

MAY 25, 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 5:55 p.m.

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

APPROVAL OF MINUTES

- **For the following meetings:**
January 19th & 26, 2011
February 2nd, 9th, 16th, & 23, 2011
March 2nd, 16th, 23rd, 30, 2011
April 6, 2011

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

PUBLIC COMMENT

Emile Lawrence asked about the minutes of March 30th.

CONSENT CALENDAR (Received & Filed)

- **Request to accept gift of \$150.00 from Ms. Leslie Martin of Wells Fargo Bank to be placed into the Mounted Unit Floral Fund in memory of Charles T. Ellis, #1748**

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

- **Fourth Quarter 2010 Document Protocol Report**

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

APPROVAL TO ACCEPT GIFT OF \$150.00 FROM MS. LESLIE MARTIN OF WELLS FARGO BANK TO BE PLACED INTO THE MOUNTED UNIT FLORAL FUND IN MEMORY OF CHARLES T. ELLIS, #1748

RESOLVED, that the Police Commission hereby approves request of the Chief of Police to accept a gift of \$150.00 from Ms. Leslie Martin, of Wells Fargo Bank, to be placed into the Mounted Unit Floral Fund in memory of Charles T. Ellis, #1748.

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

PUBLIC COMMENT

Emile Lawrence discussed concerns regarding request for audit of donation made to the Mounted Unit and not receiving the audit requested.

PUBLIC COMMENT

Ace Washington discussed concerns regarding being arrested with all charges dropped and being kept in jail overnight and concerns about a stay away order.

Steve Jackson discussed concerns regarding an incident with a woman spitting at his face and stated the charges were dropped. Commissioner Mazzucco explained that the decision to drop the case is made by the DA's office.

Mr. King discussed concerns regarding complaint made to the OCC and needing clarification. Commissioner Mazzucco explained that the case is a federal case and advised Mr. King to call the FBI office. Ms. Fraenkel stated that the OCC is aware of issues raised and that the OCC cannot do anything at this time.

Tom Silhorst discussed concerns regarding the patrol specials.
Clyde commended Chief Suhr for being candid and open.

Emile Lawrence talked about providing taxi drivers the 10 most wanted list to help the city reduce crime rate and help identify local known criminals.

REPORTS AND ANNOUNCEMENTS

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

Deputy Chief Cashman, for Chief Suhr, gave a brief report on crime statistics.

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

Ms. Ines Fraenkel, for Director Hicks, had no report.

- c. Commission Reports**
- **Commission President's Report**
- **Commissioners' Reports**

Commissioner Mazzucco thanked the Commission for having the joint meeting with the Human Rights Commission and thanked Chief Suhr for his attendance.

Commissioner DeJesus talked about attending the Picture Hanging of Chief Suhr at John's Grill.

- d. Commission Announcements, scheduling of items identified for consideration at future Commission meetings**

Commissioner Kingsley asked that three items be agendaized: 1. Would like a follow up to the joint meeting with the HRC to talk about what the department might do as far as raising the comfort level between the department and members of that community; 2. Commissioner Kingsley would also like to discuss community policing; 3. City Attorney's presentation regarding closed session discussion on pending litigation.

Commissioner Mazzucco explained that Chief Suhr has had some follow up meeting in regards to the JTTF and that he will ask Chief Suhr to report back to the commission next week; about community policing, to ask Chief Suhr to report back in two weeks; and about the closed session discussion, to wait until the return of Deputy City Attorney Porter.

PUBLIC COMMENT

Tom Silhorst asked that the patrol special program be dissolved and asked that it be discussed in future agendas.

Steve Johnson discussed the audit of the OCC and stated that the POA is getting more complaints regarding the handling of complaints and asked that the Commission look at what the OCC is doing and stated that an audit of the OCC is overdue.

DISCUSSION AND POSSIBLE ACTION TO SUSTAIN OR NOT SUSTAIN DISCIPLINARY CHARGES FILED AGAINST PATROL SPECIAL OFFICER ROBERT BURNS (FILE NOS. ALW C09-220, ALW C10-094 & ALW C10-233), AND TO DECIDE PENALTY, IF NECESSARY

Put over to June 1st.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

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

CLOSED SESSION (6:40 p.m. to 7:30 p.m.)

- a. **PERSONNEL EXCEPTION: Reassignment of disciplinary charges filed in Case No. JWA C11-001 to a Commissioner for taking of evidence on a date to be determined by the Commissioner** (Resolution No. 11-50, Assigned to Commissioner DeJesus)

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Kingsley, Lieutenant Falvey, Risa Tom, Deputy Chief Cashman, Attorney Worsham, Attorney Hechler, Attorney Fraenkel, Mr. Steve Johnson)

- b. **PERSONNEL EXCEPTION: Assignment of an Appeal of the Chief’s Suspension filed in Case No. DRA R10-109/OCC 175-09 to a Commissioner for taking of evidence on a date to be determined by the Commissioner** (Resolution No. 11-51, Assigned to Commissioner Chan)

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Kingsley, Lieutenant Falvey, Risa Tom, Deputy Chief Cashman, Attorney Worsham, Attorney Hechler, Attorney Fraenkel, Mr. Steve Johnson)

- c. **PERSONNEL EXCEPTION: Reassignment of disciplinary charges filed in Case No. ALW C11-093 to a Commissioner for taking of evidence on a date to be determined by the Commissioner** (Resolution No. 11-52, Assigned to Commissioner Mazzucco)

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Kingsley, Lieutenant Falvey, Risa Tom, Deputy Chief Cashman, Attorney Worsham, Attorney Hechler, Attorney Fraenkel, Mr. Steve Johnson)

- d. **PERSONNEL EXCEPTION: Amendment and/or clarification of Resolution NO. 11-36 regarding remaining specifications in Case No. JWA C10-186**

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Kingsley, Lieutenant Falvey, Risa Tom, Deputy Chief Cashman, Attorney Worsham, Attorney Hechler, Mr. Steve Johnson, Attorney Hinckley)

(Taken in shorthand form by Ms. Eastellar Bruhl, CSR)

- e. **PERSONNEL EXCEPTION: Discussion and possible action to accept or reject stipulated disposition of disciplinary charges filed in Case No. JWA C11-035** (Resolution No. 11-53)

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Kingsley, Lieutenant Falvey, Risa Tom, Deputy Chief Cashman, Attorney Worsham, Mr. Steve Johnson, Attorney Furst, member involved)

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

(Taken in shorthand form by Ms. Eastellar Bruhl, CSR)

- f. **PERSONNEL EXCEPTION: Status and calendaring of pending disciplinary cases**

(PRESENT: Commissioners Mazzucco, Marshall, DeJesus, Kingsley, Lieutenant Falvey, Risa Tom, Deputy Chief Cashman)

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

Motion by Commissioner Kingsley, second by Commissioner for non disclosure. Approved 4-0.

ADJOURNMENT

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

Thereafter, the meeting was adjourned at 7:05 p.m..

Lieutenant Timothy Falvey
Secretary
San Francisco Police Commission

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