

Patrick Monette-Shaw

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September 12, 2025

Ed Harrington, Chair
Commission Streamlining Task Force
c/o City Administrator's Office
City Hall, Room 316
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4694

**“ Changing Commission appointee
protections from ‘for cause’ to ‘at will’
removal is essentially a death sentence
for Commission independence. ”**

Re: **Multiple Recommendations Changing “For Cause”
to “At Will” Commissioner Removal**

Dear Mr. Harrington and Commission Streamlining Task Force Members,

This Commission Streamlining Task Force’s recommendations to change Boards and Commissions appointee protections from “*for cause*” to “*at will*” removal is essentially a death sentence for meaningful *independence* of at least 11 Commissions, including the Treasure Island Development Authority Board of Directors, Public Works Commission, Municipal Transportation Board of Directors, the Port Commission, Public Utilities Commission, SFPUC Rate Fairness Board, Recreation and Parks Commission, PROSAC, Juvenile Probation Commission, Police Commission, and the Sheriff’s Department Oversight Board. That’s 11 out of the first 30 Boards and Commissions this Streamlining Task Force considered body-by-body on September 3 and September 17, with another 85 Commissions yet to go.

This decision signals the beginning of the end for independence of these 11 agencies that were created to protect the interests of San Franciscans.

Changing “*for cause*” removal to “*at will*” essentially renders these Commissioners and Board members hostage, since they will have to tow the line of whatever a given Mayor wants, or risk losing their appointment for any reason a Mayor may dream up, with no explanation needed at all to justify their removal.

These decisions by this Task Force are bad, not only for the board members themselves, but also for the viability of independent agencies created to protect the interests of San Franciscans, not to serve the political whims of whoever occupies Room 400 at City Hall.

Allowing any Mayor to fire commissioners or board members who refuse to do a mayor’s bidding eviscerates an agency’s autonomy. The Juvenile Probation Commission may not be the only commission to have the “*for cause*” removal protection enshrined in the Charter, which will require a Charter change to change to “*at will*” removal of commissioners.

This reeks of the U.S. Supreme Court’s current meddling with the “*Humphrey’s Executor*” ruling in 1935 that “*for-cause*” removal goes hand in hand with an agency’s independence.

Requiring these 11 agencies — with more agencies that may face the same decision by this Streamlining Task Force during you next several meetings — to “*align*” with your “*template*” will give nearly unlimited power to any San Francisco mayor to force the bodies to serve the mayor’s interests. Obviously, this is wrong, because it will politicize these Boards and Commissions, as well as jeopardize San Franciscans oversight of these public bodies!

As Andrew Warren, senior counsel at Democracy Defenders Action, has noted: “

“For nearly a century, for-cause removal protections have helped preserve our constitutional system by balancing power between the legislative and executive branches and protecting critical federal agencies from the political interests of the president. Overturning that precedent does not merely weaken the FTC and other agencies; it fundamentally changes the checks and balances that safeguard our democracy and guarantee our liberty. Placing this new power in the hands of current and future administrations leads to a government in which public accountability is a mirage and partisan loyalty is reality.”

September 12, 2025

Multiple Recommendations Changing “*For Cause*” to “*At Will*” Commissioner Removal

Page 2

The same holds true for San Francisco’s boards and commissions. Handing any mayor limitless power through authority to remove commissioners without cause and making them “*at will*” appointees will reduce public accountability in San Francisco, hidden behind a mirage of partisan loyalty to their appointing authority or the Mayor,

This Task Force must **not** undo commissioner removal procedures.

Sincerely,

/s/

Patrick Monette-Shaw

cc: Rachel Alonso, Project Director, City Administrator’s Office

“ Handing any mayor limitless power and authority to remove commissioners *without cause* and making them ‘at will’ appointees will reduce public accountability in San Francisco. ”
