

SEPTEMBER 27, 2006

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in the Bayview District, in the Earl P. Mills Community Auditorium, 100 Whitney Young Circle, San Francisco, at 5:45 p.m., in Closed Session.

PRESENT: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

Espanola Jackson welcomed the Commission.

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Veronese, second by Commissioner Lee. Approved 7-0.

CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police Review of findings and decision regarding return of officers to duty following officer-involved shooting, (OIS Case No. 06-007).

ADDRESS TO THE POLICE COMMISSION BY THE FOLLOWING COMMUNITY-BASED ORGANIZATIONS AND CITY AGENCIES DESCRIBING THEIR WORK AND EFFORTS REGARDING CRIME, POLICING, AND QUALITY OF LIFE IN THE LOCAL COMMUNITY

- a. Provident Baptist Church
- b. Community Resource Network
- c. Mothers of Murdered Children
- d. True Hope Church of God in Christ
- e. African-American Community Police Relations Board
- f. Idriss Stelley Foundation
- g. Brothers Against Guns
- h. Safety Network
- I. San Francisco Housing Authority
- j. San Francisco City Attorney's Office

Cathy Tyson, Mothers of Murdered Children, talked about her son who was murdered on December 31, 2000. She discussed concerns that the officers did not immediately talk to a witness to the incident. She stated that the suspects involved in her son's case are in custody but there are other mothers in the group and the majority of their complaint is that the homicide inspectors never asked neighbors if anybody saw anything. The mothers also felt that homicide investigators never returned phone calls.

Ainde Laude, CLAER Project. He stated that the CLAER Project is a program dedicated to the overall well-being of families with victims of primary and secondary violence. Mr. Laude stated that he also represent all the young men and women who have been shot at, shot up, and shot down. He is also representing exoffenders that are in transition of re-entry and need help getting a job and medical and mental care. He commended the Commission for coming out tonight. He has three recommendations. He stated that the Commission must instruct greater collaboration with other public stakeholders, i.e. SF Unified School District, Health Dept., and SF Housing Authority. He also stated that when incidents of violence occur, mental health services must be made available to the family and surrounding neighbors. Second, he encouraged that posters of recent victims and the anonymous information phone number be made available around the community. Third, he would like

to encourage the faith-based community to provide an alternative for young people. Mr. Laude thanked Commissioner Marshall for his work with the community.

Commissioner Marshall commended Mr. Laude for his work in the community.

Sharon Hewitt, CLAER Project, stated that this is a celebration not only of Ainde but also of Dr. Marshall and the kind of efforts that can be measured when you invest in young people. She commended the Commission and thanked Commissioner Veronese and former Commissioner Orr-Smith. She also stated that people can work together in the community. She also talked about Officer Howard who witnessed an incident and was able to take the suspect into custody.

Commissioner DeJesus asked about the posters. Ms. Hewitt stated that the poster is to increase the visibility of the victims and for people who may know information about the incident. Ms. Hewitt stated that there has not been any posters about the recent victims.

Reverend Walker, Pastor of the True Hope Church of God in Christ, thanked the Commission for having the meeting. He stated that his organization houses about 15 men that have problems with drugs, narcotics, and homeless. He stated that the Police Department, the Sheriff's Department, and the District Attorney should come together and work in harmony. He stated that the community and the different agencies should sit down together and come up with solutions.

Commissioner Campos asked what more can the Police Department do to engage the community. The Pastor stated the relationship with the Police Department is not good in his community. He stated that if they can develop a stronger and positive relationship between the community and the Department, trust can be rebuilt.

Marie Harrison, African-American Community Police Relations Board, stated that they are a coalition of people of color and people of non-color. Ms. Harrison asked the Commission to look back at the plan that was brought up at the Fillmore meeting. She asked that the Commission review that plan. She stated that people are tired but she also stated that it's partly the parents' fault because they need to take control of their children but that there are many stumbling blocks. She stated that in order for the plan to work the community has to be involved. Ms. Harrison also discussed concerns regarding the protective custody program. Ms. Harrison asked the Department to get to know the community and they are willing to work with the Department to make the plan work.

