

Date: April 26, 2011

Item No. 30 & 31
File No. 11026

SUNSHINE ORDINANCE TASK FORCE

AGENDA PACKET CONTENTS LIST*

- Michael Petrelis v Police Department**
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Completed by: Chris Rustom

Date: April 22, 2011

***This list reflects the explanatory documents provided**

~ Late Agenda Items (documents received too late for distribution to the Task Force Members)

** The document this form replaces exceeds 25 pages and will therefore not be copied for the packet. The original document is in the file kept by the Administrator, and may be viewed in its entirety by the Task Force, or any member of the public upon request at City Hall, Room 244.



<complaints@sfgov.org>

03/26/2011 02:08 PM

To <sotf@sfgov.org>

cc

bcc

Subject Sunshine Complaint

To:sotf@sfgov.orgEmail:complaints@sfgov.orgDEPARTMENT:Police department

CONTACTED:

PUBLIC_RECORDS_VIOLATION:Yes

PUBLIC_MEETING_VIOLATION:Yes

MEETING_DATE:

SECTIONS_VIOLATED:

DESCRIPTION: March 26, 2011 Sunshine Ordinance Task Force City Hall San Francisco, CA
Dear Sunshine Ordinance Task Force Members: I wish to file a complaint against the San Francisco Police Department and its LGBT Community Forum, an advisory panel established earlier this year by the department, which controls the composition of the panel, the agenda and the governing rules. According to a story in the February 2 edition of the Bay Area Reporter, Officer Jennifer Thompson said in an email "that the forums are open to the public. However, she said, the nature of the forums 'do not provide opportunities for comment by members of the public. Members of the public may observe on a space available basis.'" The first meeting of this forum was held on February 8. (Source: <http://ebar.com/blogs/?p=1644> .) The BAR noted on February 17 that interim police chief Jeff Godown and other department staff were at the February 8 meeting, and spoke to the panel about important police business. There is no evidence showing public comment was allowed. (Source: <http://ebar.com/news/article.php?sec=news&article=5476> .) Further information about this SFPD panel was noted in a March 25 blog post on the BAR web site: "The police department's LGBT forum is meant to provide 'LGBT community stakeholders' a chance to work with police 'to build bridges, improve public safety and create positive change,' according to Officer Jennifer Thompson, police liaison to the LGBT community." That same blog post reminded readers of the restrictions on public comment: "The forums are open to the public, but they don't provide opportunities for public comment." (Source: <http://ebar.com/blogs/?p=1951> .) It is my contention that the SFPD in creating and controlling the LGBT Forum membership, and prohibiting public comment, is in violation of municipal and state open meeting laws. I ask that the Sunshine Ordinance Task Force accept my complaint and put it on the agenda for the SOTF's next meeting. Please acknowledge receipt of this complaint. Thanks. Regards, Michael Petrelis 132 Clinton Park, #1 SF, CA 94103 Ph: 415-621-6267

HEARING:Yes

PRE-HEARING:Yes

DATE:

NAME:

ADDRESS:

CITY:

ZIP:

PHONE:

CONTACT_EMAIL:

ANONYMOUS:

From: mpetrelis@aol.com

To: soft@sfgov.org

Cc: kimo@webnetic.net; avimecca@yahoo.com; davidpwaggoner@gmail.com; clinton@clintofein.com; David.Campos@sfgov.org; jeremy.pollock@sfgov.org; Ross.Mirkarimi@sfgov.org; duchamp@mindspring.com; mpetrelis@aol.com

Subject: SOTF complaint filed against SFPD's LGBT forum barring public comment

Date: Sat, Mar 26, 2011 2:06 pm

March 26, 2011

Sunshine Ordinance Task Force
City Hall
San Francisco, CA

Dear Sunshine Ordinance Task Force Members:

I wish to file a complaint against the San Francisco Police Department and its LGBT Community Forum¹, an advisory panel established earlier this year by the department, which controls the composition of the panel, the agenda and the governing rules.

According to a story in the February 2 edition of the Bay Area Reporter, Officer Jennifer Thompson said in an email "that the forums are open to the public. However, she said, the nature of the forums 'do not provide opportunities for comment by members of the public. Members of the public may observe on a space available basis.'" The first meeting of this forum was held on February 8. (Source: <http://ebar.com/blogs/?p=1644> .)

The BAR noted on February 17 that interim police chief Jeff Godown and other department staff were at the February 8 meeting, and spoke to the panel about important police business. There is no evidence showing public comment was allowed. (Source: <http://ebar.com/news/article.php?sec=news&article=5476> .)

Further information about this SFPD panel was noted in a March 25 blog post on the BAR web site: "The police department's LGBT forum is meant to provide 'LGBT community stakeholders' a chance to work with police 'to build bridges, improve public safety and create positive change,' according to Officer Jennifer Thompson, police liaison to the LGBT community."

That same blog post reminded readers of the restrictions on public comment: "The forums are open to the public, but they don't provide opportunities for public comment." (Source: <http://ebar.com/blogs/?p=1951> .)

It is my contention that the SFPD in creating and controlling the LGBT Forum membership, and prohibiting public comment, is in violation of municipal and state open meeting laws. I ask that the Sunshine Ordinance Task Force accept my complaint and put it on the agenda for the SOTF's next meeting.

Please acknowledge receipt of this complaint. Thanks.

Regards,
Michael Petrelis
132 Clinton Park, #1
SF, CA 94103
Ph: 415-621-6267



EDWIN M. LEE
MAYOR

POLICE DEPARTMENT
CITY AND COUNTY OF SAN FRANCISCO

THOMAS J. CAHILL HALL OF JUSTICE
850 BRYANT STREET
SAN FRANCISCO, CALIFORNIA 94103-4603



JEFFREY GODOWN
ACTING CHIEF OF POLICE

April 4, 2011

Mr. Chris Rustom
SOTF
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94103

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2011 APR - 6 AM 10: 02
BY: ALC

Re: Sunshine Complaint Received: #11026 - Michael Petrelis v. Police Department

Dear Mr. Rustom,

I am responding to the above referenced complaint on behalf of the Police Department's Community Relations Unit as received on March 29, 2011.

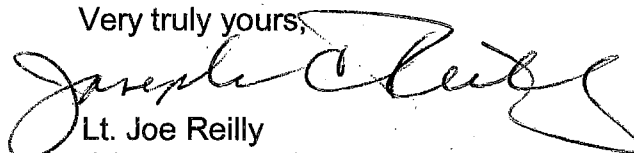
The LGBT Community Forum referenced in this complaint is a passive meeting body within the meaning of the San Francisco Administrative Code, §67.3(c)(1) and 67.4(a)(5). This particular forum and several similar community forums were organized by the San Francisco Police Department's Community Relations Unit under the direction of the Chief of Police who is the Department head.

As a passive meeting body, there is no requirement to provide opportunities for comment by members of the public at such meetings. (Admin Code §67.4.(a)(3))

Consequently, the alleged violation did not occur and therefore no basis for the complaint exists.

Thank you for your attention to this matter. Please call if there are any questions.

Very truly yours,


Lt. Joe Reilly
Office of the Chief of Staff

cc: A/Chief T. Shawyer, COS
Cmdr D. Mahoney, COS
Capt. S. Ferrigno, CRU