FEBRUARY 21, 2007

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in Room 400, City Hall, #1 Dr. B. Goodlett Place, San Francisco, at 5:30 p.m., in a Regular Meeting.

PRESENT: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

(Commissioner Campos arrived at 5:30 p.m. Commissioner Veronese arrived at 6:15 p.m.)

PUBLIC COMMENT

None

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

and

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE OCC'S BUDGET FOR FISCAL YEAR 2007-2008

Ms. Jean Field, Interim OCC Director, presented the OCC's budget for fiscal year 2007-2008.

Commissioner DeJesus noted that there is no spot for the director's classification and for salary and that it should be reflected on the budget even though the figures and the numbers and classification is still unknown.

Commissioner Campos asked for figures for the director's position. Ms. Field stated that she will meet with Mr. Bukowsky about the director's position. Commissioner Campos asked about outreach in the budget. Ms. Field stated that one of the position they are hiring will be for outreach coordinator.

Commissioner Sparks asked if this budget will fulfill mandated function of the OCC. Ms. Field stated that yes, she believe it is.

Commissioner DeJesus asked about the 8177 position. Ms. Field stated that she believes that someone with a law background because, not only for litigation, but for case review.

Commissioner Renne stated that she does not think that an attorney should be hired to do policy work at this time. Commissioner Renne stated that she believes that the legal staff of the OCC needs to be greatly improved and get the core function of the OCC truly functional and that means litigation.

Commissioner DeJesus suggested to flag the budget to reflect the position for OCC Director and change the policy work for the attorney to litigation.

PUBLIC COMMENT

Jeannette Burger discussed concerns regarding pay raise for the OCC Director

Kevin Martin, POA Vice President, discussed concerns regarding the Controller's audit.

Motion by Commissioner DeJesus with amendments, second by Commissioner Campos. Approved 7-0.

RESOLUTION NO. 24-07

APPROVAL OF THE OCC BUDGET FOR FISCAL YEAR 2007-2008

RESOLVED that the Police Commission hereby approves the OCC budget for fiscal year 2007-2008.

AYES: Commissioners Renne, Campos, DeJesus, Lee, Marshall,

Sparks, Veronese

DISCUSSION AND POSSIBLE ACTION TO ADOPT REVISED DEPARTMENT GENERAL ORDER 3.19, "EARLY INTERVENTION SYSTEM"

Deputy Chief Keohane presented Department General Order 3.19, "Early Intervention System."

Commissioner Campos discussed his concerns regarding the EIS.

Commissioner Sparks stated that this has been going on too long and that this needs to be expedited and that the Department needs to put all available resources into this. Commissioner Sparks stated that the Department needs to ask the Board for whatever resources needed to get this implemented as quickly as possible.

Commissioner Lee asked if the committee would consider a non police person on the panel. Commission Lee stated that that would be the best way to add transparency and increase public confidence in the EIS system and the overall police conduct.

Commissioner Veronese asked about the POA agreement. Mr. Tennant explained that the POA agrees only to challenge changes to the document and not anything else.

Commissioner Campos stated that he is not fully satisfied that the Department is where it needs to be.

PUBLIC COMMENT

Unidentified would like to see it come to conclusion.

Mark Schlosberg, ACLU, stated that the order as presented is an improvement but it could be better.

Motion by Commissioner Marshall, second by Commissioner Lee to approve Department General Order 3.19. Approved 6-1.

AYES: Commissioner Renne, DeJesus, Lee, Marshall, Sparks, Veronese NAYS: Commissioner Campos

RESOLUTION NO. 22-07

ADOPTION OF REVISED DEPARTMENT GENERAL ORDER 3.19, "EARLY INTERVENTION SYSTEM"

RESOLVED, that the Police Commission hereby adopts revised Department General Order 3.19, "Early Intervention System," as stated below:

EARLY INTERVENTION SYSTEM

I. Policy

The San Francisco Police Department's members are its greatest asset. The Department has a responsibility to its members and the community to identify and assist members who show symptoms of job stress and/or personal problems. Such symptoms may be exhibited in problematic performance behaviors.

The San Francisco Police Department's Early Intervention System (EIS) is a structured system that identifies and manages behaviors that result in performance related problems by individual members. The intent of this system is to provide non-disciplinary intervention, whenever possible, to assist our members in their professional development in order to provide the highest level of service and satisfaction to the public.

It is the policy of the Department to provide for the protection and confidentiality of the EIS records maintained by the Department that are peace officer personnel records.

II. Definitions

- A. EIS/SYSTEM DEFINED. Early Intervention System.
- B. INDICATOR DEFINED. Factors tracked in FIS are given a numerical point to allow for a compilation scoring. This total point score will be the basis for comparison of members within their peer group. Numerical points begin from the date of the first indicator entry; time is calculated on a rolling basis.
- C. ASSOCIATED FACTORS DEFINED Once a member has surpassed indicator thresholds, all items listed under associated factors will be reviewed in order to provide a comprehensive review of the member in question.
- D. THRESHOLD DEFINED. Aggregate value(s) of indicators that would trigger EIS review.
- E. INTERVENTION DEFINED. A proactive management tool intended to improve the efficiency of individual members and the Department as a whole.
- F. PERFORMANCE REVIEW DEFINED. A performance review, for the purposes of this order, is defined as an informal examination of all aspects of a member's work, with an emphasis on the manner in which the member performs job tasks and how that manner may contribute to EIS Indicator Entries.
- G. COUNSELING DEFINED. For the purposes of this order, personnel counseling is defined as a process in which a command or supervisory officer meets with a member in a non-punitive setting to discuss the member's performance. Counseling sessions employ techniques designed to reinforce good performance, improve poor performance, and when appropriate, correct behaviors that precipitate or contribute to EIS Indicator Entries. The counseling defined in this order is intended to be a positive tool to assist members in reaching a higher level of effectiveness.
- H. TRAINING DEFINED. Training is a non-punitive tool used to make members more efficient by providing instruction. Training can be inhouse or outside training, specific to the needs of the member and the Department.
- I. EAP/BSU REFERRAL DEFINED. Supervisory or self-initiated referral to Employee Assistance Program or Behavior Science Unit.
- J. PERFORMANCE IMPROVEMENT PLAN DEFINED. A written performance improvement plan, agreed upon by the member, the reviewing supervisor and the member's commanding officer, designed to reduce or eliminate identified behaviors that contribute to EIS Indicator Entries. A performance improvement plan must describe the behaviors to be addressed, actions designed to change those behaviors,

measures to enable both the member and supervisor to gauge progress and a time-line for reaching the objective of changing, moderating, or eliminating the behavior(s). The plan, once agreed to by member and supervisor, shall be placed in the member's PIP folder (or Personnel File). Once the time period of the plan has expired, the supervisor shall write a memorandum to the member's commanding officer describing the outcome of the plan and recommending further action, if warranted. Completed performance improvement plans shall be retained in the member's PIP folder for six months after completion and then forwarded to the Personnel Section for filing. If the member subject to the review does not have a PIP folder, the supervisor shall document the review in a memorandum to his/her Commanding Officer. Memoranda documenting such reviews shall be retained in a member's Personnel File. Successfully completed performance improvement plans shall be placed in a sealed envelop at such time that the affected member has had no activity in the EIS System that rises to the level of requiring a performance review for two years. Sealed envelopes will be opened only where required to comply with a court or administrative order or process, or where otherwise necessary to comply with a legal mandate.

- K. REASSIGNMENT DEFINED. The Chief of Police or designee may determine that temporarily reassigning a member who has been identified as reaching a threshold is an appropriate means of intervention. Reassignment is an intervention option that will be used only when absolutely necessary for the welfare of the member and the Department.
- L. POST INTERVENTION MONITORING DEFINED. Follow-up to determine the behavioral patterns. Also, to reassess additional intervention needs and to ensure the facilitation of any additional intervention needs to further assist a member's success.
- M. DISCIPLINE DEFINED. Punishment intended to correct inappropriate behavior. For purposes of the EIS, cases will only be forwarded for discipline when intervention has been ineffective or when the member refuses to cooperate in the intervention process.
- N. DAILY REVIEW. On a daily basis, supervisors will review the EIS system, during their tour of duty, for members under their supervision.

