#### **JANUARY 17, 2007**

#### **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, 4:45 p.m. in a Regular Meeting.

PRESENT: Commissioners Renne, Campos, Dejesus, Lee, Sparks,

Veronese

ABSENT: Commissioner Marshall

(Commissioner Campos arrived at 5:33 p.m., Commissioner Veronese arrived at 5:13 p.m., and Commissioner Lee was excused at 6:30 p.m.)

## PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

### **VOTE ON WHETHER TO HOLD CLOSED SESSION**

Motion by Commissioner DeJesus, second by Commissioner Lee. Approved 6-0.

### **CLOSED SESSION**

- a. PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C04-005 JWA
- b. PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C06-193 ALW
- c. PERSONNEL EXCEPTION: Approval of Awards Committee Recommendation
- d. PERSONNEL EXCEPTION: OCC Director Position

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

Motion by Commissioner DeJesus, second by Commissioner Veronese for non disclosure. Approved 6-0.

PUBLIC HEARING: PURSUANT TO SF ADMIN CODE 19.4(b), DISCUSSION AND POSSIBLE ACTION TO APPROVE AND ADOPT FINDINGS WITH RESPECT TO THE PROPOSAL OF THE MAYOR'S OFFICE OF CRIMINAL JUSTICE FOR PILOT INSTALLATION OF COMMUNITY SAFETY CAMERAS AT THE FOLLOWING LOCATIONS:

Geneva Avenue & Mission Street (3)
24 <sup>th</sup> Street & Mission Street (4)
Ellis Street 7 Jones Street (3)
26 <sup>th</sup> Street & Shotwell Street (3)

Director Allen Nance, Mayor's Office of Criminal Justice, addressed the Commission regarding installation of community safety cameras at the above-listed locations.

#### PUBLIC COMMENT

Richard Stipman discussed his concerns and opposition to the cameras.

Edward Evans expressed support for the cameras.

Unidentified, Director Property Management Chinatown Community Development, expressed support for the cameras.

Amy Chan, spoke for Chinatown residents, expressed support for the cameras.

Connie Ramirez Webber, 26<sup>th</sup> & Shotwell, expressed support for the cameras.

Dr. Michael Edelstein, Clinical Phychologist, opposed installation of cameras due to invasion of privacy by government.

Vincent Pan expressed opposition for the cameras.

Catherine Pacheco, Crocker Amazon District, expressed support for the cameras.

Monica Younger expressed support for the cameras.

Steve Currier, President of Outer Mission Association, presented petition with 130 signatures in support of cameras on Mission & Geneva.

Unidentified, 24<sup>th</sup> & Mission, expressed support for the cameras.

Tom Rocca, resident & business owner, expressed support for the cameras.

Philip Lesser, Manager of Mission Miracle Mile Inc., expressed support for the cameras.

Jean Fielmoser, Mission Merchant's Association, expressed support for the cameras at 16<sup>th</sup> and Mission and Geneva & Mission.

Milton Dickens Vice President East Mission Improvement Association, read a resolution in support of the cameras.

Dr. Greg Caymen, SF resident, expressed opposition to the cameras.

John Smith expressed support for the cameras.

Chris O'Connel, Attorney, Boalt Hall UC Berkeley, expressed opposition to the cameras.

Lauren Moon, ACLU research assistant, expressed opposition to the cameras.

Rosa Miretti, 24<sup>th</sup> & Harrison resident, expressed support for the cameras

Unidentified, resident of the city for 71 years, expressed support for the cameras.

Star Child, local Libertarian Party, expressed opposition to the cameras.

Mark Schlosberg, ACLU, expressed opposition to the cameras.

Sara Joe handed the Commissioners a petition with 158 signatures opposing the cameras.

Jordan Green, SF resident, expressed opposition to the cameras.

Judy Young, Executive Director Vietnamese Youth Development Center, expressed opposition to the cameras.

Mong Lee, Tenderloin community, expressed opposition to the cameras.

Hemi Kim, Vietnamese Youth Development Center, expressed opposition to the cameras.

Joan Weismueller, SF resident, expressed opposition to the cameras.

Carolyn Davy, Lower 24<sup>th</sup> Street Association, expressed support for the cameras.

Joe Red, 3<sup>rd</sup> & Newcomb, is not completely opposed to the camera but the cameras should also be used to capture police brutality.

T.J. Walker expressed support for the cameras.

Marie Sorenson, Mission resident, expressed opposition to the cameras and asked for more police for the neighborhood.

Maria Ayunamora, 16<sup>th</sup> & 24<sup>th</sup> Streets, expressed support for the

Maria Ayunamora, 16<sup>th</sup> & 24<sup>th</sup> Streets, expressed support for the camera.

Elizabeth Zitrin, Attorney, expressed opposition to the cameras.

Mac Husein expressed support for the cameras.

Alison expressed opposition to the cameras.

Nicole Oser, ACLU, expressed opposition to the cameras.

Adrian Hirt, Director Children's Justice, expressed opposition to the

cameras.

Al Harris expressed support for the cameras.

Mary Harris expressed support for the cameras.

John Campbell, lower 24<sup>th</sup> Street resident, expressed support for the cameras.

Peter Swanson, Valencia Street resident, expressed opposition to the cameras.

Adel Pedrosa, Mission resident, expressed support for the cameras.

Veronica, Mission resident, asked that everybody be responsible.

Julie Ledbetter, Mission Neighborhood Resource Center, asked that decision be postponed and turned in a petition with 75 signatures opposing the cameras.

Nora Dye expressed opposition to the cameras.

Patricia Tulloch expressed opposition to the cameras.

Alex Rivera, Mission resident, expressed support for the cameras but also asked for more street lights and more police officers on the streets.

Ana Maria Loya, La Raza, expressed opposition to the cameras.

Ricardo Moran, 26<sup>th</sup> & Hampshire, expressed opposition to the cameras.

Derek Turner asked the Commission to think about the rules and to make the rules strong enough so that it cannot be changed.

Pat Howard, 23<sup>rd</sup> & Potrero resident, expressed opposition to the cameras.

Robert Garcia, President Save our Streets, expressed support for the cameras and asked for more cameras for his neighborhood.

Pat Delgado, Mission resident, expressed support for the cameras.

Judy Bergowitz, President Coalition for San Francisco Neighborhood Organization, expressed support for the cameras.

Brian Quinn, Director of Housing for Tenderloin Health, expressed support for the cameras specially on Turk and Taylor Streets.

Sakur Saunders expressed opposition of the cameras and asked for more lighting.

Commissioner Renne announced that due to the number of public comment, the rest of the agenda will be continued for next week.

Brenda Stilman stated that rules are help if people know there are consequences for breaking it.

Andre expressed support for the cameras.

Vali Brown, Haight Street neighborhood, expressed support for the cameras and asked for better lighting and community policing.

Cindy Riser expressed support for the cameras.

Elizabeth, Tenderloin District, stated that she came in with about nine other mothers that had to leave because of the time and stated that they were in support of the cameras at first but now opposes it.

Cesar, Tenderloin, Lobos Latina, (via translator) expressed support for the cameras.

Cesar Garcia, Tenderloin resident, (via translator) expressed support for the cameras and asked for foot patrol.

David Villalobos, Tenderloin, expressed support for the cameras.

Reymundo Anthony, San Bruno Avenue, expressed support for the cameras.

John Duran expressed support for the cameras.

Arturo Herrera, Cesar Chavez & Mission, (via translator) expressed support for the cameras.

Jay Goldman, So. Mission Neighborhood Coalition, expressed support for the cameras.

John Mendoza, Lower 24<sup>th</sup> Street Association, expressed support for the cameras.

Barbara, Lower Haight, expressed concerns if cameras will be able to catch incidents that are in the middle of the block and is not sure if this is the

right answer. She asked for more foot patrol.

Laura Hahn, SF resident, asked the Commission to look at the studies about the ineffectiveness of the cameras.

Shane read a letter from Supervisor Daly's office.

Rufino DeLeon, North Mission Neighborhood Alliance, expressed support for the cameras.

Bruce, Turk & Taylor, discussed concerns regarding drugs on the streets and asked that marijuana be legalized.

Michael Hilson discussed concerns.

Ms. Castillo, SF resident, expressed support for cameras on  $16^{\rm th}$  & Mission Streets.

Hunter, 16<sup>th</sup> & Mission, expressed opposition to the cameras.

Julio (via translator), Day Labor Program, expressed opposition to the

Eric Arguello, Lower 24<sup>th</sup> Street Merchant Association, read a letter requesting cameras for the Mission District.

Ace Washington expressed opposition to the cameras.

Unidentified expressed concerns that the cameras does not prevent crimes.

Elaine Zamora supports the cameras only as a part of a greater effort for community safety.

Paul, Computer Security Developer, discussed his concerns.

Commissioner Veronese stated that he is not fully convinced. Director Nance stated that part of the effort in understanding the effectiveness of community safety cameras in San Francisco is in looking at and evaluating the manner in which to implement the cameras. Mr. Nance stated that there is a clear and specific circumstances around the way the cameras are being used in San Francisco as compared to other jurisdictions that can and may directly impact the effectiveness of the cameras. Mr. Nance stated that cameras are not actively monitored and that is an important factor, if in fact, the cameras may be used to not only identify crimes when it occurs but also to be used to deploy resources before a violent incident occur.

Commissioner Veronese discussed his concerns in regards to how the cameras will be used against immigrants by the Federal government.. Mr. Nance stated that he would defer to the wisdom of the Board of Supervisors that authorizes to install the cameras and the same wisdom that installed safeguards that limit access to those images.

Commissioner Veronese asked how many crimes have been solved with the use of images from the cameras. Mr. Nance stated that there was one incident that resulted in an arrest.

Commissioner Veronese recommended the following:

- (1) That prior to any new camera being put up that the Commission have a prove up hearing as to the efficacy of the cameras.
- (2) That in June, one year anniversary, the Department be ordered to report to the Commission as to the efficacy of each cameras on each intersections and that an ineffective cameras be removed.
- (3) That there be a not to exceed cap.
- (4) That a resolution (after a public hearing) giving the Chief of Police the ability to move those cameras already authorized to meet the crime trends as she sees fit.

Commissioner Renne reminded the audience that the Commission is not considering this as a new idea since the Board adopted the ordinance. She

also stated that the ordinance provide that the images from the cameras may <u>only</u> be released to sworn members of the Police Department holding the rank of inspector or higher and those members of the rank of inspectors or higher shall be limited to their review to investigations of specific crimes and that an annual report is required. The ordinance also provides that in order for the Commission to adopted the proposed cameras, the Commission must find that the proposed location is experiencing substantial crime; that the potential to deter criminal activities outweighs concern; and, that there is significant support from the affected community.

Commissioner DeJesus asked about future plans for the cameras. Mr. Nance stated that Haight & Webster, Halliday Plaza, UN Plaza,  $6^{th}$  and Market are potential sites.

Commissioner DeJesus asked if MOCJ is looking into funding for more lighting to deter crime. Mr. Nance stated that his office participates in environmental assessments where homicides occur and receives feedback from the community as to quality of life issues. Mr. Nance stated that his office is wholly invested in looking at lighting, looking at overgrown foliage, looking at foot patrols, community policing strategy, violence prevention programs and other mechanisms to impact crime in the neighborhoods.

Commissioner DeJesus asked if there is a way to turn the cameras off if there is a demonstration. Mr. Nance stated that there is no language in the ordinance in regards to that.

Commissioner DeJesus asked about privacy impact report and making that as part of the comprehensive report. Mr. Nance stated that he is not opposed to that and that is something that should be seriously considered.

Commissioner DeJesus asked if there is any penalties as to violation of the ordinance. Ms. Stump, City Attorney, explained the ordinance has no particular penalty provisions.

Commissioner Campos stated that he has a lot of concerns about the initiative. He stated that he would have like to have substantive information regarding the cameras. Commissioner Campos stated that he would like to hear from the MOCJ all the different things that have been done after trying a lot of different things and in conjunction with a lot of different things before placement of the cameras.

Commissioner Sparks stated that this isn't the one issue the city is using to combat crime. Commissioner Sparks stated that lighting might be an issue and that there are a lot of issue that need to be taken in concert to look at different crimes in the neighborhoods.

Commissioner Sparks stated that she is very much supportive of the cameras and hopefully after one year the Commission can look at a very comprehensive reports regarding the cameras and then the Commission can decide of whether to remove them or not.

Commissioner Renne stated that the ordinance requires the Commission to make three findings:

- (1) That each of the locations recommended is experiencing substantial crime.
- (2) That each of the locations the potential to deter criminal activity outweighs concerns asserted by the affected community.
- (3) That each of the locations there exists significant support for each of

the cameras.

Commissioner Renne suggested that if the Annual Report that is done does not substantiate those three concerns that the Commission would not be meeting the statute and would have to withdraw approval.

Ms. Molly Stump, City Attorney, stated that the ordinance gives a variety of city officials responsibility under the ordinance. Mr. Nance explained that the custodian of records which is the Emergency Communications Department, the entity that actually has responsibility for maintaining the cameras, which includes installation, and that is the Department of Telecommunications & Information Services (DTIS)

Motion by Commissioner DeJesus that the Commission approves the camera program with the condition that the cameras be turned off by DTIS during a political demonstration requiring a permit and that a six-month report be forth coming and that it be clarified that after 14 days records are destroyed and that the three requirements of the ordinance have been met. Second by Commissioner Campos.

AYES: Commissioners Renne, Campos, DeJesus, Sparks, Veronese ABSENT: Commissioners Lee, Marshall

### **PUBLIC COMMENT**

Unidentified discussed concerns.
Unidentified discussed concerns regarding SFPD.
Unidentified discussed concerns.
Unidentified discussed concerns.

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

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

### **ADJOURNMENT**

Motion by Commissioner DeJesus, second by Commissioner Veronese to adjourn the meeting in memory of Officer Joaquin Santos Jr. Approved 5-0.

Thereafter, the meeting was adjourned at 10:38 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct