

**FEBRUARY 8, 2006**

**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 5:40 p.m., in a Regular Meeting.

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

**PUBLIC COMMENT**

Daniel Paez commented on Chronicle articles.

Maurice Campbell, Idriss Stelley Foundation, spoke for Meesha Irizary, discussed concerns regarding community policing and community relations.

Donald Barsone discussed concerns regarding community policing.

Unidentified discussed Mission SROs and requested for security in every SROs in San Francisco.

Ace Washington discussed concerns regarding his press pass.

Eddie Alvarez, outer Richmond resident, discussed concerns regarding intimidation by police.

Mark Schlosberg, ACLU, discussed issues raised by the Chronicle series and stated that the early warning system needs to be focused on and a date certain be set.

Malaika Parker, Bay Area Police Watch, discussed concerns regarding the early warning system.

**CHIEF'S REPORT**

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

Chief Fong showed a short DVD showing the ceremony of Officer Barry Parker receiving the Governor's Medal of Valor award. The Chief commended Officer Parker and the members of the Department who, on a daily basis, put their lives on the line to protect the people of this City.

Commissioner Sparks stated that she had met with Captain Lynch and Sergeant Wilson yesterday and have asked them, rather than present exact dollar amounts which they did not have yet, to present concepts and philosophies in policies that the Department want to present to the Mayor's office, to the City and to the Commission that they would like to implement in next year's budget. So the numbers, if presented, would be round numbers, they would be estimates but hopefully the Commission will see and comment on are the policies and the direction the Department wants to take.

Captain Lynch and Sergeant Wilson, Fiscal Division, gave a brief overview of the budget. Captain Lynch presented preliminary data regarding the Department's proposed fiscal year 2006/2007 budget for further direction and approval for submission to the Controller and to the Mayor's Office.

The following is the transcript of Captain Lynch's presentation:

"Good evening President Renne, Vice President Sparks, members of the Police Commission, Command Staff and members of the Community. I am Captain Jim Lynch, commanding officer of the Fiscal Division. Tonight I would like to present you with an update regarding the current status of the FY 05-06 Budget for the Police Department. I would also like to present preliminary data regarding the Department's proposed FY06-07 budget for further direction and approval for submission to the Controller and the Mayor's office.

## **Fiscal Year 2005 / 2006 OVERVIEW**

The Fiscal Division has been working with the Controller's Office and the Mayor's budget office throughout the current fiscal year. As was pointed out at previous presentations, it has been the goal of the department to have a budget that is reflective of its needs, consistent with the policy direction of the Commission.

Initial steps were implemented in the development of the current budget to correct past structural deficiencies. The Department re-cast its budget from 17 programs to 6 in order to be more reflective of the department's organizational structure and to be more consistent with the City's SFSTAT and the department's soon to be implemented COMPSTAT management systems. Discussions have been on-going to re-allocate all funding within the Department's budget in order to improve the management of fiscal resources. Historically certain expenditures have been charged to non-department funds at the end of the fiscal year. This results in a balanced budget. However, throughout the fiscal year the department may be perceived as overspending in certain areas. As stated earlier, these initial steps have been implemented, however continued modification of the existing structure is needed in order to make the Department's budget "whole".

Initial review of the department's current year spending plan indicated that the department may be significantly under-funded in certain categories such as permanent uniform salaries, overtime and premium pay. The Controller's 6-month budget status report was submitted to the Board and the Mayor on February 3, 2006. This report projects that the department will exceed its budget by approximately \$7.13M. The Department estimates that this projection will exceed \$8M.

Some of this deficit can be attributed to under-funding. However, the key indicator in this spending pattern relates to staffing and the department's ability to deploy resources to meet its community service needs. As a result of this situation the department has authorized overtime to pro-actively address an upsurge in violent crime and unanticipated events requiring department resources. The department has authorized the expenditure of over \$3M in overtime since November through the end of the fiscal year in order to deploy specialized resources to combat violent crime in various communities throughout the City<sup>1</sup>. During the first half of this fiscal year the department provided additional resources to provide crowd management of unplanned anti-war demonstrations. The terrorist attacks on the London subway system resulted in the department expending approximately \$500K in unanticipated overtime to address enhanced Orange Alert security measures at the various transit facilities throughout the City. 2006 will mark the centennial of the 1906 Earthquake and Fire. Several unbudgeted civic events will result in a projected overtime expenditure of approximately \$900K.

As a result of this situation the department is requesting authorization to submit a supplemental appropriation request through the Board of Supervisors in the amount of approximately \$8.7M

### **FY 06/07 Budget:**

The department is committed to correcting the structural defects highlighted by our current need for supplemental appropriation. The Department has hired temporary analysts from the Controller's office. These analysts are in the process of auditing all funds and index codes within the department. They will then verify that each employee PAR (Personnel Activity Report) is being charged to the appropriate index

code and fund. This should result in a true accounting of personnel charges within the department. As a result of this process, it is anticipated that errors can be corrected and the department's budget structure can be modified to better reflect actual expenditures and revenues.

The department's current budget is approximately \$342M. The baseline budget for FY 06/07 is approximately \$352M. This increase of approximately 3% is attributed to the annualization of all positions currently in the budget as well as projected fringe and COLA adjustments.

In order to meet the changing needs of the community we serve and to address policy enhancements, the department is proposing increased funding in the FY 06/07 budget. These increases are designed to improve various performance standards that can be summarized as:

- Appropriate Staffing;
- Improved Technology
- Violence Reduction;
- Functional Facilities; and
- Enhanced Accountability and Quality Control.

#### **Staffing:**

In order to address the current shortage of personnel and projected retirements, the department is proposing that the FY06/07 budget includes funding to hire 250 new police officers. It is our goal to add 600 to 700 officers over the next 3 years. During FY 06/07 the department is proposing 5 academy classes with 50 recruits in each class. The estimated FY 06/07 cost impact will be approximately \$12.5M.

All civilianized positions are currently annualized in the FY 06/07 Phase C budget and the department will dedicate resources to expedite the hiring of positions that will release officers from non-essential functions to patrol duties, thus improving our ability to provide quality law enforcement services to the community. In order to mitigate the impact of the department's current shortfall, the hiring of civilians has been largely delayed into the FY 06/07 budget. However, the 05/06 supplemental appropriation request includes approximately \$287K to hire 30 non-sworn positions that will have a direct impact upon re-deploying sworn members to patrol duties, enhancing the department's ability to hire new officers, improve data collection and analysis, or improve forensic capabilities. Additional civilian positions will be discussed later in my presentation.

It is anticipated that the department will receive approximately \$15M in grant funding to provide enhanced community policing services. Technology

The department's current information technology is stuck in the previous century. Most of the department's computer platform is based on a "Windows95" operating system and e-mail is basically non-existent for most members. This situation has had a negative impact on our ability to effectively automate data collection, or to communicate with other law enforcement agencies and the community we serve. This situation must improve and is considered "mission critical." Therefore the department is including \$200K in the FY 05/06 Supplemental Request for an independent evaluation of the current system and development of a strategic plan to correct this situation. This plan will include hardware and software evaluation as well as recommendations regarding the staffing and management of an effective information technology program. Implementation of these recommendations will ensure that the Records Management System (RMS) is professionally deployed to significantly improve the department's efficiency and effectiveness. Additionally, the department is requesting enhancements in our patrol vehicles that include in-car cameras and "in-field" access to the Cal-Photo system. The department is projecting a cost of approximately \$5M to implement these proposals.

### **Community Policing and Violence Reduction**

A primary goal of the department is to enhance its community policing philosophy and to reduce violent crime. In the current fiscal year the department anticipates spending over \$3M in the deployment of enhanced resources to successfully combat a rise in homicides and violence. As part of the FY 06/07 budget the department is proposing that specific resources be funded to enhance these preliminary measures. These include:

- \_ The hiring of analysts to evaluate crime data for personnel deployment, evaluation of district boundaries and to support the City's SFSTAT and the department's Compstat management systems;
- \_ Continued enhancement of equipment and personnel in the crime lab to improve case solvability and support successful prosecution. This budget proposes the hiring of additional criminalists in that unit;
- \_ Significantly increasing the size of the Department's "Specialist" (20) and "Honda" units (10);
- \_ Purchase of high-level body armor for members of the Gang Task Force, Narcotics and other high-risk units (Approx. \$36K).
- \_ Continued funding for the "Leads on Line" system as an enhanced investigative tool.

### **Facility Needs**

Similar to our information technology component, some of our critical centralized facilities are in need of replacement. The budget projection for FY 06/07 includes approximately \$13M in preliminary capital funding requests to address these needs. It is anticipated that, at a minimum, the following sites must be re-located in structurally sound and well-designed buildings:

- \_ The various police bureaus and units, which are currently housed in the Hall of Justice;
- \_ Crime lab relocation to a permanent site, based on the anticipated redevelopment of the current location;
- \_ Modification of the current training facility; and
- \_ Identification and development of a new district station to better serve the current Southern police district.

In addition to the building or modification of these facilities, funding must be provided to address long-delayed maintenance needs (DPW W/O: \$2.7M).

### **Accountability and Quality Control Improvements**

In order to maintain credibility with the community we serve, we must remain accountable to our mission and policies. Effective monitoring of performance is critical. This budget has built in funding in the amount of approximately \$745K to improve the department's ability to analyze and manage policy compliance. Funding has been proposed to significantly improve the department's ability to manage this key organizational component. Examples include:

- Development of an automated Early Intervention System which will improve the collection and tracking of key performance measurement data (ie: SP, DABOR, etc.), automatically “red flag” pattern deficiencies and improve the ability of supervisors to access this information and take appropriate steps to address problematic behavior in a timely manner;
- Adding analyst positions (CS1805?) to evaluate the data;
- Institute a Staff Inspections Unit with appropriate resources to ensure compliance with established policies and procedures; and
- Expand the department's training program to include personnel management, risk management, legal liability and cultural competency training.

In conclusion, it is anticipated that the adoption of this budget proposal will improve the department's ability to provide:

- Appropriate Staffing;
- Improved Technology
- Violence Reduction;
- Functional Facilities; and
- Enhanced Accountability and Quality Control.

This concludes my presentation and myself, sergeant Rowena Wilson of the Fiscal Division and other members of the Department are available to address any questions or comments you may have.”

Commissioner DeJesus asked about budget for the early warning system. Captain Lynch stated that currently, that budget is built in to the proposal for next fiscal year.

Commissioner DeJesus asked about equipment to implement the early warning system now. Captain Lynch explained that part of the funding in the supplemental is the whole area of I.T. evaluation in order to determine what equipment is needed in the records management system and some of that equipment may be used in the development of the software and hardware components.

Commissioner Campos asked about the time line by which the final budget will come before the Commission before it goes to the Controller. Captain Lynch stated that on Tuesday, February 21<sup>st</sup>, most of the computer entry and budget forms are to be submitted to the Controller. On March 1<sup>st</sup>, certain documents need to be turned in to the Mayor's Office and from that point on it moves from a Department's budget into a Mayor's Office development budget and the Department would be working with the Controller's Office and the Mayor's Office

and the various offices to develop what finally becomes the Mayor's budget presentation to the Board.

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Commissioner Campos asked about when the public can comment on the budget. Captain Lynch stated that tonight's presentation is an initial presentation to the Commission and an opportunity to hear public comment.

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Commissioner Sparks stated that next week, on the 15<sup>th</sup>, it will be on the agenda for a more detail presentation and hopefully approve the budget for submission to Mayor's Office on the 22<sup>nd</sup>. So the public would have an opportunity tonight, on the 15<sup>th</sup>, and on the 22<sup>nd</sup> and each time it would get more detailed so that there will be an action item on the agenda for the 22<sup>nd</sup>.

