

SEPTEMBER 28, 2005

REGULAR MEETING

The Police Commission of the City and County of San Francisco met in the Park District, at the Grattan School, 165 Grattan Street, San Francisco, at 6:00 p.m., in a Regular Meeting.

PRESENT: Commissioner Renne, Orr-Smith, Chan, Sparks, Marshall,
Veronese

ABSENT: Commissioner Keane

Commissioner Renne thanked Captain Ehrlich and his staff for the barbeque before the meeting.

Commissioner Renne asked the Commissioners to introduced themselves.

CHIEF'S REPORT

a. Review of Recent Activities

Taken out of order.

Chief Fong welcomed the audience and introduced the Command Staff that are present. Present were Deputy Chief Tabak, Acting Deputy Chief Shinn, Commander Craig, Acting Commander Tacchini, and Commander Harper.

CAPTAIN JOHN EHRLICH, COMMANDING OFFICER OF PARK STATION, TO ADDRESS THE COMMISSION ON POLICE ACTIVITIES IN THE PARK DISTRICT

Captain Ehrlich, commanding officer of Park Station, addressed the Commission on police activities in the Park District.

Commissioner Sparks asked about discussion with CBOs. Captain Ehrlich explained and stated that the Western Addition beats have come out of discussions with the people in the King Garvey Complex and the merchants on Haight Street and lower Haight. He also stated that he has his officer spend time in those areas.

Commissioner Sparks asked about staffing at the station. Captain Ehrlich stated that more is better as far as staffing. He stated that he would like to have more beat officers and more people in the Western Addition. He also stated that Park is not as busy as the other stations and to say what's optimal for staffing it would be any number more that there is now.

Commissioner Marshall asked about the gangs in the Western Addition. Captain Ehrlich stated that in the King Garvey it is the Knock out Posse which is from Steiner to Pierce, Ellis to Turk. In Pitts Plaza, from Pierce to Scott, it is Up the Hill, and from Scott to Divisadero is Chopa City and Uptown and Downtown are brand new names that are coming up.

Commissioner Chan asked about the burglary statistics. Captain Ehrlich stated that that information was circulated in the newsletters. Captain Ehrlich stated that there were burglary arrests made. He also stated that information was put out to the community on how to safeguard their homes.

Commissioner Chan asked about the police working with the housing authority. Captain Ehrlich stated that the relationship is generally good. The Pitts Plaza has undergone a management change and he stated that the relationship has not been as frequent as he would like.

Commissioner Chan asked about graffiti. Captain Ehrlich stated that the Haight Street in particular attracts people from around the world to do graffiti. He stated that it is frustrating and in the newsletter he lets the community know and that he has people on different blocks that take care of their blocks.

Commissioner Chan asked about emergency preparedness in the Park District. Captain Ehrlich explained that because of the five hospitals in the district, the district is relatively in better shape.

Commissioner Renne asked if the officers have been through a drill in case of an emergency. Captain Ehrlich stated that emergency cards have been handed to the officers and stated that the officers in general know where they are likely to be in an event they cannot use the bridges.

Commissioner Sparks asked if Captain Ehrlich works with the hospitals on evacuation plans. Captain Ehrlich stated the he does not have the evacuation plan for the hospitals but as time goes on they are re-evaluating all the procedures now like trying to get more blueprints and he has asked his terrorism liaison officer to get blueprints and procedures for the various locations. Two of the hospitals are under different jurisdictions: UCSF is under the UCSF Police Department and Laguna Honda is under the Sheriffs' Department but the Department will support them with resources if needed.

OCC DIRECTOR'S REPORT

a. Report on the function of the Office of Citizen Complaints

Taken out of order.

Ms. Susan Leff, for Director Allen who is out of town. She stated that she volunteered tonight because that Park is her community. She thanked Captain Ehrlich for his presentation and his report. She stated the her contact with the officers at Park has been very professional and that she is extremely proud of her community. Ms. Leff went on to explain the function and the responsibilities of the OCC.

PUBLIC COMMENT

Taken out of order.

Quentin Matthew, Safety Network Program, gave an outline of the program. They are funded by the Mayor's Criminal Justice Program and are partners with the Police Department.

Supervisor Ross Mirkirimi welcomed the Commission to District Park. He commended Park Station for the barbeque. He asked that in the Commission's agenda a report from the supervisor be included. Supervisor Mirkirimi addressed concerns regarding crime in the Park District and the issue of community policing. He addressed concerns in rotations of Captain and review of district boundaries. He also addressed concerns regarding morale in the Police Department and stated that the rank and file should hear from the Supervisors and from the Mayor. He stated that the district needs to be safe, the police needs to be supported and he wants to make sure that they have the kind of environment that everybody enjoys and that they can live without fear of violence.

Marci, works at UC and lives on Stanyan, asked about retired vehicles to deter crime and if San Francisco has tried that.

Andrea O'Leary passed out the final draft of the Rec and Park Department's policy for enforcing rules which regulate dogs in parks. She discussed enforcement in parks.

