

**MARCH 7, 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 5:18 p.m., in a Regular Meeting.

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

ABSENT: Commissioner Veronese

*(Commissioner Veronese arrived at 5:37 p.m. Commissioner Renne was excused at 7:52 p.m.)*

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

None

**VOTE ON WHETHER TO HOLD CLOSED SESSION**

Motion by Commissioner Sparks, second by Commission Campos.  
Approved 6-0.

**CLOSED SESSION**

- a. **PERSONNEL EXCEPTION: Discussion and possible action to accept stipulated dispositions in the matter of File No. C04-121 JWF (Resolution 28-07)**
- b. **CONFERENCE WITH LEGAL COUNSEL: Pending litigation Schiff, et al. v. CCSF, et al., U.S. District Court Case No. C03-04345 MMC**

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

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

**PUBLIC COMMENT**

Richard Stipman discussed concerns.

**CHIEF'S REPORT**

- a. **Update on significant policing efforts by Department members**

Chief Fong discussed press conference to announced a new initiative with the Housing Authority, the expansion of the Community Policing in Housing Authority Program. The Chief also talked about a meeting with the MOCJ regarding the Community Policing Advisory Committee.

Chief Fong talked about an article in the Chronicle about traffic stop data. Chief Fong stated that the Department has continued to collect traffic stop data and a department bulletin has been continuously reissued. Chief Fong stated that hopefully the Department can hire somebody soon to be on staff to produce the reports from raw data but also for them to analyze and then report to the Commission.

Commissioner Renne would like a copy of the resolution that was adopted by the earlier Commission.

Deputy Chief Shinn, FOB, responded to the discrepancies and stated that the discrepancies were brought out when he was a Captain at a district station, also as a Commander, and now as a Deputy Chief. Chief Shinn explained that officers are required when they make a traffic stop that by using their computer terminal, called Mobile Data Terminal, in their vehicles that after the stop is made they bring out the mask. That mask indicates the reason for the stop, date, time, the gender, race, outcome of the stop if a citation was issued/advisory, if there was a search made, if it was consensual or not. Chief Shinn stated that what they found out is that officers, after making a traffic stop, would input the information, it would be acknowledged by the system, but the system never recorded that in the hard data. So there was a discrepancy where it would show through the computer run that the officer completed it but for some reason it was never recorded. Another reason is there were transmission frequency problems with the wireless computers in certain parts of the city. Another reason is when an officer makes a stop minutes before midnight the computer run on that entry would be recorded on the day that he made the stop which would not correspond with the actual time that he was first recorded making the stop. It would be a day before so there was some inconsistencies there. Another reason is when officers respond as backup on a traffic stop and the backup officer would be recorded in the system as entering data also.

Commissioner Sparks would like a report in writing. Commissioner Sparks also asked why weren't the system corrected. Chief Shinn stated that the Department has been working with the technology department so that transition from wireless computers can be documented.

Commissioner Sparks asked what else is being lost because of transition problems. Chief Shinn stated there is concern for officer safety and the Department is working on the areas that are problematic.

Chief Fong explained as to why monthly reports were not presented to the Commission. Chief Fong stated that although the reports were not going to the Commission the reports were prepared going back as far as 2003 and 2004.

Commissioner Sparks asked if the Department has the necessary I.T. equipment or is the Department looking at a budget request to get the necessary equipment for the Department to do these reports and what is the Department doing as a long-term plan. Chief Fong stated that the Gartner Study will hopefully be able to make a presentation to the Commission because they can speak to these areas more eloquently and their proposal is based on what they've seen and the frustrations they've heard from the members of the Department.

Chief Fong briefed the Commission on a recent officer-involved shooting on Townsend Street.

Commissioner Campos discussed concerns regarding reports not being presented to the Commission and the issue of trust by the community. Chief Fong stated the data have been provided to Dr. Fridell so that she can present her report to the Department and the Commission.

Commissioner Campos stated that there needs to be a mechanism in place so that when the Commission gives a policy directive to the Department, that the internal operations of the Department are changed in such a way to incorporate that directive and that the directive be followed whether or not there is change in members of the Commission. Commissioner Campos stated that best practices need to be incorporated into the whole process.

Commissioner Veronese stated that technology should be a priority for the safety of the officers. Commissioner Veronese also discussed concerns

regarding data collected. Chief Fong stated that the Department can provide the reports and can produce the reports but the Department needs someone who has more expertise in this area to review the data. Commissioner Veronese would like the report within three weeks.

Commissioner Veronese would like a report regarding which conditions that are contributing to the crime that are the responsibility of the Housing Authority.

Commissioner Renne stated that the Commission will have a joint meeting with the Housing Authority on March 28<sup>th</sup>.

Commissioner DeJesus stated that she is concern regarding no reports provided at all. Chief Fong stated that the report that was configured does breakdown the ethnic breakdown by district station and of the 585 data and by ethnic group and those reports were generated and provided to Ms. Sward.

Commissioner DeJesus asked that resolution #65-02 be revised so that the intent of the resolution be carried forward and that it be fixed so that there is some type of monthly reporting.

Commissioner Renne stated that the Commission may want to wait until Dr. Fridell gives her report.

Commissioner Lee talked about a missing person who was found today after missing for seven days and asked what is the normal procedure for the Department in dealing with missing persons. Chief Fong stated that there is a policy for missing persons and explained the different procedures followed by the Department.

Commissioner Marshall asked that the Commission should look back to past resolutions so that this Commission knows exactly what the Commission needs to look at.

Chief Fong will provide copies of the reports to the Commissioner and will report back to the Commission after her conversation with Dr. Fridell as to when the report can be presented to the Commission.

#### PUBLIC COMMENT

Mark Schlossberg, ACLU, discussed concerns regarding traffic stop data.

Marlon Crump, SRO Advocate, discussed concerns regarding racial profiling.

Officer Kevin Martin, POA, discussed concerns regarding the credibility of the Chronicle and stated that the Department does not profile race. The Department profiles behavior and criminal activity.

#### **OCC DIRECTOR'S REPORT**

- a. Review of Recent Activities**
- b. Presentation of the OCC's 2005 Annual Report & Comprehensive Statistical Report from January - December 2006**

Ms. Jean Field, Interim OCC Director, talked about the 2005 Annual Report and the draft statistical report from January to December 2006.

Commissioner Sparks stated that she would like statistics like a pie chart or a graph to see where cases are. Cases close to nine months would be of importance to the Commission.

#### PUBLIC COMMENT

None

## **DISCUSSION AND POSSIBLE ACTION RE: THE COMMISSION'S PRIORITY LIST**

Commissioner Sparks asked to prioritize Department General Order 3.19 and 8.09 which is Media Access and Media Updates. Commissioner Sparks would also like monthly status reports on officer-involved shooting and put them on once a month or maybe the first meeting of the month to have a regular update. Commissioner Sparks also would like an update on DGO 11.07 which is the non discrimination general order of the Department.

Commissioner Sparks asked for a copy of the MOCJ RFQ (Request For Qualifications) that was sent out to various consulting firms to look at the study of the culture of the SFPD and also get a copy of some of the responses. She would also like a copy of the RFP and if there are any responses to that. Commissioner Sparks would also like to calendar, for discussion, on how the Commission is going to be involve in the future in what was formerly known as the Mayor's Blue Ribbon Panel on the cultural analysis of the department.

Commissioner Sparks also asked for a report on overall violent crime trends for 2005 to 2006 citywide and by neighborhood or by sector.

Commissioner DeJesus would like to see Language Access and DGO 7.01. Commissioner DeJesus would also like the Patrol Special issues added to the list.

Commissioner Sparks asked what happened to the Kroll Report.

Sergeant Reilly stated that he will go through the list and form a list with priorities that are still pending and provide that to the Commission.

Commissioner Lee asked for a report on recruitment efforts, youth violence trend, and report on domestic violence and sex workers.

Commissioner Campos stated that once the update list is received from Sergeant Reilly, that the Commissioners go through it and pick their top five priorities.

### **PUBLIC COMMENT**

Mark Schlossberg, ACLU, suggested that the Commission identify only handful of priorities and deal with them as real priorities.

## **REPORT AND DISCUSSION ON PROCEDURES TO IMPLEMENT THE USE OF HEARING OFFICERS FOR COMMISSION DISCIPLINARY CASES**

Commissioner DeJesus stated that they are trying to set up the hearing protocol and that the process is on the way. There are meetings set up with MCD, OCC, and the POA for tomorrow and the City Attorney is going to handle the initial meetings. Commissioner DeJesus would like to calendar this item again in two weeks for a status report.

### **PUBLIC COMMENT**

None

## **APPROVAL OF THE MINUTES FOR THE MEETINGS OF JANUARY 31<sup>ST</sup> AND FEBRUARY 7, 2007**

—  
Motion by Commissioner DeJesus, second by Commissioner Marshall.  
Approved 6-0.

**COMMISSION ANNOUNCEMENTS**

- a. **Assignment of disciplinary case no. C067-023 to an individual Commissioner for the taking of evidence to be determined by the Commissioner** (Resolution 29-07, Assigned to Commissioner Joe Marshall)

**SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS**

Commissioner Lee asked that the Commission urge the Mayor and the Board of Supervisors regarding the Copley decision.

Commissioner Campos announced that the Commission will be conducting a disciplinary hearing next week and there will be no regular Police Commission meeting next week.

**ADJOURNMENT**

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

Thereafter the meeting was adjourned at 8:42 p.m.

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Sergeant Joseph Reilly  
Secretary  
San Francisco Police Commission

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