

JUNE 14, 2006

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 5:37 p.m., in a Regular Meeting.

PRESENT: Commissioners Campos, DeJesus, Marshall, Sparks, Veronese
ABSENT: Commissioner Renne

PUBLIC COMMENT

Taken out of order.

Shannon Altamirano discussed concerns regarding Sheila Detoy
Misha Irizarry discussed concerns regarding officer-involved shootings.

Unidentified discussed concerns regarding police violence.

Cecilia Chung announced that the anniversary of riot at Jean Compton's cafeteria where Sgt. Elliott Blackstone will be honored for his work with the LGBT community will be on June 22nd.

Lorraine Altamirano, Shannon's mom, acknowledged her daughter for her courage in making the choice to take care of herself.

Ace Washington discussed concerns regarding officer-involved shooting.

**AFRICAN AMERICAN COMMUNITY POLICE RELATIONS BOARD
PEACE PLAN**

Taken out of order.

Daniel Landry, Chairman of Western Addition Branch, discussed the Community Driven Peace Plan.

Jim McQueen discussed the Community Initiated Strategies for Violence Prevention. He discussed four bullet points: Community Policing, Immediate Violence Intervention Strategies, Develop Community Driven District Based Planning Process, and Develop a Community Peace Budget.

Kathy Perry discussed the roles of street workers and asked the Commission for the status of the MOU.

Commissioner Sparks asked if the plan stands as a policy document on its own without specific individuals being part of it. Mr. McQueen stated that that is correct and would have discussion with the Commission about that issue.

Commissioner Sparks asked if there has been any comparison of this plan to the plan that the Department has generated and is currently working under the liaison structure that the Chief has developed with the current SFPD organizational structure. Mr. McQueen stated that that's part of the plan and would have further discussion about the implementation of the plan. Ms. Perry stated that there is no detailed discussions on implementation of their recommendations. She asked the Commission for help to compel the Mayor's Criminal Justice Office to work with them on a regular basis.

Commissioner Campos stated that his concern is that the MOU was entered into a few years back with a different Mayor and a different Commission. He stated that his question is where does this MOU fit in in the larger goal that Prop H was getting to which is to have community policing throughout the City and County of San Francisco. He asked what is the status of this MOU relative to all the changes that have happened over the last few

years and that that's a question that needs to be answered and that the Commission will work with the City Attorney's Office to try and figure that out.

Commissioner Marshall asked if this MOU is binding on this Commission and on the Mayor.

Commissioner Veronese stated that he was not around when this MOU was approved but the document was signed by the Mayor and stated that the African American Community needs some sort of response as to the status of the document.

Commissioner Sparks stated that parties involved should sit down and talk.

PUBLIC COMMENT:

Unidentified discussed concerns regarding officer-involved shooting. Ace Washington stated there needs to be dialogue and asked the Chief to attend the meetings.

Meesha Irizarry asked the Commission to attend the Southeast Branch meeting.

John Jefferson gave an example on how the plan is working.

Mr. Harper, Western Addition Branch, stated that he is tired of the violence and stated that they are very serious is dealing with the violence.

Tina asked why the Chief took the plan and not include their community.

Marylon Boyd, Justice of Cammerin Boyd, stated that the Mayor has dropped the ball on the things that he said is going to do. She expressed concern that the Chief is not doing what needs to be done and asked the Commission to support the plan.

Carol Harvey, political writer, stated that she is shocked on what is happening in San Francisco.

Alberto Vargas, Latino Police Community Relations Board, asked the Commission to implement the plan.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION. (SAN FRANCISCO ADMINISTRATIVE CODE SECTIONS 67.10(b) AND (D))

Motion by Commissioner DeJesus, second by Commissioner Marshall to hold Closed Session. Approved 5-0.

CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957(b) AND SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.10(b)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police Review of findings and decision regarding return of officers to duty following officer-involved shooting (OIS Case No. 06-04).

VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION (SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.12(a))

Motion by Commissioner Marshall, second by Commissioner DeJesus for non disclosure of discussion held in Closed Session. Approved 5-0.

POLICE DEPARTMENT'S 2006-2007 BUDGET REVIEW AND UPDATE; DISCUSSION AND POSSIBLE ACTION TO MAKE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS

Captain Lynch, Fiscal, presented the update on the current status of the SFPD budget for 2006/2007.

