

FEBRUARY 2, 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 5:35 p.m.

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

PUBLIC COMMENT

Ray Hartz, SF Open Government, discussed mental health training and cost of training and where money may come from and suggested from police salaries, and cut back on overtime.

Gary Delagnes, POA President, addressed the Commission and talked about under staffing concerns and talked about Harvard Seminar in future of policing, and talked about Prop F and talked about concerns in providing officers for the Giants and Niner games.

Unidentified discussed concerns and stated how dangerous it is for uniformed officers to go out on the street and stated that they deserve every single dime earned.

Deborah discussed concerns about police and being accused of crimes she did not commit.

Lidia, Coalition of Homelessness, discussed concerns regarding mental health training and stated that funding be reinstated for training.

Clyde commended Chief Godown and discussed increased in homicides.

Barbara Growth discussed money problems due to increased in command staff and requested the numbers for a later meeting.

CONSENT CALENDAR

- **Quarterly Report by the Department and the Office of Citizen Complaints regarding Policy Proposals**

Commissioner Kingsley asked for an abbreviation code for next report and asked what determines A, B, and C bulletins. Sgt Mitchell explained definitions of A, B, and C priorities.

PUBLIC COMMENT

Ray Hartz discussed concerns regarding date of proposals for department general orders.

Clyde talked about transparency by the Department.

Motion by Commissioner Chan, second by Commissioner Hammer. Approved 6-0.

REPORTS TO THE COMMISSION

- a. **Chief's Report**
 - **Report on crime statistics**
 - **Review of recent activities**
 - **Status report on preparation of SFPD's 2011-2012 budget**
 - **Update on status of revised Department General Order 5.02, "Use of Firearms"**

Chief Godown gave a brief update on crime statistics and stated the only increase in crime is in the homicide category.

Commissioner Hammer asked about recent homicides. Chief Godown explained some of the incidents.

Commissioner Slaughter asked of the 11 homicides how many arrest have been made. Chief Godown stated that he thinks it's three or four but will get actual numbers for the Commission.

Commissioner Hammer would also like the homicides number from last year.

Ms. Deborah Landis, Fiscal, presented the Department's budget for 2011-2012 budget. Key dates 2/22 submit preliminary budget to Mayor's office and will be back in two weeks to present to the commission; 6/1 budget presented to the Mayor and then to the full Board for adoption.

Commissioner Slaughter will join Commissioner Mazzucco as liaison for the budget.

Commander Mahoney presented the update on status of revised Department General Order 5.02, "Use of Firearms."

Commissioner Mazzucco stated that he will put this on the agenda in 30 days for action.

Commissioner Hammer expressed concerns as to why the Commission was not notified as this DGO is not on track for adoption.

Chief Godown stated that he will have this DGO before the Commission on March 2nd for adoption.

Director Hicks, OCC, discussed some concerns.

Commissioner Hammer asked that if the OCC does not agree, he would like to see their draft for comparison.

b. OCC Director's Report

- **Review of recent activities**
- **Presentation of the OCC's 2010 Annual Report**
- **Status report on preparation of OCC's 2011-2012 budget**

Director Hicks reported on recent activities and went on to present the OCC's 2010 Annual Report.

Commissioner Mazzucco commended Director Hicks and her staff for her very detailed report and for their hard work.

Questions and comments by Commissioners Kingsley, Slaughter, Marshall, Hammer, and Chan.

Director Hicks discussed the OCC's 2011-2012 budget.

c. Commission Reports

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

Commissioner Mazzucco has no report.

Commissioner Kingsley reported that she had a ride along in the Bayview on Saturday night and stated that she learned a tremendous amount in terms of the Bayview District and thanked the Chief and Captain Suhr.

Commissioner Chan announced that next week will be a presentation in regards to mental health training and stated that she has talked to the mental health advocates to invite them to attend next week's meeting.

Commissioner Mazzucco also reached out to the POA to invite the members to be part of the discussion for next week's meeting.

PUBLIC COMMENT

Ray Hartz, SF Open Government, commented in regards to the Department's budget and concerns regarding overtime that exceeds the individual's base salary and discussed DGO 5.02 and the delay to get it up to date.

Chief Godown explained about the payouts from the Department.

Mike Baronski discussed the OCC’s annual report and read a passage from the bible.

Barbara Growth discussed concerns regarding PERF and recommendations to bring in all the command staff.

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL TO RETROACTIVELY ACCEPT AND EXPEND A \$178,962 CARL MOYER GRANT FROM THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT TO REPLACE THE ENGINES ON THE MARINE 1 POLICE BOAT

and

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL TO RETROACTIVELY ACCEPT AND EXPEND A \$65,000 GRANT FROM THE CALIFORNIA STATE DEPARTMENT OF BOATING AND WATERWAYS FOR A BOATING SAFETY AND ENFORCEMENT GRANT TO PURCHASE EQUIPMENT FOR THE MARINE UNIT

Captain Rick Parry, Tactical, presented the two grants.

Question by Commissioner Chan.

Motion by Commissioner Kingsley, second by Commissioner Hammer.
Approved 6-0.

PUBLIC COMMENT
None

RESOLUTION NO. 11-14

APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO RETROACTIVELY ACCEPT AND EXPEND A \$178,962 CARL MOYER GRANT FROM THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT TO REPLACE THE ENGINES ON THE MARINE 1 POLICE BOAT

RESOLVED, that the Police Commission hereby approves the request of the Chief of Police to retroactively accept and expend a \$178,962 Carl Moyer Grant from the Bay Area Air Quality Management District to replace the engines on the Marine 1 Police Boat.

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

RESOLUTION NO. 11-15

APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO RETROACTIVELY ACCEPT AND EXPEND A \$65,000 GRANT FROM THE CALIFORNIA STATE DEPARTMENT OF BOATING AND WATERWAYS FOR A BOATING SAFETY AND ENFORCEMENT GRANT TO PURCHASE EQUIPMENT FOR THE MARINE UNIT

RESOLVED, that the Police Commission hereby approves the request of the Chief of Police to retroactively accept and expend a \$65,000 grant from the California State Department of Boating and Waterways for a Boating Safety and Enforcement Grant to purchase equipment for the Marine Unit.

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

ROUTINE ADMINISTRATIVE BUSINESS

- a. Commission Announcements**
- b. Scheduling of items identified for consideration at future Commission Meetings**

Lt. Falvey announced the dates set for non-quorum meetings in regards to the Commission’s search for Chief of Police.

Commissioner Mazzucco invited the public to attend these meetings.

Commissioner Slaughter will attend the Feb. 24th meeting.

PUBLIC COMMENT

None

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 (8:05 p.m. – 8:15 p.m.)

- a. **PERSONNEL EXCEPTION: Assignment of Disciplinary Charges filed in Case No. IVF C11-023 to a Commissioner for taking of evidence on a date to be determined by the Commissioner** (Assigned to Commissioner Chan, Resolution No. 11-16)

(PRESENT: Commissioners Mazzucco, Marshall, Chan, Kingsley, Hammer, Slaughter, Lieutenant Falvey, Risa Tom, Deputy City Attorney M. Blits, Assistant Chief Shawyer, Commander Mahoney, Director Hicks, Attorney I. Fraenkel)

- b. **PERSONNEL EXCEPTION: Discussion and possible action to appoint a Commissioner to monitor disciplinary Case No. ALW C08-181 currently assigned to an outside hearing on the Motion to Compel Discovery** (Assigned to Commissioner Mazzucco, Resolution No. 11-17)

(PRESENT: Commissioners Mazzucco, Chan, Kingsley, Hammer, Lieutenant Falvey, Risa Tom, Deputy City Attorney Blits, Assistant Chief Shawyer, Commander Mahoney, Attorney Worsham, Attorney Shea)

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

Motion by Commissioner Hammer, second by Commissioner Marshall for non disclosure. Approved 6-0.

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 Hammer, second by Commissioner Chan. Approved 6-0.

CLOSED SESSION (8:15 p.m. – 9:00 p.m.)

PUBLIC EMPLOYEE APPOINTMENT: Chief of Police

(PRESENT: Commissioners Mazzucco, Marshall, Chan, Kingsley, Hammer, Slaughter, Lieutenant Falvey, Risa Tom, Lt. Reilly)

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

Motion by Commissioner Hammer, second by Commissioner Chan.
Approved 6-0.

ADJOURNMENT

Motion by Commissioner Marshall, second by Commissioner Kingsley.
Approved 6-0.

Thereafter, the meeting was adjourned at 9:05 p.m.

Lieutenant Timothy Falvey
Secretary
San Francisco Police Commission

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