III. EARLY INTERVENTION SYSTEM TRACKING

- A. The EIS shall identify and track the following indicators:
 - 1. Use of force as required by DGO 5.01

 - Officer Involved Shootings
 Officer Involved Discharges
 OCC Complaints

 - 5. MCD Complaints
 - 6. EEO Complaints

 - 7. Civil Suits8. Tort Claims9. On Duty Accidents
 - 10. Vehicle Pursuits

OCC or MCD complaints that are determined to be "proper conduct" or "unfounded" shall not be counted as indicators.

- B. The EIS shall also identify and track the following associated factors:
 - 1. Citizen initiated compliments and commendations
 - 2. Department commendations and awards
 - 3. Arrest by officers
 - 4. Citations by officers
 - 5. Motor vehicle stops
 - 6. Pedestrian stops
 - 7. Training history

- 8. Voluntary overtime worked
- 9. Discretionary time off
- 10. Sick time usage not protected by federal, state or local law
- 11. Principal participant in a critical incident
- 12. Criminal cases not filed or dismissed due to documented concerns with a member's conduct, as provided by the District Attorney's Office.
- 13. Charges of resisting, obstructing or delaying a police officer.
- 14. Charges of assault on a police officer.
- C. The EIS is a non-disciplinary system that is designed to improve the performance of the Department and its members through coaching, training and types of professional development as described in this order and the EIS Procedures Manual.

The EIS System shall not be accessed or used for the purpose of discipline, promotion, or when a member requests a transfer or special assignment, provided that information that exists outside of and separate from the EIS System may be accessed outside of the EIS System and used for the purpose of discipline, promotion, or when a member requests a transfer or special assignment where appropriate and consistent with Department policies and procedures.

Allegations that Section III©) has been violated may be addressed through dispute-resolution and/or appeals processes established by Charter or ordinance that apply by their terms to the disputed action. This paragraph is not intended to expand or restrict any existing administrative or legal remedies.

EARLY INTERVENTION SYSTEM INDICATOR ENTRIES

- A. The early intervention system is established to identify and evaluate the behavior of members who have received:
 - 1. Five (5) or more EIS Indicator Points, or three (3) or more citizen complaints (OCC) within a six month period.
 - 2. Six (6) or more EIS Indicator Points, or four (4) citizen complaints (OCC), within one year.
 - 3. Three (3) or more documented uses of force, as mandated by General Order 5.01, within a three month period.
 - 4. Involvement as a principal in an officer involved shooting or discharge.

Each indicator tracked in the system is given one specific point. The member's score will be the basis for comparison to members within similar job assignments.

If a member is involved in an incident where multiple points could be accrued, only one point value will be counted.

Once the system has been in use, thresholds may be modified to make the best use of the analysis capabilities of the system.

Indicator points and thresholds, including any adjustments recommended by the EIS Board and approved by the Police Commission, shall be contained in the EIS Procedures Manual.

B. EARLY INTERVENTION PERFORMANCE REVIEW. The Early Intervention System involves a two-step approach. The EIS Unit, and a member's supervisor during their daily review, will conduct an initial review of all members who exceed the stated thresholds. Supervisors may conclude that a pattern of at-risk behavior does not exist and forward their finding to the EIS Unit through their commanding officer. The EIS Unit may concur that a pattern of at-risk behavior does not exist and that corrective action is not

necessary. Conversely, the EIS Unit may not concur with the supervisor's finding that a pattern of at-risk behavior does not exist; the EIS Unit will electronically return the name(s) of the member(s) to the respective commanding officer, who shall ensure that the member's supervisor engages in a performance review and, if appropriate, initiate intervention with the member. Further, the commanding officer shall ensure that the supervisor electronically transmits a report within 21 days to the EIS Unit, indicating what type of intervention has taken place. The supervisor shall continue to monitor the member's performance after the intervention has taken place, and transmit a follow-up report at three months and at one year after the initial intervention.

V. EIS PANEL BOARD MEMBERS

- A. The Deputy Chief of Administration is responsible for the operation of the EIS and for reports to the EIS Board, the Chief of Police, and the Police Commission.
- B. The Deputy Chief of Administration shall serve as Chairperson for the EIS Board.
- C. The EIS Board will consist of the following individuals.
 - 1. Deputy Chief of Administration (Chairperson)
 - 2. Deputy Chief of Field Operations
 - 3. Commanding Officer of Risk Management
 - 4. Commanding Officer of the Training Division
 - 5. Officer in Charge of the EIS Unit
 - 6. Officer in Charge of the EAP/BSU Unit
 - 7. POA Representative
 - 8. OCC Representative
- D. The board will meet on the first Wednesday of every quarter at 1000 hours at the Hall of Justice, Room 551, to review aggregate information for thresholds surpassed during the previous quarter. In order to encourage transparency in the review of the aggregate information of EIS, the board meetings shall be open to the public.
- E. The Chairperson may designate a replacement in his/her absence. The number of board members needed for a quorum will be five, and consist of at least three Department members, with the rank of lieutenant or higher.
- F. The board is an advisory panel; as such, on a quarterly basis, the board will review EIS data on an aggregate basis. The board's primary functions are as follows:
 - 1. Review EIS data for identified patterns of successes or ineffectiveness resulting from intervention efforts of supervisors and commanding officers;
 - 2 Make recommendation(s) and/or suggestion(s) to the administrative staff regarding the use of alternate intervention strategies that may be useful to supervisors and commanding officers.
 - 3. Review the total number of interventions for the quarter, the types of interventions employed, and the effectiveness of those interventions.
 - 4. Determine future direction, needs, and development for the EIS program, including modifications to the EIS.
 - 5. Review new trends and thresholds as recommended by the EIS administrative staff.
 - 6. Review quarterly and annual resorts prepared by the OIC of the EIS Unit.
 - 7. Review and recommend changes of relevant policies to the Police Commission.

VI. PROCEDURES FOR INTERVENTION

- A. EIS PROCEDURES. On a daily basis, the EIS Unit will review the system to determine if any member(s) has surpassed a threshold. The EIS Unit will conduct an initial performance review of the surpassed indicators and associated factor information to determine if it appears that a pattern of at risk behavior exists. For those which a pattern appears probable, the EIS Unit will electronically transmit the information to the member's commanding officer, for further review and intervention by the member's immediate supervisor. On a quarterly basis, the Officer-in-Charge of the EIS Unit will forward the aggregate number of members who have breached thresholds, along with information relative to the categories surpassed and types of interventions employed to the DC of Administration for distribution to the EIS Board. Also, on a quarterly basis, the Officer-in-Charge of the EIS Unit will forward the names of members who have surpassed the system indicator and associated factor information, and supervisor's performance review and/or intervention documentation to the Captain of Risk Management and DC of Administration for their review. The Officer-in-Charge of the EIS Unit will provide quarterly and annual statistical reports to the Deputy Chief of Administration, who will in turn provide the reports to the Chief and Police Commission.
- B. OCC PROCEDURES. On a daily basis, the Office of Citizen Complaints will input new complaint information into the system in order for the EIS Unit to accurately track indicator entries and threshold breaches. On a weekly basis, OCC will forward the names of members who have received any complaints to the member's commanding officer. Quarterly, OCC will compile a list of officers who have received three citizen complaints within a six month period or four or more citizen complaints within a year. The report will be forwarded to the Commanding Officer of the Risk Management Office. For purposes of any second or third referral under this order, no citizen complaint that was filed more than two years prior to the current quarter shall be counted or included in the OCC's Quarterly Report.
- C. RISK MANAGEMENT OFFICE PROCEDURES. Upon receipt of the EIS and the OCC Quarterly Reports, the Commanding Officer of the Risk Management Office will prepare a memorandum to the DC of Administration identifying members who fall within the provisions of the EIS as outlined in section IV (A) of this order. A copy of the memorandum shall be sent to the respective member's deputy chief and commander, if applicable. Another copy shall also be sent to the member and to the member's Chief Heather J. Fong February 26, 2007 Page 9

commanding officer, along with copies of the records creating the EIS Tracking Indicators and Associated Factor information. For purposes of any second or third referral under this order, no EIS Tracking Indicator that was filed more than two years prior to the current quarter shall be counted or included in the Risk Management Office's Quarterly Report.

