

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 6:04 p.m., in a Regular Meeting.

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

(Commissioner Lee arrived at 6:07 p.m. Commissioner Veronese arrived at 8:18 p.m. Commissioner Campos was excused at 7:10 p.m.)

CHIEF'S REPORT

_____ - Presentation of Citizens Commendation

Taken out of order.

Chief Fong introduced Captain Casciato who presented Citizens Commendations to members of the public: James Slater, Steven Ice, Robert Crockett, and Robert Simmons.

ADOPTION OF MINUTES

- Regular Meeting of November 28, 2007

Motion by Commissioner Marshall, second by Commissioner Mazzucco. Approved 5-0.

PUBLIC COMMENT

None

PUBLIC COMMENT

Daniel Landry discussed concerns regarding gang injunctions and asked that the Commission revisit this matter.

Steve Curry, Outer Mission Residence Association, talked about the Angel Gift Wish List and thanked the POA for giving \$2,000 to go towards the Angel Gift Wish List. Mr. Curry also talked about a request for safety cameras on Silver and Mission.

Steve Johnson, POA, asked why the lieutenant's promotional is not on the agenda for tonight's meeting and discussed concerns why appointments are not made.

Barry Toronto, cab driver, discussed concerns regarding Badge No. 4116.

Unidentified discussed concerns regarding taking the officers off the street for the Thanksgiving Day incident.

William Zedd discussed concerns regarding being arrested.

Unidentified discussed concerns regarding incident at the Bayview on Thanksgiving Day and asked that officers be put on administrative leave.

Unidentified discussed concerns regarding Bayview Station.

REPORTS TO THE COMMISSION

a. Chief's Report

- Update on significant policing efforts by Department members

The Chief gave a brief update on significant policing efforts by Department members of Mission and Park Stations.

- Gang Task Force Overview

Deputy Chief Tabak presented the Gang Task Force overview.

Commissioner Campos asked how members of the Gang Task Force Unit are selected. Chief Tabak stated that the Department looks for certain level of expertise, gang knowledge, officers that have been in the Department for a bit of time who are experienced with arrests and the process, testimony, the ability to write in addition to lack of complaint history. Chief Tabak stated that what's important is that they've exhibited in their assignment that expertise. They have experience knowledge of violence and gang and gun issue in the districts where they came from. Chief Tabak also stated that it is a unit that is exempt from P1. The make up of the unit are 19 white officers, 10 Asians, 5 Hispanic, 7 African Americans, 2 Filipinos.

Commissioner Lee asked what is the definition of a gang. Chief Tabak stated that any group concerted involved in the furtherance of a crime, that act as a group, that either promote criminal activity in protection of the group, and their motivation is based on the group.

Commissioner Marshall asked if any members of the Gang Task Force was involved. Chief Tabak stated that no members of Gang Task Force was working on Thanksgiving. They were off on a legal holiday.

Commissioner Mazzucco asked about cultural competency. Chief Tabak stated that one of the things that speaks to their expertise is not only the knowledge of gang issues but it's knowledge of the culture; how to work with the community in those cultures to be the most sensitive and most productive.

Commissioner Sparks read a letter from Supervisor Dufty thanking Chief Fong for her involvement supporting the businesses in the Castro.

b. OCC DIRECTOR'S REPORT
- Review of Recent Activities

Director Hicks briefed the Commission on recent activities in regards to staffing and outreach.

c. COMMISSION REPORTS
- Commission President's Report
- Commissioners' Reports

Commissioner Sparks talked about her meeting with the African-American Community Relations Board.

Commissioner Mazzucco thanked Ms. Hicks and her staff in regards to his visit to the OCC. Commissioner Mazzucco also asked that the lieutenant's appointments be calendared and asked that the meeting be adjourned in honor of Sergeant Frank Ryan.

Commissioner DeJesus asked that the topic of gang injunctions be calendared in terms of what the Department's role is and what protocol is in place. Commissioner DeJesus asked for the following: What is the role in selecting or identifying individuals to be considered or placed on the gang injunction list? What policy or rule is in place to prevent arbitrary selection of individuals for the gang injunction list and is the procedure supervised, and if yes, who supervises it, and what criteria does the supervisor use to insure the process is not arbitrary and that the information is up to date and accurate and privacy rights are not being violated. Is the Department using juvenile records to include individuals on the injunction list and if so, why? How is the Department enforcing the gang injunction list and how do people get off this list?

PUBLIC COMMENT

Daniel Landry discussed concerns regarding the Gang Task Force and

asked where the oversight is coming from in the Gang Task Force.

Ms. Abernathy stated that the man that was in her house was part of the Gang Task Force and stated that something needs to be done.

Vivian Donohue stated she has not heard anything from the OCC regarding her complaint and it's been a year.