Mesha Monge-Irizarry, Idriss Stelley Foundation, discussed concerns regarding turf grounds. She asked that the Commission establish a mutual ground for their meetings. She discussed concerns regarding investigations of shooting incidents. She stated that ending the violence is something that everybody has a part. She stated that in order to take the kids off the corner, the Department and the community has to stop criminalizing their family for the lack of direction.

Commissioner DeJesus asked if there are any youth jobs made available to the Bayview this summer. Ms. Irizarry stated that not this summer.

Luwanda Brown, Community Organizer for the Safety Network Program in the Bayview. Ms. Brown stated that the Safety Network is funded by MOCJ and the primary function is to organize people of different

perspective and interests together and dialogue to create community-driven problem solving responses into crime and violence in neighborhoods throughout San Francisco. Ms. Brown stated that they actively involve the community, SFPD, Board of Supervisors and other stakeholders regarding public safety issues. She explained different programs that Safety Network is involved in in the Bayview.

Commissioner Marshall announced that he is putting on a National Violence Prevention Conference, November 9th and 10th, in Birmingham, Alabama. Commissioner Marshall stated that the focus is specifically on how people treat each other as a community. Commissioner Marshall stated that this is an internal piece and it's about what the community can do to produce the reason for not being here in the first place.

Commissioner DeJesus asked if there is anything else that the district stations and/or the police community, as a whole, can do to contribute or to assist in the community needs at this time. Ms. Brown stated that she has seen the Police Department and Captain Pardini has been very supportive and encouraged them to continue working on building good relationships.

Tim Larson, Assistant General Counsel for SF Housing Authority, went over the community policing program that they currently have with SFPD. Mr. Larson stated that he thinks it is a successful program. He stated that they've reduced homicides by almost 50 percent. He stated that the program have been in place for a little over two years. He explained that as part of the program, they meet with police officers who do foot patrol and discuss how the Housing Authority can improve environmental issues to assist the police officers and reduce crimes. He stated that as part of that program, the Housing Authority have been implementing a camera program at the Big 4 with the cooperation of the police. He stated that they have started with the Sunnydale and Alemany and plans on working on Hunters Point very shortly.

Commissioner DeJesus asked about the reduction of 50 percent. Mr. Larson stated that that's within the Housing Authority developments and reduction is since the program has been in place in 2004.

Commissioner Campos asked how the residence are involved in the efforts to address the issue of crime. Mr. Larson stated that they have quarterly meetings with the residence of the Bayview area. In those meetings, they invite all of the residence to let the Housing Authority know how to improve the services of the SFPD and the services that the Housing Authority provides.

Commissioner Lee stated that some of the conflict within the Housing Authority are between existing tenants and new tenants. Commissioner Lee asked what is the Housing Authority doing to alleviate tensions between the two groups. Mr. Larson stated that the Office of Fair Housing that tries to address all of those types of issues. He stated that most cases, if there is an issue between a new resident, then they move to priority transfer those individuals to another part of the city or another area of the Bayview. He stated that the Office of Fair Housing will go out to try and mediate between the two neighbors and if that is not successful, then they move to transfer.

Mr. Larson also stated that he's taken over the responsibility of security and he has been doing it for about four months. He stated that he has identified that the Housing Authority has to be more aggressive with evicting people who are involved with one strike violation to their lease such as guns or drugs in their unit. He stated that he also want to get more aggressive with trespassing issues. He stated that what his office is going to do is move for a protective order which is a civil hammer to summarily adjudicate that this individual cannot be on the property.

Commissioner Sparks stated that the Housing Authority and the SFPD are two intimidating organizations particularly for people living in housing developments in the Bayview. Commissioner Sparks asked how does the Housing Authority try to breach that power differential between the bureaucracy like the Housing Authority and individuals who just live day-to-day. Mr. Larson stated that they recognize that and the quarterly meeting is a new tool that they're trying to use to break down that barrier. They invite all the residence from different developments to come with the hope that people start coming and realize that the Housing Authority is trying to make a change to foster trust.

