

MAY 9, 2007

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 5:38 p.m., in a Regular Meeting.

PRESENT: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks, Veronese

(Commissioner Lee arrive at 6:00 p.m. Commissioner Veronese arrived at 5:43 p.m.)

PUBLIC COMMENT

Lou Calabro, European Americans Group, discussed concerns.
Marlon Crump discussed concerns regarding racial profiling.
Meesha Irizarry discussed concerns regarding racial profiling.
Barry Toronto, Cab Driver, thanked the Chief for assigning Sgt. Reynolds to the Taxi Detail and discussed concerns regarding Officer Carlos Guitierrez.

CHIEF'S REPORT

- a. **Update on significant policing efforts by Department members**
- b. **Presentation by Dr. Lorie Fridell of her report titled, "Fair and Impartial Policing: Recommendations for the City and Police Department of San Francisco"**

Chief Fong discussed march from Tenderloin Station to City Hall and discussed what the officers of Tenderloin Station as well as the officers of Gang Task Force and Narcotics have been doing.

Commander Tacchini made a presentation as to the request of Commissioner Veronese regarding staffing of Critical Mass. Commander Tacchini reported that there were approximately 2,000 bike riders. There were 41 officers on motorcycles and six Parking & Traffic patrol bicycle officers. There were 11 incidents along the route that required police intervention but no violence ensued.

Commissioner Veronese asked to justify 40 police officers assigned to critical mass to watch over mostly law abiding citizens when Parking and Traffic Officers could probably have done the job. Commander Tacchini stated that to avoid taking officers away from violent areas, officers were held three hours beyond their normal tour of duty for the most part to offset critical mass.

Commissioner Sparks asked about the Tenderloin area. Chief Fong stated that the Captain of Tenderloin and the Investigation Units are working with different City agencies like the Department of Public Works, the Park Police, and the Federal Protective Services to help with the drug problems in the area.

Commissioner Campos announced that Chief Fong will be honored by the Asian and Pacific Islander American Health Forum next week and congratulated the Chief for all the things she has done. Commissioner Campos also talked about demonstrations in regards to immigration issues and asked the Chief to talk about how the police handled the demonstrations on May 1st. Chief Fong stated that the goal of the Department is to work with event organizers and often times event organizers apply for a permit and the Department sits down with them to figure out a route in which they can express their first amendment rights to free speech to walk but not to make such a significant impact with the surrounding communities. The event

organizers also help maintain the peace by having event monitors present so that it is not the officer who has to intervene. The Chief stated that whenever there is communication and a working relationship to show a cause, at the end of the day it's a more peaceful event and people can get their message out.

Commissioner Veronese asked if there are event coordinators for Critical Mass. Chief Fong stated that critical mass is a leaderless group and that it's an event that basically happens and nobody is in charge. Chief Fong explained that unlike sitting down with an event coordinator, with critical mass, there is no route set up in place. Chief Fong stated that the Department have met with the Bicycle Coalition and talked about having a safe riding event.

Chief Fong introduced Dr. Lorie Fridell to present her report.

Dr. Fridell presented her report titled, "Fair and Impartial Policing: Recommendations for the City and Police Department of San Francisco."

Commissioner Veronese asked Dr. Fridell what she would say to the public and the officers that have read the Chronicle article. Dr. Fridell stated that what she would tell the public is that the data doesn't tell them everything that they would like to know about racial bias and policing but that the important thing for them to know right now is that the Police Department has embraced moving forward and implementing a comprehensive program. Dr. Fridell stated that what she would tell the officers is that this is an issue not because they are bad but because they are human like the rest of us and you are held at a higher standard and that is what is being done here.

Commissioner Sparks asked about the advisory committee. Dr. Fridell stated that she recommended in the report that people be put on the committee that would have racial bias policing and trust with police as a priority and that she recommended that the Chief should develop the committee because the Chief should be held accountable for implementation. Dr. Fridell stated that in terms of representation of law enforcement on the community, she stated that there are various ways to measure diversity. Dr. Fridell stated that she believes that the racial and ethnic diversity should be there but also diversity up and down the ranks.

Commissioner Sparks asked how this program is implemented within the Department. Dr. Fridell stated that she has been working with Chicago and stated that San Francisco is the first city that she knows of that is doing a comprehensive program. Dr. Fridell stated that the Chief should make the decision and that the Chief needs to have the advisory board and she needs to staff it sufficiently so that there is someone that's meeting the needs of the advisory board.

Commissioner DeJesus asked if living in the community they serve enhance the officer's ability to police in an unbiased manner. Dr. Fridell stated that officers who come from backgrounds where they are exposed to a lot diversity probably have a head start on maybe some officers that came from less diverse communities. Dr. Fridell stated, however, that she does not think what diversity does necessarily imply that the people that are diverse don't practice racial bias policing. Dr. Fridell stated that she believes that having a diverse department is enhancing the trust and the credibility of the Department in the community.

Commissioner Campos asked if there is racially biased policing going on in San Francisco. Dr. Fridell stated she would guess yes because the Department is hiring human beings to do the job and is hiring from a society that has bias. Commissioner Campos asked if there is something else that should be done beyond having this report. Dr. Fridell stated that there is

nothing that she left out for any reason and that she hopes that she hit upon the key issues for the Department.

Commissioner Campos asked regarding the advisory board and asked where does the Commission, other than receiving the report, and where does the Board of Supervisors come into the process on how the advisory board goes forward. Dr. Fridell stated that it is her understanding that the Chief is responsible to the Commission and so in implementing these recommendations that's why she will be coming forth monthly. Dr. Fridell stated that she did not make the Board of Supervisors a player in this process because she felt the key roles will be played by the Chief, the Police Commission, and the Mayor's Office.

Commissioner Campos asked if there is a concern that San Francisco being San Francisco where people value community input and that having this approach makes it seemed too top down and that the various communities does not have as much of a role as maybe they should have. Dr. Fridell stated that that is one of the benefit of having the Chief in charge and if you are going to make her accountable for this, she needs to pick her team.

Commissioner Marshall stated that just not getting an adequate as to why the encounter is happening is devastating. Commissioner Marshall talked about the mentality of us against them and stated that there is a huge gap in trust and perception and to bridge that gap is something that has to be fully committed upon.

Commissioner Sparks asked that, based on the comments that were made and the report, that the headline in tomorrow's Chronicle is going to be, "The San Francisco Police Department is Racially Biased." Commissioner Sparks asked if Dr. Fridell was writing that headline, how would she put it because such a headline would be inflammatory and it may or may not be accurate but it also does not contain all the information that this comprehensive report contains. Dr. Fridell stated that she would like to change the headline to what the City has done and the headline would be, "San Francisco Embraces a Model Program to Insure Fair and Impartial Policing."

Commissioner Lee asked about officers living in the city and residential requirements for the officer. Dr. Fridell stated that she does not have a response but stated that the Department need to think about all kinds of ways to bring all kinds of people in.

Commissioner Renne thanked Dr. Fridell for her report and suggested that within three to four weeks if the Chief can report back to the Commission what steps have been taken or will be taken and if there are any budget implications that need to be considered.

PUBLIC COMMENT:

Meesha Irizarry discussed concerns regarding public's perception of the Department.

Marlon Crump asked that somebody from the community be part of the board.

Barbara Growth discussed concerns.

ELECTION OF COMMISSION OFFICERS PER POLICE COMMISSION RULE. 2.3

Taken out of order.

Commissioner DeJesus asked this item be called.

Commissioner Renne asked Commissioner Campos to take the Chair.

Commissioner DeJesus nominated Commissioner Sparks for President.

Commissioner Renne made a statement about youth crimes in the City and nominated Commissioner Joe Marshall for President.

Commissioner Sparks made a statement and stated that this Commission should have as much transparency, as much accountability, and this Commission be held responsible for not only holding itself accountable but also holding the Department accountable for the rules and regulations and orders and policies that are in place and generated by this Commission.

Commissioner Lee made a statement and talked about youth delinquency in the City and supported Dr. Marshall for President.

Commissioner DeJesus made a statement and talked about what Commissioner Sparks has done for the Commission and supported Commissioner Sparks for President.

Commissioner Campos made a statement and thanked Commissioner Renne for her service in the Commission. Commissioner Campos stated that he will support Commissioner Sparks for President.

PUBLIC COMMENT

Meesha Irizarry discussed concerns.

Commissioner Veronese made a statement and voted for Commissioner Sparks for President.

Commissioner Sparks thanked the Commission for their support.

Commissioner Veronese nominated Commissioner Marshall for Vice President.

Commissioner Campos nominated Commissioner DeJesus for Vice President.

RESOLUTION NO. 48-07

ELECTION OF PRESIDENT OF THE POLICE COMMISSION

RESOLVED, that Commissioner Theresa Sparks shall serve as President of the San Francisco Police Commission.

AYES: Commissioners Campos, DeJesus, Sparks, Veronese

NAYS: Commissioners Renne, Lee, Marshall

ELECTION OF VICE PRESIDENT OF THE POLICE COMMISSION

RESOLVED, that Commissioner Joe Marshall shall serve as Vice President of the San Francisco Police Commission.

AYES: Commissioners Renne, Lee, Marshall, Veronese

NAYS: Commissioners Campos, DeJesus, Sparks

OCC DIRECTOR'S REPORT

- a. **Review of Recent Activities**
- b. **Presentation of the OCC's First Quarter 2007 Early Warning System Report**

Ms. Jean Field, Interim OCC Director, presented the First Quarter 2007 Early Warning System Report. Ms. Field explained that the report is

submitted to the Management Control Division (MCD) and Risk Management Office and they take several steps, depending on the individual officer's history. The officer will be subject to either counseling with his/her superior officer or the other levels of intervention that are outlined in the General Order so that the officer has one-on-one counseling with the superior officer and MCD is also kept informed.

PUBLIC COMMENT

Meesha Irizarry discussed decentralization of the OCC.

APPROVAL OF THE CONSENT CALENDAR

- a. **Request of Officer Richard Lee, Fleet Operations, for approval to accept gift of airfare and one night accommodation, total value of \$696.61, from Hendon Publishing to be a judge in the annual Law and Order Police Vehicle Graphics Design Contest**

Motion by Commissioner DeJesus, second by Commissioner Veronese.
Approved 7-0.

RESOLUTION 47-07

APPROVAL OF THE REQUEST OF OFFICER RICHARD LEE, FLEET OPERATIONS, FOR APPROVAL TO ACCEPT GIFT OF AIRFARE AND ONE NIGHT ACCOMMODATION, TOTAL VALUE OF \$696.61, FROM HENDON PUBLISHING TO BE A JUDGE IN THE ANNUAL LAW AND ORDER POLICE VEHICLE GRAPHICS DESIGN CONTEST

RESOLVED, that the Police Commission hereby approves the request of Officer Richard Lee, Fleet Operations, to accept gift of airfare and one night accommodation, total value of \$696.61, from Hendon Publishing to be a judge in the annual Law and Order Police Vehicle Graphics Design Contest.

AYES: Commissioners Renne, Campos, DeJesus, Lee, Marshall, Sparks,
Veronese

APPROVAL OF THE MINUTES FOR THE MEETING OF MAY 2, 2007

Motion by Commission DeJesus, second by Commissioner Marshall.
Approved 7-0.

COMMISSION ANNOUNCEMENTS

Sergeant Reilly announced that there will be a special meeting on Monday, May 14th.

Commissioner Campos announced that Commissioner Sparks is the new Police Commission President and Commissioner Marshall will be Vice President.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner DeJesus would like a newsletter to be read to the rank and file officers.

Commissioner Veronese would like the Department to come up with a plan to phase out gas guzzling vehicles and replacing them with energy efficient vehicles.

ADJOURNMENT

Motion by Commissioner DeJesus, second by Commissioner Marshall.
Approved 7-0.

Thereafter, the meeting was adjourned at 8:51 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

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