

The Police commission of the San Francisco Police Commission met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, 5:57 p.m., in a Regular Meeting.

PRESENT: Commissioners Sparks, Marshall, DeJesus, Lee, Mazzucco, Veronese

ABSENT: Commissioner Campos

(Commissioner Veronese arrived at 7:27 p.m.)

Commissioner Sparks announced that Item #6, Discussion and possible action to adopt a resolution directing the Chief of Police to refer allegations of police misconduct contained in civil suits and claims to the OCC and adopt procedures for investigation of those allegations, will be continued in a few weeks.

ADOPTION OF MINUTES

- **Meetings of March 12th and 19, 2008**

Motion by Commissioner Lee, second by Commissioner DeJesus.
Approved 5-0.

APPROVAL OF CONSENT CALENDAR

- a. **Request of Sergeant Lyn Tomioka, Richmond, to accept a gift of a key chain, valued at approximately \$20.00, from St. Dominic's Church**
- b. **Request of Sergeant Paget Mitchell, MCD, to accept a gift of a photograph of the Golden Gate Bridge, taken by Mr. Michael Addario, from Mr. Michael Addario and the San Francisco Street Artists**

Motion by Commissioner Marshall, second by Commissioner DeJesus.
Approved 5-0.

RESOLUTION 12-08

APPROVAL OF THE REQUEST OF SERGEANT LYN TOMIOKA, RICHMOND, TO ACCEPT A GIFT OF A KEY CHAIN, VALUED AT APPROXIMATELY \$20.00, FROM ST. DOMINIC'S CHURCH

RESOLVED, that the Police Commission hereby approves the request of Sergeant Lyn Tomioka, Richmond, to accept a gift of a key chain, valued at approximately \$20.00, from St. Dominic's Church.

AYES: Commissioners Sparks, Marshall, DeJesus, Lee, Mazzucco
ABSENT: Commissioners Campos, Veronese

RESOLUTION 13-08

APPROVAL OF THE REQUEST OF SERGEANT PAGET MITCHELL, MCD, TO ACCEPT A GIFT OF A PHOTOGRAPH OF THE GOLDEN GATE BRIDGE, TAKEN BY MR. MICHAEL ADDARIO, FROM MR. MICHAEL ADDARIO AND THE SAN FRANCISCO STREET ARTISTS

RESOLVED, that the Police Commission hereby approves the request of Sergeant Paget Mitchell, MCD, to accept a gift of a photograph of the Golden Gate Bridge, taken by Mr. Michael Addario, from Mr. Michael Addario and the San Francisco Street Artists.

AYES: Commissioners Sparks, Marshall, DeJesus, Lee, Mazzucco
ABSENT: Commissioner Campos, Veronese

PUBLIC COMMENT

Maxine Duggan, Erotic Service Union, discussed concerns regarding actions of two undercover police officers in regards to permits for a non profit event and discussed concerns regarding enforcement of prostitution laws.

Commissioner Sparks asked Chief Fong to prepare a presentation on enforcement in regards to non-profit organizations and a perception on selective enforcement.

Barbara Growth discussed concerns regarding the Olympic Torch passing through San Francisco.

Jeanette Berger discussed concerns.

REPORT TO THE COMMISSION

a. Chief's Report

- **Update on significant policing efforts by Department members**
- **Update on preparation for the Olympic Torch**
- **Update on the Department's civilianization**

Chief Fong updated the Commission in regards to preparation for the Olympic Torch. Chief Fong stated that Deputy Chief Cashman will give an update on the preparation for the Olympic Torch; Commander Murphy will update the Commission on homicides; Assistant Chief Lynch, Director Villagomez, and CFO Bukowski will provide an update on the Department's civilianization.

Deputy Chief Cashman updated the Commission in regards to the Olympic Torch and stated that the goal of the Department will be to provide a safe environment for all the participants and what will not be allowed will be violations of the law.

Commissioner Sparks commented that the Commission is confident that the Department will provide professional, competent enforcement of the law and wished the Department good luck.

PUBLIC COMMENT

Giovanni Vasallo, President Committee of 100 for Tibet & Coordinator for Team Tibet, discussed confusion in regards to permit requirements near the torch and concerns regarding free speech zones and where people are going to be allowed to demonstrate.

Jeanette Berger discussed concerns.

Deputy Chief Cashman stated that San Francisco is a free speech area and explained that people sometimes want to be in specific areas but nothing confines people to specific areas and Chief Cashman also stated that permits have been issued for organizers.