Commissioner Sparks asked if the Housing Authority has any community outreach within a certain geographic area other than the quarterly meetings. Mr. Larson stated he does not have that information.

Commissioner Sparks asked what is the policy of the Housing Authority towards guns. Mr. Larson stated that they do investigations and gather witnesses for purposes of evicting the individuals. Mr. Larson stated the turnaround time for investigations is about 60 to 90 days for a cause case. Mr. Larson stated that they have a zero tolerance for guns in the units.

Commissioner Sparks asked about funding for federal housing projects. Mr. Larson stated that they are committed to the safety and security of their residence. He stated that the million dollars that is put up per year for the next two years for the SFPD has been committed and is part of the budget. Mr. Larson stated that it impacts them in a great way because they have less money to do maintenance on properties that are in dire need of repair.

Mr. Larson stated that they do not want to evict anybody. He stated that normally they are put on notice through police reports. He stated that if the resident is truly an innocent bystander, that is taken into consideration.

Commissioner DeJesus asked about foot patrols. Mr. Larson stated that their officers are required to do 50 percent foot patrol as part of the MOU with the Housing Authority.

Yvonne Mere, Deputy City Attorney. She stated that she works in the Code Enforcement and Resident Protection Unit and her team's charge is to abate issues of public nuisance. She explained that they file civil lawsuits and they seek two things. First, to stop the activity through injunctive relief and the second thing is to get monetary penalties to insure that all of the work that the City's Departments have put in to address these nuisance issues is compensated. Ms. Mere talked about some of the work that she has done with the Bayview Station. She talked about the Bayview Neighborhood Rescue Team. The Bayview Neighborhood Rescue Team looks at code enforcement. It is an inner city collaboration of about 20 city departments and they take a more holistic approach at solving some of the district's nuisances. Ms. Mere thanked Captain Pardini and acknowledged Officer Gigi George, Officer Sue Lavin, Officer Kevin McPherson, Officer Tim Dalton, Officer Melvin Thornton, Officer Maurice Edwards, Officer Luis DeJesus, Officer Mike Robinson, Officer Dave Dockery, Officer Holly Stouman, Sergeants Ava Garrick, and Eddie Hagan, and Inspector Dave Falzone.

Commissioner Veronese asked about visits to the housing developments. Ms. Mere stated that the protocol for inspection is to bring the code enforcement officer and another officer from the station. Ms. Mere explained what inspection is. She stated that when they get a complaint it is usually related to a property and so they convene a task force inspection where she brings all representatives, city departments that deal with the issues.

Commissioner Veronese asked what is done when the Federal Government is the landlord of a substandard housing. Ms. Mere stated that she has not seen a lot of them and the one that she has seen, the Oakdale Housing Project, has its own inspection and maintenance function. She stated that the Department of Building Inspection is in the process of constructing an MOU with the Housing Authority to deal with complaints.

Commissioner Campos asked what else should be done to augment some of the things that are already happening. Ms. Mere stated that everyone, not just the Department, needs to be creative and look at the problems and not be afraid to try something different.

Supervisor Sophie Maxwell stated that she went with Ms. Mere on some of the inspections and stated that she found that a lot of the units were substandard and when they were substandard, they were very very substandard, and the workmanship was substandard, and the fact that people didn't go back and check was substandard. Supervisor Maxwell stated that there is a lot of things going on in that area and stated that there needs to be more creativity.

Commissioner Marshall would like to facilitate a conversation between Supervisor Maxwell and the Public Health Department to deal with the violence.

Commissioner Sparks asked Supervisor Maxwell on how she feels about enhanced foot patrols within the Bayview. Supervisor Maxwell stated that they are served a lot in the Bayview with foot patrols. She stated that if there is dialogue and a program, that might help a lot of them with it and just to talk about what they do have. She stated that she knows that she has foot patrol and she has motorcycles and she stated that it is saying that they do a job and the community feels safer when the officers are around.