- D. DUTIES OF COMMANDING OFFICERS AND SUPERVISORY OFFICERS Commanding Officers shall ensure that supervisors input data into the system by the end of their tour of duty in order to track indicator entries and threshold levels. (Refer to DM 17, EIS Manual)
 - On a daily basis, supervisors shall review the EIS system for members under their supervision. Based on the information in the EIS system and their knowledge of the members' work performance, a supervisor may initiate a counseling session prior to

- a threshold being surpassed. Members on loan or special assignment will be tracked by their currently assigned supervisor and their regularly assigned supervisor.
- 2. Commanding officers shall review electronically transmitted information sent by the EIS unit and assign these reviews to the appropriate supervisor(s).
- 3. Command and supervisory officers are encouraged to initiate performance reviews and counseling sessions with members under their command whenever they deem it appropriate. Counseling sessions shall not be considered as discipline; however, the fact that a counseling session took place may be considered. Counseling sessions should be recorded in the member's PIP binder (or personnel file) after the member has been given an opportunity to review and sign the documentation.

E. INITIAL REFERRAL-PERFORMANCE REVIEW.

- 1. If the Commanding Officer is not familiar with the member subject to review due to a recent transfer, the Commanding Officer's superior officer shall determine whom to assign the Performance Review. The Officer in Charge of the EIS Unit shall be electronically notified of any changes in assignment of a Performance Review.
- 2. Commanding Officers shall review the EIS Unit's and Risk Management Office's Quarterly Report with the member's supervisor.
- 3. The EIS Unit and a member's supervisor, during their daily review, will conduct an initial review of all members who exceed the stated thresholds. The supervisor may conclude that a pattern does not exist and forward their finding to the EIS Unit through their commanding officer. The EIS Unit may concur that a pattern of atrisk behavior does not exist and that corrective action is not necessary. Conversely, the EIS Unit may not concur with the supervisor's finding that a pattern does not exist, in which case the EIS Unit will electronically return the name(s) of the member(s) to the respective commanding officer, who shall ensure that the member's supervisor engage in a performance review and, if appropriate, initiate intervention with the member. Further, the commanding officer shall ensure that the supervisor electronically transmit a report within 21 days to the EIS Unit, indicating what type of intervention
 - has taken place. The supervisor shall continue to monitor the member's performance after the intervention has taken place, and transmit a follow-up report at three months and at one year after the initial intervention. This performance review and intervention plan shall be noted in the member's PIP folder in Section II Record of Entry, as well as transmit an electronic reply through the EIS System.
- 4. If the member subject to the review does not have a PIP folder, the supervisor shall document the review in a memorandum to his/her Commanding Officer. Memoranda documenting such reviews shall be retained in a member's Personnel File.
- 5. Commanding officers shall, within 21 days of receipt of an EIS referral for a member of their command, certify that the required performance reviews have been completed and that the information has been electronically transmitted to the Officer in Charge of the EIS Unit. The commanding officer shall electronically notify the EIS Unit if the performance review cannot be completed within 21 days, along with the reason(s) why it cannot be completed.

- F. SECOND REFERRAL-PERFORMANCE REVIEW SESSION. A second performance review session shall be held with any officer who has previously surpassed a threshold and come to the attention of the EIS Unit, and receives one or more additional EIS Indicator Entries within a six (6) month period after the Initial Referral Performance Review. This session shall be conducted by both the member's supervisor and commanding officer within 21 days of the referral from the EIS Unit.
 - 1. When conducting this second performance review session, commanding officers and supervisors shall review Quarterly Reports along with the member's EIS Indicator and associated factor history for the last five years.
 - 2. The member, the member's commanding officer, and the member's supervisor shall jointly develop, in the course of this performance review session, a performance improvement plan in order to reduce or eliminate member's behaviors that may contribute to unnecessary conflicts. The plan shall be agreed to by the member and signed by the member, the supervisor, and the commanding officer. The original of the plan shall be placed in the member's PIP folder (or Personnel File). Any member subject to a second referral, who refuses to assist in the development of a performance improvement plan or declines to sign the plan, shall be immediately referred to a counseling panel.
 - 3. If the member's complaint history indicates similar conduct, as reported in the Quarterly Reports, a behavior pattern may be evident. If the member's PIP file documents any prior corrective action or failed performance plans, the matter shall be immediately referred to a counseling panel so that a comprehensive plan can be developed to correct the behavior.
- G. THIRD AND SUBSEQUENT REFERRALS- COUNSELING SESSION/ COUNSELING PANEL. Whenever a third counseling session is warranted, the matter will be examined by a counseling panel composed of the member's Supervisors Commanding Officer, Deputy Chief or Commander, the Commanding Officer of the Management Control Division and the Commanding Officer of the Risk Management Office. The panel will review the member's EIS Indicator and associated factor history and recommend a course of action in writing to the Chief of Police within 21 days. Upon the Chief's approval, the action plan shall be initiated, a copy of the plan shall be included in the member's PIP folder (or Personnel File).

If a member complies with the intervention plan but the plan has been ineffective, the EIS Unit shall review the intervention strategies used and determine if other intervention is appropriate. In cases where the member has been non-compliant with the intervention process, the EIS Unit shall make a recommendation to the Chief of Police that an administrative investigation be initiated.

H. PIP BINDERS (See PIP, A Supervisor's Guide, DM-06). Supervising officers are required to review citizen complaints as they are received, notify the involved member that a complaint has been filed against him or her, and file the complaint in the member's PIP binder.

VII. BEHAVIOR FACTORS

- A. When conducting a performance review or a counseling session, the following behavior factors should be among the items to be considered.
 - 1. Is there a behavior pattern that may be causing these EIS indicator entries, whether or not the EIS indicator entries have been

- investigated or sustained.
- 2. How does the EIS indicator history of the member compare with other members in similar assignments?
- 3. Can EIS indicator entries be reduced by simply informing the member of Department policies and procedures?
- 4. Can better interpersonal skills be developed?
- 5. Can formal or informal training correct the problem?

Chief Heather J. Fong February 26, 2007 Page 12

- 6. Are the details of the EIS indicator entries and the allegations so different as to suggest that there is no improper behavior pattern?
- 7. Is there any other relevant information about the member or circumstances that contributes to the number of EIS indicator entries?
- 8. Is there a common thread of conduct in separate EIS indicator entries that may be contributing to the frequency of EIS indicator entries?
- 9. In addition to the other options provided in this order, supervisors may make referrals to the Employee Assistance Program or other intervention programs available to Department members (see DGO 11.09, Employee Assistance Program/Stress Unit).
- B. UNFOUNDED/PROPER CONDUCT COMPLAINTS. Once identified, unfounded and/or proper conduct complaints shall not be counted or included in OCC quarterly reports or EIS quarterly reports.

VIII. OVERSIGHT OF THE EARLY INTERVENTION SYSTEM

- A. Each Deputy Chief is responsible for ensuring that his or her subordinates adhere to the provisions of this order. If the Deputy Chief determines that a Supervisor or Platoon Commander/Officer-in-Charge has not complied with the requirements of this order, the Deputy Chief shall direct the Commanding Officer to conduct an immediate investigation to determine why the Supervisor and/or Platoon Commander/Officer-in-Charge failed to comply with this order. This investigation shall be forwarded to the respective Deputy Chief within 21 days, who will, in turn, determine whether any, or all, of his or her subordinates will be subject to disciplinary action. In addition, the commanding officer may be required to prepare a plan to bring the unit into compliance. If a commanding officer has not complied with this order, the respective Deputy Chief will be notified by the EIS Unit and the Deputy Chief shall conduct an immediate investigation and submit his/her findings to the Chief of Police within 21 days, who will, in turn, determine whether the commanding officer will be subject to disciplinary action.
- B. The Commanding Officer of the Risk Management Office is responsible for ensuring that an audit of the early intervention system takes place every six months. Such audits shall evaluate the data entry system, the quality of supervisory evaluations, the outcomes of supervisory evaluations, and the quality of supervisory reviews. Audits shall be presented to the Chief of Police, the OCC, and the Police Commission.
- C. The Commanding Officer of the Risk Management Office is responsible for ensuring that audits tracking 148 PC/243PC charges and cases dismissed by the District Attorney's Office due to documented

concerns with a member's conduct are maintained and presented to the Board on a quarterly basis for review.

IX. STATISTICAL REPORTS

- A. The EIS Unit will provide quarterly and annual statistical reports to the Commanding Officer of Risk Management and the Deputy Chief of Administration.
 - 1. The Deputy Chief of Administration shall review the reports and provide this statistical information to the Chief of Police and the Police Commission.
- B. An audit of the EIS will be performed every six months to verify accuracy of data. The EIS Unit will forward a report of the findings of this audit to the Deputy Chief of Administration.

References

DGO 1.04, Duties of Sergeants

DGO 1.06, Duties of Superior Officers

DGO 2.04, Citizens Complaints against Officers

DGO 11.09, Employee Assistance Program/Stress Unit

DM 17 EIS Procedures (this is currently not in existence)

Crime Prevention Company (Tactical) Dog Unit Policy and Procedures

AXES: Commissioners Renne, DeJesus, Lee, Marshall, Sparks,

NAYS: Commissioner Campos

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner DeJesus, second by Commissioner Marshall to hold Closed Session. Approved 7-0.

CLOSED SESSION

a. Pursuant to Government Code section 54957.6 and San Francisco Administrative Code Section 67.10(e):
 LABOR NEGOTIATIONS: Consultation with the City's Labor Negotiation Team: Status of MOU negotiations with the San Francisco Police Officers Association

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 7-0.

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

and

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE DEPARTMENT'S BUDGET FOR FISCAL YEAR 2007-2008

Chief Fong announced that during the month of January to present, efforts between the Narcotics Division and officers of Ingleside Station in terms of addressing narcotics activity that was occurring in the Alemany Development and early this morning district station personnel were out serving 13 search warrants and arrest warrants that were results of the narcotic activities that occurred over the past month. There are eight individuals who were taken into custody. Chief Fong commended the officers and the inspectors who did a great job.

Mr. Ken Bukowski, CFO Fiscal Division, gave an overview of the Department's budget for fiscal year 2007-2008. Mr. Bukowski thanked Commissioner Sparks for meeting with him.

Commissioner Sparks stated that the Department should distance itself from the PERF study so the Department is not perceive as studying itself.

Chief Fong addressed some of the issues as to why some items are included in the budget.

Commissioner Campos would like information early on for complete discussion with the Department and the public. Commissioner Campos also asked about cultural competency. Mr. Bukowsky explained that it has to be built in with the academy training. Captain Corriea explained the Department is working with City College and an 8-hour course, stand alone, for a cost of \$27,000 and over the course of the next fiscal year, the Department can offer the half unit class 26 times and put 520 employees through an 8-hour cultural competency block of training.

Commissioner Veronese asked how many vehicles the Department has. Chief Fong stated that the Department has over 300 marked vehicles and more than a 100 unmarked vehicles. Commissioner Veronese asked what the Department is doing to be environmentally friendly. Chief Fong stated that the Department tried natural gas but that cannot support the marked vehicles.

Commissioner Sparks asked about in-car cameras. Chief Fong stated that the Department had several in-car cameras five or six years ago. Chief Fong explained that the cameras keeps the Department on its best behavior but at the same time, if there are concerns from the community that the officers are not providing that highest level of service, that camera is an independent eye.

Commissioner Sparks asked about staffing. Chief Fong stated that what the Department currently have is 1743 full duty officers in the city. This year, given the five academy classes equivalent to 250 officers, and if you take a 15 percent attrition, what you would see is roughly 200 officers who make it through the training. In addition to that, the Department is averaging 9 to 10 officers retiring per month. This year, there are 390 officers with 25 years of service and over age 50 and that qualifies them for retirement. Of those officers, 98 are over age 50 and have 30 years of service. By the end of this year, the Department will have 486 officers who are 25 years of service, age 50, equivalent to 138 with 30 years of service, age 50. The next year, 560 – so every year you're adding about 120 officers who move into that realm of retirement possibility. Chief Fong stated that the goal is to build up the numbers of the Department while those retirement are increasing so that when people choose to leave, the Department is not in worse shape than it is today.

Commissioner Lee asked about airport staffing level as compared to district stations. Commander Lynch explained that the Airport Bureau, in 1994, was a separate function and did not report under the Police Commission.

In July 1997, the Department assumed responsibility for the Airport Police. In 1994 a study was done regarding the staffing level of the Airport Police and the study showed a justification for 290 positions.

Commissioner DeJesus thanked Captain Chignell for officer provided to Bernal Heights and Alemany neighborhoods and asked about recruitment. Captain Corriea stated that recruitment is currently not going to schools as a primary focus but it will be in the coming year and there are about 60 events planned so far. Captain Corriea stated that by the end of March, the plan is to do outreach not only with district captains but with all the community groups that's been contacted by Commander Harper.

Commissioner DeJesus asked about equipment. Chief Fong stated that the budget includes the collapsible batons and the issue of lights on guns came up and the Chief stated that it has to work that the officers are not substituting their guns with their flashlights.

Commissioner Sparks asked about investigations and the budget. Chief Fong stated that the budget will bring more personnel and the Department will be able to move people easily to the Investigations Bureau and that will give Deputy Chief Tabak more resources to help with investigations. Chief Fong also stated that the department has funding that was designated in the same amount of \$100,000 for the Witness Protection Program and the Mayor's Office of Criminal Justice also has funds available should the Department exceed the \$100,000 cap.

Commissioner Lee asked about recruitment failure rates and what is the Department doing to remedy that. Captain Corriea stated there are no trends in groups released from the Academy and that the rate is spread across the board. Captain Corriea talked about what the academy is doing to retain recruits in the academy.

Commissioner Marshall asked how many officers does the Department need. Chief Fong stated that the entire Department should be in the area of 2400 to 2500 officers.

PUBLIC COMMENT

Mr. McCloskey thanked the Chief for her help in the Bernal Heights community.

Unidentified discussed concerns regarding Bernal Heights/Alemany community.

Unidentified discussed concerns regarding Bernal Heights/Alemany community.

Motion by Commissioner Marshall, second by Commissioner DeJesus to approve the budget for the Department.

Commissioner Sparks asked that a letter be prepared to the Mayor and the Board saying the Commission did not have adequate time to review the budget.

RESOLUTION NO. 23-07

APPROVAL OF THE SFPD BUDGET FOR FISCAL YEAR 2007-2008

RESOLVED that the Police Commission hereby approves the SFPD budget for fiscal year 2007-2008.

AYES: Commissioners Renne, DeJesus, Lee, Marshall, Sparks,

Veronese

NAYS: Commissioner Campos

COMMISSION ANNOUNCEMENTS

a. Progress report on search for Director of the Office of Citizen Complaints

Commissioner Renne talked about hiring Bob Murray & Associates to look for a Director of the OCC and talked about draft of brochure in regards to the position.

Commissioner Veronese announced that the Chief has set up a forum at the Academy regarding getting input from non POA reps.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

OCC Audit for next week.

ADJOURNMENT

Motion by Commissioner DeJesus, second by Commissioner Veronese to adjourn the meeting. Approved 7-0.

Thereafter, the meeting was adjourned at 10:14 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct