DECEMBER 14, 2005

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 5:32 p.m., in a Regular Meeting.

PRESENT: Commissioners Renne, Sparks, Chan, Marshall, Veronese

PUBLIC COMMENT

Lou Calabro discussed concerns regarding videos made by officers and discrimination on European-American officers.

Richard Stipman discussed concerns regarding Stop Program.

Cecilia Chung, Human Rights Commission, discussed concerns regarding videos made by the officers.

Malcolm Young, Asian Law Caucus, strongly supports suspensions of officers involved in the videos.

Luna, Chinese for Affirmative Action, discussed concerns regarding the videos.

Shona Verago, CUAV, commended Chief Fong for her swift actions in the video matter and asked that the Q-2 hiring process be revamped.

Francisco Decosta, Environmental Issues Advocacy, discussed concerns regarding guns and violence in the city.

Patricia A. Tulloch, Client Advocate, discussed concerns actions by police.

Daniel Pais discussed concerns regarding actions by police and videos. Abul, African-American Police Community Relations Board, asked to be included in the agenda for the next meeting to discussed solutions to bring change within the Department.

Barry Torronto, taxicab driver, discussed concerns regarding publicity of the video case and misuse of white zone by limousines.

Marylon Boyd, Campaign for Justice for Cammerin Boyd, discussed concerns regarding the videos.

Faye Lee, Human Rights Commission, stated that they are outraged by the videos involving the officers.

Ace Washington discussed MOU with the African-American Police Community Relations Board and discussed concerns regarding the videos.

Leroy Moore discussed concerns regarding the videos.

Robin Lew discussed concerns regarding the videos and asked for a change within the Department.

John Valeto, SF resident, discussed concerns regarding the video.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

Lou Calabro spoke in support of Sergeants Dawydiak and Rapagnani. Leanna Dawydiak discussed what her family went through because of these charges and thanked her friends and family for their support.

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Chan, second by Commissioner Marshall to go into Closed Session. Approved 5-0.

CLOSED SESSION: (6:25 p.m. to 6:42 p.m.)

CONSIDERATION AND POSSIBLE ACTION REGARDING THE REQUEST OF THE CHIEF OF POLICE TO WITHDRAW DISCIPLINARY CHARGES FILED IN CASE NOS. C04-160 JWA, C04-161 JWA, AND C04-159 JWA

POSSIBLE REPORT ON ACTION TAKEN IN CLOSED SESSION

Commissioner Renne announced that the Commission accepted the Chief's recommendation that charges be dismissed.

VOTE WHETHER TO DISCLOSE ANY OR ALL OF THE DISCUSSIONS HELD IN CLOSED SESSION

Motion by Commissioner Chan, second by Commissioner Marshall for non disclosure. Approved 5-0.

Motion by Commissioner Chan, second by Commissioner Sparks to accept the Chief's recommendation to dismiss the charges.

AYES: Commissioners Renne, Chan, Marshall, Sparks, Veronese

RESOLUTION NO. 77-05

WITHDRAWAL OF DISCIPLINARY CHARGES FILED IN CASE NO. C04-160 JWA

AYES: Commissioners Renne, Chan, Marshall, Sparks, Veronese

RESOLUTION NO. 78-05

WITHDRAWAL OF DISCIPLINARY CHARGES FILED IN CASE NO. C04-161 JWA

AYES: Commissioners Renne, Chan, Marshall, Sparks, Veronese

RESOLUTION NO. 79-05

WITHDRAWAL OF DISCIPLINARY CHARGES FILED IN CASE NO. C04-159 JWA

AYES: Commissioners Renne, Chan, Marshall, Sparks, Veronese

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

Chief Fong updated the Commission on investigations regarding the video. Chief Fong stated that return to work hearings were held and as of this date, 8 officers have been returned to duty.

Commissioner Marshall asked as to where the officers will be returning to. Chief Fong stated that she will make that determination based on the extent of their involvement.

Commissioner Chan commended the Chief and her staff for the calm measure taken in the past week. Commissioner Chan asked about Staff Inspection. Chief Fong stated that this is an opportunity to look at what changes can be made, both short term and long term.

Commissioner Veronese asked that the Chief be thorough, be fair, and be expedient and stated that it is not fair for the officers who are working out there to have to justify their jobs. Commissioner Veronese asked the accused officers and the POA to listen to the community, to the Chief, and come to an understanding such that the Department can move on and start doing good work.

Commissioner Sparks asked that this investigation be completed with

all expediency. Chief Fong stated that the investigation will take several months but she has given direction to the Management Control Division to expedite this investigation and stated that each case has to be evaluated on its own

(Commissioner Renne is excused at 7:00 p.m.)

PUBLIC COMMENT

Leroy Moore discussed concerns regarding the video and asked for outreach to the community.

Patricia Tulloch discussed concerns regarding the officers working on duty while doing the video.

Marylon Boyd discussed time frames and stated that the video shows that the Department needs to hire new people.

Ace Washington appalled at actions of police.

Leroy Moore asked about the Blue Ribbon Committee.

John Valeto discussed concerns regarding investigations and suspensions of officers without pay.

OCC DIRECTOR'S REPORT

- a. Review of Recent Activities
- b. Status Report on current OCC cases and OCC investigators' caseload

Director Allen presented the status report on current OCC cases and OCC investigators' caseload.

PUBLIC COMMENT

None

APPROVAL OF MINUTES FO R THE MEETING OF JUNE 22, 2005 AND JUNE 29, 2005

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

COMMISSION ANNOUNCEMENTS

Commissioner Chan talked about the Larch Street case and hearing that is set in January.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Veronese asked for an update in regards to civilianization. Commissioner Veronese also stated that he would like the Commission to put together an annual report.

Commissioner Sparks asked also for a statement of purpose and an annual report from the Commission.

Commissioner Chan would like a subcommittee for review of all department general orders. He also asked for an update on homicides in the city.

Motion by Commissioner Marshall, second by Commissioner Veronese to adjourn the meeting. Approved 4-0.

Thereafter, the meeting was adjourned 7:58 p.m.

Sergeant Joseph Reilly Secretary San Francisco Police Commission

1497/rct