

FEBRUARY 9, 2011

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 5:37 p.m.

PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Chan, Hammer, Kingsley, Slaughter

(Commissioner DeJesus arrived at 5:45 p.m.)

DISCUSSION AND POSSIBLE ACTION TO ADOPT A PLAN FOR POLICE DEPARTMENT RESPONSES TO INCIDENTS INVOLVING INDIVIDUALS WITH MENTAL HEALTH NEEDS

Taken out of order.

Commissioner Mazzucco gave a brief explanation as to how this resolution came about.

Commissioner Hammer gave a brief overview of work done by the subcommittee.

Commissioner Chan thanked the stakeholders that are presented and went on to introduce the resolution.

Chief Godown introduced the Memphis Model experts: Dr. Randy Dupont and Major Sam Cochran who went on with their presentation.

Samara Marion, OCC, talked about the history of the recommendations regarding mental health, highlights of visit to Memphis and Los Angeles, and recommendations regarding the proposed resolution.

Mr. Gifford Boyce-Smith, MD, president of NAMI (National Alliance on Mental Illness) San Francisco Chapter, addressed the Commission and urged the Commission adopt the resolution.

Mr. Eduardo Vega, M.A., Executive Director, Mental Health Association of SF, addressed the Commission and talked about the resolution and how mentally ill individuals are thrust into the criminal process and urged the Commission adopt the resolution.

Ms. Jo Robinson, Director, Community Behavioral Health Services, Department of Public Health, stated that training of officers is extremely important and described some of the services provided to the community. She stated that evening services are very limited and stated that part of her staff will be part of the mental health working group.

Ms. Helyna Brooke, Executive Director, SF Mental Health Board, thanked the Commission and Chief Godown for bringing this issue forward and talked about training provided to officers and urged the Commission to talk to the officers about the training and to talk to the Board of Supervisors to stop cutting mental health funding.

Ms. Jennifer Johnson, Public Defender, Behavioral Health Court, talked about her clients and how the Behavioral Health Court have reduced recidivism and how it works and stated that what is needed is a resolution that will help individuals before they get the handcuffs on them and talked about what is needed to help the mentally ill.

Ms. Marykate Connor, Executive Director of Caduceus Outreach Services, thanked the Commission for moving quickly on this issue and talked about programs provided by Caduceus Outreach Services and urged the Commission to adopt the resolution.

Kevin Martin, VP POA, addressed the Commission and talked about the officers as first responders and stated that the officers have had a lot of training in regards to mental health and stated that we are all stakeholders here.

Commissioner Marshall asked Major Cochran and Dr. Dupont how this resolution will change the handling of incidents involving the mentally ill. Major Cochran stated that he cannot give the Commission absolutes and stated that the CIT program gives the officers confidence and stated that the emphasis of the training and leadership helps the officer deal with the situation.

PUBLIC COMMENT

Clyde discussed concerns as to how different Memphis is from San Francisco and concerns about funding the program.

Meesha Irizarry urged the Department to reject tasers and discussed funding.

Clay Hathaway, Deputy Public Defender, gave the Commission some examples as to the clients she deals with and how officers make decisions to escalate situations instead of de-escalating.

Mike discussed concerns that part of the presentation did not include how mentally ill individuals were not asked how they feel and asked that officers be trained.

Jane Goldman, Psychiatric Nurse, SF General Hospital, talked about past trainings provided to officers back in the 80s and talked about the psychiatric nurses do in dealing with the mentally ill individuals.

Unidentified, Chapter 16 for Californians for Disability Rights, talked about the interaction that deals and provides services to the mentally ill.

Dale, Advocacy co-chair Nami, talked about San Francisco officers and talked about cooperation within the different agencies (submitted written statement)

Sister of individual shot by SFPD and stated that her sister needed help not a bullet and stated that mentally ill individuals should be treated with dignity and asked the Commission for their support to adopt the resolution.

Jeremy addressed the Commission and thanked the Commission and Chief Godown and the Memphis team for coming and doing their presentation.

Lidia, Coalition for Homelessness, discussed concerns regarding cuts in mental health funding and asked the Commission adopt this resolution.

Jennifer, Director of Coalition on Homelessness, had some recommendations as to how to deal with the mentally ill; SFPD should fully fund 40-hour training; seek investigation regarding OIS shootings (submitted written statement).

Sonia, Oakland, stated everybody should be treated with respect and how hard it is for the homeless.

Cashman stated that the Department can learn something new by talking to the experts.

Paul, Coalition for Homelessness, talked about what is good with the resolution and how this is a good first step for community minded process.

