



LONDON N. BREED
MAYOR

CITY AND COUNTY OF SAN FRANCISCO
POLICE DEPARTMENT
HEADQUARTERS
1245 3RD Street
San Francisco, California 94158



WILLIAM SCOTT
CHIEF OF POLICE

Memorandum

To: Police Commission

From: LaWanna Preston
SFPD Labor Relations Director

Date: Tuesday, July 7, 2020

Subject: Police Commission Hearing Procedures

Attached is the amendments to the Police Commission Hearing Procedures requested by the Police Commission at the July 1st closed session meeting.

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Sent via Electronic Mail (phoffmann@RLSlawyers.com) and US Mail

July XX, 2020

Peter Hoffmann, Attorney at Law
RAINS LUCIA STERN ST. PHALLE & SILVER, PC
2300 Contra Costa Boulevard, Suite 500
Pleasant Hill, CA 94523

Re: San Francisco Police Commission Hearings

Dear. Mr. Hoffman:

This letter memorializes our agreement concerning San Francisco Police Commission ("Commission") hearings of San Francisco Police Officers' Association ("SFPOA") members during the current Covid-19 health emergency. The parties agree to meet no later February 1, 2021, to review the process and determine if we mutually agree to extend it.

The parties shall continue to utilize the Police Commission Procedural Rules Governing Trial of Disciplinary Cases with the following additions:

1. All disciplinary proceedings shall comply with orders issued by the State of California, the San Francisco Health Officer, and Mayoral Proclamations and Supplements, related to Covid-19 that are operative at the time of the proceedings.
2. With the exception of paragraph 3, the Presiding Commissioner or Hearing Officer may conduct disciplinary proceedings through video conference.
3. When an evidentiary hearing is scheduled by the Presiding Commissioner or Hearing Officer, the SFPOA member that is the subject of the evidentiary hearing shall be provided the option to elect to have the hearing held through video conference or in-person with the Presiding Commissioner or Hearing Officer, the member's legal counsel, subject matter experts, witnesses, and the court reporter present in the same physical location. The election of an in-person hearing shall not apply to any subsequent deliberations or proceedings by the full Commission following the in-person evidentiary hearing. Once made, the SFPOA member's election cannot be changed without agreement in writing from the Presiding Commissioner or Hearing Officer. The SFPOA member waives any future legal or administrative challenge



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connected to whether the evidentiary hearing was conducted in-person or through video conference.

4. If the SFPOA member elects an in-person hearing, the Presiding Commissioner or Hearing Officer may, at their sole discretion, continue the hearing for up to 60 days.

Thank you for your time on this matter.

Sincerely,

/s/

LaWanna Preston

Labor Relations Director, SFPD

cc: Tony Montoya, President, SFPOA
Tracy McCray, Vice President, SFPOA
Assistant Chief Bob Moser, SFPD
Trevor Koski, CAT
Isabelle Choy, SFPD