



City and County of San Francisco

Meeting Minutes

Public Safety and Neighborhood Services Committee

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

Members: Rafael Mandelman, Hillary Ronen, Aaron Peskin

Clerk: John Carroll (415) 554-4445

Wednesday, November 28, 2018

3:00 PM

City Hall, Committee Room 263

Rescheduled Meeting

Present: 3 - Rafael Mandelman, Hillary Ronen, and Aaron Peskin

The Public Safety and Neighborhood Services Committee met in regular session on Wednesday, November 28, 2018, with Chair Rafael Mandelman presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Mandelman called the meeting to order at 3:09 p.m. On the call of the roll, Chair Mandelman and Member Peskin were noted present. Vice Chair Ronen was noted not present. There was a quorum.

Vice Chair Ronen was noted present at 3:12 p.m.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

181096 [Special On-Sale General Liquor License - Verifying Completion of Preapplication Meeting - 3657 Taraval Street]

Sponsor: Tang

Motion verifying that Q&M LLC located at 3657 Taraval Street has completed the preapplication meeting requirement under California Business and Professions Code, Section 23826.13, for the issuance of a new, non-transferable, Type-87 neighborhood-restricted special on-sale general liquor license.

11/13/18; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

Heard in Committee. Speakers: Ben VanHouten (Office of Economic and Workforce Development); David Quinby (Applicant); presented information and answered questions raised throughout the discussion.

Vice Chair Ronen moved that this Motion be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Mandelman, Ronen, Peskin

181002 [Police Code - Prohibiting Criminal History Inquiries in Private College Admissions]**Sponsors: Cohen; Ronen and Mandelman**

Ordinance amending the Police Code to prohibit private post-secondary educational institutions from using an application form that contains questions about an applicant's criminal history, or asking an applicant about criminal history for the purpose of deciding whether to offer admission; requiring educational institutions to retain relevant records for three years; authorizing the Office of Labor Standards Enforcement to investigate possible violations and impose penalties; and providing for a private right of action.

10/16/18; ASSIGNED UNDER 30 DAY RULE to Public Safety and Neighborhood Services Committee, expires on 11/15/2018.

10/22/18; REFERRED TO DEPARTMENT. Referred to the Office of Labor Standards Enforcement, the Police Department, the Office of the City Attorney, the Controller, and the Youth Commission for informational purposes.

11/20/18; RESPONSE RECEIVED. The Youth Commission Director forwarded Youth Commission Memorandum 1819-RBM-06, communicating the Youth Commission's November 19, 2018 vote to unanimously to support the ordinance, and recommend policy makers and elected officials work further with private institutions so students would not have their admissions offer rescinded, post acceptance, after learning about criminal history.

Heard in Committee. Speakers: Aliya Chisti (Office of President Malia Cohen); Annie Freitas (Operation Restoration); presented information and answered questions raised throughout the discussion. Juan Flores; Michael Alferes; spoke in support of the hearing matter.

Vice Chair Ronen and Chair Mandelman requested to be added as co-sponsors.

Vice Chair Ronen moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 5, by striking 'an applicant' and inserting 'U.S. applicants'; on Page 5, Lines 20-24, and Page 6, Lines 1-2, by adding that Colleges are strongly encouraged to limit inquiry and subsequent use of criminal history information for offering counseling or support services, for making decisions about the Applicant's eligibility to participate in activities and aspects of campus life, and for making decisions about the Applicant's eligibility for financial aid or scholarships; on Page 6, Lines 3-10, by inserting '(f) Nothing in this Article 50 prohibits a College from, at any time, inquiring about Criminal History when an Applicant has applied to an educational program in a field in which federal or state licensing requirements restrict persons with Criminal History from employment or licensing, as long as the inquiry and subsequent use of the information is limited to the purpose of advising Applicants that their Criminal History may limit the Applicant's ability to: (1) Participate in educational requirements, such as clinical practice; (2) Obtain employment; and (3) Receive professional or occupational licenses or admissions.'; on Page 6, Lines 10-14, by inserting '(g) Nothing in this Article 50 prohibits a College from, at any time, inquiring about Criminal History for the purpose of deciding whether to Admit an Applicant who will require, in order to enroll, the College to provide a Certificate of Eligibility for Nonimmigrant (F-1) Student Status.'; on Page 8, Lines 17-25, and Page 9, Lines 1-6, by clarifying the recordkeeping requirements of Section 5006, as related to criminal history on completed, incomplete, and blank applications, as well as documents that an Applicant may submit along with an application such as artwork portfolios, letters of recommendation, test scores, or essays; and making other conforming changes. The motion carried by the following vote:

Ayes: 3 - Mandelman, Ronen, Peskin

Ordinance amending the Police Code to prohibit private post-secondary educational institutions from using an application form that contains questions about an applicant's criminal history, or asking U.S. applicants about criminal history for the purpose of deciding whether to offer admission; requiring educational institutions to retain relevant records for three years authorizing the Office of Labor Standards Enforcement to investigate possible violations and impose penalties; and providing for a private right of action.

Vice Chair Ronen moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Mandelman, Ronen, Peskin

Chair Mandelman recessed the meeting at 3:29 p.m., and reconvened the meeting at 3:48 p.m.

Member Peskin was noted absent at 5:05 p.m. and for the remainder of the meeting.

180901 [Hearing - Police Department's and San Francisco Unified School District's Protocols When Minors Are Questioned and Apprehended by Law Enforcement] Sponsors: Ronen; Safai and Cohen

Hearing on the Police Department's and San Francisco Unified School District's current protocols and policies where students are questioned and arrested at their school site, as well as when they are in police custody, particularly relating to parental noticing, student privacy, and school safety; and requesting the Police Department and San Francisco Unified School District to report.

09/11/18; RECEIVED AND ASSIGNED to Public Safety and Neighborhood Services Committee.

09/18/18; REFERRED TO DEPARTMENT. Referred to the Police Department, the San Francisco Unified School District, and the Youth Commission for informational purposes.

10/15/18; RESPONSE RECEIVED. On October 16, 2018, the Youth Commission voted unanimously to support the hearing matter.

Heard in Committee. Speakers: Commander David Lazar (Police Department); Kevin Truitt (San Francisco Unified School District); Caroline Truong (Youth Commission); Patti Lee (Office of the Public Defender); Cindy Elias; presented information and answered questions raised throughout the discussion. Roberto Peña; Lidia Sanchez; Bahlam Vigil, Charley Obermeyer, Grace Hoogerhyde, and Josephine Cureton (Youth Commission); Gloria Romero (Roadmap to Peace); Tracy Brown (Mission Peace Collaborative); Kevin Boggess (Coleman Advocates); Kim-Shree Maufas; Tomie Craig (Coleman Advocates); Alida Fisher (Community Advisory Committee for Special Education); Masiyah Edwards; Desmond Jeffries; spoke on various concerns related to the hearing matter.

Vice Chair Ronen moved that this Hearing be HEARD AND FILED. The motion carried by the following vote:

Ayes: 2 - Mandelman, Ronen

Absent: 1 - Peskin

ADJOURNMENT

There being no further business, the Public Safety and Neighborhood Services Committee adjourned at the hour of 5:31 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Public Safety and Neighborhood Services Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.