Commissioner Campos asked if there are key positions that the Department requested that were not included or provided in this budget. Captain Lynch stated that there were 60 positions that were included for this fiscal year and out of that 16 are being staffed.

PUBLIC COMMENT

Elizabeth, ACLU, discussed concerns regarding not staffing the Police Commission.

Commissioner DeJesus asked what is the status of the EIS and how much funding was provided for that. Captain Lynch stated that there is \$500,000 budgeted for the hardware/software development and out of the 16 positions, there would be positions that would support the EIS. He stated that there is a total of 4 positions that would deal with analysis basically taking data and provided the support materials for the command staff and commissioned officers to make decisions. Captain Lynch stated that the amount of approximately \$745,000 was asked for the EIS system.

Commissioner Sparks asked if the \$200,000 in the supplemental for the analysis for the EIS was approved. Captain Lynch stated that the \$200,000 was for the evaluation of the entire computer system for the Department and that was not approved. Captain Lynch stated that there is \$500,000 earmarked for information technology evaluation. Commissioner Sparks asked if the money proposed for staffing and for overtime is sufficient for the Department to run for the entire year without going through a supplemental process six months from now. Captain Lynch stated that it is going to be tight. Based on staffing, the Department is still 200 below the 1971 number with the expectations that's required of the Department. The other concern is attrition. Captain Lynch stated that what the Department is faced with is a \$4 million increase in where the base overtime is as compared to this year. The Department will be looking at that and put a plan in place to try to work within those numbers and to address the different needs of the Department. The wild card would be if there are spikes in violence that require specialized response, if there are certain needs of the Department that cannot be staffed with on duty personnel, then the Department would probably exceed its overtime budget.

Commissioner Campos asked Sergeant Reilly to let the Commission know as to the possible time that the Police Department budget might be called by the Budget Committee.

STATUS OF MEMORANDUM OF UNDERSTANDING (MOU) NEGOTIATIONS FOR EMPLOYEE BARGAINING UNITS THAT COVER EMPLOYEES OF THE OFFICE OF CITIZEN'S COMPLAINTS; DISCUSSION AND POSSIBLE ACTION TO MAKE RECOMMENDATIONS TO THE BOARD OF SUPERVISORS

Matter continued to the next meeting.

Commissioner DeJesus would like to know what changes were made to the MOU. Director Allen stated the only question they have is in regards to compensatory time.

Commissioner Sparks asked if Director Allen has the option of negotiating flex hours for his staff so that outreach can be scheduled without overtime. Director Allen stated that his staff is actually using flex hours to do interviews. The contract does not give him the right to flex his staff out of their normal schedule. It does give him the right to ask people work beyond their normal work hours of 8 to 5 but if that happens, they have to be paid in compensatory time.

PUBLIC COMMENT

Mr. Steve Johnson, POA, asked if the OCC is in contract negotiations for hours, benefits or what. He discussed concerns regarding the OCC hours of 8 to 5 and that it just doesn't make sense because OCC investigators are needed when the officers are working.

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

Chief Fong had to leave to go to the Budget Hearing.

Commissioner Campos would like to know the Department's practices regarding media information as incidents take place and would like to have a discussion on this issue in the near future.

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

None

APPROVAL OF THE MINUTES FOR THE MEETINGS OF MAY 24TH AND 31, 2006

Motion by Commissioner Marshall, second by Commissioner Veronese to approve the minutes. Approved 5-0.

COMMISSION ANNOUNCEMENTS

a. Assignment of disciplinary charges filed in Case No. C06-068 JCT to an individual Commission for the taking of evidence on a date to be determined by the Commissioner (Resolution No. 43-06)

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Sparks would like a review of DGOs 3.16 and 8.09 which are the DGOs discussing release of police reports, release of information, and media relations as it relates to critical incidents and the release of officers' names after an officer-involved shooting.

Commissioner Sparks would also like the protocol discussed between public comment and the Commissioners.

Commissioner Sparks would also like to discuss 3.10 and 8.11, Officer-Involved Shooting and the Firearm Discharge Review Board, to add an appointed civilian review panel which meets in conjunction with the Department panel on advising the Chief on returning officers to duty.

Commissioner Veronese would like his proposed DGO regarding Commission Information Order be considered for adoption.

Motion by Commissioner DeJesus, second by Commissioner Marshall to adjourn the meeting. Approved 5-0.

Thereafter, the meeting was adjourned at 8:57 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

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