

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 5:55 p.m., in a Regular Meeting.

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

ABSENT: Commissioner Veronese

(Commissioner DeJesus arrived at 6:25 p.m.)

PUBLIC COMMENT

Katie Ladell, Southbeach resident, asked that transfer of Captain O'Leary be reconsidered.

Steve Worthington discussed concerns regarding reckless driving and motorcycle law violations.

Rodney discussed concerns regarding Muni fare violators and asked that the Department and the Muni work together to stop this.

Howard Woo discussed concerns regarding hours for beat officers.

HEARING TO GATHER INITIAL PUBLIC INPUT REGARDING THE REVIEW OF POLICE DISTRICT STATION BOUNDARIES AND THE FOOT PATROL PILOT PROGRAM EVALUATION

Ms. Kim Craven, Public Safety Strategies Group, presented and talked about the studies in regards to the Police District Station boundaries and the Foot Patrol Pilot Program.

Mr. Rick Bailey, Sr. Program Manager, continued with the presentation.

Ms. Craven stated that they will continue the citizen survey as well as business community and a survey for visitors. She stated that the first report will be ready for the public on October 20th and the final report is slated for the end of December with presentations in January.

Ms. Craven stated that the support that they have received from all members of the Department, members of the Commission, the Board of Supervisors, the Mayor's Office, City Hall, and the Controller's City team has been phenomenal and the show of support and trust from the community speaks about the level of interest from the community.

Commissioner Campos asked how does this study relates to the safety cameras. Peg Stevenson, Controller's Office, stated that the time line on the district station boundaries and foot patrol is very aggressive and will have completion at the end of the year and reports to the Commission in January. She stated that MOCJ is well on their way with their work in the safety camera analysis and stated that her office will be involved in all the studies.

Commissioner Campos would like to get a time line as to the safety camera analysis.

Commissioner Campos asked if transfers of captains is best practice based on the study and survey. Ms. Craven stated that they are aware of the transfers that have happened during the time of the study and that they will work to get the data needed to effectively make informed recommendations which will be part of their final report.

Commissioner Lee suggested, in reaching out to the immigrant

community, to partner with community groups and let the community know that there are surveys that they can be part of. Commissioner Lee also asked if they have considered including communities of interest in drawing up the boundaries. Commissioner Lee stated that it makes a lot of difference when different groups are put together and find out what commonalities they share because it will help with community/police relations within those districts. Ms. Craven stated that they are looking at all the city demographic data and they look at special populations, vulnerable populations, and they take all of that into account with the analysis.

Commissioner Sparks stated that she hopes that they are looking at all the demographics, throwing out the existing district boundaries, at least at the beginning, and saying how best can we represent and serve the people of San Francisco; how best can we set these districts up; and do we need five districts or do we need 25 districts. Commissioner Sparks stated that she is hoping that that is the starting point as opposed to looking at the ten districts and saying how can we make that better. Commissioner Sparks asked if that is how they are looking at district boundaries. Ms. Craven stated that how they analyze the data is they bring it down to the smallest data element that they can, the smallest subsection of the city, and with their data analysis, the boundaries are not drawn at that point and that it is clearly just raw data analysis.

Commissioner Sparks asked how are they convening experts locally to be able to determine if it is not working in other cities, how are we going to make it work here if there are no true best practices on certain areas, in particularly violent crimes, around the country. Commissioner Sparks how are those issues addressed and how will they access that type of expertise to look at San Francisco from a micro perspective. Ms. Craven stated that the inclusion of other experts will be what they will be doing with the focus groups and that they will be talking about that at the steering committee meeting on Friday and they will discuss as to who should be participating in that so that as they start to develop recommendations and put things down on paper, they will have a sounding board of people that know the city and are familiar with the issues that are here.

Commissioner Sparks expressed concerns about public meetings and stated that there seems to be a concentration around Central Station, around Northern Station and that part of the city and stated that if you look at the other direction, the Bayview, the Ingleside, there seems to be a void of public meetings. Commissioner Sparks asked how would that issue be addressed because those are one of the two areas where there are high violent crime rates and it would be important to get input from those areas. Ms. Craven stated that trying to get out there and getting communities to welcome them into the meetings has been a challenge and stated that they are open to going to other meetings if the communities want them. She stated that they have used the Captains' emails and web pages. The Safety Network has done their email lists. The Mayor's Office of Criminal Justice Neighborhood Services, the Controller's Office has been emailing and every time they get a number, they went ahead and called and tried to chase down every potential meetings that they possibly could. Ms. Craven also stated that she has one Spanish-speaking staff and that they will be doing a telephone survey and they will have additional language capabilities that they do not have. They are also relying on the network in San Francisco to get the translation of the paper surveys and they have had translators at the meetings.

Commissioner Sparks asked if the interim report is issue on October 20th, will there be additional public hearings after the interim report is issued to give people an opportunity to comment on the report before the final report is put together. Ms. Craven stated that there is no public hearings slated for that time but it is something they can talk about at steering committee.

Commissioner DeJesus would like more input from the Ingleside Community.

PUBLIC COMMENT:

None

CHIEF'S REPORT

a. Update on significant policing efforts by Department members

Chief Fong reported that she did transfer captains which were effective last Saturday. Chief Fong explained that, in the district stations, the Captains had between three and five years in their assignments. In the past it had always been one and a half years to years and then they are transferred. As far as the specialized units, the Tactical and Homeland Security Unit, those members did not have three years. Chief Fong stated that, with the movement, there are so many assignments and that she felt that there are some talents that should be moved into various chairs. Chief Fong stated that she had conversations with the FOB and they came up with the changes and these changes are to build on what the captains have already put in place in terms of the foundation. Chief Fong stated that the goal is that the Department is addressing the challenges in the community as well as the crime challenges.

Commissioner Campos expressed concern as to whether or not there should be a practice or policy of rotating people on an ongoing basis after a number of years. Commissioner Campos stated that it takes a very long time to develop relationships and it is very hard work. Commissioner Campos stated that you have a community that works hard with the captain and felt like the transfers happened and left them without information. He stated that he thinks that the Commission should have a discussion about the larger policy issues, not to micro manage the Department or tell the Chief who should be assigned to what station, but to talk about whether or not automatic rotations are something that makes sense with the Department.

Commissioner DeJesus discussed concerns that starting with a new captain means starting from ground zero.

Commissioner Campos would like the issue of systemic transfers be put on the calendar.

Commissioner Marshall stated that will these questions be covered by the PERF study, which is an independent analysis that will include this subject.

Chief Fong explained that the policy of the department is that officers, sergeants, and inspectors, at the current time, are covered by the personnel transfer policy which means the department has the authority to assign them to an assignment while in the probationary phase and the department has the authority to move them, once they complete probation, to a permanent assignment and following that, the department has no authority to move them unless they choose to move and they can put their name on the list or it is the action of the department because of a conflict or some disciplinary action. Lieutenants, captains, and command staff have been subject to rotations and moves as managers. However, that's the current policy. With the new MOU as discussed with the PO A and has been signed off on, the department is working on a career development plan with all officers, effective January 2007, all officers hired as of that date, they will be subject to a five-year rotation. Chief Fong stated that as far as the captains rotations, the department tries to give everyone a different experience. Every station has different experiences. Chief Fong stated that the goal is not just what the captain brings but it is also what the community can do together and keep moving.

Commissioner Campos asked that there still be a discussion regarding

the issue of transfers.

Chief Fong suggested that this issue be put in the front of the studies being done and make this a priority.

Chief Fong stated that DGO 5.20, Language DGO, is ready to go and the Department is ready to move on the general order. Chief Fong also updated the Commission in regards to incidents that occurred. She stated that just in the past week, there were 37 firearms seized by the Department.

Chief Fong also updated the Commission about her trip to China. She stated that she, and four members of the Department, were invited to an International Security Conference because in 2008, Beijing will be hosting the 2008 Olympics. As part of that conference, there were discussions and presentations by all the participating countries focusing on terrorism and counter-terrorism. There was also significant discussion about the torch run that will lead up to Olympics in Beijing. San Francisco is one of the cities where the torch will be traveling through and San Francisco is the only city in North America that the torch will be coming through. Chief Fong stated the torch will arrive on April 8th and the torch relay will be the following day. Chief Fong stated that the Department will not be determining who carries the torch or the exact route of the torch.

Commissioner Marshall commended the Chief for the awards ceremony last week and hopes that the public can see the ceremony. Chief Fong stated that she would like to have the awards ceremony twice a year.

Commissioner Sparks asked the Chief to notify the Commission when awards at the station level will be presented.

Commissioner DeJesus discussed concerns regarding gang injunctions and would like some type of report in regards to information sent to the City Attorney by the Department regarding who they believe are gang members. Commissioner DeJesus stated that she is concern regarding the type of documentation provided to the City Attorney's Office for the injunction and how is the Department determining who is a gang member or not. Commissioner DeJesus would like the Commission to look into this and would like to know what the role of the Department is in terms of the gang injunctions.

Commissioner Sparks would like to calendar this for the week after next week. Chief Fong stated that she will confer with the City Attorney's office. Commissioner Sparks stated that she does not want the Chief to violate any confidence but she stated knowing the process would be good for the Commission to get a better understanding.

Commissioner Campos talked about the awards presented to the officers and would like to publicly recognize the officers during a Commission meeting.

Commissioner Mazzucco asked if it is possible to have a representative from the City Attorney's office to come in and generically explain why they're doing this program, what effects it's had on the community, and give the Commission an opportunity to be assured of the fact that they are moving slowly and they are moving through it and trying to protect the constitution while also trying to protect the communities.

Commissioner Sparks stated that she had a conversation with City Attorney Herrera about this issue and his response was that he would prefer and wait until it had gone through the legal system to determine what the court's analysis was and then he would be happy to come and talk to the

Commission but he would be reluctant to do that until the court decisions had been addressed.

PUBLIC COMMENT

Rodney commended Chief Fong and encouraged her to keep doing what she's doing.

OCC DIRECTOR'S REPORT

a. Review of Recent Activities

Ms. Jean Field, Interim OCC Director, informed the Commission that effective October 15th, the OCC will be in the new building. The new address will be 25 Van Ness Avenue, 7th Floor. The new phone number is 415-241-7711.

Commissioner Sparks asked about the status of hiring new people. Ms. Field stated that they are in the process of interviewing attorney candidates. Commissioner Sparks stated that the Commission is optimistic that there will be a new OCC Director anytime soon.

PUBLIC COMMENT

Steve Johnson, POA, discussed concerns regarding timeliness of the OCC's investigation and a case that is a year and a half old and involving 23 officers.

Commissioner Sparks expressed concerns regarding the time line of the investigation and suggested that Ms. Field discuss the case in closed session with the Commission.

Ms. Field stated that she will be happy to discuss the case with the Commission.

COMMISSION REPORTS

a. Commission President's Report

b. Commissioners' Reports

Commissioner Sparks announced that she will be attending and making a presentation at the NACOLE conference next week along with Sgt. Thorne from the Department in regards to transgender issues.

Commissioner DeJesus asked if there is funding for some of the Commissioners to attend the seminars. Chief Fong stated that she will work with Sgt. Reilly and do a follow up.

Chief Fong stated that she, along with Commissioner Marshall, will be going to a conference in Chicago in regards to violent crimes around the country.

Commissioner Marshall announced that he is putting together the next meeting of the subcommittee on violent crimes and will be held in Visitation Valley.

Commissioner Mazzucco announced that he just returned from Atlanta to attend the Project Safe Neighborhoods convention that deals with gun violence. Commissioner Mazzucco stated that what we're seeing here in San Francisco in regards to gun violence is also seen throughout the country. He stated that there is more gun violence perpetrated by juveniles. Commissioner Mazzucco asked that that's an issue he would like the Commission to take up and talk to the Department about.

Commissioner Mazzucco also stated that it was an honor to be in the

room with the officers during the Awards Ceremony.

Commissioner Mazzucco also would like to talk about the issue that has been raised with regards to timing of interviews. He stated that the value of the interview, the further away from the time of the incident has less evidentiary value because the memories fade and interviews should be done as soon as possible.

Commissioner Mazzucco would like a presentation the Juvenile Department, Juvenile Commission, presentation by the head of Youth Guidance Center, and presentation by the Department in regards to the trend they are seeing in regards to youth violence.

Commissioner Sparks stated that the Commission is awaiting DGO 7.01 in regards to Juvenile Policies Procedures and stated that that might be the appropriate time for a discussion.

PUBLIC COMMENT

None

APPROVAL OF THE MINUTES FOR THE MEETING OF AUGUST 29, 2007

Motion by Commissioner Campos, second by Commissioner DeJesus. Approved 6-0.

PUBLIC COMMENT

None

COMMISSION ANNOUNCEMENTS

Sergeant Reilly announced that the next Commission Meeting will be held in the Tenderloin District at 201 Turk Street/Jones, on Wednesday, September 26th, at 6:00 p.m.

Commissioner Sparks stated that she will not be able to attend the meeting as well as Commissioner Marshall. She asked that Commissioner Lee chairs the meeting.

PUBLIC COMMENT

None

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

a. Discussion re: The Commission's Priority List

Commissioner Sparks would like DGO 5.20 calendared for October 17th and asked that Sgt. Reilly contact the Immigrant Rights Commission and the Health Commission to send representatives to that meeting.

Commissioner Sparks would like the Copley matter be calendared for discussion sometime in October. She also would like the item in regards to institution of immediate OCC investigation of alleged officer misconduct through notification of a claim or lawsuit against the City be calendared for October for discussion of a resolution.

Commissioner Marshall would like a report from the Department in regards to nomination of officers for awards. Chief Fong stated that the Department can do a presentation on that issue.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

Rodney asked why is the Commission doing this Closed Session.

VOTE ON WHETHER TO HOLD CLOSED SESSION

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

CLOSED SESSION (8:49 p.m.)

**a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Chief of Police**

(Present: Commissioners Sparks, Marshall, Campos, DeJesus, Lee, Mazucco, Deputy City Attorney Stump, Chief Fong)

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

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

ADJOURNMENT

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

Thereafter, the meeting was adjourned.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

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