

Police Commission/Office of Citizen Complaints



PROPOSITION H

Shall the City increase the size of the Police Commission and change how its members are appointed, and shall the Office of Citizen Complaints be authorized to file charges against police officers with the Police Commission?

YES ←
NO ←

Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: The Police Commission oversees the Police Department and the Office of Citizen Complaints (OCC). The Mayor appoints all five members of the Police Commission. The Board of Supervisors can reject an appointee by a two-thirds vote. Police Commissioners serve a four-year term, and may continue to serve until reappointed or replaced. The Mayor can remove Commissioners at any time for any reason.

The OCC investigates complaints of police misconduct and neglect of duty. The OCC cannot file charges against police officers, but it can recommend that the Police Chief do so. The Chief is not required to act on OCC recommendations.

The Police Chief can reprimand an officer or suspend the officer for up to ten days. If the Chief files charges against the officer with the Police Commission, the Commission holds a trial and can fire, suspend up to three months, fine or reprimand the officer. If the Chief reprimands or suspends an officer, the Commission cannot also discipline the officer for the same conduct.

THE PROPOSAL: Proposition H is a Charter amendment that would increase the number of Police Commissioners from five to seven. The Mayor would nominate four members and a committee of the Board of Supervisors would nominate three. Each member would have to be confirmed by a majority of the Board. The

Mayor could remove his or her appointees only with the approval of a majority of the Board. The Board could remove its appointees at any time for any reason, by majority vote. After a Police Commissioner serves a term, the position would be vacant until the Commissioner is either reappointed or replaced.

The Office of Citizen Complaints (OCC) could file charges against police officers after conferring with the Police Chief. In general, the Chief would have to allow the OCC time to file those charges before the Chief could reprimand or suspend the officer; however, the Chief could temporarily suspend an officer without OCC approval.

A "YES" VOTE MEANS: If you vote "Yes," you want to make these changes to the Police Commission and the Office of Citizen Complaints.

A "NO" VOTE MEANS: If you vote "No," you do not want to make these changes.

Controller's Statement on "H"

City Controller Edward Harrington has issued the following statement on the fiscal impact of Proposition H:

Should the proposed charter amendment be approved by the voters, in my opinion, there would be a minimal increase in the cost of government.

How "H" Got on the Ballot

On July 15, 2003 the Board of Supervisors voted 7 to 4 to place Proposition H on the ballot.

The Supervisors voted as follows:
Yes: Supervisors Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, and Sandoval.
No: Supervisors Dufty, Hall, Ma, and Newsom.

THIS MEASURE REQUIRES 50%+1 AFFIRMATIVE VOTES TO PASS.

ARGUMENTS FOR AND AGAINST THIS MEASURE IMMEDIATELY FOLLOW THIS PAGE. THE FULL TEXT BEGINS ON PAGE 121.
SOME OF THE WORDS USED IN THE BALLOT DIGEST ARE EXPLAINED ON PAGE 28.

