

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:45 p.m., in a Regular Meeting.

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

(Commissioner DeJesus arrived at 6:05 p.m.)

(Commissioner Lee was excused at 7:30 p.m.)

PUBLIC COMMENT

Alexis Miranda, Divas Night Club Manager, discussed concerns regarding prostitution and drugs in the area and asked for more cooperation from the police.

Eric Arguello, President Lower 24th Street Merchant Neighborhood Coalition, expressed support for cameras on 24th Street and stated that the camera is working and is a deterrent.

David Lewis discussed concerns regarding being falsely convicted and asked for the Commission to appear at his Factual Innocence Hearing on August 29th.

APPROVAL OF THE CONSENT CALENDAR

- a. **Request of the Chief of Police to accept donation of \$75.00, from Carl and Evelyn Grossman, for the use of SFPD Canine Unit. The donation is in memory of Retired Police Officer Frank O'Leary**

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

RESOLUTION NO. 70-07

APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO ACCEPT A DONATION OF \$75.00, FROM CARL AND EVELYN GROSSMAN, FOR THE USE OF THE SFPD CANINE UNIT. THE DONATION IS IN MEMORY OF RETIRED POLICE OFFICER FRANK O'LEARY

RESOLVED, that the Police Commission hereby approves the request of the Chief of Police to accept a donation of \$75.00, from Carl and Evelyn Grossman, for the use of the SFPD Canine Unit. The donation is in memory of Retired Police Officer Frank O'Leary.

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

CHIEF'S REPORT

- a. **Update on significant policing efforts by Department members**
b. **Status Report re: Patrol Special Officers**

Deputy Chief Shinn updated the Commission regarding Patrol Specials. Chief Shinn stated the number of applications for assistant patrol specials in 2007 is 11 applications. Currently in the background process is 7 and 4 applications have been completed. Based on the 4 that have been completed, 2 have been denied for not meeting the minimal standards and 2 are in the process of being reviewed by him and by the Chief. Chief Shinn stated that the background process can take, on the average, between 6 and 8 months.

Commissioner Sparks asked if the background process is the same process as a uniformed officer. Chief Shinn stated that a private background is submitted by the assistant patrol special and then it is reviewed by the Department. Chief Shinn stated that there is a priority process in getting the police applicants in as soon as possible and Chief Shinn stated that he asked the Chief to have a specific officer trained to handle not only civilians but also patrol specials.

Deputy Chief Shinn stated that for 2006, there were 9 applications received, 0 in the backgrounds, 5 completed applications, 2 applicants withdrew from background process, 1 patrol special withdrew the assistant patrol special application. There were 4 appointed from this process and 1 still in the wait process pending one document.

Deputy Chief Shinn stated that 2005, there were 9 applications received, 0 in the backgrounds, 5 completed applications, 3 applicants was a combination of patrol special withdrew, 2 applicants withdrew, 4 appointed and waiting on 1 for one pending document.

Commissioner Veronese stated that there has not been any appointments of a single patrol special. Chief Shinn stated that the approval for an assistant patrol officers rest with the Department. The approval for a beat owner or a transfer of the beat goes through the Commission.

Commissioner Veronese asked about the distinction between a patrol special and an assistant patrol special. Ms. Molly Stump clarified that in the rules there are a number of other distinctions.

Commissioner DeJesus asked who monitors the day-to-day activities of the patrol specials through the different districts. Chief Shinn stated that the oversight of the patrol specials at each district stations rest upon the platoon commander at that particular station. The rules adopted by the Commission is they are not allowed to write police reports.

Commissioner Sparks stated that Commissioner Lee will be working with the City Attorney in revising the Rules and Procedures of Patrol Specials. Commissioner Sparks also asked that this item be calendar again toward the end of September or the first meeting in the October. She also asked the Department for a monthly report in regards to what was talked about tonight in regards to the background process.

PUBLIC COMMENT

Ron Lee stated that the patrol specials in the Diamond Heights area do great policing and commended PSO Calvin Wiley.

Eric Arguello express support for the patrol specials in the Mission area.

Ernestine Weitz expressed concern regarding homeless on Market Street and asked for more foot patrol officers on Market Street.

Alexis Miranda, 15th & Valencia, discussed concerns regarding limited power of patrol specials.

Edward Gilman, Alamo Square, discussed concerns regarding shootings in the area and expressed support for patrol specials.

Mr. Farley stated that patrol specials are like police reserves and patrol specials should have same full power as police officers.

Karen Eckland expressed support for Officer Jane Warner.

Ernest stated that he is a present patrol special applicant and a recent Q2 applicant and asked about the application process.

Jane Warner stated that rules and procedures needs to be rewritten and asked that she be part of the process.

Commissioner Sparks asked if there are other issues that need to be

addressed. Ms. Warner stated that some of the members being written up on charges according to DGOs but they are not given DGOs and asked that they be trained and be supervised.

Commissioner Veronese asked what is the difference between patrol specials and police officers. Ms. Warner gave a brief history of the patrol specials and stated that they augment for the police officers in the neighborhood and that they are paid by merchants/resident and that it is for profit organization.

