JUNE 20, 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, at 4:50 p.m.

PRESENT: Commissioners Marshall, Campos, DeJesus, Lee, Veronese

ABSENT: Commissioner Sparks

(Commissioner DeJesus arrived at 4:54 p.m)

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Lee, second by Commissioner Campos. Approved 5-0.

CLOSED SESSION (4:51 p.m.)

a. CONFERENCE WITH LEGAL COUNSEL Francisco Moreno v. CCSF, United States District Court No. C054752 MMC

(Present were Commissioners Marshall, Campos, DeJesus, Lee, Veronese, City Attorney Rebecca Katz, Lt. Michael Stasko, Director Jerry Tidwell)

b. PERSONNEL EXCEPTION: Public Employee appointment: OCC Director

(Present were Commissioners Marshall, Campos, DeJesus, Lee, Veronese, City Attorney Rebecca Katz, Mr. Regan Williams)

c. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police

(Present were Commissioners Marshall, Campos, DeJesus, Lee, Veronese, Chief Heather J. Fong, City Attorney Rebecca Katz, Director Jerry Tidwell)

OPEN SESSION (6:37 p.m.)

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

Motion by Commissioner Campos, second by Commissioner Marshall for non disclosure. Approved 5-0.

PRESENTATION BY GARTNER, INC., IN REGARDS TO SFPD'S INFORMATION TECHNOLOGY STRATEGIC PLAN

Chief Fong introduced Ms. Irma Fabular from the Gartner, Inc., who presented the SFPD's Information Technology Strategic Plan.

Commissioner Campos asked if the SFPD have the capability to implement the recommendations in this study. Ms. Fabular stated yes and no. She stated that the Department does not have sufficient resources from an information technology perspective and stated that the four recommendations that are focused on desktop support and the local area communications are needed to make sure laptops work. The more strategic recommendations related to resources include hiring the Department's CEO who has strong I.T. and executive leadership for the department and second is adding three

business analysts who knows translation of business requirements to technology needs.

Commissioner Veronese stated that he has some basic questions: Where do we currently lie today? Where do we want to be in five years? What do we lack as a Department in the area of technology? What is the technology we should be developing that we don't have? How much is going to cost? Do we have this in our budget? What can this Commission do to make sure that the Department gets the tools that it needs to get moving forward as quickly as possible. Ms. Fabular stated that the bottom line from a technology perspective for a police department for the city of San Francisco, considered as a global city, the Police Department's technology needs major overhaul. She stated that there is a lot of manual labor as a result of the gaps in the Department's technology capability. Ms. Fabular stated that they have made some estimates that are already in the budget but based on the strategic plan that they documented an initial of \$6 to \$8 million of investment and some are over the course of multiple years.

Commissioner Marshall asked what happens next. Ms. Fabular stated that the study is complete and the Department is soliciting some sponsorship to get some of the funding. There are efforts underway such as the rollout of new desktops. She stated the primary focus is building the infrastructure or foundation so that the utility aspects of technology are underway and there are efforts to retain Gartner to help further evaluation of the other initiatives in a lot more detail than a strategy.

Commissioner Marshall asked who will be in charge and give the Commission reports and updates. Deputy Chief Keohane stated that he will put together the reports that will be coming to the Commission and he will be reporting on a frequent basis as the Commission's request.

Commissioner DeJesus asked if money is in the budget to keep moving on this. Chief Keohane stated that the budget for 07/08 does have the money for the current needs and the Department is also looking at a multi year plan to make sure that it keeps going.

Commissioner Campos asked how much did the study cost. Deputy Chief Keohane stated that it was about \$200,000.

Commissioner DeJesus asked when would patrol cars have access to the technology. Deputy Chief Keohane stated he does not have the information readily available. Ms. Fabular stated that the reason that patrol car access if moved further to the right is because of all the foundational elements that need to be addressed, including the records management.

Commissioner Lee asked if the Department has asked about private funding. Deputy Chief Keohane stated that one of the means is looking for grants and also looking at homeland security funds in order to boost the technology capabilities.

PUBLIC COMMENT

Richard Stipman discussed concerns.

Unidentified discussed concerns regarding almost getting run over by a patrol car.

Frank Martin Del Campo discussed concerns regarding training.

Francisco DeCosta discussed incident reports so that it helps with communication between the officers and the public.

Unidentified discussed concerns regarding the District Attorney and the courts.

PUBLIC COMMENT

Unidentified discussed concerns regarding his OCC complaint and attitude of police regarding his complaint.

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: <u>Francisco Moreno v. CCSF</u>, United States District Court No. C05-4752 MMC
- b. Request of the Chief of Police to accept a donation of a canine named "Pyro," valued at approximately \$9,000.00, from Officer Rolando Canales, for the use of the Tactical Company K-9 Unit
- c. Request of the Chief of Police to accept a donation of a canine named "Gadol Ram," valued at approximately \$9,000.00, from the California Office of Homeland Security "Pups for Peace" Program, for the use of the Tactical Company Explosive Ordinance Detection Unit

Motion by Commissioner DeJesus, second by Commissioner Lee. Approved 5-0.

PUBLIC COMMENT

None

RESOLUTION NO. 60-07

FRANCISCO MORENO v. CCSF et al.

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Francisco Moreno, et al. v. City and County of San Francisco, et al.," in United States District Court No. C05-4572 MMC, be, and the same is hereby approved.

Date of Incident: October 14, 2004

AYES: Commissioners Marshall, Campos, DeJesus, Lee, Veronese

ABSENT: Commissioner Sparks

RESOLUTION NO. 61-07

APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO ACCEPT A DONATION OF A CANINE NAMED "PYRO"," VALUED AT APPROXIMATELY \$9,000.00, FROM OFFICER ROLANDO_CANALES, FOR THE USE OF THE TACTICAL COMPANY K-9 UNIT

RESOLVED, that the Police Commission hereby approves the request of the Chief of Police to accept a donation of a canine named "Pyro," valued at approximately \$9,000.00, from Officer Rolando Canales, for the use of the Tactical Company K-9 Unit.

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

RESOLUTION NO. 62-07

APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO ACCEPT A DONATION OF A CANINE NAMED "GADOL RAM," VALUED AT APPROXIMATELY \$9,000.00, FROM THE CALIFORNIA OFFICE OF HOMELAND SECURITY "PUPS FOR

PEACE" PROGRAM, FOR THE USE OF THE TACTICAL COMPANY EXPLOSIVE ORDINANCE DETECTION UNIT

RESOLVED, that the Police Commission hereby approves the request of the Chief of Police to accept a donation of a canine named "Gadol Ram," valued at approximately \$9,000.00, from the California Office of Homeland Security "Pups for Peace" Program, for the use of the Tactical Company Explosive Ordinance Detection Unit.

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

CHIEF'S REPORT

- a. Report re: Department's response in recent incidents of violence in the Western Addition
- b. Update on significant policing efforts by Department members
- c. Review of Recent Activities

Chief Fong reported on the recent incidents in the Western Addition. She stated that the violence are caused by drugs, by gang and turf activity, as well as by guns. Unfortunately the perpetrators are getting younger and younger. Chief Fong stated that law enforcement alone cannot stop the violence. The Department needs the help of the community and services to be placed within the community.

Chief Fong stated that the Department have seized 453 firearms and 59 of those are from the Western Addition area. Chief Fong stated that annually, the Department seize between 1100 and 1200 firearms. Chief Fong stated that last month the Narcotics Detail was able to seize six kilos of drugs including methamphetamine, cocaine, and crack. The goal is to take as much of the narcotics off of the street will reduce the level the violence as is the goal in removing the guns from the street. Chief Fong stated that the drugs, the gangs, the turf, and the guns are key and the Department is doing a lot of enforcement and investigation in these areas.

Chief Fong also reported that on Monday, the Department hired three inspectors to assist in the cold-case unit of Homicide and hopefully the Department will be able to identify perpetrators from old cases.

Commissioner Campos asked if the Department has monitored what impact foot patrols and cameras have had on crime in the Western Addition. Chief Fong stated that that's monitored, not only in the Western Addition but throughout the city. Chief Fong stated that whenever an incident occur around a crime camera, the footage is reviewed to see whether or not there is useful footage. Chief Fong stated that the Department is currently doing a review on foot patrols.

Commissioner Veronese stated he would like to see a new approach, when shootings involve juveniles, that brings into the solution the parental figures, schools the children are attending, as well as any religious or community leaders to involve them. Commissioner Veronese also stated he would like to see public reports on shootings and homicides in the city.

Chief Fong talked about the major events that occurred in the city and commended the officers for their hard work.

Commissioner Marshall thanked the Chief for inviting him to walk with her in Friendship Village where the shootings occurred. Commissioner Marshall stated that knocking on doors, talking with the people, most of the people were grateful but you also get the feeling of fear and reluctance to come forward.

PUBLIC COMMENT

Ruben Goodman thanked the Chief for her report and asked for flyers for the district meeting.

REQUEST OF THE CHIEF OF POLICE FOR APPROVAL TO ACCEPT AND EXPEND FUNDS OFFERED BY TARGET CORPORATION THROUGH THEIR LAW ENFORCEMENT GRANT PROGRAM AND ANY AUGMENTATIONS, EXTENSIONS, AND MODIFICATIONS, FOR THE PURCHASE OF NECESSARY COMPUTER AND SECURITY VIDEO EDITING EQUIPMENT TO BE UTILIZED BY THE RETAIL THEFT UNIT OF FRAUD DETAIL

Taken out of order.

Inspector Dan Dougherty, Retail Theft Unit, gave a brief presentation regarding the grant.

Motion by Commissioner Campos, second by Commissioner DeJesus. Approved 5-0.

PUBLIC COMMENT

None

RESOLUTION NO. 64-07

APPROVAL TO AUTHORIZE THE CHIEF OF POLICE TO ACCEPT AND EXPEND FUNDS OFFERED BY TARGET CORPORATION THROUGH THEIR LAW ENFORCEMENT GRANT PROGRAM AND ANY AUGMENTATIONS, EXTENSIONS, AND MODIFICATIONS, FOR THE PURCHASE OF NECESSARY COMPUTER AND SECURITY VIDEO EDITING EQUIPMENT TO BE UTILIZED BY THE RETAIL THEFT UNIT OF THE FRAUD DETAIL

RESOLVED, that the Police Commission hereby approves to authorize the Chief of Police to accept and expend funds offered by Target Corporation through their Law Enforcement Grant Program and any augmentations, extensions, and modifications, for the purchase of necessary computer and security video editing equipment to be utilized by the Retail Theft Unit of the Fraud Detail.

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

OCC DIRECTOR'S REPORT

- a. Review of Recent Activities
- b. Status report re: Office Move

Ms. Samara Marion, for Interim Director Field, briefed the Commission on mediation. She also talked about the office move which is scheduled for August 15th.

Commissioner Campos asked about the status of the Language Access DGO. Ms. Marion stated that it is awaiting movement through the Department and it has gone through the Command Staff review and the hope is to present it to the Commission soon.

PUBLIC COMMENT

None

COMMISSION REPORTS

- a. Commission President's Report
- b. Commissioners' Report
- c. Presentation of the Police Commission's bi-monthly report of Closed Session Disciplinary Actions (Veronese Resolution)

Commissioner Marshall reported that he and the Chief attended the opening of the new District Attorney's satellite office at the Bayview.

Commissioner Veronese stated that he was dismayed to read the morning paper's comments from POA Gary Delagnes about some of the elected officials of San Francisco. Commissioner Veronese stated that he thinks it is important that he, as a Commissioner, say something. Commissioner Veronese stated: "I'm proud of this Police Commission and its new leadership and the cooperation of the San Francisco Police Department primarily because of our ability to work together to solve problems as we move forward, and that's the fundamental reason why we're here: to improve our city and to move forward. But making real progress, the progress that the citizens of this city demand and trust us to make takes the cooperation of all of us and fundamental decency. And, in my opinion, Mr. Delagnes crossed the line this morning by referring to the private parts of elected officials and by making inappropriate disparaging personal attacks on them. We may have disagreements with the Board of Supervisors from time to time but does not make Mr. Delagnes' actions right. The policy differences are acceptable and healthy, personal attacks are not. The hard working police officers of this city frankly deserve better. I would like the Police Commission to join me in publicly calling for Gary, Mr. Delagnes, to clarify his statements and apologize. Gary, if you're listening and I do see Steve Johnson back there representative of the POA, I hope that you pass this message on to Mr. Delagnes. You're an important part of this city's public safety. We know you work hard and you get frustrated at times but when you cross the line, it makes it impossible for this Commission to support you like I want to support you. Help us restore the civil discourse and spirit of cooperation and apologize for your personal attacks on our elected officials. It's frankly inappropriate and there's no place for it in city government."

Commissioner Veronese then presented the Commission's bi-monthly report of Closed Session Disciplinary Actions (Veronese Resolution).

PUBLIC COMMENT

None

DISCUSSION AND POSSIBLE ACTION TO ADOPT A POLICE COMMISSION RESOLUTION URGING THE BOARD OF SUPERVISORS TO SUPPORT SENATE BILL 1019 (ROMERO)

Motion by Commissioner Lee, second by Commissioner DeJesus. Approved 5-0.

RESOLUTION NO. 63-07

RESOLUTION COMMENDING THE BOARD OF SUPERVISORS FOR THEIR SUPPORT OF APPROPRIATE PUBLIC DISCLOSURE OF PEACE OFFICER DISCIPLINARY MATTERS

WHEREAS, on April 4, 2007, the San Francisco Police Commission adopted Resolution No. 36-07 urging Mayor Gavin Newsom and the Board of Supervisors to support legislation that would amend California law to allow civilian oversight agencies, such as the San Francisco Police Commission, to hold disciplinary hearings for police officers in public; and

WHEREAS, on April 10, 2007, the San Francisco Board of

Supervisors adopted Resolution No. 175.07 supporting legislation that would make specified hearings on peace officer misconduct open to the public; and

WHEREAS, the San Francisco Police Commission recognizes and applauds San Francisco Board of Supervisors' Resolution No. 175–07, which encourages appropriate public disclosure of peace officer personnel records in disciplinary matters; now, therefore be it

RESOLVED, that the San Francisco Police Commission commends the Board of Supervisors for its action and urges the Board to affirm the position that transparency and openness regarding peace officer discipline is one of the top legislative priorities for the City and County of San Francisco; and be it

FURTHER RESOLVED, that if SB 1019 passes and is signed into law, authored by California Senator Gloria Romero, the San Francisco Police Commission is committed to conducting disciplinary hearings in public in order to preserve public confidence in the Police Department by demonstrating that officers who commit acts constituting misconduct are held responsible.

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

REPORT RE: INTERRELATIONSHIP OF THE EARLY WARNING SYSTEM, EARLY INTERVENTION SYSTEM, AND USE OF FORCE RECORDS

Deputy Chief Keohane reported on the interrelationship of the Early Warning System, Early Intervention System, and the Use of Force Records.

Commissioner Campos asked what steps are being taken to insure that when it comes to the early intervention system that the information is not being used for purposes of discipline. Deputy Chief Keohane explained that the use of force incidents goes into the early intervention file as part of a look of overall performance to see if there are any patterns. That information will not be access for uses of discipline or transfers. However, if it's a complaint and the use of force is also going to the disciplinary, that area will be tracked and it would be utilized for promotions and so on.

Commissioner Veronese would like to see an example of tracking the pattern and present it in Closed Session to see if it works.

PUBLIC COMMENT

Reuben Goodman discussed concerns.

APPROVAL OF MINUTES FOR THE MEETING OF MAY 30, 2007

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

COMMISSION ANNOUNCEMENTS

a. Assignment of disciplinary case no. C07-076 ALW to an individual Commissioner for taking of evidence on a date to be determined by the Commissioner (Resolution No. 65-07)

Assigned to Commissioner Sparks.

Sergeant Reilly announced that the District Meeting will held at the Rosa Parks Elementary School, 1501 O'Farrell Street, at 5:00 p.m. SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

None

ADJOURNMENT

Motion by Commissioner Lee to adjourn the meeting in memory of Vincent Chin and Lilly Chin. Second by Commissioner Campos. Approved 5-0.

Thereafter, the meeting was adjourned at 9:27 p.m.

Sergeant Joseph Reilly Secretary San Francisco Police Commission

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