Mom with mentally ill daughter talked about losing SF services for the mentally ill and stated that anything that helps officers coordinate with other agencies would be a good thing and stated that the mentally ill deserves respect.

Unidentified, Mental Health Director, discussed how the mentally ill can be victims of violence and talked about how officers should response in dealing with the mentally ill and stated that what is needed is a Crisis Intervention Team and talked about cultural competency.

Ali Shubert, son with psychotic breaks while teenagers, talked about how her son chased her with a knife and how that can be seen as dangerous and asked not to look at the mentally ill as hopeless and stated that the Memphis training will be an enhancement for San Francisco.

Unidentified stated that the mentally ill needs intervention.

Commissioner Mazzucco thanked Commissioners Hammer and Chan for their hard work.

Commissioner Kingsley thanked Major Cochran and Dr. Dupont for their presentation.

Commissioner DeJesus thanked Major Cochran and Dr. Dupont, the Commissioners, the Chief, and the stakeholders for their presentation.

Commissioner Slaughter thanked the community for their comments, especially the moms who commented, and thanked the Commissioners for their work and thanked Dr. Dupont and Major Cochran.

Commissioner Hammer thanked Dr. Dupont and Major Cochran for their presentation.

Chief Godown stated that all officers should be trained.

Motion by Commissioner Hammer, second by Commissioner Chan to adopt the Memphis model and the resolution. Approved 7-0.

RESOLUTION NO. 11-18

ADOPTION OF RESOLUTION TO ENHANCE THE SAN FRANCISCO POLICE DEPARTMENT'S RESPONSE TO INCIDENTS INVOLVING INDIVIDUALS WITH MENTAL HEALTH NEEDS

WHEREAS, San Francisco has a significant population with mental health needs; and,

WHEREAS, the San Francisco Police Department ("Department" or "SFPD") responds to a high volume of incidents involving individuals with mental health needs; and,

WHEREAS, the Department wishes to develop training and programs to assist in responding to incidents involving individuals with mental health needs, for the safety of those with mental illnesses, the public and officers; now

THEREFORE BE IT RESOLVED, that the San Francisco Police Department shall develop a specialized Crisis Intervention Team ("CIT"). To be eligible for the CIT, officers must have received at least forty hours of mental health crisis response training, which shall include, among other things, information about understanding mental illness, officer safety and de-escalation tactics. CIT officers must attend thereafter advanced mental health crisis response training every two years. The Department shall deploy CIT members when feasible as first responders to incidents involving mentally ill persons in crisis (as co-responders with mental health professionals if so recommended by SFPD and the mental health working group, and provided that the response time to the scene is not impacted by dispatch of mental health professionals). The Department shall make reasonable efforts to ensure that the CIT includes at least 20-25% of the patrol division, and shall ensure that CIT members wear a badge that identifies them as CIT officers. CIT members shall perform their regular duties as patrol officers until they are dispatched for a mental health crisis call; and be it;

FURTHER RESOLVED, that the Chief of Police will in consultation with the mental health working group described below designate a member of the SFPD as a Crisis Intervention Team Coordinator ("CIT Coordinator"). The CIT Coordinator's responsibilities shall include implementing the CIT program; overseeing CIT training; developing and maintaining partnerships with mental health providers, mental health consumers and their families, and mental health advocates; participating in designing and conducting CIT officer application and selection process; conducting data collection and program evaluation; promoting the CIT program within the Department and with the public; and reporting to the Chief and Command Staff about SFPD's responses to mental health crisis incidents; and be it;

FURTHER RESOLVED, that the CIT Coordinator will work with the Office of Citizen Complaints, stakeholders and subject matter experts (hereinafter, "mental health working group") to develop recommendations for the Department's policies and procedures for police interactions with mentally ill persons in crisis, including the Department's philosophy statement, CIT, data collection, training curriculum, revisions to Department General Orders, and the role and responsibilities of the CIT Coordinator. The CIT Coordinator will reach out to and invite the Department of Public Health and other mental health stakeholders to participate in the mental health working group. The CIT Coordinator will work to ensure that decisions by the working group are made in collaborative manner and through a fair process. The mental health working group shall

invite the Department of Emergency Management to work with the group to develop emergency communication and dispatch protocols related to incidents involving individuals with mental illness, subject to final approval by the Department of Emergency Management; and, be it;

FURTHER RESOLVED, that the CIT Coordinator will collaborate with the mental health working group and staff of the Police Academy to develop and provide (1) at least sixteen hours of introductory mental health crisis response training for all officers; (2) a minimum of forty hours advanced mental health crisis response training for new CIT officers; (3) additional mental health crisis response training for CIT officers every two years after the initial training. Both the introductory and advanced mental health crisis response training will include tactical strategies for encounters with mentally ill individuals who may have a bladed or other type of weapon; and, be it;

