

JUNE 15, 2005

CLOSED SESSION

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 5:50 p.m., in Closed Session.

PRESENT: Commissioners Renne, Orr-Smith, Chan, Sparks, Veronese
ABSENT: Commissioners Keane, Marshall

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION TO CONFER WITH LEGAL COUNSEL. (SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.10(d)(2))

Motion by Commissioner Chan, second by Commissioner Orr-Smith to hold Closed Session. Approved 5-0.

CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b) AND SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.10(d)(2)

CONFERENCE WITH LEGAL COUNSEL
ANTICIPATED LITIGATION: AS DEFENDANT
Threatened litigation against the City relating to DGO 3.10

Request of the Chief of Police to withdraw the matter in Case No. C04-005 JWA from the Police Commission for disposition at the Chief's level.

Request of the Chief of Police to withdraw the matter in Case No. C03-347 JWA from the Police Commission for disposition at the Chief's level.

Request of the Chief of Police to withdraw the matter in Case No. C03-149 JWA from the Police Commission for disposition at the Chief's level.

Discussion and possible action to take off calendar indefinitely charges filed in Case No. C03-262 JWA who submitted his resignation effective June 8, 2005. Said disciplinary charges will be placed back on calendar should the officer be within the jurisdiction of the Police Commission in the future.
(Resolution 38-05)

JUNE 15, 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 7:29 p.m., in Regular Meeting.

PRESENT: Commissioners Renne, Orr-Smith, Chan, Sparks, Veronese
ABSENT: Commissioners Keane, Marshall

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO DISCLOSE DISCUSSION/ACTION HELD IN CLOSED SESSION

RESOLUTION NO. 43-05

DENIAL OF REQUEST OF THE CHIEF OF POLICE TO WITHDRAW THE MATTER IN CASE NO. C04-005 JWA FROM THE POLICE COMMISSION FOR DISPOSITION AT THE CHIEF'S LEVEL

RESOLVED, that the Police Commission denies the request of the Chief of Police to withdraw the matter in Case No. C04-005 JWA from the Police Commission for disposition at the Chief's level.

AYES: Commissioners Renne, Orr-Smith, Chan, Sparks, Veronese
ABSENT: Commissioners Keane, Marshall

RESOLUTION NO. 44-05

DENIAL OF REQUEST OF THE CHIEF OF POLICE TO WITHDRAW THE MATTER IN CASE NO. C03-347 JWA FROM THE POLICE COMMISSION FOR DISPOSITION AT THE CHIEF'S LEVEL

RESOLVED, that the Police Commission denies the request of the Chief of Police to withdraw the matter in Case No. C03-347 JWA from the Police Commission for disposition at the Chief's level.

AYES: Commissioners Renne, Orr-Smith, Chan, Sparks, Veronese
ABSENT: Commissioners Keane, Marshall

RESOLUTION NO. 37-05

WITHDRAWAL OF DISCIPLINARY CHARGES FILED IN CASE NO. C03-149 JWA

WHEREAS, Heather J. Fong, Chief of Police, requests that the charges against the officer in Case No. C03-149 JWA be withdrawn and that it will be handled administratively; therefore be it

RESOLVED, that charges filed against the officer in Case No. C03-149 JWA, be withdrawn and take off calendar.

AYES: Commissioners Renne, Orr-Smith, Chan, Sparks, Veronese
ABSENT: Commissioners Keane, Marshall

Motion by Commissioner Orr-Smith, second by Commissioner Veronese for non disclosure. Approved 5-0.

CHIEF'S REPORT

- a. **Update on significant policing efforts by Department members**
- b. **Status update on proposed revisions to Department General Order 3.19, "Early Warning System"**

Taken out of order

Chief Fong announced that the budget will be presented to the Board in the next two weeks and Deputy Chief Parra will give an update on the Department's recruitment drive. Chief Fong introduced Captain Keohane to present the update on the proposed revisions to DGO 3.19, "Early Intervention System."

Captain Keohane presented the update on the proposed revisions to Department General Order 3.19, "Early Intervention System." The command staff has reviewed the draft of the order and have made specific recommendations. The POA also addressed some concerns. To move

forward, the POA have established a committee and the Department has also established a committee to meet with the POA. Captain Keohane explained that the purpose of the order is to identify the extremely small number of officers that cause a great majority of problems within an organization.

Commissioner Sparks asked about the early intervention report and stated that she has not seen the report and why is the DGO not being followed. Director Allen stated that morning reports are sent to the Captains weekly and he stated that the quarterly report for the beginning of the year is completed and will submit that along with the morning reports.

Commissioner Veronese asked about the committees. Captain Keohane stated that there will be a committee from the POA make up of officers of different ranks and the management committee by the police department. The committees will discuss the purpose of the early intervention system and develop specific indicators for the implementation of the order. The OCC will be involved because they have many of the records that is needed to build upon.

Deputy Chief Parra reported on the Department's recruitment drive. He stated that over 1900 applications have been received and the Examination Unit is presently processing those applications. The written exam is scheduled for July 12, 2005.

Commissioner Sparks congratulated Chief Parra for a very successful drive.

Commissioner Orr-Smith asked about recruitment in the Bayview, Hayes Valley etc. Chief Parra stated that he has a list of over 90 events and will forward the list to the Commissioner.

Commissioner Veronese asked for the demographics on this list. Deputy Chief Parra stated he will get it to the Commission as soon as possible.

Commissioner Chan was excused at this time.

PUBLIC COMMENT:

Elisabeth Prantes discussed concerns regarding FTO program.

Unidentified discussed concerns regarding the Department not following general orders that are in placed.

PUBLIC COMMENT:

Elisabeth Prantes discussed concerns regarding medical marijuana.

Tessie, President of the Hunters View Tenant Association, discussed concerns regarding shootings at Westpoint and Middlepoint and asked the Commission for help.

Unidentified discussed shooting on June 4th and asked the Commission for help to stop the violence and the shooting.

Unidentified discussed concerns regarding violence at Westpoint and Middlepoint and concerns regarding the Housing Authority.

Shannon Altamirano discussed concerns regarding the Sheila Detoy shooting and talked about her friendship with Sheila.

OCC DIRECTOR'S REPORT

- a. **Review of Recent Activities**
- b. **Status Report on current OCC cases and OCC investigators' caseload**
- c. **Presentation of OCC's Annual Audit under SFPD General Order 8.10**

Director Allen discussed DGO 3.19.

Commissioner Veronese asked the OCC and the Department to report to the Commission in three weeks in regards to which general orders are currently not being followed.

Director Allen presented the OCC's Annual Audit under SFPD General Order 8.10 in regards to First Amendment rights.

Commissioner Sparks asked if the Commission is currently up to date with these reports. Director Allen stated yes. Commissioner Sparks also asked about a third-party auditor. Director Allen stated that for the past three or four years, the OCC have always done the audit.

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

Commissioner Sparks asked why there is a decrease in the amount of cases that are coming in and asked if the OCC is doing the same kind of outreach. Director Allen stated that in 2003 there was an increase because of the war protests.

Commissioner Sparks asked for a presentation in regards to the OCC outreach program.

PUBLIC COMMENT:

Marylon Boyd asked why her complaint was not included in the Audit Report for the year 2004.

Director Allen explained that the 8.10 audit report is information that deals with first amendment activities and solely for request made by the police to go to demonstrations or any kind of conduct that deals with first amendment activity.

PRESENTATION OF QUARTERLY REPORT - PROVISION OF DOCUMENTS TO THE OFFICE OF CITIZEN COMPLAINTS (JANUARY - MARCH 2005)

Lieutenant Groshong, Legal Division, presented the quarterly report - Provision of Documents to the OCC.

PUBLIC COMMENT:

None

DISCUSSION AND POSSIBLE ACTION TO SET THE LOCATION(S) OF ONE OR MORE OF THE MONTHLY "DISTRICT" COMMISSION MEETINGS, WHICH ARE HELD IN A NEIGHBORHOOD LOCATION, TO DISCUSS ISSUES ARISING IN THE PARTICULAR POLICE DISTRICT

Motion by Commissioner Veronese, second by Commissioner Orr-Smith to keep the same rotation. Approved 4-0.

RESOLUTION NO. 39-05

SETTING THE LOCATION(S) OF ONE OR MORE OF THE MONTHLY "DISTRICT" COMMISSION MEETINGS, WHICH ARE HELD IN A NEIGHBORHOOD LOCATION, TO DISCUSS ISSUES ARISING IN THE PARTICULAR POLICE DISTRICT

RESOLVED, that the Police Commission will hold community meetings on the last Wednesday of every month;

FURTHER RESOLVED, that the following District Meetings will be held in the following Police Districts:

August 31, 2005	Ingleside Station
September 28, 2005	Bayview Station
October 26, 2005	Park Station
November 30, 2005	Richmond Station
January 25, 2006	Mission Station
February 22, 2006	Northern Station
March 29, 2006	Tenderloin Station
April 26, 2006	Central Station
May 31, 2006	Southern Station
June 28, 2006	Taraval Station

AYES: Commissioners Renne, Orr-Smith, Sparks, Veronese
ABSENT: Commissioners Chan, Keane, Marshall

APPROVAL OF MINUTES FOR THE POLICE COMMISSION MEETINGS OF FEBRUARY 16TH AND 23, 2005

Motion by Commissioner Orr-Smith, second by Commissioner Sparks to approve the minutes. Approved 4-0.

COMMISSION ANNOUNCEMENTS

- a. **Assignment of disciplinary charges filed in Case Nos. C05-054 JCT & C05-055 JCT to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner**
(Assigned to Commissioner Orr-Smith, Resolution Nos. 40-05 and 41-05)
- b. **Assignment of an Appeal of the Chief's Suspension of Officer Anthony J. Holder (File No. D03-364 JWA) to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner** (Assigned to Commissioner Keane, Resolution No. 42-05)

PUBLIC COMMENT:

None

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Orr-Smith asked the Chief in regards to General Orders that are outdated and needs to be revised. Chief Fong stated that if there are legal changes to a General Order then that's when those general orders have to be modified and in the past the Department have issued a Department Bulletin so that it is in effect prior to it being incorporated into the Department General Orders.

Commissioner Sparks asked the Chief to give an overview as to what the Department will be doing this summer when the kids are out of school.

Commissioner Veronese welcomed Jerry Tidwell and new City Attorney Lori Giorgi.

Commissioner Renne stated that on the 20th, the Commission should be getting the Early Intervention General Order.

Motion by Commissioner Orr-Smith, second by Commissioner Veronese to adjourn the meeting.

Thereafter, the meeting was adjourned at 8:55 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct