

The Police Commission of the City and County of San Francisco met at City Hall, Room 400, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:47 p.m.

PRESENT: Commissioners Sparks, Marshall, Campos, Lee, Veronese
ABSENT: Commissioner DeJesus

PUBLIC COMMENT ON ALL MATTERS PERTAINING TO CLOSED SESSION

Kathryn Cox, attorney involved in the Tarver matter, explained frustration in the delay and asked that the Commission asked the Supervisors to approve the matter.

VOTE ON WHETHER TO HOLD CLOSED SESSION

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

CLOSED SESSION (5:55 p.m.)

**CONFERENCE WITH LEGAL COUNSEL: Pending Litigation
Theodore Tarver, Jr., v. CCSE, San Francisco Superior Court Case No. 401499 First District Appellate Court Case Nos. A114922, A115181, A116731**

OPEN SESSION (6:22 p.m.)

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

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

PUBLIC COMMENT

Inspector Frank Lee, Sexual Assault Detail, presented Commissioners with a package in regards to homicide selection process and stated that he has filed a grievance. Inspector Lee suggested that there be a civilian present during the interview process and have the interview tape recorded.

Unidentified discussed concerns.

Terry Jarquin Rowl discussed concerns regarding police following her.

Richard Hendricks discussed concerns regarding being robbed and calling 911 and not getting the police to respond. He complained about actions and behavior of officers. Commissioner Sparks asked that Mr. Hendricks speak with Chief Shinn.

Commissioner Veronese asked that Mr. Hendricks update the Commission on his experience with the Department.

APPROVAL OF CONSENT CALENDAR

- a. **Recommend that the Board of Supervisors approve settlement of the following case in accordance with the advice of the City Attorney:
Theodore Tarver, Jr., v. CCSE, San Francisco Superior Court Case No. 401499 First District Appellate Court Case Nos. A114922, A115181, A116731**

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

RESOLUTION NO. 67-07

THEODORE TARVER, JR., v. CCSF

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Theodore Tarver, Jr. v. CCSF," (attorney's fees for Kathyrn Cox) in San Francisco Superior Court Case No. 401499, First District Appellate Court Case Nos. A114922, A115181, A116731, be, and the same is hereby approved.

Date of Incident: January 2002-September 2002

AYES: Commissioners Sparks, Marshall, Campos, Lee
NAYS: Commissioner Veronese
ABSENT: Commissioner DeJesus

PUBLIC COMMENT

None

CHIEF'S REPORT

- a. Update on significant policing efforts by Department members**
- b. Review of Recent Activities**
- c. Presentation of the 2nd Quarter 2007 Firearm Discharged Review Board Report**
- d. Presentation of Officer-Involved Shooting Investigation Status Summary**
- e. Presentation of the Violent Crime Trend Reporting & Specific Crime Data for the Mission District**

Chief Fong talked about the press conference where the Mayor announced an initiative that the Department was involved in. The Chief talked about the Gifts for Guns initiative where the Department was able to recover 119 firearms in just one day. The Chief stated that the gifts were Mastercard/Visa cash cards or grocery store gift cards worth either \$100 or \$200 depending on the gun that was turned in.

Commissioner Sparks asked what does that Department do with the guns that were turned in. Chief Fong explained that serial numbers are ran to see if it is a stolen firearm. If it is a stolen firearm, the owner will be notified. The Department also do ballistics testing to see if the weapon was involved in any incidents that has occurred. When all of that is completed, the firearms are destroyed.

The Chief also talked about three pieces of legislation that were signed by the Board: (1) That there can be no sales of firearm in San Francisco unless from an authorized dealer; (2) That anyone who is dealing in firearms must, every six months, produce and provide inventory to the Department; (3) That anyone with a firearm must secure it in a container in the house to prevent it from being used accidentally or from being stolen.

Commissioner Campos asked regarding training for officers in regards to landlord/tenant issues and stated that he is in contact with Deputy Chief Shinn in regards to this issue. Commissioner Campos also requested a presentation in regards to SROs.

Chief Fong announced that Monday, the lateral academy started. The lateral program is 8 weeks then they go to the FTO program. Chief Fong also announced that Tuesday is National Night Out.

Chief Fong talked about the good work by officers from the Richmond Southern, Central, and the Fraud Detail in regards to bank fraud where the loss was \$62,000 at that one incident. The suspect was taken into custody where \$90,000 in cash was recovered from the suspect's car, and over \$100,000 in cash was recovered from the suspect's hotel room. Chief Fong stated that the suspects were involved in incidents in Southern California where they have stolen \$1.3 million in the same method. Chief Fong commended all the officers involved.

Deputy Chief Keohane presented the 2nd Quarter 2007 Firearm Discharge Review Board report.

Deputy Chief Keohane introduced Sgt. Joseph McFadden who presented the Officer-Involved Shooting Investigation Status Summary.

Commissioner Sparks asked if there is a time frame for cases that will be closed. Sgt. McFadden stated that the summary reports takes time and then submitted to the Chief for review.

Commissioner Sparks commended the Department for getting this report done and thanked the Chief for presenting this report in a quarterly basis.

Chief Fong talked about statistics regarding violent crime trends and specific crime data for the Mission District.

Commissioner Campos asked how numbers compared per capita. Chief Fong stated that the number can be produced and then the data can be analyzed. Commissioner Campos stated that it would be nice to have the Captain of the district present for the meeting and expressed concerns that the level of investment seem disproportionate between the Mission and the Upper Market/Castro neighborhood.

Commissioner Marshall is pleased with the report.

Commissioner Lee stated that she would like the public spaces highlighted like schools, Bart Stations et cetera.

Commissioner Sparks thanked Deputy Chief Keohane for all the work done on this report and commended the Chief for following through with this report.

Commissioner Sparks talked about an article in regards to the Marina District and asked the Chief to respond to that. Chief Fong stated that there was an email disseminated which provide erroneous information in regards to robberies. Chief Fong stated that there were 11 robberies in the course of three months and those robberies happened after 11 p.m. and 3:30 a.m. Chief Fong stated that there was an allegation that the Chief ordered officers out of the Marina and the Chief stated that there is no merit to that. The Chief stated that she has sent email out, along with Lt. Loftus of the Robbery Section, to correct the information.

Commissioner Veronese stated that he thinks that the misinformation was a result of no information from the Department. Commissioner Veronese also talked about resource allocation within the district.

PUBLIC COMMENT

Unidentified discussed concerns.

OCC DIRECTOR'S REPORT

- a. Review of Recent Activities**
- b. Status Report on current OCC cases and OCC investigators'**

- caseload (Keane Report)**
- c. Presentation of 2nd Quarter 2007 Statistical Report**
 - d. Presentation of 2nd Quarter 2007 Early Warning System Report**

Ms. Jean Field, Interim OCC Director, presented the 2nd Quarter 2007 Statistical Report, the 2nd Quarter 2007 Early Warning System Report, and the Keane Report. Ms. Field also stated that move is now scheduled for September 22nd. The new address will be 25 Van Ness Avenue, (415) 241-7711.

Commissioner Lee asked why in April 2007 the number of open cases doubled. Ms. Field stated that that was the month when the Department started forwarding cases from civil claims.

PUBLIC COMMENT

Unidentified discussed concerns.

COMMISSIONER REPORTS

- a. Commissioner President's Report**
- b. Commissioners' Reports**

Commissioner Sparks stated that she met with Leonore Anderson, MOCJ, and stated that Ms. Anderson has offered to come before the Commission and give an update to the Commission. Commissioner Sparks also announced that interviews for OCC Director was conducted and the process is continuing.

DISCUSSION AND POSSIBLE ACTION TO ADOPT REVISED DEPARTMENT GENERAL ORDER 5.04, "ARRESTS BY PRIVATE PERSONS"

Officer Jack Hart, Legal, presented DGO 5.04, "Arrests by Private Persons."

Motion by Commissioner Lee, second by Commissioner Marshall to adopt DGO 5.04. Approved 5-0.

PUBLIC COMMENT

Unidentified discussed concerns.

RESOLUTION NO. 68-07

(draft of 7/5/07)

ADOPTION OF REVISED DEPARTMENT GENERAL ORDER 5.04, "ARRESTS BY PRIVATE PERSONS"

_____**RESOLVED**, that the Police Commission hereby adopts revised Department General Order 5.04, "Arrests by Private Persons."

AYES: Commissioners Sparks, Marshall, Campos, Lee, Veronese
ABSENT: Commissioner DeJesus

DISCUSSION AND POSSIBLE ACTION TO SET THE LOCATIONS OF FUTURE DISTRICT COMMISSION MEETINGS

RESOLUTION NO. 69-07

SETTING THE LOCATIONS OF FUTURE DISTRICT COMMISSION MEETINGS

RESOLVED, that the following District Meetings will be held in the following Police Districts:

<i>August 29, 2007</i>	<i>Northern</i> (preferably in the Marina)
<i>September 26, 2007</i>	<i>Tenderloin</i> (preferably in the northern part of the District)
<i>October 24, 2007</i>	<i>Taraval</i> (preferably in the central or southern part of the District)
<i>November 28, 2007</i>	<i>Park</i>
<i>December</i>	<i>(No district meeting)</i>
<i>January 30, 2008</i>	<i>Richmond</i>

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

ABSENT: Commissioner DeJesus

PUBLIC COMMENT

None

COMMISSION ANNOUNCEMENTS

Sergeant Reilly announced that the first meeting of the Police Commission subcommittee on Violent Crimes will be on Thursday, August 9th, at the Southeast Community Center, 1800 Oakdale Avenue, at 6:00 p.m. The subcommittee is composed of Commissioners Marshall, DeJesus, and Veronese.

PUBLIC COMMENT

Unidentified discussed concerns.

SCHEDULING OF ITEMS IDENTIFIED FOR CONSIDERATION AT FUTURE COMMISSION MEETINGS

Commissioner Sparks welcomed Commissioner Mazzucco who will be sworn in tomorrow at 3:00 p.m.

Commissioner Sparks would like the Chief to do a presentation regarding civilianization on overall total possible positions in the Department that could be civilianized and how many will be this year and what the schedule would be on civilianizing all potential positions.

Commissioner Sparks also would like a report on Patrol Specials specifically on number of applications that have been received in 2007 and that are pending, how many are currently pending, number that are in background investigations, how many applications/background investigations have been completed in 2007, what the average time frame for a background investigation for Patrol Special, how many have been rejected, and the ETA for completion of background cases currently within the Department.

Commissioner Sparks would also like a report on computerized justice system and where the Department is relative to other city agencies.

PUBLIC COMMENT

None

ADJOURNMENT

Commissioner Sparks would like to adjourn the meeting in honor of CHP Officer Douglas Russell who died in the line of duty this week. He is a 22-year veteran of the CHP, 46 years old, and worked in the CHP Office in Placerville.

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

Thereafter, the meeting was adjourned at 9:24 p.m.

Sergeant Joseph Reilly
Secretary
San Francisco Police Commission

1497/rct