

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 5:57 p.m., in a Regular Meeting.

PRESENT: Commissioners Sparks, Marshall, DeJesus, Lee, Mazzucco, Onek

(Commissioner Lee arrived at 7:13 p.m.)

REPORTS TO THE COMMISSION (taken out of order)

a. Chief's Report

- Update on significant policing efforts by Department members

Lieutenant Reilly announced that there are presentations to be made to members of the San Francisco Fire Department for their help during the tiger incident at the San Francisco Zoo. Awarded special Police Commission Commendations are Acting Battalion Chief Edward Roland, Firefighter/Paramedic Megan Franzen, Firefighter/Paramedic Rita Kearns, Firefighter Donnie Hornbuckle, and Rescue Captain Kevin Boone.

Chief Fong acknowledge Fire Chief Joanne Hayes White and her command staff for their presence this evening. Chief Fong commended and thanked the members of the San Francisco Fire Department.

Commissioner Sparks stated that it is an honor for the Commission to award these special commendations to members of the San Francisco Fire Department. Commissioner Sparks thanked the members of the SFFD for their work alongside the members of the SFPD.

Chief Joanne Hayes White, San Francisco Fire Department, addressed the Commission and thanked the Commission for honoring members of her Department. Chief Hayes White introduced members of the her command staff that were present. Present were Deputy Chief Patrick Gardner, Deputy Chief Gary Masitani, Assistant Deputy Chief Brandon O'Leary, Assistant Deputy Chief Pete House, and Assistant Deputy Chief Barbara Sholdice.

Commissioner of Veterans Affairs Committee presented and honored Chief Fong with a world clock.

PUBLIC COMMENT

None

ADOPTION OF MINUTES

- Regular meeting of February 11, 2009

Motion by Commissioner Mazzucco, second by Commissioner Onek. Approved 6-0.

PUBLIC COMMENT

Francisco Decosta introduced Ms. Paulette Brown who's son is a victim of a homicide.

Paulette Brown, mother of homicide victim Aubre Abrakasa, Jr., asked that the reward bulletin be posted in public places and asked the Commission for help to put pictures and bulleting posted in public places like the Muni buses and libraries.

Commissioner Sparks expressed the Commission's sympathy to Ms. Brown for the death of her son and asked Deputy Chief Shinn as to what

happens to wanted bulletins once they are published. Deputy Chief Shinn stated that posters and bulletins are handed out to the district where the Department thinks there are witnesses. The bulletins are also handed out to the different district stations, put on the Captains' newsletters, also a link to the SFPD website that shows the victims and rewards offered. Chief Shinn also stated that whenever there is a new lead, the area is canvassed for information and the tip line is constantly publicized.

Commissioner Sparks asked about the process of keeping in touch with the families of the victims. Chief Shinn stated that when there are new information in regards to the case, the inspector assigned to the case keeps in contact with the family.

Commissioner Sparks asked if there is anything that can be done to get high visibility for the bulletins. Chief Fong stated that there is a sergeant assigned to work with the SF Public Library and see how to distribute the fliers and also reach out to the MTA to see what can be done and also post it on other city websites. Commissioner Sparks asked the Chief to report back to the Commission in a month's time regarding the progress and to community with Ms. Brown as to the status of getting high visibility on this.

Commissioner DeJesus asked if the Mayor's Office of Criminal Justice can post the bulletins on their website. Chief Fong stated that in the past, the Department has asked city agencies who fund a number of community-based organizations to send them out to all their organizations.

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Commissioner Marshall stated that we need to be creative and think of other ways to get this out there.

Commissioner Mazzucco thanked Ms. Brown for her courage in keeping her son's memory alive and stated that he would like to get together with Commissioner Marshall and think of creative ways to get the word out to the public.

Reuben Goodman asked that the reward be increased and asked the Mayor to acknowledge Ms. Brown when she's standing outside of City Hall. He went on to talk about homicide victim names Trisha.

Bruce Allison discussed concerns about getting a copy of the budget.

Daniel Landry discussed homicides and how it affects family and friends of victims.

CONSENT CALENDAR

a. Presentation of the OCC's 4th Quarter 2008 Early Intervention System Report

Commissioner Sparks asked to reschedule in Closed Session to have more detailed discussion regarding the OCC's EIS Report.

b. Report regarding Provision of Documents to the OCC for the period of July 1, 2008 to September 30, 2008

Commissioner Sparks asked that this item be rescheduled as a separate item to have further discussion in light of letter from Director Hicks.

c. Request of the Chief of Police to accept a donation of \$1,000.00 from Wells Fargo Bank for the Mounted Unit's Special Fund

d. Request of the Chief of Police to accept a donation of \$5,000.00 from Ms. Karen Fireman for use of the Mounted Unit

Motion by Commissioner DeJesus, second by Commissioner Mazzucco to approve consent calendar items c & d. Approved 6-0.

