

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 5:46 p.m., in a Regular Meeting.

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

Commissioner Sparks announced the resignation of Commissioner David Campos as he was elected to the Board of Supervisors.

APPROVAL OF THE MINUTES

- **For the meetings of November 3rd and November 19, 2008**

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

PUBLIC COMMENT

Jeanette Berger discussed concerns.
Doug Millar discussed concerns regarding child abuse.
Peter Tscherneff discussed concerns.
Eric Barlow discussed concerns regarding street cleaning.

REPORTS TO THE COMMISSION

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

Lieutenant Bill Canning presented Certificates of Appreciation to Mr. Michael Angelini and Mr. Richard Oliver for their help during a robbery incident.

Captain Jere Williams presented a Certificate of Appreciation to Ms. Rosa Katz for saving the life of Inspector Henry Kirk.

Deputy Chief Cashman gave an update on homicides to date and Commander Lindo updated the Commission in regards to housing.

Lieutenant Jim Spillane, Homicide, updated the Commission in regards to a death in an elevator shaft.

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

Director Hicks talked about cases opened and closed, mediation, and outreach.

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

Commissioner Sparks announced that on the 17th there will be a joint meeting with the Board of Supervisor's Public Safety Committee to talk about the PERF Recommendations. She also stated that the Citris Report will be calendared sometime early next year.

Commissioner Sparks also discussed noise around 3rd and Folsom and that the noise are made by officers and police cars trying to move people along and Commissioner Sparks stated that there are fliers posted around the

neighborhood for a community meeting and asks the Department to look into it.

Commissioner Sparks also stated she met with the President of the Entertainment Commission and stated that the Entertainment Commission is supposed to get periodic reports from the Department in regards to problem clubs so that the Entertainment Commission can deal with permit issues. Commissioner Sparks stated that she recommends that the Department get a weekly report to the Entertainment Commission of clubs that are involved in violence so that the Entertainment Commission is aware and can get involved with clubs and club owners to try to get more or heavier security.

Commissioner Mazzucco thanked all the officers who worked Thanksgiving Day. Commissioner Mazzucco also suggested bringing back retired officers to work as reserve officers to walk beats with the younger officers to teach them how to do community policing. Commissioner Mazzucco would like to put this item on the agenda for discussion and action. Commissioner Sparks stated that this discussion can be included with the discussion in regards to implementation from all the studies being done.

PUBLIC COMMENT

None

DISCUSSION AND POSSIBLE ACTION TO ADOPT DEPARTMENT GENERAL ORDER 2.02, "ALCOHOL USE BY MEMBERS"

Lieutenant Moser, Management Control Division, presented a report regarding best practices inside and outside of California as to alcohol use by members policy.

Dr. Murphy, Department's Physician, talked about what constitutes impairment.

Mr. Steve Johnson, POA, addressed the Commission and stated that the POA does not want to chance or increase the chance of false-positive readings. Commissioner Sparks stated that maybe there should be a discussion as to impairment as opposed to intoxication as an early intervention.

The following amendments were made to draft dated 03/27/08:

Page 2: 1.b. The member under investigation has tested .015 or higher blood/alcohol level.

Page 3: H.2. An off-duty unarmed officer who has consumed alcohol and is called back to duty in response to an emergency or for any other reason shall immediately inform his or her superior of the facts and circumstances relating to the alcohol consumption. Superior officers shall allow off-duty officers who reasonably believe that they may be impaired to decline to return to duty.

Page 4: A.1.h.i. Forward a copy of the report package in a sealed envelope clearly marked "confidential" to the Deputy Chief of Administration for him/her to review and recommend if intervention of the Employee Assistance Program is needed.

Page 4: A.2.d.ii. Recommend if intervention of the Employee Assistance Program is needed.

PUBLIC COMMENT

None

Motion by Commissioner Sparks, second by Commissioner Mazzucco

with amendments.

RESOLUTION 70-08

**ADOPTION OF REVISED DEPARTMENT GENERAL ORDER 2.02,
“ALCOHOL CONSUMPTION BY MEMBERS”**

RESOLVED, that the Police Commission hereby adopts revised Department General Order 2.02, “Alcohol Consumption by Members,” as amended, draft dated 03/27/08.

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

Commissioner Sparks announced that the closed session will be continued to next week.

ROUTINE ADMINISTRATIVE BUSINESS

- a. **Commission Announcements**
 - **Assignment of Disciplinary Charges filed in Case No. C08-190 RMW to an individual Commissioner for the taking of evidence on a date to be determined by the Commission** (Resolution 71-08, Assigned to Commissioner Petra DeJesus)
 - **Assignment of an Appeal of the Chief’s Suspension filed in Case No. MCD A046-04, KMO D07-070 to an individual Commissioner for the taking of evidence on a date to be determined by the Commission** (Resolution 72-08, Assigned to Commissioner Thomas Mazzucco)
- b. **Scheduling of items identified for consideration at future Commission Meetings**

Commissioner Sparks stated that the interim rules for Patrol Specials will be on the agenda next week along with tonight’s closed session items. On December 17th, there will be a joint meeting with the Board of Supervisors.

PUBLIC COMMENT

None

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

Closed Session continued to next week.

ADJOURNMENT

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

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

Lieutenant Joseph Reilly
Secretary
San Francisco Police Commission