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Commissioner DeJesus asked about the supplemental budget for the current fiscal year, is there any money for the early warning system. Captain Lynch stated that there is \$200,000 that's been earmarked for evaluation of the information technology system.

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Commissioner Sparks talked about funding for the Commission. Commissioner Sparks stated that without funding, the Commission has no ability to perform its mandated tasks under Prop H and meet the expectations that the voters have placed on the Commission as far as true civilian oversight. Commissioner Sparks recommended that the Commission be a separate lined item budget to be set aside for commission staffing and commission costs. Commissioner Sparks asked that the budget, at a minimum, include one police liaison officer currently held by Sgt. Reilly, one existing administrative assistant, one civilian executive director, one new policy analyst, one additional administrative assistant, .2 full time employee hours of a deputy district attorney. Commissioner Sparks stated that if there is dedicated hours from the city attorney in the Commission budget, the capability may be enhanced. Commissioner Sparks also asked for percentage hours of an administrative law judge to be able to assist the Commission in hearing disciplinary cases, .2 FTE or possible some hours of a court stenographer to be able to transcribe hearing, .1 FTE for a uniformed officer for liaison with patrol specials to report at least part of that time to the Police Commission since the Commission is responsible for oversight of the SF Patrol Specials, and also SFGTV contract and additional supplies.

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Commissioner Sparks stated that she will recommend to the Board of Supervisors a percentage of either .5 or 1 percent of the annual San Francisco Police Department budget be allocated to funding the SF Police Commission for effective civilian oversight.

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Commissioner Campos agrees with Commissioner Sparks and stated that the Commission cannot do this job without additional resources.

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Commissioner Renne asked about retiree OU payouts - MOU reserve. Captain Lynch explained that the MOU with the Police Officers' Association and Department policy now limits the amount of comp time that an employee can earn. Comp time raises a whole issue

regarding an impact on the budget. There were members that used to exceed the cap that's in place right now. So if they are not paid now, they provided the service and are paid at the time they retire. Prior to the agreement, anything that's on the books at the time of retirement is paid out of the overtime fund and it is about \$1 million per year.

Commissioner Renne asked about one-time payments - MOU reserve. Captain Lynch explained that that would be vested sick time or vacations on the books at the time of retirement.

Commissioner Renne would like to know how many requests for the last several years for money to have technology for the department have been turned down, how much has been sought and how much has been turned down. Commissioner Renne stated that she's trying to determine where the fault lies for the Department to be apparently so far behind in technology as it is.

Commissioner Veronese is asked about the questions posed by Commissioner Renne. Commissioner Veronese asked if Captain Lynch was saying that each officer has to work up to a certain amount of time and once they reached that amount of time they can't work for pay after that amount of time and so what is done is that time is logged in and then they are paid when they retire. Captain Lynch stated that comp time can only be earned up to a certain level. Any time worked beyond that, the officer has to receive payment for. Up to 480 hours, comp time is on the books but on the 481<sup>st</sup> hour, if asked to work overtime, the officer has to be paid.

Commissioner Veronese asked about the early warning system technology. Captain Lynch stated that money has been set aside but would defer the question to Captain Keohane or Lt. Gitmed.

Commissioner Sparks asked about civilianization. Captain Lynch stated that there was a total of 72 positions that were identified within the civilianization process. Funding was put in place for phase one. During the budget process, funding for those positions was reduced. As it went through the fiscal year, there were various budget issues that hit the City and hit the Department, basically the failures of Props J & K forcing the Department to back off on hiring those initial positions until the following fiscal year. The Department added additional positions in the current budget so there is a certain amount of positions at .5 in the budget and a certain amount they were backed to the last month of June in order to deal with the failures of those two propositions. Out of all the positions that have been civilianized, four have been hired. That resulted in two officers returning to the street. Ten officers have been returned to the street without replacement. In the supplemental, the 30 that are proposed to hire, 21 of those positions are within either phase of the civilianization. Assuming the supplemental passes within this fiscal year 25 positions out of the total civilianization total and all those positions are in the phase C budget.