FURTHER RESOLVED, that the CIT Coordinator will collaborate with the mental health working group and staff at the Police Academy to recommend field supervision training for CIT officers so that CIT officers effectively assume a supervisory role at an incident involving an individual in mental health crisis, devise – whenever feasible – sound tactical and strategic plans before action is taken, and direct the actions of involved officers; and, be it;

FURTHER RESOLVED, that the CIT Coordinator will collaborate with the mental health working group and the Department of Emergency Management to design recommended emergency communication and dispatch procedures and training for Department of Emergency Management personnel to identify mental health crisis calls and dispatch a CIT officer to the scene as soon as possible; and be it;

FURTHER RESOLVED, that SFPD and the mental health working group shall research funding opportunities for creating a System wide Mental Assessment Response Team (“SMART”) which would serve as a co-responder to mental health crisis calls, including a team of mental health care professionals and trained CIT officers; and be it;

FURTHER RESOLVED, that the CIT Coordinator and the mental health working group will develop and submit to the San Francisco Police Commission recommended revisions to Department General Orders 8.02 (Hostage and Barricaded Suspect Incidents), 8.01 (Critical Incidents), 6.14 (Psychological Evaluation of Adults), 7.02 (Psychological Evaluation of Juveniles) and any other relevant Department General Orders to include the Department’s philosophy and procedures for handling encounters with mentally ill persons in crisis; and, be it;

FURTHER RESOLVED, that the Chief’s designee and the Behavioral Sciences Unit will convene a taskforce to make recommendations for identifying and addressing the mental health impact of officer involved shootings or other use of force incidents on member of the Department and for ensuring appropriate services to impacted officers; and, be it;

FURTHER RESOLVED, that the SFPD and the mental health working group shall design a data collection system to review and evaluate mental health crisis calls and SFPD’s responses to such incidents on a quarterly basis. The CIT Coordinator in consultation with the mental health working group shall review, evaluate, and make recommendations to the Chief and Command Staff concerning mental health crisis incidents and SFPD’s responses to such incidents on a quarterly basis; and, be it;

FURTHER RESOLVED, that the CIT Coordinator and a representative from the mental health working group shall provide to the San Francisco Police Commission within one month of the adoption of this resolution the plan for implementing the above resolutions with a six month timeline; and be it;

FURTHER RESOLVED, beginning two months after adoption of this resolution, that the CIT Coordinator and a representative from the mental health working group shall provide a report to the San Francisco Police Commission on the second Wednesday of each month for one year regarding the progress made toward implementing the above resolutions; and, be it;

FURTHER RESOLVED, that within one year from adoption of this resolution, and every year thereafter, the Department shall provide a report to the Police Commission that includes 1) the number and location of calls for service involving mentally ill individuals in crisis; 2) the type of response (e.g. CIT officer, non-CIT officer, CIT officer and mental health professional); 3) the disposition of the call (arrest, 5150 detention, no police actions, referral for services); 4) whether or not force was used; 5) injuries (officer, detainee, other); 6) complaints, commendations and/or legal actions arising from the incident; 7) the status of all mental health crisis response training (i.e. introductory CIT 16-hour course, advanced CIT 40-hour, advanced CIT training every two years, roll call, advanced officer and field training), and, 8) recommendations to enhance SFPD's response to incidents involving mentally ill individuals. This report shall be a public document that is posted on the Police Department and Police Commission's website and provided to the Office of Citizen Complaints two weeks before its presentation to the Police Commission; and, be it:

FURTHER RESOLVED, that the Chief of Police will report back to the Police Commission in 30 days with any recommended changes to this resolution.

AYES: Commissioners Mazzucco, Marshall, DeJesus, Chan, Hammer, Kingsley, Slaughter

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Hammer, second by Commissioner Kingsley.
Approved 5-0.

CLOSED SESSION (9:15 - 9:20 p.m.) Taken out of order

- a. **PERSONNEL EXCEPTION: Discussion and possible action to accept or reject stipulated agreement filed in disciplinary case no. KMO C08-137**
(Resolution No. 11-19)

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Chan, Kingsley, Hammer, Slaughter, Lieutenant Falvey, Risa Tom, Deputy City Attorney M. Blits, Chief Godown, Director Hicks, Attorney I. Fraenkel, Attorney Hinckley, Attorney Lassart, Attorney Alden) Chief Godown agreed with the stipulation.

Motion by Commissioner Slaughter, second by Commissioner Mazzucco to accept stipulated agreement. Approved 7-0

- b. **PERSONNEL EXCEPTION: Discussion and possible action to accept or reject stipulated agreement filed in disciplinary case no. SM C10-081**
(Resolution No. 11-20)

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Chan, Kingsley, Hammer, Slaughter, Lieutenant Falvey, Risa Tom, Deputy City Attorney M. Blits, Chief Godown, Director Hicks, Attorney I. Fraenkel, Attorney Hinckley, Attorney Alden) Chief Godown agreed with the stipulation.

Motion by Commissioner Marshall, second by Commissioner Slaughter to accept stipulated agreement. Approved 7-0

- c. **PERSONNEL EXCEPTION: Discussion and possible action to accept or reject stipulated agreement filed in disciplinary case no. SM C10-082**
(Resolution No. 11-21)

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Chan, Kingsley, Hammer, Slaughter, Lieutenant Falvey, Risa Tom, Deputy City Attorney M. Blits, Chief Godown, Director Hicks, Attorney I. Fraenkel, Attorney Hinckley, Attorney Alden) Chief Godown agreed with the stipulation.

Motion by Commissioner Marshall, second by Commissioner Slaughter to accept stipulated agreement. Approved 7-0

d. PERSONNEL EXCEPTION: Discussion and possible action to accept or reject stipulated agreement filed in disciplinary case no. IVF C10-082 (Resolution No. 11-22)

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Chan, Kingsley, Hammer, Slaughter, Lieutenant Falvey, Risa Tom, Deputy City Attorney M. Blits, Chief Godown, Director Hicks, Attorney I. Fraenkel, Attorney Hinckley, Attorney Alden) Chief Godown agreed with the stipulation.

Motion by Commissioner Mazzucco, second by Commissioner Kingsley to accept stipulated agreement. Approved 7-0

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

Motion by Commissioner Mazzucco, second by Commissioner Hammer for non disclosure. Approved 7-0

APPROVAL OF THE MINUTES

- Meetings of January 5th and 12, 2011

Motion by Commissioner Marshall, second by Commissioner Hammer. Approved 7-0.

CONSENT CALENDAR

- **Accepts gifts to the Department of the rent-free use of facilities for the Commission's community events related to the Chief of Police selection process, from the following organizations:**
 - **United Irish Cultural Center, valued at \$900.00**
 - **San Francisco LGBT Community Center, valued at \$240.00**
 - **Southeast Community Facility Commission, valued at \$128.00**

Motion by Commissioner Kingsley, second by Commissioner Mazzucco. Approved 7-0.

PUBLIC COMMENT

None

REPORTS TO THE COMMISSION

- a. Chief's Report**
 - **Report on crime statistics**
 - **Review of recent activities**

Chief Godown gave a brief update on crime statistics.

- b. OCC Director's Report**
 - **Review of recent activities**
 - **Presentation of the OCC's Monthly comprehensive Statistical Report for the periods January 1, 2011 through January 31, 2011 and January 1, 2010 through January 31, 2010**

No report.

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

Commissioner Mazzucco reported that he met with the Mayor in regards to budget and stated that the Mayor will look at everything and stated that the Mayor's biggest concern is public safety and the second thing is the selection of the new Chief.

PUBLIC COMMENT

None

ROUTINE ADMINISTRATIVE BUSINESS

a. Commission Announcements

Lt. Falvey announced the schedule for meetings in regards to search of new Chief of Police. Schedule is posted on the website.

b. Scheduling of items identified for consideration at future Commission Meetings

None

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION – PUBLIC EMPLOYEE APPOINTMENT: CHIEF OF POLICE

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Marshall, second by Commissioner Mazzucco. Approved 7-0.

**CLOSED SESSION - Public Employee Appointment: Chief of Police
Review and evaluation of applications submitted by candidates for Chief of Police.**

(Present: Commissioners Mazzucco, Marshall, DeJesus, Chan, Kingsley, Hammer, Slaughter, Lieutenant Reilly, Lieutenant Falvey, Risa Tom)

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

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

DISCUSSION AND POSSIBLE ACTION TO ESTABLISH FURTHER PROCEDURES AND/OR TIMELINES FOR SELECTING NOMINEES TO SUBMIT TO THE MAYOR FOR CHIEF OF POLICE, OR TO TAKE OTHER ACTION RELATED TO SELECTING NOMINEES FOR CHIEF OF POLICE

None

ADJOURNMENT

Motion by Commissioner Slaughter, second by Commissioner Mazzucco. Approved 7-0.

Thereafter, the meeting was adjourned at 10:11 p.m.

Lieutenant Timothy Falvey
Secretary
San Francisco Police Commission