

**OCTOBER 22, 2008**

**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 5:50 p.m., in a Regular Meeting.

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

**PUBLIC COMMENT**

Jeanette Berger discussed concerns regarding illegal immigrants.  
Barbara Growth discussed concerns regarding the "Rule of 5" for testing and promotionals.

**REPORT TO THE COMMISSION**

- a. **Chief's Report**
- **Update on significant policing efforts by Department members**
  - **Presentation regarding Safety on Muni**
  - **Presentation regarding Halloween Activities**
  - **Quarterly Report of provision of documents to the Office of Citizens Complaints**

Supervisor Bevan Dufty discussed the "Home for Halloween" events planned around the city.

Deputy Chief Cashman presented the Department's plans in regards to Halloween activities around the city. He gave a brief overview of events happening in different districts.

Entertainment Commissioner President Audry Joseph talked about events in Lot A for Halloween Night.

Mr. David Perry, David Perry & Associates, Inc., talked about the Home for Halloween Campaign.

Ms. Martha Cohen addressed the question about portable toilets around the Castro area and stated that there will be portable toilets in the area.

Captain David Lazar talked about parking and no parking zones around the Castro for Halloween Night.

**PUBLIC COMMENT**

Jeannette Berger discussed concerns.

Chief Fong introduced Lt. Joe Garrity to present the Safety on Muni report. Lt. Garrity reported that overall crime on Muni is down. He went on to report on crime stats on Muni.

Commissioner Campos asked what could be done to address safety on the No. 14 Muni line. Lt. Garrity stated that the 14 Muni line goes to a lot of different parts of the city and stated that the answer is to expand the programs.

Commissioner Onek asked about changes in Muni routes and how much input came from the Department. Lt. Garrity stated that the Department had some input and stated that enforcement plans may have to be modified.

Lieutenant Dan Mahoney, Legal, presented the quarterly report of Provision of Documents to the Office of Citizen Complaints. Ms. Elise Nicholson said a few words about the quarterly report.

Chief Fong announced that last night 15 adults graduated from the community policing academy and last night, also, the first class for youth community policing graduated. There were 13 graduates. The next community policing class will begin on January 9<sup>th</sup>.

Chief Fong also talked about an investigation of people linked to gang activities and stated that this morning members of the Department participated in the service of warrants.

Commissioner Campos would like a report in regards to U Visas, which are visas that involved people that have been victims of domestic violence, and what the Department is doing or not doing with respect to U visas.

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

Ms. Inez Fraenkel, for Director Hicks, updated the Commission on complaints received, mediation, and outreach.

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

Commissioner Marshall announced that the public workshops in regards to the Organizational Assessment of the Department will take place on Tuesday, October 28<sup>th</sup>, at 6:00 p.m., at the UCSF Parnassus Campus, and on Wednesday, October 29<sup>th</sup>, at 6:00 p.m., at the Visitacion Valley Middle School.

**PUBLIC COMMENT**

Barbara Growth discussed concern regarding the termination of Officer Nelson.

**DISCUSSION AND POSSIBLE ACTION TO ADOPT REVISED DEPARTMENT GENERAL ORDER 8.10, "GUIDELINES FOR FIRST AMENDMENT ACTIVITIES"**

Lieutenant Dan Mahoney, Legal, presented DGO 8.10, "Guidelines for First Amendment Activities."

Ms. Elise Nicholson addressed the Commission and stated that the OCC supports the revision of DGO 8.10.

Commissioner Onek said a few words and asked that a typographical error be corrected on page 7 of the order: Letter "h" should be changed to the letter "I."

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

**RESOLUTION 61-08**

**ADOPTION OF REVISED DEPARTMENT GENERAL ORDER 8.10, "GUIDELINES FOR FIRST AMENDMENT ACTIVITIES"**

RESOLVED, that the Police Commission hereby adopts revised Department General Order, 8.10, "Guidelines for First Amendment Activities," draft dated 10/01/08.

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

PUBLIC COMMENT

None

**ROUTINE ADMINISTRATIVE BUSINESS**

- a. **Commission Announcement**  
- **Assignment of disciplinary charges filed in Case No. C08-162 KMO to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner** (Resolution No. 62-08, assigned to Commissioner David Campos)
- b. **Scheduling of items identified for consideration at future Commission Meetings**

PUBLIC COMMENT

None

**PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION**

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None

**VOTE ON WHETHER TO HOLD CLOSED SESSION**

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

**CLOSED SESSION** (8:20 p.m. to

- a. **Discussion and possible action to accept or reject stipulated disposition of disciplinary charges filed in Case No. C07-179 ALW** (Resolution 63-08)

(PRESENT: Commissioners Marshall, Campos, Mazzucco, Onek, Chief H. Fong, Deputy City Attorney M. Stump, Attorney A. Worsham, Mr. S. Johnson, Lieutenant J. Reilly, and officer involved)

- b. **CONFERENCE WITH LEGAL COUNSEL : Pending Litigation Fonseca v. Fong, et al., California Court of Appeal Case No. A120206; San Francisco Superior Court Case No. 507-227**

(PRESENT: Commissioners Marshall, Campos, Mazzucco, Onek, Chief H. Fong, Deputy City Attorney M. Stump, Lieutenant J. Reilly)

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

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Motion by Commissioner Campos, second by Commissioner Mazzucco for non disclosure. Approved 4-0.

**ADJOURNMENT**

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

Thereafter, the meeting was adjourned at 8:23 p.m.

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Lieutenant Joseph Reilly  
Secretary  
San Francisco Police Commission

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