Kyle Peterson, Safety Network Program community organizer for Park District, discussed the program and discussed current projects that he is working on.

Richard McGary, chair of the Steering Committee of the Buena Vista Neighborhood Association, asked for continued support of Chief Fong and support of Park Station.

Divisadero Street merchant discussed concerns in regards to boundaries of Park and Northern District. He also thanked the Park Station officers.

Matt Lero, Bay Area Police Watch, asked that Commission meetings be announced publicly.

Unidentified discussed concerns regarding the leash laws.

Sally Stevens discussed concerns regarding the leash laws and stated that Park Station has the District 5 Dogs organization.

Unidentified discussed concerns regarding district boundaries and asked for more officers to do traffic enforcement.

Pat Nathan discussed concerns regarding staffing.

Commissioner Veronese asked Captain Ehrlich if he uses the crime mapping information in the deployment of his officers. Captain Ehrlich stated that yes, he does. He runs up crime maps and post them.

Commissioner Veronese addressed the Chief and commended her and the Department for a job well done last weekend. Commissioner Veronese addressed concerns regarding staffing. Commissioner Veronese asked the Chief to report back to the Commission next week in regards to how many positions that exists around the Department that could be otherwise used by non-peace officers.

Chief Fong stated that she would like to review the data and explained that the officers do work a 4/10 schedule and they work 4 10-hour days and they are on 7-day rotations. She stated that she will review the data and will report back to the Commission next week.

COMMISSION ANNOUNCEMENTS

- a. Assignment of an Appeal of the Chief's Suspension of Officer Matthew R. Cole (File No. M-JWA D03-348) to an individual Commission for the taking of evidence on a date to be determined by the Commissioner**

RESOLUTION NO. 63-05

ASSIGNMENT OF COMMISSIONER AND SETTING OF DATE FOR HEARING ON THE APPEAL OF THE CHIEF'S SUSPENSION OF OFFICER MATTHEW R. COLE (FILE NO. M-JWA D03-348)

WHEREAS, the assignment of a Commissioner and setting of a date for hearing on the appeal of the Chief's Suspension of Officer Matthew R. Cole, Star No. 206, was called it having been set for this date; and

WHEREAS, Commissioner Peter Keane is hereby assigned to conduct taking of evidence in the appeal of the Chief's Suspension of Officer Matthew R. Cole; therefore be it

RESOLVED, that Commissioner Peter Keane is hereby assigned to conduct taking of evidence in the appeal of the Chief's Suspension of Officer Matthew R. Cole, and is to be set at a later date.

AYES: Commissioners Renne, Orr-Smith, Chan, Marshall, Sparks,
Veronese
ABSENT: Commissioner Keane

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Veronese discussed concerns regarding the employment of POA President Gary Delagnes and stated that Gary Delagnes has been on the payroll of the police department for over a year at a rate close to \$100,000 a year. He stated that he doesn't think that this is appropriate. Commissioner Veronese would like the Commission to instruct the City Attorney to look into possible claims of misappropriations of city funds and look for possible remedies such as restitution of the funds that were paid to Sergeant/Inspector Delagnes while he was operating as a full time employee of the Police Department while acting in the capacity of a full time employee of the Police Officers' Association.

Commissioner Chan asked for financial figures as to the goals of the Department in order to proceed with civilianization and what must the Board of Supervisors do in order to appropriate the resources necessary to implement that.

PUBLIC COMMENT

None

HEARING AND POSSIBLE ACTION ON THE DEPARTMENT'S MOTION FOR ADDITIONAL DISCOVERY IN THE DISCIPLINARY CHARGES FILED AGAINST LIEUTENANT JERRY LANKFORD (FILE NO. C04-105 JWA)

Note: The Commission has referred this motion to the Hearing Officer for decision on September 23, 2005. The motion will be heard by the Commission only if a party appeals the Hearing Officer's decision.

PUBLIC EMPLOYEE PERFORMANCE: CHIEF OF POLICE (REVIEW OF FINDINGS AND DECISION REGARDING RETURN OF OFFICER TO DUTY FOLLOWING OFFICER-INVOLVED SHOOTING, CASE NO. 05-06)

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO CONVENE TO CLOSED SESSION

Motion by Commissioner Orr-Smith, second by Commissioner Marshall to go into closed session. Approved 6-0.

RECONVENE TO OPEN SESSION

VOTE WHETHER TO DISCLOSE ANY OR ALL OF THE DISCUSSIONS HELD IN CLOSED SESSION PURSUANT TO S.F. ADMINISTRATIVE CODE SECTION 67.12(a)

Motion by Commissioner Chan, second by Commissioner Orr-Smith for non disclosure of discussions held in Closed Session. Approved 6-0.

Motion by Commissioner Veronese, second by Commissioner Marshall to continue the Lankford matter for next week. Approved 6-0.

Motion by Commissioner Chan, second by Commissioner Orr-Smith to adjourn the meeting. Approved 6-0.

Thereafter, the meeting was adjourned at 9:10 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

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