

1 [Office of Citizens Complaints File 0861-96]

2 **URGING THE CHIEF OF POLICE AND THE SAN FRANCISCO POLICE COMMISSION TO**
3 **PROVIDE A COMPLETE REPORT TO THE FULLEST EXTENT ALLOWED BY LAW TO**
4 **THE PUBLIC REGARDING OFFICE OF CITIZENS COMPLAINT FILE #0861-96 (GARCIA**
5 **FAMILY OCC COMPLAINT)**

6
7 WHEREAS, In April of 1996, an incident transpired between Mark Garcia and Officers
8 of the San Francisco Police Department (SFPD) which resulted in the death of Mark Garcia;
9 and

10 WHEREAS, The Garcia Family filed a complaint was filed with the Office of Citizen's
11 Complaints (OCC) in October 1996; and

12 WHEREAS, After an investigation was conducted, the OCC and brought its sustained
13 findings to the department as a whole (OCC File #0861-96); and

14 WHEREAS, The OCC then presented a verified complaint to the San Francisco Police
15 Commission and the San Francisco Police Department, pursuant to Police Commission
16 Resolution number 19-91, and

17 WHEREAS, Resolution 19-91 set forth the general protocol when the Director of the
18 OCC and the Chief of Police disagree on whether disciplinary action is appropriate; and

19 WHEREAS, Not until file #861-96 was presented to the Chief of Police and the Police
20 Commission did it become clear that Resolution 19-91 was ambiguous in prescribing specific
21 solutions when disagreements did arise between the OCC and the SFPD ;and

22 WHEREAS, After the Chief of Police has held a hearing in the matter of OCC
23 Complaint 0816-96 (Garcia Family OCC Complaint), an agreement was reached between the
24 SFPD and OCC that the findings and dispositions resulting from that evidentiary hearing were
25 to be reported to the public to the fullest extent allowed by law ; and

Supervisor Ammiano

1 WHEREAS, The Chief of Police and the Police Commission have not yet provided
2 these required reports to the public; now, therefore, be it

3 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
4 hereby urges both the Chief of Police and the San Francisco Police Commission to provide a
5 complete report to fullest extent allowed by law to the public regarding OCC file #0861-96
6 (Garcia Family OCC Complaint).

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25 **SUPERVISOR AMMIANO**



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 001110

Date Passed:

Resolution urging the Chief of Police and the San Francisco Police Commission to provide a complete report to the fullest extent allowed by law to the public regarding Office of Citizens Complaint File No 0861-96 (Garcia Family OCC Complaint).

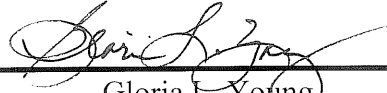
June 19, 2000 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom,
Yaki

Absent: 2 - Teng, Yee

File No. 001110

I hereby certify that the foregoing Resolution was ADOPTED on June 19, 2000 by the Board of Supervisors of the City and County of San Francisco.



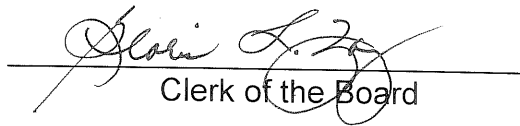
Gloria L. Young
Clerk of the Board

Date Approved

Mayor Willie L. Brown Jr.

Date: June 30, 2000

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.



Clerk of the Board

File No.
001110