

OCTOBER 19, 2005

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 5:39 p.m., in a Regular Meeting.

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

PUBLIC COMMENT

Commissioner Renne explained the three-minute rule regarding public comment. Commissioner Renne stated that it will be three minutes for all public speakers whether it be a group or individual.

No public comment.

APPROVAL OF CONSENT CALENDAR

Motion by Commissioner Orr-Smith, second by Commissioner Sparks. Approved 6-0.

RESOLUTION NO. 68-05

APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO ACCEPT DONATION OF A BROWNING 380 CAL. FROM CONSUL MITUYUKI OHURA OF THE JAPANESE CONSULATE TO BE ADDED TO THE POLICE COLLECTION AT THE POLICE RANGE

RESOLVED, that the Police Commission approves the request of the Chief of Police to accept a donation of a Browning 380 cal., BDA-380, #425 PZ 21324, from Consul Mituyuki Ohura of the Japanese Consulate to be added to the police collection at the Police Range.

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

HEARING ON MOTION TO DISMISS DISCIPLINARY CHARGES

DISCUSSION AND POSSIBLE ACTION TO GRANT OR DENY MOTION TO DISMISS DISCIPLINARY CHARGES FILED AGAINST OFFICER JAMES O'MALLEY (FILE NO. C05056), OFFICER TIMOTHY PAINE (FILE NO. C05-057), OFFICER FERDINAND DIMAPASOC (FILE NO. C05-058), AND OFFICER OWEN SWEENEY, III (FILE NO. C05-059) UNDER GOVERNMENT CODE SECTION 3304(d)

Ms. Lidia Stiglich appeared on behalf of the officers.

Ms. Jean Field appeared on behalf of the Office of Citizen Complaints.

Motion by Commissioner Orr-Smith, second by Commissioner Veronese to go into Closed Session. Approved 7-0.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

Marylon Boyd discussed concerns regarding 3304 and dismissal of charges.

Meesha Irizarry discussed concerns regarding officer involved shootings.

Leroy Moore discussed concerns regarding delaying this case.

Malaika Parker discussed concerns regarding filing of the complaint

and dismissal of the complaint.

Daniel Landry, African American Community Police Relations Board, asked that charges not be dismissed.

Patricia Tulloch discussed concerns regarding dismissal of charges.

Concerned citizen discussed concerns regarding actions of the police.

Elizabeth Citron, ACLU, reminded the Commission regarding Prop. H.

Emit Smith, Cop Watch, discussed concerns regarding actions of the police.

Dawn Edwards, Bay Area Police Watch, discussed concerns regarding dismissal of charges.

Ying San Ho, Attorney, discussed concerns regarding officer-involved shootings.

Rita Akiyama, October 22nd Coalition, discussed concerns regarding dismissal of charges.

Elvira Pollard, mother of Gustavos Rugley, discussed concerns regarding shooting of Camerin Boyd.

Ace Washington discussed concerns regarding shooting of Cammerin Boyd.

George Sheeman, Attorney, discussed concerns.

Shannon Altamirano discussed concerns regarding motion to dismiss.

Trevor Michaels discussed march against the Bush administration.

Steve Currier urged the Commission to vote on the motion.

Louise Boyd discussed concerns and asked the Commission not to dismiss charges.

Sandy Finnigan asked that the Commission do not dismiss the charges.

VOTE WHETHER TO DISCLOSE ANY OR ALL OF THE DISCUSSION HELD IN CLOSED SESSION

Motion by Commissioner Orr-Smith, second by Commissioner Marshall for non disclosure. Approved 6-0.

Motion by Commissioner Veronese to deny the motion. Second by Commissioner Orr-Smith. Approved 6-0.

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

Commissioner Renne stated that this motion is continued to November 2nd and that the Commission have asked the City Attorney to prepare Findings of Fact with regard to this matter.

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

Deputy Chief Tabak for Chief Fong talked about an incident where a father, a mother, and a two-year old child were shot. The father and the child passed away. Chief Tabak announced that a reward of \$25,000 was posted from the Mayor's Office. However, the suspect was taken into custody and booked with on two counts of homicide and one count of attempted homicide.

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

Director Allen thanked his attorneys for doing a job well done.

PUBLIC COMMENT

Steve Johnson discussed concerns regarding the OCC charging officers with inaccurate or incomplete police reports.

Marylon Boyd discussed concerns regarding comments made by Steve Johnson.

Leroy Moore thanked the Commission and the OCC for doing the job that needs to be done.

APPROVAL OF MINUTES FOR THE POLICE COMMISSION MEETING OF MAY 25, 2005

Motion by Commissioner Chan, second by Commissioner Sparks.
Approved 7-0.

COMMISSION ANNOUNCEMENTS

Commissioner Renne announced that there will be no meeting next week.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Renne talked about meeting every other Wednesday instead of meeting every week.

ADJOURNMENT

Thereafter, the meeting was adjourned at 8:36 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct