

**JULY 13, 2005**

**CLOSED SESSION**

The San Francisco Police Commission met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5:24 p.m., in Closed Session.

PRESENT: Commissioners Orr-Smith, Chan, Keane, Sparks, Marshall

ABSENT: Commissioners Renne, Veronese

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

None

**VOTE ON WHETHER TO HOLD CLOSED SESSION TO CONFER WITH LEGAL COUNSEL. (SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.10(d))**

Motion by Commissioner Keane, second by Commissioner Marshall to hold Closed Session. Approved 5-0.

**CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9 AND SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.10(d)**

CONFERENCE WITH LEGAL COUNSEL

- a. Shao Xi Tan and Yue Mai Tan v. CCSF, U.S.D.C. No. C03-3907  
MMC

**JULY 13, 2005**

**REGULAR MEETING**

The San Francisco Police Commission met in Room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, at 5.48 p.m., in Regular Meeting.

PRESENT: Commissioners Orr-Smith, Chan, Keane, Sparks, Marshall

ABSENT: Commissioners Renne, Veronese

**VOTE TO ELECT WHETHER TO DISCLOSE ANY OR ALL DISCUSSION HELD IN CLOSED SESSION (SAN FRANCISCO ADMINISTRATIVE CODE SECTION 67.12(a))**

Motion by Commissioner Keane, second by Commissioner Chan for non disclosure of discussion held in Closed Session. Approved 5-0.

**APPROVAL OF CONSENT CALENDAR**

Motion by Commissioner Chan, second by Commissioner Keane to approve the Consent Calendar.

**RESOLUTION NO. 49-05**

**APPROVAL OF REQUEST OF OFFICER DANIEL BONNEL TO ACCEPT A REWARD, NOT TO EXCEED \$75.00, FROM THE U.S. NAVY ABSENTEE COLLECTION AND INFORMATION CENTER**

RESOLVED, that the Police Commission hereby approves the request of Officer Daniel Bonnel to accept a reward, not to exceed \$75.00, from the U.S. Navy Absentee Collection and Information Center.

AYES: Commissioners Orr-Smith, Chan, Keane, Marshall, Sparks

ABSENT: Commissioners Renne, Veronese

**RESOLUTION NO. 50-05**

**SHAO XI TAN AND YUE MAI TAN v. CITY AND COUNTY OF SAN FRANCISCO**

RESOLVED, that the recommendation of the City Attorney for settlement of the litigation of "Shao Xi Tan and Yue Mai Tan v. City and County of San Francisco" in U.S.D.C. No. C03-3907 MMC, be, and the same are hereby approved.

Date of Incident: November 16, 2002

AYES: Commissioners Orr-Smith, Chan, Keane, Marshall, Sparks

ABSENT: Commissioners Renne, Veronese

**PUBLIC COMMENT**

Elizabeth Prantes talked about medical marijuana.

Cab driver thanked the Chief for signing DGO regarding illegal taxis. He also thanked Lt. Schlotz, Permit Bureau, for her help in an investigation of fraud. He also thank Officer Crisp, Permit Officer Central Station, for his help in moving traffic on Broadway. He also asked for more staffing for the Mission District.

Frank Martin Del Campo, SEIU Local 790, discussed concerns in regards to civilians in the Department. He also spoke on behalf of Dennis Lok.

Dennis Lok spoke regarding his case.

Laurie Bowie spoke on behalf of Dennis Lok.

Lorraine Altamirano spoke regarding comments made in the paper by the POA.

Dennis McNally, ACLU, discussed concerns regarding the Early Warning System.

**CHIEF'S REPORT**

- a. Update on significant policing efforts by Department members**
- b. Investigations Bureau Update**
- c. Sexual Offender Unit Update**
- d. Status of the Department General Order System**

Chief Fong introduced Mr. Craig Yamasaki from the Arco AM/PM, and Ms. Barbara Jacobsen who is a victim advocate with the Bay Area Chapter of Mothers Against Drunk Driving.

Mr. Yamasaki, Zoning & Development Manager for BP Arco and Director of MADD Arco Partnership Against Impaired Driving, spoke about the program. The program consists of a presentation called "Every 15 Minutes." This presentation is a simulated multiple fatality catastrophic car crash which is demonstrated before high school students in a two-day program. The first day is the accident and the second day is a funeral ceremony where students get a chance to speak about what it meant to them to be a participant and how it felt to have their lives changed by the thoughtless acts of a person drinking. He read a letter written by a high school student. He thanked the Department and the Fire Department for their help with this program.

Ms. Jacobsen made the presentations of acknowledgment to Isabel Guitierrez, Officer Sherry Hicks, Matt, Lt. Colleen Fatooh, Officer Mooney, and Chief Fong for their help in getting this program to schools.

Chief Fong reported regarding two officers that were assaulted during a demonstration. Chief Fong asked witnesses to come forward in regards to this incident.

Commissioner Orr-Smith, on behalf of the Commission, expressed support of Chief Fong and her leadership in this process and support of the police officers in their performance of their duties. Commissioner Orr-Smith asked the public to come forward with any information that would lead to the apprehension of the perpetrators of this crime.

Chief Fong announced that there will be three reports on the agenda. Chief Tabak will speak on the Investigations Bureau Update. There will be an update on the Sex Offender Unit and a report on the status of the DGO system.

Deputy Chief Tabak gave an update on the Investigations Bureau. Chief Tabak thanked the Forensic Services Division for their help. Chief Tabak introduced Dr. Sidney Holt, Director of Forensic Services Division.

Dr. Holt talked about the accreditation process of forensic laboratories. She stated that the application for accreditation was considered in February, 2006, and on March 1<sup>st</sup>, they earned and were granted accreditation in the areas of controlled substances, fire debris, gunshot residue, firearms tool marks, footwear, biology, including the DNA program and questioned documents. She commended Martha Blake, Crime Lab Manager, for her hard work. She also thanked Matt Gabriel, DNA Technical Manager, and Mr. Francis Woo, Controlled Substances & Chemical Analysis Unit Manager.

Commissioner Keane emphasized the importance of accreditation.

Inspector Jim Serna, Sexual Offender Unit, gave a brief overview of the Sexual Offender Unit.

Commissioner Sparks asked if 985 active offenders is a high number as for San Francisco relative to its population base. Inspector Serna stated it is low as compared to Oakland and San Jose and the reason it is on the low side is cost of living.

Commissioner Sparks asked if there are certain areas in the city that have a higher concentration of sex offenders. Inspector Serna stated the South of Market area and the Tenderloin area would have the higher percentage because of cost of living.

Commissioner Veronese requested that the report on the status of the Department General Order System be put over until next week when the Department provides a written report.

Commissioner Sparks asked about lay-offs in the Department. Chief Fong explained that the Department of Human Resources asked the Department to identify positions that potentially could be addressed through lay-offs or early retirement and the Department did submit one name this year.

Commissioner Chan the Chief if there is any issue that the Commission should be concerned as to any perceived disparate impact as the article seem to imply. Chief Fong asked Deputy Chief Parra to address the question. Deputy Chief Parra stated that the Civil Service Commission is presently looking at the certification rule that the Commission has recommended to be applied to the present Q-60 Lieutenants' examination list. The latest proposal was the rule of five in an application to the ranks of 1 through 18. That rule of five would leave four people not selected. Those four people not selected, rank 1 to 18, would then fall into a sliding band from rank 19 and beyond. The sliding band is a point spread of 152 points. This is only a proposal at this time.

Commissioner Sparks asked if the list will be published by the end of

the year. Chief Parra stated it was voted upon to direct the director of Human Resources to post the list when they can. The Examination Unit is moving forward in putting the list together to be posted in about a week's time.

Commissioner Marshall asked what is the homicide rate as compared to last year. Chief Tabak stated that year to date, this year is 40, last year was 55.

PUBLIC COMMENT:

None

## **OCC DIRECTOR'S REPORT**

### **a. Review of Recent Activities**

Director Allen briefed the Commission on meetings that were held last week. He stated that one was with the Dario Harper and the group at the Ella Hill Hutch Center in the Western Edition. Another meeting is an agency that comes from UCSF called the Transgender Resource and Neighborhood Space Group. Director Allen explained that one of the concern is a lot of the community does not want to come forward for fear of retaliation. Director Allen also stated that there was a meeting with the South Beach Residence Association.

Commissioner Sparks stated that the Transgender Community is working with the District Attorney's office and put together some training for district attorneys and Commissioner Sparks stated that there are training at the Academy and some roll call training has been produced. Commissioner Sparks asked if the OCC have gone through any sensitivity training for the community. Director Allen stated that no. Commissioner Sparks stated that the organization to contact would be the Transgender Law Center because they give seminars that offer continuing education credits for lawyers.

Commissioner Sparks also asked for a presentation on the OCC outreach efforts. Director Allen stated that he is planning on doing a presentation in August.

PUBLIC COMMENT:

None

## **COMMISSION ANNOUNCEMENTS**

Sergeant Reilly announced that the Commission received notice from the Superior Court of a temporary stay order on the Breslin et al case. The Commission have been instructed not to take any administrative action until the order expires or an appeal is filed.

Commissioner Chan explained that the terms of the order received today stays the proceedings that he has been administrating in this case until the filing of a notice of appeal from the judgment.

Commissioner Keane asked that the family of Ms. Detoy be notified when matters like this comes up.

Sergeant Reilly explained about the minutes and explained about the record retention schedule and stated that it is available in the Commission's office. Sergeant Reilly also talked about the Commission Rules and it will be revised. Sergeant Reilly announced that the District Meeting will be in the Bayview District in the Southeast Community Facility on Wednesday, July 27<sup>th</sup>.

Commissioner Orr-Smith announced that the Late Night Basketball team is having their game tonight at 7:30 p.m.

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

Commissioner Chan asked for a report on crimes on Muni.

Motion by Commissioner Marshall, second by Commissioner Keane to adjourn the meeting.

Thereafter, the meeting was adjourned at 7:12 p.m.

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Sergeant Joseph Reilly  
Secretary  
San Francisco Police Commission

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