Commissioner Veronese asked what Ms. Warner needs to serve the city better. Ms. Warner stated that she has a great walking foot patrol program and stated that she needs to be able to write police reports and make arrests and be able to write citations and asked for consistency in the hiring process and training process by the Department.

Commissioner Sparks asked the city attorney if the application process can be discussed in open session and Ms. Stump stated that she will look into that.

Commissioner Veronese asked if the Commission can hear appeals from patrol specials directly. Ms. Stump stated that under the rules the Commission is directly responsible for discipline and removal of a patrol specials. Ms. Stump explained that there is no process for an appeal in the rules and stated that the Commission is a rule and policy making body and in areas that are defined by the Charter, the Commission has an adjudicative function and that the appeals is an area of administration and in the City's system, administration of operational system is done by departments and is overseen at a policy level by Boards and Commissions.

PUBLIC COMMENT continued

Unidentified discussed concerns regarding patrol special rules and abandoned beats.

Paul Melvestald, Attorney at Law, stated that patrol specials provide services to small business owners.

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

Ms. Jean Field, Interim OCC Director, discussed outreach efforts by the OCC in the past week. Ms. Field also talked about the mediation program implemented by the OCC and stated that they are getting a lot of positive feedback from both the officers and the citizens. Ms. Field also stated that the POA has also been a partner in helping officers understand the benefits of mediation.

PUBLIC COMMENT

None

COMMISSION REPORTS

a. Commission President's Report

b. Commissioners' Reports

c. Presentation of the Police Commission's bi-monthly report of Closed Session Disciplinary Actions (Veronese Resolution)

Commissioner Sparks reported that she met, along with Commissioner Marshall, with the consultants doing review on foot patrols and that they are proceeding forward with the study on foot patrols and district boundaries and announced the website of www.sfpolicereview.org and that this website will be updated on information as these studies go forward. The review is anticipated to be completed by December 31st and submitted to the Commission in early

January.

Commissioner Marshall talked about the first meeting of the Subcommittee on Violent Crimes and stated that it was a highly charged meeting and stated that it was a good start and that it went very well and that he would like to schedule a second meeting.

Commissioner DeJesus stated that there were some constructive ideas that came out of the meeting.

Sergeant Reilly presented the bi-monthly report of Closed Session Disciplinary Actions.

PUBLIC COMMENT

None

DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION REQUIRING THE CHIEF OF POLICE, OR HIS OR HER DESIGNEE, TO NOTIFY EACH POLICE COMMISSIONER, VIA TELEPHONE OR ELECTRONIC MESSAGING, WHEN CERTAIN EVENTS OCCUR

Put over to September 4th.

APPROVAL OF THE MINUTES FOR THE MEETINGS OF JULY 11, 2007 AND JULY 18, 2007

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

COMMISSION ANNOUNCEMENTS

- a. **Reassignment of Case No. C03-190 JWA to Commissioner Lee**
(Resolution 72-07)
- b. **Reassignment of Case No. C04-106 JWA to Commissioner Lee**
(Resolution 73-07)
- c. **Reassignment of Case No. D03-364 JWA to Commissioner Mazzucco**
(Resolution 74-07)
- d. **Reassignment of Case No. C04-039 JWA to Commissioner Mazzucco**
(Resolution 75-07)
- e. **Reassignment of Case No. D03-348 JWA to Commissioner Mazzucco**
(Resolution 76-07)
- f. **Reassignment of Case No. D03-199 JWA to Commissioner Mazzucco**
(Resolution 77-07)
- g. **Reassignment of Case No. C07-076 ALW to Commissioner Veronese**
(Resolution 78-07)

Sergeant Reilly announced that the Commission will meet in the Northern District on Wednesday, August 29th, at the Claire Lilianthal Elementary School, 3630 Divisadero Street, at 6:00 p.m.

PUBLIC COMMENT

None

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

None

PUBLIC COMMENT

None

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO THE CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner DeJesus, second by Commissioner Veronese

CLOSED SESSION (7:35 p.m. to 8:13 p.m.)

- a. **PERSONNEL EXCEPTION: Status and calendaring of pending disciplinary matters in Case No. C06-181 JCT, C06-183 JCT, C06-184 JCT, C06-185 JCT, C06-186 JCT, C06-187 JCT, and C06-188 JCT (DISCUSSION ONLY)**
- b. **Pursuant to Government Code section 54957(b)(1) and San Francisco Administrative Code Section 67.10(b): PERSONNEL EXCEPTION: Discussion and possible action to grant or deny motion to continue disciplinary trial in Case No. C06-119 KMO (ACTION ITEM)**
- c. **Pursuant to Government Code section 54957(b) and San Francisco Administrative Code Section 67.10(b): PERSONNEL EXCEPTION: Public Employee appointment: OCC Director (DISCUSSION & POSSIBLE ACTION)**

PRESENT: Commissioners Sparks, Marshall, DeJesus, Veronese, Deputy City Attorney Stump, Ms. O’Haire, Deputy City Attorney Blits

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

Motion by commissioner DeJesus, second by Commissioner Marshall for non disclosure. Approved 4-0

PUBLIC COMMENT

None

ADJOURNMENT

Motion by Commissioner Marshall, second by Commissioner Veronese. Approved 4-0.

Thereafter, the meeting was adjourned at 8:15 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission