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 5:58 p.m., in a Regular Meeting.

PRESENT: Commissioners Sparks, Marshall, DeJesus, Lee, Mazzucco,

Onek

ADOPTION OF MINUTES

- Regular Meeting of December 3rd and 10, 2008

Motion by Commissioner Marshall, second by Commission DeJesus. Approved 6-0.

PUBLIC COMMENT

Daniel Landry congratulated the Chief on her upcoming retirement and talked about the upcoming search for the new Chief of Police.

Jeanette Berger stated that the new Chief should be someone within the Department.

Tom McCloskey, Assistant Patrol Special Officer, discussed concerns regarding new uniforms for Patrol Special Officers.

Unidentified discussed concerns.

ROUTINE ADMINISTRATIVE BUSINESS (Taken out of order)

- a. Commission Announcements
- Assignment of Disciplinary Charges filed in Case No. C08-181 ALW to an individual Commission for the taking of evidence on a date to be determined by the Commission (Resolution No. 1-09, Assigned to Commissioner Yvonne Y. Lee)
- Assignment of Disciplinary Charges filed in Case No. C08-137 KMO to an individual Commission for the taking of evidence on a date to be determined by the Commission (Resolution No. 2-09, Assigned to Commissioner Thomas Mazzucco)

PUBLIC COMMENT

None

REPORTS TO THE COMMISSION

- a. Chief's Report
- Update on significant policing efforts by Department members
- Crime trends update

Chief Fong introduced the new MCD attorney, Mr. John Alden, who addressed the Commission and gave a brief bio.

Chief Fong then talked about events in the past weeks. She also stated that in February, there will be a report in regards to the one-year zone strategy implementation. Commissioner Sparks asked that the clearance rate be included in the report.

Commander Murphy gave a brief report in regards to homicide rates as compared to 2007 and stated a more detailed report will be presented to the Commission in February.

Commissioner Sparks asked about the study in regards to Patrol Specials. Commander Tong stated that the draft and scope has been sent to the Controller's Office for their review.

b. OCC Director's Report

- Review of Recent Activities

Director Joyce Hicks talked about mediation and stated that in 2008 there were 71 cases mediated as compared to 47 cases in 2007. Director Hicks stated that she will present a report in regards to mediation sometime this month. Director Hicks also stated that the OCC opened 1,021 cases in 2008 and closed 1,095 cases. She also commended the staff of the OCC for their hard work and commended the Department for working with the OCC.

Chief Fong explained the process after the Department is provided with the Early Warning System report from OCC and went on to explain about the interim Early Intervention System.

- c. Commission Reports
- Commission President's Report
- Commissioners' Reports
- Status Report regarding Chief of Police executive search

Commissioner Sparks announced that the PERF Steering Committee meeting will be on January 16th to discuss recommendations.

Commissioner Sparks also announced that the final report in regards to the Safety Camera will be release on Friday, January 9th, and the Commission will have a hearing on January 14th.

Commissioner Sparks stated that she met with the Mayor in regards to executive search for Chief of Police. Commissioner Lee will be working on setting up community meetings to get public input. Commissioner Sparks also stated that she met with the POA to ask the POA to provide the Commission with a profile of what the want to see with the new Chief of Police. Commissioner Sparks stated that once a profile is provided, the Commission will get a search firm on board and then the Commission will conduct the interviews. The Commission will also keep the Mayor's Office fully informed as the process goes forward.

PUBLIC COMMENT

None

ROUTINE ADMINISTRATIVE BUSINESS (continued:)

b. Scheduling of items identified for consideration at future Commission meetings

Commissioner Sparks stated that she would like to meet with Lt. Reilly to schedule the reassignment of case assigned to former Commissioner Campos.

Community Meeting will be on the 21st of January, Tenderloin District, Tenderloin Elementary School, 627 Turk Street. On the 28th there will be an open Commission Meeting on the 28th to hear a disciplinary matter.

Commissioner DeJesus would like to revisit the Copley matter sometime in March. She also would like an EIS update sometime in March. Commissioner DeJesus also would like a PAL report.

PUBLIC COMMENT

Stella Johnson discussed concerns.

DISCUSSION REGARDING COMMISSION OFFICE STAFFING

Commissioner Sparks talked about splitting the Secretary's position to an Executive Director and a Commission Liaison with the rank of Sergeant or Lieutenant. Commissioner DeJesus will be working with Director Villagomez.

PUBLIC COMMENT

None

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

Stella Johnson discussed concerns with State Farm Insurance.

VOTE ON WHETHER TO HOLD CLOSED SESSION

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

CLOSED SESSION (7:38 p.m. to 7:47 p.m.)

a. CONFERENCE WITH LEGAL COUNSEL

State Farm Insurance Co. as Subrogee for Deo Dutt, Unlitigated
Claim No. 09-01205

(Present: Commissioners Sparks, Marshall, DeJesus, Lee, Mazzucco, Onek, Deputy City Attorney Stump, Lieutenant Reilly)

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

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

APPROVAL OF CONSENT CALENDAR

a. Recommend that the Board of Supervisors approve settlement of the following case in accordance with the advice of the City Attorney:

State Farm Insurance Co. as Subrogee for Deo Dutt, Unlitigated Claim No. 09-01205

RESOLUTION NO. 3-09

STATE FARM INSURANCE CO. AS SUBROGEE FOR DEO DUTT

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "State Farm Insurance Co. as Subrogee for Deo Dutt," in Unlitigated Claim No. 09-01205, be, and the same is hereby approved.

Date of Incident: March 1, 2008

AYES: Commissioners Sparks, Marshall, DeJesus, Lee, Mazzucco,

Onek

ADJOURNMENT

Motion by Commissioner Mazzucco, second by Commissioner Onek. Approved 6-0.

Thereafter, the meeting was adjourned at 7:49 p.m.

Lieutenant Joseph Reilly Secretary San Francisco Police Commission