Darren Brown discussed concerns regarding implementation of the gang injunction.

Nina Donohue discussed concerns regarding an incident that happened in the Well Fargo Bank in the Bayview.

Barry Toronto, cab driver, asked for more transparency and discussed concerns regarding permits.

PRESENTATION OF INTERIM REPORT: PERSPECTIVES ON FOOT PATROLS: LESSONS LEARNED FROM FOOT PATROL PROGRAMS AND AN OVERVIEW OF FOOT PATROL IN SAN FRANCISCO

Ms. Kim Craven, Public Safety Strategy Group, presented the update report on foot patrols.

Mr. Rick Bailey talked about some of the issues that are happening in San Francisco on foot patrols. Mr. Bailey stated that the next step is a meeting with the steering committee on Friday morning and then move towards the final report after the first of the year.

Commissioner DeJesus asked if training in San Francisco will be included in the report. Ms. Craven stated that for the next report they are covering in detail the implementation in San Francisco everything to were policies and procedures put into place, how are officers selected, how are officers trained, how will records track the activities. Mr. Bailey also stated that San Francisco has Police Service Aides that act like cadets from other cities. Mr. Bailey also stated that they are looking at Patrol Specials and what they do.

Commissioner Veronese asked what's next and if the final report will have recommendations. Mr. Craven stated that the next step will be meeting with the Steering Committee to share some of the information gathered about effectiveness of foot patrols and what the committee feels about foot patrols. They will go through in detail as they discuss staffing levels. There will be detailed implementation components. There will be best practices and recommendations and conclusions.

PUBLIC COMMENT

Selma Johnson discussed concerns

Unidentified commended the Controller's Office for taking the survey and getting input from the community.

Unidentified discussed concerns regarding foot patrol.

DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION DIRECTING THE CHIEF OF POLICE TO REFER ALLEGATIONS OF POLICE MISCONDUCT CONTAINED IN CIVIL SUITS AND CLAIMS TO THE OFFICE OF CITIZEN COMPLAINTS AND ADOPT PROCEDURES FOR INVESTIGATION OF THOSE ALLEGATIONS

Commissioner DeJesus asked if people gets a mark for a complaint in the early intervention system or not since it is not a complaint but an administrative investigation. Ms. Stump, City Attorney, stated that OCC has a set of procedures that will be shared with the Department, the POA, and the Commission. Director Hicks explained that once a claim is filed with the City, that is entered into EIS and will not be double counted when it goes to OCC and given a number.

Mr. Steve Johnson, POA, urged the Commission to not adopt the resolution and that this item be put over.

Commissioner Mazzucco expressed concern that if an officer picks up an OCC complaint because of a claim, that will show up as an OCC complaint but that goes in the officer's personnel file and when it comes for the officer to testify at any trial, it becomes discoverable whether it is sustained or not.

Commissioner Sparks asked that this be re-agendized for January 9th to add language about claim for property damage only and asked Mr. Johnson to draft a language to that effect.

PUBLIC COMMENT

Selma Johnson discussed concerns
Unidentified discussed concerns and stated that the OCC should be involved.

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

None

VOTE ON WHETHER TO HOLD CLOSED SESSION

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

CLOSED SESSION (10:45 p.m. to 10:48 p.m.)

- a. Discussion and possible action to rant or deny Motion for Dismissal of Disciplinary Charges filed in Disciplinary Case Nos. C06-181 JCT, C06-183 JCT, C06-184 JCT, C06-185 JCT, C06-186 JCT, C06-187 JCT, AND C06-188 JCT, and adopt Written Findings**
- b. Discussion and possible action to grant or deny Motion for Dismissal of disciplinary charges filed in Case No. C03-290 JWA and adopt Written Findings**
- c. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Chief of Police**

(PRESENT: Commissioners Sparks, Marshall, Lee, Mazzucco, Veronese,
City Attorney Stump, Chief Fong

RECUSED: Commissioner DeJesus)

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

Motion by Commissioner Marshall, second by Commissioner DeJesus for non disclosure. Approved 5-0.

POSSIBLE REPORT ON ACTION TAKEN IN CLOSED SESSION

Motion by Commissioner Mazzucco, second by Commissioner Marshall. No report. Approved 5-0.

ROUTINE ADMINISTRATIVE BUSINESS

- a. Commissioner Announcements**
 - Reassignment of disciplinary charges filed in Case No. C07-154 ALW to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner**

(Resolution 96-07, assigned to Commissioner Veronese)

**b. Scheduling of items identified for consideration at future
Commission meetings**

ADJOURNMENT

Motion by Commissioner Mazzucco, second by Commissioner Veronese, to adjourn the meeting in honor of retired Sergeant Frank Ryan. Approved 5-0.

Thereafter, the meeting was adjourned at 10:52 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct