

FEBRUARY 3, 2010

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 5:40 p.m., in a Regular Meeting.

PRESENT: Commissioners Mazzucco, DeJesus, Lee, Hammer, Onek, Pan
ABSENT: Commissioner Marshall
(Commissioner Lee arrived at 6:55 p.m.)

APPROVAL OF THE MINUTES

- Regular Meeting of November 4, 2009

Motion by Commissioner Hammer, second by Commissioner DeJesus.
Minutes approved 5-0.

PUBLIC COMMENT

None

REPORTS TO THE COMMISSION

a. Chief's Report

- **Update on significant policing efforts by Department members**

Assistant Chief Lynch reported that on January 29th, Chief Gascón had a press conference to lay out his goals for the Department. These goals are posted on the Department's website.

b. OCC Director's Report

- **Review of recent activities**

Director Hicks reported that the OCC opened 71 cases in January and closed 58 cases. Out of the 58 cases, five were sustained. The OCC has 397 pending cases to date. As for mediation, Director Hicks reported that Ms. Donna Salazar, Mediation Coordinator, is on an unexpected leave since December 24th and is expected to return in late February. During this time, Ms. Samara Marion is managing the mediation caseload.

c. Commission Reports

- **Commission President's Report**
- **Commissioners' Report**

Commissioner Mazzucco announced that Commissioner Marshall is in South Africa. Commissioner Mazzucco talked about the press conference in regards to Department goals. Commissioner Mazzucco also spoke about the passing of Monsignor Heaney and asked that the meeting be adjourned in memory of Monsignor Heaney.

PUBLIC COMMENT

None

PRESENTATION OF THE QUARTERLY REPORT BY THE DEPARTMENT AND THE OFFICE OF CITIZEN COMPLAINTS REGARDING POLICY PROPOSALS (SPARK RESOLUTION)

Ms. Samara Marion, OCC Policy Analyst, presented the OCC's policy recommendations in regards to language access and in regards to DGO 7.01.

Lieutenant Rob O'Sullivan presented the Department's quarterly policy proposals report.

Commissioner DeJesus asked about resolution about providing information to family members of an OIS shooting.

PUBLIC COMMENT

None

ROUTINE ADMINISTRATIVE BUSINESS

- a. **Commission Announcement**
- b. **Scheduling of items identified for consideration at future Commission Meetings**

No announcements.

Commissioner Mazzucco asked that the OCC and the Department's budget be scheduled next week for presentation. He also asked that Department DGO 3.01 be scheduled for next week.

Commissioner DeJesus would like a discussion on the proposed sit and lie ordinance before the 1st of March.

Commissioner Onek asked that the Discipline Rules and Procedures be put on the agenda as soon as possible and the OIS Study should also be discussed since it's been out and available to the public.

Commissioner Mazzucco suggested putting the sit and lie discussion on the agenda for the community meeting at the end of the month and in the interim contact the Board of Supervisors to schedule a joint hearing or to ask them if they can delay their hearing on this issue.

Commissioner DeJesus stated that she prefers to have the hearing at City Hall because it is the Department pushing the ordinance.

PUBLIC COMMENT

Barbara Growth discussed concerns.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Onek, second by Commissioner Pan. Approved 5-0.

CLOSED SESSION (6:25 p.m. to 7:42 p.m.)

- a. **PUBLICEMPLOYEE PERFORMANCE EVALUATION: Chief of Police: Review of findings and decision to return officer to duty following officer-involved shooting (OIS Case No. 10-001)**
(PRESENT: Commissioners Mazzucco, DeJesus, Lee, Onek, Pan, Hammer, Assistant Chief Lynch, Lieutenant Reilly, Sergeant Nevin)
- b. **PERSONNEL EXCEPTION: Discussion and possible action to accept or reject Stipulated Disposition of disciplinary charges filed in Case Nos. JCT C06-144, ALW C06-202, and ALW C08-128**
(PRESENT: Commissioners Mazzucco, DeJesus, Lee, Onek, Pan, Hammer, Assistant Chief Lynch, Lieutenant Reilly, Attorney Worsham, Attorney Scott, member involved) Continued to March 3rd.
- c. **PERSONNEL EXCEPTION: Status and calendaring of the following pending disciplinary matters:**
 - **KMO C08-127 & KMO C08-162**
 - **IVF C09-088**
 - **IVF C09-087**(PRESENT: Commissioners Mazzucco, DeJesus, Lee, Onek, Pan, Hammer, Assistant Chief Lynch, Lieutenant Reilly, Attorney O'Haire, Attorney Lassart, members involved)

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

Motion by Commissioner Onek, second by Commissioner Pan for non disclosure. Approved 6-0.

ADJOURNMENT

Motion by Commissioner Mazzucco to adjourn the meeting in memory of Monsignor John Heaney, second by Commissioner Hammer. Approved 6-0.

Thereafter, the meeting was adjourned at 7:44 p.m.

Lieutenant Joseph Reilly
Secretary
San Francisco Police Commission

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