RESOLUTION NO. 18-09

APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO

ACCEPT A DONATION OF \$1,000.00 FROM WELLS FARGO BANK FOR THE MOUNTED UNIT'S SPECIAL FUND

RESOLVED, that the Police Commission approves the request of the Chief of Police to accept a donation of \$1,000.00 from Wells Fargo Bank for the Mounted Unit's Special Fund.

AYES: Commissioners Sparks, Marshall, DeJesus, Lee, Mazzucco, Onek

RESOLUTION NO. 19-09

APPROVAL OF THE REQUEST OF THE CHIEF OF POLICE TO ACCEPT A DONATION OF \$5,000.00 FROM MS. KAREN FIREMAN FOR USE OF THE MOUNTED UNIT

RESOLVED, that the Police Commission approves the request of the Chief of Police to accept a donation of \$5,000.00 from Ms. Karen Fireman for use of the Mounted Unit.

AYES: Commissioners Sparks, Marshall, DeJesus, Lee, Mazzucco, Onek

REPORTS TO THE COMMISSION

- a. Chief's Report**
- Update on significant policing efforts by Department members**

Chief Fong stated that there will be two reports this evening. The first by Lt. Jim Miller in regards to robberies and the second will be an update by Lt. Curtis Lum in regards to Patrol Specials.

Lieutenant Jim Miller, Violence Reduction Program coordinator, presented the robbery report. Lt. Miller stated that robbery is the second most violent crime in San Francisco, second to homicides. He stated that last year there were over 4,000 robberies in the city and this year are in a trend to be less than last year. He went on to explain what the Department is doing in regards to robberies.

Commissioner Sparks asked of suspects arrested for robberies are they arrested, detained or are they back out on bail and committing the same crime again. Lt. Miller stated that yes they are back out and they pretty much have a history of crime. He also stated that as far as staying in jail, he stated that the Department and the District Attorney have a pretty good record in prosecuting the suspects.

Commissioner Mazzucco asked about the 150 juveniles in custody in regards to robbery and asked if the Lieutenant is working with the Juvenile Probation Division about it. Lt. Miller stated yes, the Department is working with the Juvenile Probation Division.

Lieutenant Curtis Lum, Program Administrator for Patrol Specials, reported that 23 patrol specials and assistants are in compliance in regards to uniform revision and 3 have not complied and stated disciplinary proceedings will begin on those three who have not complied. He also stated that PSO Scott Hart presented an alternative uniform request (uniform shown to the Commission) and Lt. Lum stated that that was denied. Commissioner Sparks stated that she doesn't think that the difference between the police officer's uniform and the uniform presented by PSO Hart is enough and suggested that something on the epaulettes in addition to a bigger Patrol Special embroidery on the front be added.

Commissioner Mazzucco stated that the objective is for the general public be able to know the difference between police officers and patrol special officers.

Commissioner Sparks stated that the Commission has decided to leave the uniform exactly the way it is as stated in the interim Rules and Procedures for Patrol Specials and their Assistants and stated that that will be an issue that will be addressed in the study going forward.

b. OCC Director's Report
- Review of Recent Activities

Director Hicks reported on two items. She stated that in February the OCC opened 74 cases and closed 70. This year, for the first two months, the OCC opened 151 cases and closed 160 cases; 383 cases pending, 258 from 2008, 125 from 2009, making it a caseload of 23 cases per investigators with 17 investigators. As far as mediations, the OCC conducted 10 mediation this year. In February 14 cases were reviewed, 3 mediated, and two are pending. No officers have declined mediation offers for this year.

Commissioner Sparks asked Director Hicks for a report on how the Mediation Program works. Director Hicks stated that the report will be presented on March 18th.

c. Commission Reports
- Commission President's Report
- Commissioners' Reports

Status Reports:

- **Chief of Police executive search**
- **Organizational and other contemporary studies**
- **Rules and procedures for Patrol Specials**
- **Commission Office staffing**
- **Subcommittee on Violent Crime**

Commissioner Sparks stated that major policy recommendations will be put on the agenda next week: (1) contract for Chief of Police, (2) extending Chief's ability for discipline beyond 10 days, (3) possible proposal to tie the OCC's budget and the Commission budget to a percentage of the SFPD budget to insure that it can't be continually cut.

PUBLIC COMMENT

Daniel Landry discussed concerns regarding the OCC and cutting its budget.

Winship Hellier discussed concerns regarding donation from Wells Fargo Bank.

Reuben Goodman discussed concerns regarding homicides.

ROUTINE ADMINISTRATIVE BUSINESS

- a. Commission Announcements**
- **Assignment of Disciplinary Charges filed in Case No. C09-004 ALW to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner** (Resolution No. 20-09, Assigned to Commissioner David Onek)
 - **Assignment of Disciplinary Charges filed in Case No. C09-015 JWA to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner** (Resolution No. 21-09, Assigned to Commissioner Yvonne Lee)

Lieutenant Reilly announced that there will be a meeting at John O'Connell High School, 6 p.m., for public input in regards to search for new

Chief of Police.

b. Scheduling of items identified for consideration at future Commission Meetings

Commissioner Sparks asked that the year-end report be scheduled in the next three weeks and also to schedule a presentation on the Spot Program, which is a program where Police Officers are paid overtime to enforce building inspections. Commissioner Sparks stated she wants to know why it's being done by the Police Department and not transferred to another department and why on overtime and she asked that it be scheduled as soon as possible.

PUBLIC COMMENT

Daniel Landry discussed homicide statistics.

DISCUSSION AND POSSIBLE ACTION TO APPROVE THE PROCESS TO FIND CANDIDATES FOR CHIEF OF POLICE INCLUDING INTENT TO BRIEF AND SOLICIT COMMENTS FROM THE MAYOR AT VARIOUS MILESTONES OF THE PROCESS, CONSISTENT WITH CITY CHARTER REQUIREMENTS

Commissioners Sparks described the process to find candidates for the Chief of Police, and stated the following:

“The Commission is in charge of seeking candidates for the Chief of Police. The Mayor's function is to appoint a candidate forwarded to him by the Commission. The Commission, initially reviewed organizations that have been prequalified for the city to conduct executive searches. We selected an executive search firm from a list of prequalified organizations. The Controller has been negotiating contract with the executive search firm that we selected and has executed an initial contract with Murray & Associates with PERF being a subcontractor and is the process with Murray's full participation in the renegotiating the scope of that contract to make sure that PERF will be designated to do what we anticipated in our resolution in approving Murray. So that is in place right now and Murray & Associates is in fact our prime search contractor.

The Commission is conducting stakeholder meetings. I don't know how many so far, five or six. I conduct one in the Tenderloin on Monday. We have one tomorrow night at John O'Connell in the Mission. We have one meeting with Mumsy on Thursday or Friday in the Castro. Any commissioner would like to attend as well. We're conducting that to assemble input for candidate profile and in the process of that now that we have a contract for the search firm, the search firm, as of this morning, put out their first advertisement for Chief of Police for City and County of San Francisco. One in Western Cities' Magazine. I have a copy here, which I will be happy to read or to give out, but it basically a preliminary advertisement that went out today and will be distributed around the country in various periodicals. And it can be change as we go forward if there's additional information required.

In addition, once we conduct all the stakeholder meetings, it is anticipated the meetings will be concluded sometime around the 16 to the 18 of March and once we do that, we will take all the data we've accumulated and give it to the search firm who will then collate the data and create a preliminary candidate profile which will then come back to the Commission to review and to finalize.

That profile then will be used as part of a booklet that will be sent out to interested candidates and available on line at the search firm, describing the type of candidates we're looking for.

The search firm closes the advertisement for candidates subject to our authority, obviously to reopen it at any time assuming we don't get any possibility of not getting any candidates, but at this point and time the advertisement is scheduled on reasonable time after public input is included. It's anticipated that the receiving of applicants will conclude on April 13th which is the date in the advertisement.

At that point the search firm will perform an initial sort of candidates in three categories. Those obviously not qualified, category A; second category B, possible for consideration; category C, qualified candidates. Those will be the three tiles the candidate profiles will be put in. All candidates, including internal candidates must submit their letters of interest and application through Murray & Associates, the search firm. No other candidates will be considered that have not submitted applications through the search firm.

The search firm then creates candidate abstracts for candidates in category B and C, which are potential and qualified. Candidate abstracts to mask the actual identity and the specific of the resumes that have been submitted. The search firm will then forward to the Commission copies of the resumes and candidate abstracts for candidates in category B and C and at this point it is anticipated that the three Commissioners who've been working on this, myself, Commissioner Vice President Marshall, and Commissioner Lee would prepare the resumes to the actual abstracts for accuracy and also to make sure they're abstract enough. Then the Commission will make changes in the abstracts as required.

The abstracts will be forwarded to the full Commission along with the sorting that the search consultant did so that the Commission then can agree with the sorting of the stacks or they can resort based on their analysis of stacks B and C. At that point, it is anticipated, myself and or, in conjunction with one or two of the other Commissioners will brief the Mayor showing him the abstracts on categories B and C and the Mayor's representative or the Mayor can comment on the sorts and the individual abstract but does not have the ability to change the sorting that the Commission decided on.

The Commission then finalizes the various B and C stacks and then forwards those categories to the search firm. The search firm then will perform a vetting process on the candidates only on category C, which are the qualified candidates, and the vetting will include but not limited to background check, public record check, and other customary methods used to confirm references and validate background of the candidates.

The search firm will then meet with the full Commission to evaluate the information generated by this vetting process and the Commission will decide on which candidates to interview.

At that point the Mayor will be brief one more time with the candidate abstracts that the Commission chooses to interview so that he is aware of the scope and breath of the candidates that the Commission has chosen to interview.

The Commission will then scheduled interviews with candidates to determine the finalists and determine whether or not a second interview or interviews are required. The Commission, if necessary, will conduct a second interview and any other review processes that the Commission deems appropriate prior to making a final decision.

The Commission will then select final candidates up to three candidates, 1, 2 or 3 candidates, then will forward to the Mayor and the Mayor will then choose or not a final selection from the candidates forwarded to him by this Commission. If he chooses not to select any of the candidates, then it

goes back to the Commission for the process to begin again at some point to be determined by the Commission to review, re-interview, or come up with additional candidates to forward to the Commission. And this will continue in this process until some time the Mayor has made a selection.”

Commissioner DeJesus expressed concern that nothing is in writing and that it is hard to vote to approve when there is nothing in writing provided to the Commission and to the public.

Commissioner Lee stated that there’s really no drastic change from what Commissioner Sparks had described from last week’s meeting and express concern that time is an issue and the matter was already continued for one week.

Commissioner Mazzucco also expressed concern regarding the timing of this item and the urgency of this matter. Commissioner Mazzucco stated that it is a great idea to have a collaborative effort and work with the Mayor since he will ultimately make the decision.

Commissioner Onek agreed with Commissioners Lee and Mazzucco and stated that the process laid out tonight by Commissioner Sparks is completely consistent with the process laid out last week. He stated that to delay the matter again will be problematic and that it should be moved forward.

Commissioner DeJesus discussed concerns that the Charter is not being followed and that she does not agree that the Mayor’s Office should sit in on the initial review and does not agree that the Mayor’s Office should go over the applications and the categorizations of the candidates. She stated that the Charter does not include the Mayor in the selection process. Commissioner DeJesus stated that she wants to know clearly what the process is going to be. She wants it spelled out so that when the Commission votes on it, that’s the process. She stated that if the Commission is going to deviate from that process, then it be brought back to the Commission and voted on again.

Commissioner Marshall stated that he agrees with the process as it was stated last week and as it was stated tonight and asked the City Attorney’s opinion as to what is need to move this item forward. Deputy City Attorney Stump stated that if the Commission wants to adopt a written resolution, it can be prepared quickly and set for next week or set for a special meeting for approval or the Commission can proceed on an oral motion tonight if that’s the wish of the majority of the Commission.

Commissioner DeJesus moved that this item be put over, get it in writing, and inform the public before making a decision on the process. Commissioner DeJesus stated that it is not consistent with the Charter and that the Commission is altering the Charter to include the Mayor. Commissioner DeJesus suggested to put the process in writing and get the public’s input, and then vote on it.

Commissioner Sparks stated that she disagrees, as did the City Attorney, with the comments of Commissioner DeJesus.

Motion by Commission DeJesus to continue this item. No second.
Motion dies due to lack of second.

Motion by Commissioner Mazzucco, second by Commissioner Onek to approve the process as described in the public record.

AYES: Commissioners Onek, Mazzucco, Lee, Marshall, Sparks
NAYS: Commissioner DeJesus

RESOLUTION NO. 22-09

APPROVAL OF THE PROCESS TO FIND CANDIDATES FOR CHIEF OF POLICE INCLUDING INTENT TO BRIEF AND SOLICIT COMMENTS FROM THE MAYOR AT VARIOUS MILESTONES OF THE PROCESS, CONSISTENT WITH CITY CHARTER REQUIREMENTS

RESOLVED, that Police Commission hereby approves the process to find candidates for Chief of Police as described in the public record by Commission President Theresa Sparks, stated as follows:

“The Commission is in charge of seeking candidates for the Chief of Police. The Mayor’s function is to appoint a candidates forwarded to him by the Commission. The Commission, initially reviewed organizations that have been prequalified for the city to conduct executive searches. We selected an executive search firm from a list of prequalified organizations. The Controller has been negotiating contract with the executive search firm that we selected and has executed an initial contract with Murray & Associates with PERF being a subcontractor and is the process with Murray’s full participation in the renegotiating the scope of that contract to make sure that PERF will be designated to do what we anticipated in our resolution in approving Murray. So that is in place right now and Murray & Associates is in fact our prime search contractor.

The Commission is conducting stakeholder meetings. I don’t know how many so far, five or six. I conducted one in the Tenderloin on Monday. We have one tomorrow night at John O’Connell at the Mission. We have one meeting with Mumsy on Thursday or Friday in the Castro. Any commissioner would like to attend as well. We’re conducting that to assemble input for candidate profile and in the process of that now that we have a contract for the search firm, the search firm, as of this morning, put out their first advertisement for Chief of Police for City and County of San Francisco, one in Western Cities’ Magazine. I have a copy here, which I will be happy to read or to give out, but it basically a preliminary advertisement that went out today and will be distributed around the country in various periodicals. And it can be change as we go forward if there’s additional information required.

In addition, once we conduct all the stakeholder meetings, it is anticipated the meetings will be concluded sometime around the 16th to the 18th of March and once we do that, we will take all the data we’ve accumulated and give it to the search firm who will then collate the data and create a preliminary candidate profile which will then come back to the Commission to review and to finalize.

That profile then will be use as part of a booklet that will be sent out to interested candidates and available on line at the search firm, describing the type of candidates we’re looking for.

The search firm closes the advertisement for candidates subject to our authority, obviously to reopen it at any time assuming we don’t get any possibility of not getting any candidates, but at this point and time the advertisement is scheduled on reasonable time after public input is included. It’s anticipated that the receiving of applicants will conclude on April 13th which is the date in the advertisement.

At that point the search firm will perform an initial sort of candidates in three categories. Those obviously not qualified, category A; second category B, possible for consideration; category C, qualified candidates. Those will be the three tiles the candidate profiles will be put in. All candidates, including internal candidates must submit their letters of interest and application through

Murray & Associates, the search firm. No other candidates will be considered that have not submitted applications through the search firm.

The search firm then creates candidate abstracts for candidates in category B and C, which are potential and qualified. Candidate abstracts to mask the actual identity and the specific of the resumes that have been submitted. The search firm will then forward to the Commission copies of the resumes and candidate abstracts for candidates in category B and C and at this point it is anticipated that the three Commissioners who've been working on this, myself, Commissioner Vice President Marshall, and Commissioner Lee would prepare the resumes to the actual abstracts for accuracy and also to make sure they're abstract enough. Then the Commission will make changes in the abstracts as required.

The abstracts will be forwarded to the full Commission along with the sorting that the search consultant did so that the Commission then can agree with the sorting of the stacks or they can resort based on their analysis of stacks B and C. At that point, it is anticipated, myself and or, in conjunction with one or two of the other Commissioners will brief the Mayor showing him the abstracts on categories B and C and the Mayor's representative or the Mayor can comment on the sorts and the individual abstract but does not have the ability to change the sorting that the Commission decided on.

The Commission then finalizes the various B and C stacks and then forwards those categories to the search firm. The search firm then will perform a vetting process on the candidates only on category C, which are the qualified candidates, and the vetting will include but not limited to background check, public record check, and other customary methods used to confirm references and validate background of the candidates.

The search firm will then meet with the full Commission to evaluate the information generated by this vetting process and the Commission will decide on which candidates to interview.

At that point the Mayor will be brief one more time with the candidate abstracts that the Commission chooses to interview so that he is aware of the scope and breath of the candidates that the Commission has chosen to interview.

The Commission will then scheduled interviews with candidates to determine the finalists and determine whether or not a second interview or interviews are required. The Commission, if necessary, will conduct a second interview and any other review processes that the Commission deems appropriate prior to making a final decision.

The Commission will then select final candidates up to three candidates, 1, 2 or 3 candidates, then will forward to the Mayor and the Mayor will then choose or not a final selection from the candidates forwarded to him by this Commission. If he chooses not to select any of the candidates, then it goes back to the Commission for the process to begin again at some point to be determined by the Commission to review, re-interview, or come up with additional candidates to forward to the Commission. And this will continue in this process until some time the Mayor has made a selection.”

Motion by Commissioner Mazzucco, second by Commissioner Onek to approve the process as described in the public record.

AYES: Commissioners Onek, Mazzucco, Lee, Marshall, Sparks
NAYS: Commissioner DeJesus

Commissioner Sparks stated that she will turn over what she read

tonight to the City Attorney and ask her to prepare a document for distribution to the Commission.

PUBLIC COMMENT

Daniel Landry discussed concerns that the Commission is a rubber-stamped commission.

Winship Hillier discussed concerns regarding the process.

Reuben Goodman stated that the power should lie with the Commission in choosing a Chief.

Commissioner Sparks provided a copy of the ad that went into Western Cities Magazine and a copy of salary review conducted by Mikki Calaghan on comparable Chief of Police salary with Los Angeles, Oakland, San Diego, San Jose, and Sacramento including the current salary of the Chief of Police of San Francisco; also included is the contract provision for severance provision for the Chief of Police for inclusion in the Commissioners packets.

HEARING AND POSSIBLE ACTION ON THE MOTION TO DISMISS DISCIPLINARY CHARGES FILED AGAINST CAPTAIN GREGORY CORRALES, FILE NO. C04-123 JWF, FILED ON JULY 23, 2004

(The hearing of Captain Gregory Corrales is taken in shorthand form by Ms. Anna Greenley, CSR, Roomian & Associates)

Mr. Bill Fazio, Attorney at Law, addressed the Commission and reaffirmed the waiver of confidentiality by Captain Corrales.

(The Commission recessed from 8:26 p.m. to 8:37 p.m.)

Mr. Bill Fazio, Attorney at Law, appeared for Captain Gregory Corrales.

Ms. Cecily Gray, Attorney at Law, appeared for the Office of Citizen Complaints.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO THE CLOSED SESSION

Reuben Goodman asked that the Commission end the fajitagate case.

VOTE ON WHETHER TO HOLD CLOSED SESSION

Motion by Commissioner Mazzucco, second by Commissioner Marshall to hold closed session. Approved 6-0.

CLOSED SESSION (9:15 p.m. to 9:30 p.m.)

Deliberation in the motion to dismiss disciplinary charges filed against Captain Gregory Corrales, File No. C04-123 JWF.

(Present: Commissioners Sparks, Marshall, DeJesus, Lee, Mazzucco, Onek, Chief Fong, Lieutenant Reilly, Deputy City Attorney Blits)

REPORT ON ACTION TAKEN IN CLOSED SESSION

Commissioner Mazzucco announced the ruling of the Commission and stated as follows:

“One, we disagree with the OCC that the Commission does not have jurisdiction in determining this matter. In fact, that the Commission does have jurisdiction to determine this matter and this motion. Secondly, the second

finding is the Commission has voted to deny the motion to dismiss as it is premature. There are triable issues of fact presented to this commission from both sides. In fact, both counsel raised some issues and were bringing up facts that were not in the articles. So in light of this, a motion to dismiss at this point in time is premature. There are triable issues of fact and we would like to set this matter for a trial so that we can get to the bottom of this matter as soon as possible.”

RESOLUTION 23-09

**HEARING ON MOTION TO DISMISS DISCIPLINARY CHARGES
FILED AGAINST CAPTAIN GREGORY CORRALES
(FILE NO. C04-123 JWF)**

RESOLVED, that the Police Commission hereby denies motion to dismiss disciplinary charges filed against Captain Gregory Corrales, Star No. 1207 (File No. C04-123 JWF).

AYES: Commissioners Sparks, Marshall, DeJesus, Lee, Mazzucco,
Onek

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

_____Motion by Commissioner Marshall for non disclosure, second by
Commissioner Onek. Approved 6-0.

ADJOURNMENT

Motion by Commissioner Mazzucco, second by Commissioner
Marshall. Approved 6-0.

Thereafter, the meeting was adjourned at 9:38 p.m.

Lieutenant Joseph Reilly
Secretary
San Francisco Police Commission

1497/ret