no problems or lingering side effects. All of the unvaccinated firefighters that have been terminated or have retired under duress worked for 18 months without vaccines and never infected any member of the public with COVID, not one. They are not super spreaders and never have been. In fact -- and this is also undisputed -- the only super spreader event concerning firefighters occurred in the 100 percent vaccinated fire department from December 2021 to February 2022 --

PUBLIC SPEAKER: Jack Shanahan is a loving father, a dedicated firefighter, and a man of God. I have seen Jack at multiple fires throughout my career, and I can say that you don't come across many Jack Shanahans in the San Francisco Fire Department. He is a hard worker and knows what he is doing, but we all know the SFFD doesn't care about quality. I wanted to bring to light a recent concern of mine. The SFFD is firing firefighters who have religious exemptions. The chief is taking advice from a radical doctor who states that politics and health are inseparable. Is Jack here because Dr. Brokaw believes that politics and health are one in the same, according to her recently changed Twitter account? Commissioners, are your decisions to terminate all of these firefighters politically motivated as well? Don't worry, we already know the money was too good to turn down. The efforts of the San -- of San Francisco have been partially successful when censoring and hiding the atrocities that are taking place in this city. Let me tell you, outside of the San Francisco echo chamber, the general public is disgusted with what is going on. When it all comes out that this was illegal and wrong, like the unconstitutional mask mandate, an apology isn't going to cut it, Jeanine. It is going to require your resignation along with the resignation of your silent administration, as well as the resignation of your radical extremist doctor. That's all.

PUBLIC SPEAKER: After listening to all of these commission meetings, I'm left wondering what makes San Francisco so special. Why is it that the San Francisco Fire Department is the only Department in the Bay Area who won't allow unvaccinated fire fighters back on the job? I think one of the main answers lies in Dr. Jennifer Brokaw's tweets, just as the last caller was mentioning. As the supervising physician of the fire department, she said politics and health are inseparable, and that is what every one of you on this commission are

showcasing here. You are continuing this legacy of being unable to separate politics and health. Your personal, political beliefs should have no place in this process of letting these firefighters back on the job. But it is clear that your politics are running this theater puppet show. Any time any of these firefighters have provided real evidence and scientific truth that doesn't fit within your narrow political view, you are quick to label them conspiracy theorists. Mr. Yan's only go-to in every commission meeting is to paint the picture that any other narrative is conspiracy. And, Feinstein, you even asked firefighters about their family's own personal medical decision for their children. That is disgusting. And you were trying to paint these families as dangerous and irrational. Let me remind you of what these firefighters stand for: To maintain their human rights, their constitutional rights, civil rights, and civil liberties as sovereign, natural, free human beings. They believe the right to work, free will with personal choice, medical freedom and consent without coercion, retaliation, threats, disciplinary action, or termination. This is not a vaccine versus non-vaccine issue.

PUBLIC SPEAKER: Thank you very much. Commissioners, good morning. I hope you guys try to listen a little closer today. The chief will provide zero evidence, documents, data, no affidavit signed from any doctor or logistical person that is going to provide why Firefighter Shanahan cannot be accommodated with subsections A through D. You should have these all memorized by now. Okay? Pay attention today, please. Jack Shanahan is a native San Franciscan, great dude, great family. You are losing another one, okay, another one of the San Francisco families. Little different than maybe some of the families you guys know, but nevertheless a good native San Franciscan family. Dr. Brokaw -- geez Louise, man. She just changed her Twitter thing yesterday. Now it is saying her views don't represent the fire department whatever. But all her other tweets, health and politics are inseparable. And then she did a really good one that she was going to take the gloves off yesterday or some other day. I don't know I'm not on Twitter, but a lot of people are sharing this information. And then also it has been really interesting -- I'm a D student too, sorry about that. But the last argument that the lawyer is bringing up now about it doesn't matter if it prevents it; it was authorized to prevent. So if the City authorizes a lake to be a tree, is it a lake or a tree? I mean, are we this stupid in this day and age? We can't use our own brains anymore and know that, okay, a mistake was made --

PUBLIC SPEAKER: All of the most common rapidly exploding and deadly health conditions observed in America today are known to be caused by immune dysfunction, including heart disease, diabetes, digestive disorders, cancer, arthritis, and other major organ failures that I have not included. Now, over 90 percent of the American population had been exposed to this class of drugs which are the vaccine. They are specifically engineered to permanently alter the immune system. Without having ever studied or tested a single vaccine for its long-term or cumulative health effects, pharma's only alibi is that most of this damage is not immediately visible after injection. The unlicensed practice of medicine includes the act of prescribing drugs, including but not limited to prescribing drugs which are formally classed as unavoidably unsafe. All vaccines are formally classified as unavoidably unsafe under our system of laws. The unlicensed prescription of non-over-the-counter drug injections may be charged as felony under California Business and Professions Code Section 2052. A license to practice medicine cannot be granted in the judicial branch nor in a commission hearing or commission of any corporation or any other collective entity. Only a qualified and properly licensed individual may lawfully prescribe non-OTC drugs to anyone. Overtly criminal action clearly exceeds any authorities granted in the state legislature and including the commission. Therefore, such acts where otherwise applicable immunity protection, that is immunity protection apply to noncriminal legislative acts do not exceed the powers granted in the --

PUBLIC SPEAKER: Thank you for taking my call. There seems to be a lot of D students. I'm just a C-minus student. I want to read something real quick for the fire commission just as reminder of history. First they came for the communists, and I did not speak out because I am not a communist. Then they came for the socialist. I did not speak out because I was not a socialist. Then they came for the trades unionists, 798, and I did not speak out because I

was not a trade unionist. Then they came for the Jews, and I did not speak out because I was not a Jew. And then they came for me, and there was no one left to speak out for me.

B. Votes on Closed Session

Member requested an open session.

1. Whether to hold the hearing on the verified complaint in closed session [Action]
2. Whether to conduct deliberations in closed session [Action]

Commissioner Morgan Moved to hold deliberations in closed session. Vice President Nakajo Seconded. The Motion was unanimously approved.

Convened in closed session at 12:35 p.m.

Also in closed session was Deputy City Attorney Brad Russi and Fire Commission Secretary Maureen Conefrey.

C. Hearing and Deliberations

1. Hearing on verified complaint (in open or closed session, per the Commission's vote)
2. Deliberations and possible action on charges (in open or closed session, per the Commission's vote) [Discussion and Possible Action]

Vice President Nakajo Moved to find that the Chief of the Department proved by a preponderance of the evidence that Member failed to comply with the vaccination requirements of the Order of the San Francisco Health Officer No. C19-07y and the Chief of Department's General Order 21-A-70, as alleged in the Chief's Verified Complaint and to uphold the Chief's recommendation of a non-disciplinary separation. Commissioner Morgan Seconded. The Motion passed 3-1. (Ayes: Feinstein, Nakajo, Morgan; Nays: Covington)

D. If Closed Session is held, reconvene in Open Session

Reconvened in open session at 1:45 p.m.

1. Report on any action taken in Closed Session as specified in California Government Code Section 54957.1(a)(5) and San Francisco Administrative Code section 67.12(b)(4).
2. Vote to elect whether to disclose any or all discussions held in Closed Session, as specified in San Francisco Administrative Code Section 67.12(a). **[Action Item]**

Commission Morgan moved to not disclose discussion held in Closed Session. Vice President Nakajo Seconded. The motion was unanimously approved.

3. **ADJOURNMENT:** President Feinstein adjourned the meeting at 1:49 p.m.