Commissioner Lee asked if anyone has been denied any permits. Deputy Chief Cashman stated that no one has been denied any permits.

Barbara Growth discussed concerns regarding safety of police officers.

DISCUSSION RE: THE CITRIS (CENTER FOR INFORMATION TECHNOLOGY RESEARCH IN THE INTEREST OF SOCIETY) PRELIMINARY FINDINGS OF THE STATISTICAL EVALUATION OF THE CRIME-DETERRENT EFFECTS OF THE SAN FRANCISCO

CRIME CAMERA PROGRAM

Mr. Ed Lee, City Administrator, introduced Mr. Stephen Rafael who presented the report. Mr. Rafael is a member of the research team from UC Berkeley. He stated that the preliminary findings and stated that property crimes declined by roughly 22 percent within 100 feet of the cameras but in the areas outside of camera view, there was no change. For violent crimes there were no major patterns seen except with the exception of decline in homicide within 200 feet of the cameras and an increase within 300 to 400 feet of the cameras.

Commissioner Sparks asked Mr. Lee if the Commission should move forward with new cameras based on the preliminary report. Mr. Lee stated that this is a pilot program and should not be constricted.

Commissioner Sparks expressed concern regarding the budget and spending funds for a program that research has so far suggested inconclusive. Mr. Lee stated that the next phase of the research he had asked the Chief for a single point of contact and to expedite the interviews and find out how this is helping the cases under investigation and the kinds of things that officers are trying to do with this technology, the quicker the Commission can be advised on the spending for this program.

Commissioner Sparks stated that the Commission should not change its policy on not approving anymore camera installations until the final report is submitted.

Commissioner Mazzucco suggested that in the final report, the statistics about drug arrests, drug cases that take place around the cameras to get a full picture and to look at the issue closer to see what the benefits are and to move forward to see if the cameras can actually help San Francisco.

Commissioner Sparks announced that there will be a joint meeting with the Board of Supervisors to discuss the final report regarding foot patrols.

PUBLIC COMMENT

Mark Schlosberg, ACLU, discussed concerns regarding safety cameras. Barbara Growth discussed concerns.

Valencio Salazar, District 6 resident, discussed concerns regarding the safety cameras and its purpose.

a. Chief's Report (continued)

Chief Fong introduced Commander Murphy to give a brief update on the homicides.

Commander Murphy presented the update on homicides and discussed recent double homicide on Irving & 19th Streets.

- Update on the Department's Civilianization

Assistant Chief Lynch gave a brief overview in regards to civilianization.

1997/1998 - Budget Analyst Office did evaluation of functions within the Police Department and identified 183 functions that could be civilianized. Of this, 26 were filled with modified duty personnel.

1997/1998 to March 2004 - there were various efforts to try to civilianized positions within in the Department. In March 2004, Prop. C was

passed which codified the Budget Analyst's recommendation to civilianize were possible in the Department.

Fiscal year 2004/2005 budget - 38 positions were developed with the Controller's Office and later certified by the Controller's Office as meeting the criteria for civilianization as identified in Prop C:

Civilianization Phase I

8213 Police Service Aide	20
1424 Clerk Typist	5
1844 Sr. Mgmt. Assist.	2
3310 Stable Attendant	2
8173 Legal Assistant	1
1022 IS Administrator II	1
1052 Business Analyst	1
7335 Stationary Engineer	1
1071 IS Manager	1
1023 IS Administrator II	1
1823 Sr. Admin. Analyst	1
1842 Mgmt. Assistant	1
1770 Photographer	1
Total	38

2004/2005 Budget - funding was reduced by approximately 50 percent at the last minute in June before approval by the Board. Prop. J & K failed. Impact on the Department is the hiring of these positions were pushed back into fiscal year 2005/2006. One position was hired in 2004/2005 fiscal year.

2005/2006 fiscal year - with the Controller's Office and later certified by the Controller's Office 34 additional positions were identified that can be civilianized. The original 38 positions were annualized into the 2005/2006 budget and 34 added which gave a total of 72 positions for civilianization.

Civilianization Phase II

8213 Police Service Aide	10
8207 Bldg & Grounds Patrol Ofc.	2
7410 Automotive Service Worker	9
8177 Attorney	1
0933 CFO	1
1023 IS Administrator III	2
1022 IS Administrator II	3
1042 IS Engineer Journey (.50)	1
8139 Industrial Injury Invest	1
1424 Clerk Typist	3
1934 Storekeeper	1
Total	34

2006/2007 Fiscal Year - additional 12 positions were identified as meeting the requirements for civilianization which brought the total up to approximately 84 positions.

