

JANUARY 19, 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 5:40 p.m., in a Regular Meeting.

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

(Commissioner DeJesus arrived at 5:41 p.m.)

APPROVAL OF CONSENT CALENDAR (Taken out of order)

- **OCC Document Protocol Quarterly Report – 2nd & 3rd Quarter**
- **San Francisco Police Commission Report of Disciplinary Actions – 4th Quarter**

Motion by Commissioner Hammer, second by Commission Slaughter. Received and approved 6-0.

REPORTS TO THE COMMISSION (Taken out of order)

- a. **Chief's Report**
 - **Review of recent activities**
 - **Status Report re: Department's Mental Health Training**
 - **Presentation of 4th Quarter 2010 FDRB Findings & Recommendations**
 - **Presentation of the OIS Investigation Status Summary**

Chief Godown reported on crime statistics.

Assistant Chief Schmitt presented the Department's Mental Health Training report.

Commissioner Hammer asked why the training was stopped in June. Chief Godown stated that the federal funding ran out and had to go back to the academy.

Questions by Commissioners Kingsley, Chan, Slaughter, DeJesus

Commissioner Kingsley asked if there are videos of past trainings that could reach the rest of officers in a short period of time while continuing training.

Commissioner Hammer stated the way to deal with mental health is with

Sergeant Jennifer Jackson presented the 4th Quarter 2010 FDRB Findings & Recommendations and the OIS Investigation Status Summary.

OCC DIRECTOR'S REPORT

- **Review of recent activities**

Director Hicks reported on OCC case statistics.

COMMISSION REPORTS

- **Commission Announcements**
- **Commissioners' Reports**

Commissioner Kingsley reminded the Commissioners that the priority list will be discussed next week and invited the Chief, Director Hicks, and the public for input.

PUBLIC COMMENT

Meesha Monge Irizarry thanked the Chief for his comments and discussed concerns regarding comments made by Commissioners and stated that she will file a lawsuit against KRON TV and the SFPD for using her son's shooting incident for training at the Academy.

Ray Hartz, SF Open Government, discussed concerns regarding training presentation and gave some suggestions.

Unidentified discussed concerns regarding shooting of his brother Charles Harrison and concerns that no arrest have been made and would like to know what is being done. Chief Godown stated that he will talk to him about this investigation.

Unidentified commended Commissioner DeJesus for her comments and discussed concerns regarding the costs of training.

Lidia, community organizer, commended Commissioner DeJesus for her comments and stated that it is imperative to provide training for officers.

Clyde discussed the police dealing with mentally ill individuals.

DISCUSSION AND POSSIBLE ACTION TO ESTABLISH QUALIFICATIONS, PROCEDURES AND/OR TIMELINES FOR SELECTING NOMINEES TO SUBMIT TO THE MAYOR FOR CHIEF OF POLICE, OR TO TAKE OTHER ACTION RELATED TO SELECTING NOMINEES FOR CHIEF OF POLICE

NOTE - Some portion of this item may be heard in closed session under Government Code § 54957(b) and San Francisco Administrative Code § 67.10(b), PUBLIC EMPLOYEE APPOINTMENT – CHIEF OF POLICE. This closed session option is provided so that, if the Commission’s discussions on this item involve an individual employee or applicant, the Commission may conduct that portion of the discussion in closed session. If closed session is warranted:

- a. Public comment on all matters related to closed session, including whether to enter closed session.
- b. Vote on whether to enter closed session. (ACTION)
- c. Closed session.
- d. Vote to elect whether to disclose any or all closed session discussions under Administrative Code Section 67.12(a).

Commissioner Mazzucco talked about

PUBLIC COMMENT

Ray Hartz discussed as to how much is open to the public and concerns of limiting candidates outside of the Department, questions relating to drug lab, Brady issue, process should be open to the public.

Reese Aaron, LGBT community, asked that there be more public comment relating to this item so that communities can be heard.

Emile Lawrence suggested on sticking to the rank and file for candidates and discussed concerns regarding the OCC.

Robin, Tenderloin community, asked the Commission to consider the sanctuary situation, experience running a big city, and do not rush with the process.

Richard, National Lawyers’ Guild of SF, have a series of questions that would like to post to candidates and read questions.

Samar Hara, Coalition for a Safe SF, issue to take rights of Arab and Muslim communities.

Unidentified, works with Arab and Muslim students, discussed concerns regarding comments made by former Chief Gascon, and asked that the Commission meet with the Arab and Muslim communities.

PUBLIC COMMENT

Ray Hartz discussed concerns regarding public comment and being interrupted during public comment.

ROUTINE ADMINISTRATIVE BUSINESS

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

Commissioner Mazzucco asked that the Tasers presentation be moved to February 23rd and that the Mental Health hearing moved to February 9th.

PUBLIC COMMENT

None

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by commissioner Mazzucco, second by Commissioner Hammer.
Approved 7-0.

CLOSED SESSION (8:30 p.m. to 10:15 p.m.)

- a. **PERSONNEL EXCEPTION: Reassignment of Disciplinary Charges filed in Case No. ALW C09-076 to a Commissioner for the taking of evidence on a date to be determined by the Commissioner** (Assigned to Commissioner Angela Chan, Resolution No. 11-9)

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Chan, Kingsley, Hammer, Slaughter, Chief Godown, Assistant Chief Shawyer, Commander Mahoney, Lt. Falvey, Risa Tom, Deputy City Attorney Blits, Attorney Worsham, Attorney Gaines)

- b. **PERSONNEL EXCEPTION: Discussion and possible action to take off calendar indefinitely the disciplinary charges filed in Case No. JWA C10-195. Member involved retired from the Department, effective January 7, 2011. Said disciplinary charges will be placed back on calendar should said member be within the jurisdiction of the Police Commission in the future** (Resolution No. 11-10)

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Chan, Kingsley, Hammer, Slaughter, Chief Godown, Assistant Chief Shawyer, Commander Mahoney, Lt. Falvey, Risa Tom, Deputy City Attorney Porter, Deputy City Attorney Blits, Lt. Moser, Sgt. Juarez, Attorney Alden)

- c. **PERSONNEL EXCEPTION: Discussion and possible action to accept or reject Stipulated Disposition of disciplinary charges filed in Case No. KMO C8-137; if no stipulated agreement in place, status update and scheduling of hearing for taking of evidence** (Put over to 2/9/11)

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Chan, Kingsley, Hammer, Slaughter, Chief Godown, Assistant Chief Shawyer, Commander Mahoney, Lt. Falvey, Risa Tom, Deputy City Attorney Zureski, Attorney Lassart, Attorney Alden)

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

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Chan, Kingsley, Hammer, Slaughter, Chief Godown, Assistant Chief Shawyer, Commander Mahoney, Lt. Falvey, Risa Tom, Deputy City Attorney Porter, Deputy City Attorney Blits, Lt. Moser, Sgt. Juarez, Sgt. Jackson, Attorney Alden)

- e. **PERSONNEL EXCEPTION: Discussion and possible action to grant or deny Motion for Dismissal of Disciplinary Charges filed in Case Nos. KMO C08-127 & KMO C08-162 pursuant to Government Code Section 3304(d)** (Documents admitted; put over to two weeks)

(PRESENT: Commissioners DeJesus, Chan, Kingsley, Hammer, Slaughter, Lt. Falvey, Risa Tom, Deputy City Attorney Zureski, Attorney Alden, Attorney Lassart, Court Reporter Bruhl, and member involved)

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

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

ADJOURNMENT

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

Thereafter, the meeting was adjourned at 10:15 p.m.

Lieutenant Timothy Falvey
Secretary
San Francisco Police Commission

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