PUBLIC COMMENT

Taken out of order.

Francisco DeCosta stated that the Commission should be focusing on the youths. He discussed concerns about the Mayor and people of color.

Unidentified thanked the Commission for coming to the Bayview. He requested that the police from Hunters Point go through Innes Avenue as they are coming out of Hunters Point for more police presence.

Charles Gray, United Fathers Coalition, stated that their organization is connected with Operation Dream and stated that they took 38 kids to the snow. He stated that they want to get involved but the leaders are not up to working closely together.

Lloyd Williams, United Fathers Coalition, stated that relationships are built on trust and respect. He stated that in order for the Department to have a good relationship, they need to show respect and gain trust. He stated that there is no positive relationship with the police. He discussed concerns regarding drive-by shootings by kids who think that they can get away with them because they don't see anybody going to jail.

Tori Freeman read an article from the September 18th SF Chronicle, "New Technology Shadows the Shooters." She asked that this new technology be implemented in the Bayview. She asked for help from private funding to bring this technology to the community to end gun violence.

Stacy, Bayview resident, discussed concerns regarding violence in the Bayview. She stated that this is not a neighborhood problem but a citywide problem and the City as a whole needs to step up. She stated that the City needs new technology to help fight against violent crimes. The City needs tougher gun laws and the City needs the judges and the District Attorney to enforce harsher sentences on gun crimes. She stated that what is not needed is

a defensive statement from the Mayor. What is needed is for the Mayor to adopt a tough love whatever-it-takes attitude towards crime in the City.

Victoria Lew read a statement in support of new technology.

Pam Matsuda, Program Director SF Safe, discussed their work with the Bayview Community. She thanked Bayview Station and the officers for coming out and supporting neighborhood watch groups, making referrals for crime prevention services. She also stated that they are starting to work with the merchants.

Gerald Joseph, President LaSalle Homeless Association, thanked the Bayview Station for the relationship that they've had with the Board and stated that if there is anything they can do to help the Department to just let them know.

Dave Baker, Mission resident, discussed concerns regarding gun violence in the Bayview and that it has gone on too long and something needs to be done.

Unidentified wanted to encouraged the continuation of community policing. She stated that the police needs continuous training when it comes to interaction with the residents.

Ace Washington thanked the Commissioners, the Chief and Sgt. Gittens for issuance of his press pass.

Tony Imperiale discussed concerns regarding developers in the Bayview and stated that it is not fair to blame the police for social and economic problems.

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

Motion by Commissioner Marshall, second by Commission DeJesus for non disclosure. Approved 7-0.

OCC DIRECTOR'S REPORT

a. Report on the function of the Office of Citizen Complaints

Director Allen introduced himself and described the duties and responsibilities of the OCC.

CHIEF'S REPORT

a. Review of Recent Activities

Chief Fong addressed some concerns that came up. She stated that in terms of mental health, Chief Fong stated that the impact of violence on everyone is traumatic and is very difficult to work through. Chief Fong stated that one of the initiatives that has been started is that the Department of Public Health respond to every homicide incidents as well as to shootings where an individual is injured. This is so that the Department of Public Health can come out and immediately render services to the build that support for the family members and the community.

Chief Fong addressed the issue of public housing and the question about how outsiders come into public housing property and create a number of criminal concerns and make it an environment that's very difficult for the tenants to live within. Chief Fong stated that in the MOU with the Housing Authority there is Penal Code Section 602 O. This is a section that addresses trespassing in public housing and as part of that MOU, the Public Housing Authority has stated and have started moving down this road to post in public housing areas the signs that allow the Department to enforce the laws. Chief Fong also stated that where other city agencies are involved, the Department has asked for a commitment for prosecution.

Chief Fong also explained Operation Dream. She stated that Operation Dream is a program that the Department is involved with. Officer Charles

McCullar is assigned to Operation Dream and is on leave at this time. Chief Fong stated that upon his return, they already have conversations with the Executive Director of Operation Dream and the President of the Board and have outlined what the plans are in terms of Officer McCullar's assignment in continuing his outreach and work with young people but also to have him work with housing officers who are working in the Big 4 developments in the Bayview and the Visitation Valley area.

Chief Fong also stated that she will call Chief Tucker to get information regarding the shot spotters and will do a presentation for the Commission.

Commissioner Renne stated that she will calendar a special portion next week in regards to foot patrols.

Chief Fong introduced the Command Staff who are present. Present were Deputy Chief Charles Keohane, Deputy Chief David Shinn, Commander Sylvia Harper, Commander Steve Tacchini, and Commander Sam Craig. Chief Fong also introduced Captain Richard Corriea as the new training coordinator for the Department.

Commissioner Marshall asked about Operation Dream. Chief Fong stated that she will contact Mr. Grays and Lt. Slade in regards to Operation Dream.

Commissioner DeJesus thanked the Command Staff and Captain Pardini for staying so late.

Commissioner Sparks asked about the communication liaison between the Department and the victim's family. Commissioner Sparks asked about a comment made about not hearing from the homicide inspectors and what happens to the communication when the homicide is not solved. Chief Fong stated that the protocol in the Homicide Division is that they are to keep in contact with the family while there is an active investigation. The Chief stated that if it does come to a point where all leads that the Department are aware of, all the door knocking, all the canvassing has not brought any more information forward, then they have to be honest and share that with the family. The Chief stated that a homicide case is never closed. There is no statute of limitations in homicide incidents and in some cases although all the leads are at a point where there's no information, there's also forensic testing that's occurring. The Chief stated as there are more information, there is more communication but there's a time when the inspector do not have anything then they advice the family of that information and will call them if there is anything.

Commissioner Sparks asked about posters of homicide victims. The Chief explained that when there's a request for a reward on any criminal matter, the request comes from the Department to the Mayor's office. The Mayor's office decides to issue that reward or not to issue it and then the Department puts together a crime bulletin. The bulletins go out to the district stations and generally the responsibility to notify the family of the victim rest with the inspector of the case. The bulletins are also posted on the department's website. Commissioner Sparks stated that the bulletins should be out in the community as widely distributed as possible for some period of time so that people understand that it is available.

Commissioner Sparks asked about the video incident investigation. Deputy Chief Keohane stated the investigation is coming to a conclusion and is being review by Captain Brown at this time and will be forward to Chief Fong for her review before a month.

Commissioner Lee asked what happens to the communication when the

case is picked up by the District Attorney's Office. Chief Fong stated that once the District Attorney decides to charge a case, that inspector is still attached to the case but in terms of preparing for any court proceedings, there is a deputy district attorney who is assigned and also DA investigators who may assist but the inspector never gives up the case.

Commissioner Campos asked about a comment made by Reverend Walker about walking with the Captain and talking to people. Chief Fong stated that that is a very good idea and stated that the model for the officers working in public housing is to knock on every door, to talk to everyone because the only way you get to know people and build that relationship is by having that conversation.

REMARKS TO THE COMMISSION BY THE MAYOR'S OFFICE OF CRIMINAL JUSTICE

Mr. Allan Nance stated that there are key strategies out there that need to be explored and that, clearly, there is a need for the Mayor's Office and other city agencies to step up efforts and to be responsive to the needs of the communities that are being ravaged by violent crime.

Director Nance talked about a number of positive events that are occurring throughout the city. He stated today there was a re-entry council summit that was held with Public Defender Adachi and Supervisor Mirkirimi and DA Harris to address what is a very real concern for San Francisco and a concern that impacts crime with the City. Director Nance stated that has to do with the inefficient and ineffective return of individuals from prisons/jails back to the communities without the necessary program, services, housing, education, and employment opportunities that are necessary to sustain their success. He stated that there is also a conference for law enforcement agencies, at the local and state and federal level, that are actively involved in Operation Cease Fire.

Director Nance stated that the MOCJ fully support that the Community Response Team that the Department of Public Health has responsibility for will continue to respond to violent crime throughout the city as a key component to help circumvent some of the ongoing criminal activity that occurs as a result of violent incidents.

Director Nance also talked about the enforcement of the curfew law. He also stated that MOCJ's goal is not to criminalize offenders and is not to arrest curfew violators but to use those city services that are already in place to provide resources to family.

Director Nance also stated that earlier this year Mayor Newsom was approached by several gang members from the Bayview Hunters Point community and they asked for a meeting with the Mayor. In the meeting they shared with the Mayor their belief that if the city was invested and committed to providing jobs and job training for young people who are actively involved in street gangs in this community, that they could help to broker a cease fire amongst some of the gang members. Director Nance stated that there are young people out there who cannot be effectively reached. He stated that numerous programs and services are provided through the SF Safe Summer initiative but unfortunately the people who are needed to be reached were not the ones that were showing up to receive the services. Director Nance stated that by having individuals who have a connection to the actively involved gang members in the community, they were able to identify close to 50 young adults who they were able to process through the One Stop Center on Mission Street and provide an assessment, referrals for job training for some of them. He stated that many of them have gained employment and he continually receives notices from young people, as the result of that process, who are involved and

actively participating in training and employment.

Director Nance talked about the Community Support Fund which is an opportunity through the community courts to provide grants up to \$2500 three times a year to community organizations, not for profit organizations, to support their initiatives to reduce crime in their communities. Director Nance encouraged community agencies to come forward and to provide his office with opportunities to serve the community through those grants.

Commissioner Sparks asked about faith-based organizations. Director Nance stated that faith-based organizations are able to apply for the grants but unfortunately they have not had a lot of faith-based organizations apply.

Commissioner Sparks asked about Supervisor Mirkirimi's ordinance on cameras. Director Nance stated that Chapter 19 of the Administrative Code is the Community Safety Camera Ordinance that now governs the deployment and installation of the cameras. Director Nance stated that they have received the data from several locations previously identified and some new locations that the Department and the community have identified and they are in the process of putting together the documentation and working with the Department of Telecommunications and Information Services to make sure that signs are prepared because there should be signs at the proposed locations 20 days before the hearing so that the public has the opportunity to come before the Commission. Director Nance stated that the Commission should receive a request from his office asking for some dates to calendar this matter.

CAPTAIN ALBERT PARDINI, COMMANDING OFFICER OF BAYVIEW STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE BAYVIEW DISTRICT

Commissioner Renne thanked Captain Pardini for the comprehensive booklet that he prepared for the Commission.

Captain Pardini gave a brief overview on police activities in the Bayview District.

Commissioner DeJesus thanked Sergeant Reilly, Captain Pardini, Sharon Hewitt, and Donna from Police Watch for their help in contacting people.

Commissioner Campos asked about the morale of the officers in Bayview. Captain Pardini stated that its been a tough couple of years and its been quite a challenge to work out in the Bayview. Captain Pardini stated that, with respect to the officers' morale, it has been a roller coaster. Captain Pardini stated that they are going to get focused. They're going forward and the officers are out there.

Commissioner Sparks stated that she is very impressed with Captain Pardini's vision and focus but that she's also very impress with the Captain's compassion for the officer and for the people in the Bayview.

Commissioner Lee asked about the Asian American community in the Bayview. Captain Pardini stated that he uses resources around the Department as far as language access and also there is a language line services to deal with a call for service. Captain Pardini stated that as far as a community outreach, he gets help from community-based organizations and SF Safe. SF Safe has people that are bilingual in different languages and they attend community meetings and they are able to cover the dialogue of the meeting so that the people who are limited English speaking can understand what is being said at the meetings.

COMMISSION ANNOUNCEMENTS

None

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Renne announced that there will be several special meetings and on Wednesday will announced exact locations and times.

Commissioner Lee asked for an update on recruitment.

ADJOURNMENT

Motion by Commissioner Campos, second by Commissioner Lee to adjourn the meeting.

Thereafter, the meeting was adjourned at 10:41 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct