

FEBRUARY 1, 2006

REGULAR MEETING

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 5:38 p.m., in a Regular Meeting

PRESENT: Commissioners Renne, Campos, Chan, DeJesus, Marshall,
Veronese

ABSENT: Commissioner Sparks

Commissioner Renne commended Captain Keohane and Mr. Jerry Tidwell, Attorney at Law for MCD, for the good work that they have been doing on the backlog of cases.

Captain Keohane introduced Ms. Kelly O'Haire, the new attorney for the Management Control Division.

PUBLIC COMMENT

Unidentified discussed concerns regarding SRO units and the violation of tenant's rights.

Meesha Irizarry read a prepared statement regarding Sgt. Davis.

Kathy Perry discussed her request for information and asked for a written response from the Commission.

Unidentified asked how often officers get tested for drug use and steroid use.

Francisco Decosta, Director of Environmental Justice Advocacy, discussed concerns that many issues have not been addressed and concerns about drugs and guns in the community and concerns about child molesters in the community.

Barry Toronto, cab driver, welcomed the two new Commissioners and discussed concerns regarding staffing of the Taxi Detail and concerns about limo way bills.

Ace Washington discussed a book about police brutality and discussed concerns regarding denial of his press pass.

DISCUSSION AND POSSIBLE ACTION TO ADOPT STATEMENT OF DECISION DENYING (A) MOTION TO DISMISS DISCIPLINARY CHARGES IN CASE NO. C04-126JWA UNDER GOVERNMENT CODE 3304(d); AND (B) MOTION TO DISMISS DISCIPLINARY CHARGES IN CASE NOS. C04-113 JWA & C04-126 JWA ON THE GROUNDS THAT THE ALLEGED CHARGES ARE UNCONSTITUTIONAL AND FILED AS A PRETEXT FOR UNLAWFUL RACE-BASED EMPLOYMENT DISCRIMINATION

(Resolution 7-06)

Motion by Commissioner Veronese, second by Commissioner DeJesus to adopt statement of decision denying motions. Approved 6-0.

CHIEF'S REPORT

- a. **Update on significant policing efforts by Department members**
- b. **Update on Officer-Involved Shooting (OIS) #007-05 per Department General Order 8.11**
- c. **Summary Report on current OIS Investigations**

Chief Fong announced that Friday, 32 new officers graduated from the Police Academy and that there is still one academy class in training at the current time that will graduate at the beginning of June.

Chief Fong commended officers for their work in two demonstrations. One was last night's anti-war rally in Union Square. The other demonstration

was the prochoice and prolife march which drew over 10,000 people and the Department has received many complimentary letters of the officers who were on line.

Chief Fong stated that the Department is working closely with the Mayor's Office of Criminal Justice and that on Monday there was a presentation made at the Board of Supervisors on stopping gun violence. Slides were provided to the Commission.

Chief Fong talked about a grant to assist in the hiring of personnel to be placed in schools, not as police officers, but as counselors to work with the young people in the schools more in the preventative mode. Chief Fong announced that that grant is moving forward.

Chief Fong announced that next week the Department will be making a presentation to the Commission about the budget.

Commissioner Marshall asked about documents that were talked about last week. Chief Fong explained that the documents that were given to the Commission addresses specifically the homicides as well as the shootings that occurred in the year 2004 and 2005 and it breaks down locations, dates, times, tools used, and the people involved, and it also has the district break downs. Chief Fong stated that the documents that they talked about last week are the statistical reports, the crime data reports. Chief Fong stated that she has asked the Department of Justice for the data for the complete year and this will be given to the Commission on Friday.

Commissioner Veronese asked if the budget is mission driven. Chief Fong stated that the Department will be sharing with the Commission the policies and the missions that the Department are proposing this budget for. Chief Fong stated that it will identify goals and missions.

Commissioner Campos followed up regarding SRO issue and would like a supplemental report on any efforts, if there are any, that the police are undertaking to communicate with members of the community to address any concerns that they may have and also how the Department is dealing with non English speaking members of that community. Chief Fong stated that there is a liaison to the collaborative who is Captain Kathryn Brown from Tenderloin Station and that the Department will put together a report for the Commission.

Captain Keohane gave an update on current OIS investigations and announced that out of the 26 original officer-involved shootings, 23 investigations are completed and will have the final three done by March 17th. Captain Keohane commended the investigators of MCD for their work in closing the cases.

Lieutenant John Hennessy, Homicide Unit, presented the update on OIS #007-05 per Department General Order 8.11. He stated that after 45 days, OIS #007-05 which occurred on 11/22/2005, is not ready for submission to the Chief of Police. The Homicide Detail investigation is complete. The District Attorney's Office has not completed their investigation but they have asked for transcripts from the Department and upon receipt of those, Lt. Hennessy stated that he anticipates a letter that will close their investigation and it will be submitted to the Chief of Police. He anticipates to close the investigation by March and have it up to the Chief of Police.

PUBLIC COMMENT

None

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

Ms. Susan Leff, for Director Allen, announced that Director Allen met with the Mission SRO collaborative project and reported that it was a very productive talk and that Director Allen will be reporting back to the Commission in the future.

Commissioner Chan asked for status regarding proposal for translation services. Ms. Leff will get an update for the Commission.

Commissioner Campos asked when a revised draft of the community outreach plan will come before the Commission. Ms. Leff will give the message to Director Allen.

Commissioner Renne asked that investigative reports be put out in a timely fashion. Ms. Leff will give message to Director Allen.

Commissioner Chan asked about the charging standards of the OCC and would like an update as to what the status of the review with respect to the charging practices of the OCC because of concerns from the members of the Department that they are not being informed sufficiently as to what it is that is the subject matter of the OCC action. Ms. Leff will bring the information to Director Allen.

Commissioner Veronese discussed concerns regarding the lack of specificity of the charges and that his concern came up initially during discussion of the early warning system and would like to reiterate that if the charges are more specific and that becomes an element that can be tracked through the early warning system, that would be very useful to the Department to have that particular information. Ms. Leff will convey message to Director Allen.

PUBLIC COMMENT

None

APPROVAL OF MINUTES FOR THE MEETINGS OF SEPTEMBER 14, 2005 AND JANUARY 18, 2006

Motion by Commissioner Marshall, second by Commissioner DeJesus to approve the minutes. Approved 6-0.

COMMISSION ANNOUNCEMENTS

a. Notice of filing of amended disciplinary charges filed in CaseNo. C03-094 JWA

Sergeant Reilly announced the filing of amended disciplinary charges in Case No. C03-094 JWA and that there are no additional substantive changes to the charges and this matter has already been assigned to Commission Veronese.

PUBLIC COMMENT

None

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner DeJesus would like a status report as to community policing as related to the Bayview District.

Commissioner Chan would like a timetable for district community policing. Commissioner Chan inquired about RFP with respect to wi-fi in San Francisco and asked if there are conversations with other City Agencies about making appropriate provision for the Department if and when this capability is

provided to the residents of the City and County of San Francisco.

Commissioner DeJesus asked about the budget in regards to equipment for the officers. Chief Fong explained that the budget is broken down so that salaries are looked at for sworn and non sworn and there are certain equipment goals that are set by the budget office. There are a number of categories and information will be provided to the Commission prior to the meeting.

Commissioner DeJesus would like to meets with Captain Cashman to go over some of the stats presented to the Commission.

PUBLIC COMMENT

None

Motion by Commissioner Veronese, second by Commissioner Marshall to adjourn the meeting. Approved 6-0.

Thereafter, the meeting was adjourned at 6:33 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

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