

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 5:22 p.m., in a Regular Meeting.

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

ADOPTION OF MINUTES**- Meeting of December 29, 2008**

Motion by Commissioner Lee, second by Commissioner Mazzucco.
Approved 5-0.

PUBLIC COMMENT

Lea Militello, Pride Alliance, thanked Chief Fong, on behalf of the Pride Alliance membership, for her leadership. Lt. Militello also thanked the Commission for initiating the search for the new Chief of Police.

Sylvia Johnson discussed concerns

Roberto Ortega, Assistant Patrol Special, requested an extension from the Commission in regards to implementation of the new interim rules and procedures for patrol special officers and their assistants.

PRESENTATION OF THE CITRIS REPORT: THE SAN FRANCISCO COMMUNITY SAFETY CAMERA PROGRAM

Ms. Linda Young, City Administrator's Office, and introduced three researchers from Berkeley's Center for information Technology Research in the Interest of Society to talk about their findings: Mr. Steven Rafael, Jennifer King, Detra Mulligan.

_____Mr. Ed Lee, City Administrator, addressed the Commission and thanked the CITRIS team, the Department, and everybody that was involved in this study.

Lieutenant Neville Gittens addressed the Commission as to what he has been doing in regards to the project.

Commissioner Sparks asked Lt. Gittens as to what his plans are as far as the camera system and what would his recommendation be. Lt. Gittens stated that first there were some questions from the Department as to who the point person is and as to how the system works. He stated that he met with the lieutenants involved about what their issues were in the past and how it can be improved on in the future. Lt. Gittens also stated that the part about how to get the video is not clear and that he plans to come up with policies and procedures so that everybody in the Department will know how to get what they need in terms of the footage. He also stated that he plans to meet with DEM to find out if they have any issues in dealing with the Department and try to streamline the process. He will also meet with DTIS to talk about the storage problem.

Commissioner Sparks recommended to meet with stakeholders to let them know what the results of the studies are and to get feedback from them. Commissioner Sparks stated that the Department needs to find out fundamentally whether or not the cameras fit with the overall crime strategy of San Francisco.

Chief Fong stated that 60 days as a time frame to look into the camera project and then report to the Commission as to findings. Commissioner Sparks stated that around mid-March for the status report on the cameras.

Commissioner Sparks also would like a report in regards to shot spotters.

Commissioner Sparks asked Professor Rafael for an economic analysis that could be drawn and Professor Rafael stated he could get a number and will write a memo to the Commission.

Commissioner Sparks thanked the Citris Team for a report that was well done and thanked Ed Lee and his team for all the work done.

PUBLIC COMMENT

Sylvia Johnson discussed concerns.

Elizabeth Citrin discussed concerns that the cameras do not work and so the city should not have them and funding should be used to make the citizens safer.

Dennis McNally, ACLU member, discussed concerns that the cameras do not work and asked the Commission to deeply reconsider using the cameras and using the money for more police officers, more lighting, and community policing.

Chris Cohen discussed concerns and urged the Commission to use funding for more police and better lighting.

Unidentified, Western Addition, discussed concerns and stated money could be used for more community policing and better lighting.

Dr. Sean Levy, pediatrician, asked that the money be used for better methods to make the citizens safer.

Nicole, ACLU, stated that studies have shown that the cameras do not prevent crime and stated that studies have shown that better lighting have an average of 20 percent reduction including violent crime.

Commissioner Sparks explained that she does not want the community to get the impression that the Commission wants the program to go forward. She explained that what the Commission needs to know is if the Department recommends that this be an on-going program, why does it make sense to continue the program. Commissioner Sparks stated that she is not inclined to shut down the program at this time but stated that there needs to be a defined time frame within which the Commission can make the decision whether or not to shut it down or continue it.

Commissioner Mazzucco stated he would like to hear from someone who lives in the area of where the cameras are or someone who have been victimized by a crime and how they feel about the cameras.

Commissioner Lee stated that she wants to make the public know that the Commission has not made a decision as to whether or not to keep or shut off the cameras. She stated that she is willing to wait six weeks until the Lieutenant comes back with his recommendations.

Commissioner DeJesus stated that she agrees with Commissioners Lee and Sparks that there is no consensus as to whether or not to keep or not keep the cameras. Tonight's meeting is just to discuss the report.

PUBLIC COMMENT (continued:)

Patrol Special McCloskey announced the passing of Patrol Special Officer Robert Hart.

Commissioner Sparks thanked PSO McCloskey for his words and stated that the Commission sends its condolences to the Hart family and stated that the Commission will adjourn the meeting in memory of PSO Robert Hart.

REPORTS TO THE COMMISSION

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

Deputy Chief Shinn, Investigations, presented a preliminary annual report on Part 1 crimes:

	<u>2007</u>	<u>2008</u>
Homicides	98	97
Forceful rapes	159	181
Robberies	3,860	3,995
Aggravated assaults	2,089	2,095
Burglaries	5,271	5,304
Auto Burglaries	13,521	12,010
Other larceny	11,579	12,285
Motor vehicle theft	6,235	5,793
Arson	248	244

Chief Shinn stated he will scheduled the report after he gets the totals from all the units.

Commissioner Sparks stated that it will be on the calendar for February 11th along with zone strategy.

Assistant Chief Lynch stated that the report for the 11th will be a 12-month crime analysis and data is collected up to February 5th. He stated that he does not think that the report can be done by the 11th. Commissioner Sparks stated that she will move it one week to the 18th of February.

Chief Fong announced that tonight is Law Enforcement Night at the Warriors game and two SFPD officers will be honored, Officer Tuvera and Officer Birco.

PUBLIC COMMENT

None

b. OCC Director's Report
- Review of recent activities

Director Hicks talked about mediation and stated that last year there were 197 officers eligible for mediation and only 15 refused making it a 92 percent participation rate. Director Hicks also talked about the number of days to closed mediated cases, median 67 days, average 86 day; all other closures 162 days, average 216 days. Director Hicks also talked about cases opened and closed.

Director Hicks also talked about the 2009/2010 OCC budget and asked the Commission for elimination of three vacant positions that she believes she will not be able to fill. This is to meet the budget reduction target.

Commissioner Sparks asked that the item be calendared for next week's meeting. Commissioner Sparks also would like to talk about mediation some time in February to talked about eligibility requirements and eligibility of cases that are now on the Commission's docket.

PUBLIC COMMENT

None

c. Commission Reports
- Commission President's Report
- Commissioners' Report
Status Report
- 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 gave an update as to the executive search for Chief of Police. She stated that a questionnaire went out to the pre-qualified search firms and the Department received responses from five of the ten firms. She will put an action item next week to select a search firm.

Commissioner Onek reported on the organizational studies and stated that there will be a steering committee meeting on Friday. He stated that the recommendations will be implemented and the Commission will be looking for someone to continue the work of Chief Fong in working with implementing the recommendations.

Commissioner Mazzucco reported on the rules and procedures for Patrol Specials. Commander Tong reported on contract negotiations.

Commissioner Lee requested that some of the general orders dealing with officer-involved shootings be posted on the Department's website.

PUBLIC COMMENT

None

Routine Administrative Business

- a. **Commission Announcements**
- **Assignment of Disciplinary Charges filed in Case No. C08-170 ALW to an individual Commissioner for the taking of evidence on a date to be determined by the Commission (Resolution 4-09, Assigned to Commissioner Joe Marshall)**
- b. **Scheduling of items identified for consideration at future Commission meetings**

Budget for OCC and the Department to be scheduled on the 28th of January and the 11th of February.

PUBLIC COMMENT

None

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

_____None

VOTE ON WHETHER TO HOLD CLOSED SESSION

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

CLOSED SESSION (8:22 p.m. to 10:00 p.m.)

- a. **Discussion and possible action to accept or reject Stipulated Disposition of disciplinary charges filed in Case No. C06-183 JCT (Resolution 5-09)**
(Present: Commissioners Sparks, DeJesus, Lee, Mazzucco, Onek, Deputy City Attorney Delvanthal, Lieutenant Reilly, Attorney Hinckley, Attorney O'Haire)
- b. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police; Review of findings and decision to return officer to duty following officer involved shooting (OIS Case No. 09-001)**

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

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

Motion by Commissioner Onek, second by Commissioner DeJesus for non disclosure. Approved 5-0.

ADJOURNMENT

Commissioner Sparks adjourned the meeting in memory of Patrol Special Robert Hart.

Motion by Commissioner Onek, second by Commissioner DeJesus. Approved 4-0.

Thereafter, the meeting was adjourned in memory of Patrol Special Robert Hart, at 10:22 p.m.

Lieutenant Joseph Reilly
Secretary
San Francisco Police Commission

1497/ret