

JANUARY 12, 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

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

(Commissioner DeJesus arrived at 6:15 p.m. Commissioner Hammer is excused at 7 p.m.)

ROUTINE ADMINISTRATIVE BUSINESS

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

Taken out of order.

Commissioner Mazzucco thanked Chief Gascón and announced to start the process for selection of new Chief of Police. This item will be for discussion only.

Commissioner Slaughter would like it to be an action item.

Commissioner Mazzucco announced that A/C Godown is the Acting Chief.

PUBLIC COMMENT

Ray Hartz, SF Open Government, discussed concerns as to what can be done in private and what can be done in public.

Emil Lawrence discussed concerns regarding the former police chief.

Meesha Monge Irizarry, Idriss Stelly Foundation, discussed concerns.

Christine Harris discussed concerns regarding actions of police and training in dealing with people with mental and health challenges.

Charlie Miller discussed concerns regarding selection process for the new Chief of Police.

Clyde commended Chief Gascon.

Raj Naicher discussed concerns regarding mind control weapons.

Unidentified discussed concerns regarding the public's dissatisfaction with open government and the selection process for the new Chief of Police.

Commissioner DeJesus would like Tasers rescheduled at the end of February or early March.

Commissioner Slaughter would like to keep Tasers on February 9th.

Commissioner Chan suggested that Mental Health be the priority and discussed before the issue of Tasers.

Commissioner Kingsley stated the since there will be a presentation next week regarding Mental Health training if that will suffice.

Commissioner Mazzucco stated that for now Tasers will be scheduled for the 9th of February.

PUBLIC COMMENT

Meesha Monge Irizarry discussed the shooting of her son and asked for more time before scheduling the discussion regarding Tasers.

APPROVAL OF THE CONSENT CALENDAR

- a. **Request by Inspector John Keane for approval to accept a gift basket, valued at approximately \$25.00, from Ms. Rosa Pedrosa**
- b. **Request by the Chief of Police to accept a donation of \$6,000.00 from the Supporters of San Francisco Police Department Wilderness Adventure Youth Program for use by the San Francisco Police Department's Wilderness Program**

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

PUBLIC COMMENT

Emil Lawrence discussed concerns regarding money donated to the Mounted Unit and stated that donations should to be accounted for.

RESOLUTION NO. 11-5

APPROVAL OF THE REQUEST OF INSPECTOR JOHN KEANE TO ACCEPT A GIFT BASKET, VALUED AT APPROXIMATELY \$25.00, FROM MS. ROSA PEDROSA

RESOLVED, that the Police Commission hereby approves the request of Inspector John Keane to accept a gift basket, valued at approximately \$25.00, from Ms. Rosa Pedrosa.

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

RESOLUTION NO. 11-6

APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO ACCEPT A DONATION OF \$6,000.00 FROM THE SUPPORTERS OF SAN FRANCISCO POLICE DEPARTMENT WILDERNESS ADVENTURE YOUTH PROGRAM FOR USE BY THE SAN FRANCISCO POLICE DEPARTMENT’S WILDERNESS PROGRAM

RESOLVED, that the Police Commission hereby approves the request of the Chief of Police to accept a donation of \$6,000.00 from the Supporters of San Francisco Police Department Wilderness Adventure Youth Program for use by the San Francisco Police Department’s Wilderness Program.

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

ADOPTION OF MINUTES

- For the meetings of October 2nd, 6th, 20th, November 17th, December 1st & 8, 2010

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

PUBLIC COMMENT

None

PUBLIC COMMENT

Ray Hartz, SF Open Government, discussed concerns regarding being interrupted during public comment.

Meesha Monge Irizarry discussed concerns regarding officers dealing with individuals with mental health issues.

Bob Westwood, Mental Health Association, discussed concerns regarding shootings of mental health victims.

Orland, Tenderloin resident, asked the Commission to help reunite the police and the public in the Tenderloin District.

Carl Start discussed concerns regarding abuse by the police.

Charlie Miller announced that there will be a protest at noon regarding the recent shooting and invited members of the Commission and the Chief of Police.

Molly Glasgow spoke in regards to the officer-involved shooting of a man in a wheelchair and asked that training be looked at to avoid incidents like this.

Commissioner Mazzucco announced that he will be meeting with Commissioners Hammer and Chan and Director Hicks on the 20th to discuss mental health issues and then have a public hearing regarding this issue.

REPORTS TO THE COMMISSION

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

Acting Chief Godown gave a brief statistical crime update.

Commissioner Hammer asked what is the status of the Crisis Intervention Training. Chief Godown explained that the training was not cancelled and is still ongoing. Assistant Chief Schmitt explained the status of the current training. Commissioner Hammer would like the number of officers who have received training for next week's meeting.

- b. OCC Director's Report**
- **Review of recent activities**

Director Hicks has no report this evening.

- c. Commission Reports**
- **Commission President's Report**
- **Commissioners' Reports**
- Status Report:**
- **Commission Priority List**

Commissioner Kingsley discussed the priority list.

PUBLIC COMMENT

Meesha Monge Irizarry would like mental health issues be a priority.

Charlie Miller thanked the Chief for his report and discussed SF Weekly article regarding Bait Car. Chief Godown explained the purpose of this operation.

Ray Hartz discussed concerns and the priority list.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

Ray Hartz discussed concerns regarding closed session.

Charlie Miller discussed concerns regarding the closed session in regards to the officer-involved shootings.

VOTE ON WHETHER TO HOLD CLOSED SESSION

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

CLOSED SESSION (7:35 p.m. to 8:40 p.m.)

- a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police**
Review of findings and decision to return officer to duty following officer-involved shooting (OIS Case No. 10-015 & 11-001)

(PRESENT: Commissioners Mazzucco, DeJesus, Chan, Kingsley, Slaughter, Lieutenant Falvey, Risa Tom, Chief Godown, Commander Mahoney, Inspector Nevin, Lieutenant Moser, Deputy City Attorney Blits)

- b. CONFERENCE WITH LEGAL COUNSEL: Existing Litigation**
Liberato Primer, Jr. v. CCSF, S.F. Superior Court Case No. 09-493199, filed 10/5/09; discussion and possible action to recommend that the Board of Supervisors approve recommended settlement in the action

(PRESENT: Commissioners Mazzucco, DeJesus, Chan, Kingsley, Slaughter, Lieutenant Falvey, Chief Godown, Lt. Silverman, Deputy City Attorney Porter, Deputy City Attorney Blits, Commander Mahoney) (*Resolution 11-7*)

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

- c. **PERSONNEL EXCEPTION: Discussion and possible action to accept or reject stipulated disposition of disciplinary chages filed in case no. JWA C10-196**
(PRESENT: Commissioners DeJesus, Chan, Kingsley, Slaughter, Lieutenant Falvey, Risa Tom, Deputy City Attorney Blits, Chief Godown, Assistant Chief Shawyer, Commander Mahoney, Attorney Alden, Attorney Cheasty, member involved) (*Resolution 11-8*)
- d. **PERSONNEL EXCEPTION: Discussion and possible action to grant or deny Motion for Dismissal of Disciplinary Charges filed in Case Nos. KMO C08-127 & KMO 08-162 pursuant to Government Code Section 3304(d)**

Continued to February 19th.

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

Motion by Commission Slaughter, second by Commissioner Kingsley for non disclosure. Approved 5-0

ADJOURNMENT

Motion by Commissioner Slaughter, second by Commissioner Chan. Approved 5-0.

Thereafter, the meeting was adjourned at 8:40 p.m.

Lieutenant Timothy Falvey
Secretary
San Francisco Police Commission