Commissioner Sparks asked the Chief why civilianization and putting 72 officers back on the street have not been prioritized. Chief Fong explained that as a result of Prop C, there is a mandate by which the Department meets with the Controller's Office and with the POA

during each budget cycle. With the first cycle, the positions that were put in there were contingent upon passage of two propositions for funding and because those propositions did not pass, civilianization effort was pushed back into the next fiscal year. The other area is a conversation between the Controller and the Chief must occur and there has to be an agreement that for each person civilianized, the Department reduce one person from the 1971 minimum staffing level that was set up in 1994 through Proposition D. Chief Fong stated that she has been reluctant to agree to any reduction of staffing of full duty officers because it is one thing when you're at the amount of 1971 or over it but when the Department is 250 below it, the Chief stated that she has not been willing to decrease the level of minimum staffing because of Proposition C.

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Chief Fong talked about the Early Warning System and introduced Captain Keohane to update the Commission on what is being done with the Early Warning System and that hopefully a system will be in place by the end of this year.

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Captain Keohane stated that the Department does not have the new early intervention system in place at this time but efforts have been taken to improve accountability in the mean time. Captain Keohane stated that the Department has modified DGO 3.19 where complaints against individuals are received at the district stations within a week. When an officer reaches three complaints within six months or four complaints within a year, it is brought to the attention of his supervisors immediately rather than waiting up to 18 months.

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Captain Keohane also explained the tracking of use of force. He stated that the Department does not have a database. He stated that the complaints are in microsoft tables and the Department has combined all those tables from the last five years and can now determine how many use of force an officer has. In the past, on the quarterly reports that are sent out to the District Station Captains, it mentions if an officer was on the use of force report for that quarter. Now, not only the use of force reports mentioning if that officer was on the report for that quarter is sent but also how many times the officer was on the report within the last five years. These are situations that was observed by the Department have been rectified without additional funding.

C

Captain Keohane also explained that discussion are on-going and that not everybody is satisfied with the indicators and the factors that have been put forth. Captain Keohane stated that he will continue to meet and discuss with all stakeholders, whether it be the ACLU, the OCC, the POA, and when a policy is presented to the Commission, he assures the Commission that it will be a Department's policy backed by Chief Fong.

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Captain Keohane also stated that the Department has identified a structure on how this will fit into the Department. He stated that Captain Lynch has stated that Chief Fong, in her budget that she will present to the Commission, is asking for \$745,000 to increase the accountability for the Department. The Department is not only asking for monies through the budget process, the Department is also working to identify possible grants that will put the Department ahead of the curve.

aptain Keohane stated that the Department has began applying or identifying what weights for the different indicators will be applied and stated the Department will not move backwards. He stated that as far as the early warning system, the Department right now has three citizen complaints within a six-month period or four complaints within a year that will reach a threshold. Those will remain in place. If there is three use of force within a quarter, that will also remain in place but there are going to be more indicators. Captain Keohane stated that they are looking into weights and what would be the point value for an officer to reach his threshold.

aptain Keohane also stated that committees are being formed. Some of the committees are the legal committee, technology committee, training committee, intervention committee so that the Department can identify which interventions will be able to incorporate into the order so that members will have the best possible training in order to move forward in their careers. Reporting committee and logistics are being formed.

aptain Keohane stated that the Department is moving forward and in schedule. It's a very aggressive schedule but the Department is committed and with the Commission's help and with the help of the budget, Captain Keohane stated that he believes goals will be met.

ommissioner DeJesus stated that the early warning has been on the table of many years now and stated that she thinks the end of the year is a little bit late just to have the draft. Captain Keohane explained that the Department is moving forward and the Department is sending a number of individuals to Phoenix during the week of March 20<sup>th</sup> for an early intervention conference. It will be attended by the major players in the field and he hopes that the Department will pick up even more ideas there. Captain Keohane stated that he would like to schedule to give the Commission a draft proposal for the first week of April and present it to the Commission then.

ommissioner DeJesus asked about the technology and the supplemental report that has \$200,000 for I.T. and is there anything in there that will start the evaluation of the technology needed for the early warning system. Captain Keohane stated that he is not sure about that exact line item.

ommissioner DeJesus asked if the DGO will include automatic triggers. Captain Keohane explained that it will come into the early intervention system but all complaints logged with the OCC will be in the system. It will not go to the OCC because this is a non disciplinary track to move forward before discipline becomes an issue.

ommissioner Campos stated that the concern that he has is that make sure that the public understands that this Department and this Commission are serious about this and he stated that he is worried about that the Chronicle is able to do in a matter of months what the Department has been trying to do for a number of years and why is it going to take until the end of the year to develop this. Captain Keohane stated that it is inaccurate that the Chronicle is able to do

something that the Department has taken years to do. He stated that he does not know what the Chronicle has but from what he read from the papers, they have a flat database which is able to tell how many use of force officers have acquired since 1996. The Department now has the microsoft tables where the Department can do search and so on and will give how many times an officer has use of force within five years. Those measures have been taken and implemented those in notifying commanding officers. Captain Keohane explained that the Department is not talking about a stand-alone computer that would have a clerk on an officer sitting at entering data and being able to pull it out. The early intervention system is a complex network which will be accessed not only by a stand-alone computer but by those individuals that have the necessity to access that person's performance. The Department will also have the ability to put in the indicators on a realtime basis. If the person gets a complaint, the next day his supervisor will know about it. If the person is involved in an accident, the next day his supervisor will be aware of it. Captain Keohane explained that the early intervention system is a very complex, technology-driven system. Many agencies have spent millions of dollars developing them and due to poor planning, they keep going into their overruns.

C

ommissioner Campos asked how the Department decides which officers will be selected to train new officers specifically how an officer that may be on a list where there are possible concerns about the use of force by that officer, how that officer then becomes a trainer for rookie officers coming into the department. Commissioner Campos stated that he understands if the answer cannot be given tonight but this is something that he is very interested in.

C

ommissioner Veronese asked who is running this program and how many police officers in the last quarter have been identified as having a potential issue from the early warning system that is currently in place. Captain Keohane stated he does not have that information with him tonight and explained that when he say microsoft word table. He explained that in microsoft word one has an ability to create tables which is a lower form of an excel spreadsheet but you can make tables and certain sort functions through that and that is being staffed at the Management Control Division. Captain Keohane explained that the early warning system is mandated by the General Orders only tracks citizen complaints. The use of force are tracked by the Department without any mandate. It's an area where the Department feels can benefit from by tracking these. Captain Keohane also explained that just because an officer appears on the use of force notification, it does not mean that officer did anything wrong. All it says is the officer used force and it's a reason for supervisors to take a look and see if that force was appropriate.

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ommissioner Veronese stated that he has given a packet to the Chief that has proposed general orders one of which deals with the early warning system. He asked Captain Keohane to take a look at it.

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ommissioner Sparks asked about the microsoft tables. Captain Keohane stated that he has not presented a full report to the Commission on this. Commissioner Sparks asked for a summary report so that the Commission can look at the use of force logs just to get an idea of what they are and how the department is doing it. Commissioner Sparks asked to see the tables. Captain Keohane

explained that the tables are collected and they are looked at and if the officer has met the criteria of using force or applying force during an arrest for three or more times within the quarter, a letter is provided through the chain of command to the member's commanding officer stating that this officer has used force on three occasions so that the commanding officer can give the report to the member's direct supervisor and the supervisor will go over the use of force with the officer and see if they are appropriate and to see if the force was used, where there other means that could have been employed where force may not have to be used.

ommissioner Sparks asked if it is possible for the Commission to be provided with a summary of how many officers have appeared on this over X period of time, how many officers have appeared 10 times, 8 times which is a similar type of analysis that the Chronicle provided.

ommissioner Sparks asked the Chief if she has requested whether or not the Chronicle will be willing to share their details and their research with the Department so that the Department can evaluate the information. Chief Fong stated that through various conversations with the Chronicle over the past several months, she has asked for materials in that when a question is posed comparing San Francisco to other data, in order to answer the question intelligently, the Department would like to see what the source data is so that the Department can look at the comparison and potentially come up with some conclusion, whether the same or different conclusion. Chief Fong stated that on multiple occasions, the answer has been "No, we will not give you that data. It's your data." When in fact much of the comparative data has not been the Department's data. Chief Fong explained that because of the inaccuracies that has been found, the Department has taken the time to contact the other agencies to speak with them about the data that was requested and what was provided. The Chief stated that she will make another request to the Chronicle for that data but there have been multiple requests, not only from her but from other members of the public affair staff or Captain Keohane.

ommissioner Sparks stated that this is a very serious allegation that the Chronicle is making and she stated that the Department should have the opportunity to address these charges. Chief Fong stated that the allegations that are made, in some cases, are based on various comparisons. In San Francisco, the Department documents any use of force in which any physical contact is made with an individual and that individual complains of pain all the way up to and including the use of a firearm. Some agencies do not document that. Some agencies document from pepper spray to the use of a firearm. So, again, it is very important to emphasize that the documentation of use of force does not imply misconduct. It does not imply inappropriate behavior. It simply documents that an officer found it necessary to use force in the commission of his/her duty and officers apply force based upon what situation they have to handle and also to stop any force or action against them that interferes with them being able to handle their activities.

Chief Fong also stated that the other thing that's important is that the Department have found is some of the reports, the Department does not understand exactly what the Chronicle is labeling certain types of incidents. The numbers don't match what the Department can come up

with. The Department have found a number of inaccuracies and these are things that the Department is very concerned about. Chief Fong stated that the Department is taking the time because any allegations about officer misconduct are very very serious and when put in the public forum when they are not true is unacceptable and the members of this Department do not deserve to be put in that light when there is no merit to those accusations.

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Commissioner Sparks asked that this discussion be on the agenda for next week's meeting.

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Commissioner Renne stated that there are a number of things that she will put on the agenda in regards to the articles.

C

Commissioner Marshall stated that out of these articles there will be a better Department.

#### PUBLIC COMMENT

E

Elizabeth Citron, ACLU, stated that she is very impressed with the budget and stated that matters concerning discipline in the department deserves the same level of attention and timeliness that the budget has.

M

Mark Schlosberg, ACLU, thanked the Commission for bringing forward proposals that are very important. He stated that setting deadlines are very important.

A

Michelle Washington suggesting a budget item for community policing.

D

Donald Barisone discussed concerns regarding the budget.

M

Matt Leroy thanked the Commission for comments and concerns raised about the early warning system and concerns about the Chronicle articles.

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

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

D

Director Allen wanted to comment on his meeting at the SRO collaborative. He stated that the SRO collaborative is specifically concerned with landlords allowing police into their rooms. Director Allen stated that he wants to meet with Chief Fong and meet with the individuals from the SRO collaborative to talk about this issue and maybe even talk with people from the rent board. Director Allen stated that once he has more information he would like to talk about that to the Commission.

D

Director Allen also talked about the Latino Steering Committee to discuss community policing and putting a Spanish-speaking investigator in the community several times a month so that people will be able to come to a central location. One of the location talked about is the LaRaza el Centro which is an office that brings in people to discuss different issues. Director Allen stated that he will be addressing the issue of translator and getting the translator DGO back in front of the Commission. Director Allen also talked about the different OCC allegations.

Commissioner Sparks asked about the outreach plan. Director Allen stated that he is looking at the budget and he will be able to see how much money they have and look back on how much to produce flyers and bulletins and they will put together a comprehensive plan for the Commission.

Commissioner Sparks asked for a conceptual budget to the Commission before it goes before the Mayor and the Controller's Office. Commissioner Sparks asked Director Allen to look at the budget and ask what is really needed to get the backlog down, to schedule hearings as rapidly as possible, to get investigations instituted as quickly as possible rather than waiting weeks and months to interview the officers, and to look at the budget and see what the OCC really wants. Director Allen stated he will have that for next week.

Commissioner Campos thanked Director Allen for meeting with the SRO groups. Commissioner Campos urged Director Allen to discuss the budget next week and asked Director Allen to talk about technology budget with respect to OCC.

Commissioner Veronese asked about the OCC allegations. Director Allen stated ND is neglect of duty. Commissioner Veronese asked Director Allen to look at the DGO revisions in regards to OCC Charging Codes/EWS.

#### PUBLIC COMMENT

Ian White discussed complaints regarding denial of constitutional rights brought forth during a rent board meeting.

Steve Johnson, POA, discussed concerns regarding OCC investigations.

#### **PRESENTATION OF QUARTERLY REPORT - PROVISION OF DOCUMENTS TO THE OFFICE OF CITIZEN COMPLAINTS (JULY - SEPTEMBER 2005)**

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Lieutenant Groshong, Legal Division, presented the quarterly report, provisions of documents to the OCC (July - September 2005).

Commissioner Sparks asked about OCC's access to CLETS. Chief Fong stated that the Department of Justice CLETS policy has very clear guidelines and the county is the entity that is responsible for authorizing access and Chief Fong stated that she has provided various alternatives in terms of Director Allen potentially trying to go through the DMV or trying to figure out if CLETS has some other alternatives but at the current time, she has not authorized access to it.

#### PUBLIC COMMENT

None

#### **APPROVAL OF MINUTES FOR THE MEETINGS OF SEPTEMBER 21, 2005 AND JANUARY 25, 2006**

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otion by Commissioner Marshall, second by Commissioner Sparks to approve the minutes. Approved 4-0.

**COMMISSION ANNOUNCEMENTS**

- a. **Assignment of disciplinary charges filed in Case No. C06-018 SL to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner** (Assigned to Commissioner Campos, Resolution No. 8-06)
- b. **Assignment of disciplinary charges filed in Case No. C06-019 SL to an individual Commissioner for the taking of evidence on a date to be determined by the Commissioner** (Assigned to Commissioner DeJesus, Resolution No. 9-06)

ergeant Reilly announced that the district meeting will be on February 22<sup>nd</sup>, at 6:00 p.m., in the Northern District, at Rosa Parks Elementary.1501 O’Farrell Street.

ommissioner Renne announced that Commissioner Chan has resigned and stated on behalf of the entire Commission that they are really sorry that he has resigned and wished him well in his future endeavor.

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

ommissioner Renne stated that the budget will be on next week.

ommissioner Sparks would like a presentation about Patrol Specials by the Department and would like to hear from the Sergeant who is liaison to the Patrol Specials and the head of the Patrol Special Officers Association and that she would like regular presentations to the Commission about the Patrol Specials from the Sergeant and the head of the patrol specials.

ommissioner DeJesus would like a schedule in terms of the early warning system’s implementation.

ommissioner Veronese stated he handed out packets that has 11 different general order revisions/additions that he will be suggesting the Commission to take a look at.

ommissioner Marshall would like about the witness relocation program.

ommissioner Campos would like to discuss the interaction of the police department with the immigrant communities of San Francisco and specifically undocumented people in San Francisco.

otion by Commissioner Campos, second by Commissioner Marshall to adjourn the meeting. Approved 6-0.

hereafter, the meeting was adjourned at 8:38 p.m.

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ergeant Joseph Reilly

ecretary

an Francisco Police Commission

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