Chief Financial Officer Ken Bukowski stated that:

2007/2008 - additional 19 civilianized positions were added to the budget. Technically 60 new positions funded but only 19 added to 84 total.

2008/2009 - total of 37 additional civilianization positions currently proposed by the Department. In total, from 2004 to present, the department has 140 functions proposed for civilianization if the Department is able to secure funding for the proposed 2008/2009 civilianizations.

Director Alice Villagomez, Human Resources, stated that of the original 84 positions, 51 have been filled to date and anticipating another 20 by the end of the fiscal year. The majority of the position were prioritized for police service aides to be assigned to the various districts. The goal is to have six per district along with vehicle maintenance officers.

PUBLIC COMMENT

Steve Johnson, POA, discussed concerns regarding cases pending before the Commission, specifically the case in regards to videogate which involves seven officers that are currently working inside.

Unidentified stated that there was a second moment of silence for an individual who was a victim of homicide.

Unidentified discussed concerns regarding budget crisis and discussed concerns about the city being a sanctuary city.

Barbara Growth discussed concerns regarding homicides.

b. OCC Director's Report
- Review of Recent Activities

Director Joyce Hicks reported first quarter statistics in regards to mediation and outreach. She stated that the OCC's mediation coordinator reviewed 68 cases for mediation which resulted in 17 mediations. Of those 68 cases that were reviewed, only two officers declined, 22 complainants declined. She stated, however, that officers were ineligible in 24 of the complaints. Director Hicks explained the standards for ineligibility: An officer has a sustained case within the past year; an officer had a prior mediation within the past six months; or an officer had three mediations within the past two years. She stated that they are looking at those standards to see whether or not they are too prohibitive.

Director Hicks also announced that on Monday, the 2nd OCC hired attorney will begin. Her name is Ms. Cecily Gray and she will be introduced to the Commission on April 23rd.

PUBLIC COMMENT

None

c. Commission Reports
- Commission President's Report
- Commissioners' Reports

Commissioner Sparks announced that the Commission will not meet next week, April 9th, due to the passing of the Olympic Torch. On April 16th will be a public hearing on the final report on Foot Patrols, and on May 19th, hearing on the district boundary report.

Commissioner DeJesus announced that there will be a subcommittee meeting some time in May in the Tenderloin and would like the comments from the Department from the last meeting.

Commissioner Sparks would like a community meeting in Bernal Heights some time in June.

PUBLIC COMMENT

None

(The Commission recessed for five minutes.)

**HEARING AN POSSIBLE ACTION ON THE MOTION TO DISMISS
DISCIPLINARY CHARGES FILED AGAINST PATROL SPECIAL
JANE WARNER, FILE NO. C07-039 ALW, FILED 03/19/07**

*The following time limits will apply:
Charged officers' argument: Up to 10 minutes
Department's argument: Up to 10 minutes
Charged officers' rebuttal: Up to 5 minutes*

Motion to recuse Commissioner Veronese by Commissioner Mazzucco, second by Commissioner Lee. Approved 5-0.

Mr. Patton, Law Offices of Waukeen McCoy, for Ms. Warner. Ms. Asher Worsham, MCD, for the Department.

Mr. Patton, for Ms. Warner, asked for a closed hearing.

Motion by Commissioner Mazzucco, second by Commissioner DeJesus to continue this hearing on April 23rd.

(The Warner hearing is taken in shorthand form by Ms. Anna Greenley, CSR, Roomian & Associates.)

Continued to April 23rd.

PUBLIC COMMENT

Barry Tarranto commended Jane Warner.

ROUTINE ADMINISTRATIVE BUSINESS

a. Commission Announcements

- **Assignment of Disciplinary Charges filed in Case No. C05-046 JWA to an individual Commission for the taking of evidence on a date to be determined by the Commission**
(Resolution 14-08, Assigned to Commissioner Sparks)

Lieutenant Reilly announced that the meeting on the 30th will be in the Central District, Longshoremen's Hall, 500 Beach Street, at 6:00 p.m.

ADJOURNMENT

Motion by Commissioner Mazzucco, second by Commissioner DeJesus. Approved 5-0.

Thereafter, the meeting was adjourned at 9:55 p.m.

Lieutenant Joseph Reilly
Secretary
San Francisco Police Commission

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