

AGENDA

BOARD OF POLICE COMMISSIONERS

REGULAR MEETING

TUESDAY, SEPTEMBER 23, 2008

9:30 A.M.

**PARKER CENTER, ROOM 146
150 NORTH LOS ANGELES STREET
LOS ANGELES, CA 90012**

Commissioners: Anthony Pacheco, President
John W. Mack, Vice President
Andrea Sheridan Ordin
Robert M. Saltzman
Alan J. Skobin

Members of the public are invited to address the Board of Police Commissioners on any item on the agenda prior to action by the Board on that specific item. Members of the public may also address the Board on any matter within the subject matter jurisdiction of the Board. The Board will entertain such comments during the Public Comment Period. Public comment will be limited to two (2) minutes per individual for each item addressed, unless there are more than ten (10) comment cards for each item, in which case the public comment will be limited to one (1) minute per individual. The aforementioned limitation may be waived by the President of the Board.

(NOTE: Pursuant to Government Code Section 54954.3(b) the legislative body of a local agency may adopt reasonable regulations, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.)

Members of the public who wish to address the Board are urged to complete a Speaker Card and submit it to the Board Secretary prior to commencement of the public meeting. The cards are available at the public counter, Room 150, Parker Center. However, should a member of the public feel the need to address a matter while the meeting is in progress, a card may be obtained from the Sergeant-At-Arms, who will submit the completed form to the Board Secretary prior to final consideration of the matter.

It is requested that individuals who require the services of a translator contact the Board Secretary no later than the day preceding the meeting. Whenever possible, a translator will be provided.

Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend.

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR LA OFICINA CON 24 HORAS POR ANTICIPADO.

NOTE: The meeting is tape-recorded and the tape is kept for 30 days.

1. COMMISSIONER COMMENTS

2. REPORT OF THE CHIEF OF POLICE

- Significant Incidents
- Crime Statistics
- Recruitment/Reinstatement/Reassignment of Officers

3. REPORT OF THE EXECUTIVE DIRECTOR

- Status of Future Agenda Items/Pending Projects
- Update on Routine Administrative Matters

4. REPORT OF THE INSPECTOR GENERAL

- Status of Future Agenda Items/Pending Projects
- Significant Incidents
- Update on office reorganization and staffing issues

5. INFORMATION – FILED ITEMS

A. Noise variance permits on file, as submitted for the period ending September 19, 2008.

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| • September 18, 2008 – September 19, 2008 | Champion Crane (PC #08/209) |
| • September 22, 2008 – October 5, 2008 | Southern CA Gas Company (PC #08/214) |
| • September 22, 2008 – October 20, 2008 | Community Redevelopment Agency
(PC #08/211) |
| • September 11, 2008 – November 18, 2008 | Asplundh Tree Expert Company
(PC #08/220) |
| • September 23, 2008 – December 31, 2008 | Environmental Engineering &
Contracting, Inc., (PC #08/234) |
| • September 29, 2008 – November 29, 2008 | Asplundh Tree Expert Company
(PC #08/238) |

B. Special event permits on file, as submitted for the period ending September 19, 2008.

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|--------------------------------|--|
| • Saturday, September 13, 2008 | Santo Nino Procession |
| • Sunday, September 14, 2008 | International Unity Parade |
| • Monday, September 15, 2008 | People’s Convention |
| • Saturday, September 20, 2008 | Student Achievement Parade & Celebration |

6. PRESENTATIONS

7. CONSENT AGENDA ITEMS

The Consent Agenda items are considered to be routine and non-controversial upon which documentation provided to the Board is adequate to give sufficient information for approval without inquiry or discussion. It is designated to minimize the time required for the handling of routine matters in order to permit additional time to be spent on more significant matters. The President will call for ayes and nays on the Consent Agenda as a whole and the vote will be treated as a separate vote on each item. These items may be moved to the Regular Agenda at the order of the President or at the request of the other members of the Board or if a member of the general public has submitted a request to speak on the subject.

- A. DEPARTMENT'S REPORT, dated September 11, 2008, relative to the donation of fire protection goggles/masks, valued at \$70.99, from the East Valley Police Activity League Supporters (PALS), for the benefit of the North Hollywood Area, as set forth. [BPC #08-0408]

Recommendation(s) for Board action:

1. APPROVE the Department's report and ACCEPT the donation.

- B. DEPARTMENT'S REPORT, dated September 11, 2008, relative to the donation of office supplies and equipment, valued at \$141.94, from the East Valley Police Activity League Supporters (PALS), for the benefit of the North Hollywood Area, as set forth. [BPC #08-0409]

Recommendation(s) for Board action:

1. APPROVE the Department's report and ACCEPT the donation.

- C. DEPARTMENT'S REPORT, dated September 11, 2008, relative to the donation of tools and general maintenance supplies, and repair and maintenance services, valued at \$352.26, from the East Valley Police Activity League Supporters (PALS), for the benefit of the members of the North Hollywood Area, as set forth. [BPC #08-0410]

Recommendation(s) for Board action:

1. APPROVE the Department's report and ACCEPT the donation.

- D. DEPARTMENT'S REPORT, dated September 1, 2008, relative to the donation of two digital cameras and accessories, valued at \$529.26, from the East Valley Police Activity League Supporters (PALS), for the benefit of the North Hollywood Area, as set forth. [BPC #08-0411]

Recommendation(s) for Board action:

1. APPROVE the Department's report and ACCEPT the donation.

- E. DEPARTMENT'S REPORT, dated September 4, 2008, relative to the donation of Two 2TB External Hard Drives, valued at \$891.00, from the Los Angeles Police Foundation, for the benefit of the Office of the Chief of Police, as set forth. [BPC #08-0412]

Recommendation(s) for Board action:

1. APPROVE the Department's report and ACCEPT the donation.

- F. DEPARTMENT'S REPORT, dated September 4, 2008, relative to the donation of a Nikon lens and speedlight, valued at \$1,038.36, from the Los Angeles Police Foundation, for the benefit of the Force Investigation Division (FID), as set forth. [BPC #08-0413]

Recommendation(s) for Board action:

1. APPROVE the Department's report and ACCEPT the donation.

- G. DEPARTMENT'S REPORT, dated September 4, 2008, relative to a monetary donation from the Los Angeles Federal Credit Union, in the amount of \$2,100.00, for the benefit of the Behavioral Science Service, as set forth. [BPC #08-0414]

Recommendation(s) for Board action:

1. APPROVE the Department's report and ACCEPT the donation.

- H. DEPARTMENT'S REPORT, dated September 4, 2008, relative to a monetary donation from the East Valley Police Activity League Supporters (PALS), in the amount of \$275.00, for the benefit of the North Hollywood Area, as set forth. [BPC #08-0415]

Recommendation(s) for Board action:

1. APPROVE the Department's report and ACCEPT the donation.

- I. DEPARTMENT'S REPORT, dated September 10, 2008, relative to a monetary donation in the amount of \$1,417.80, from the Devonshire Police Activity League Supporters (PALS), for the benefit of the Devonshire Area, as set forth. [BPC #08-0416]

Recommendation(s) for Board action:

1. APPROVE the Department's report and ACCEPT the donation.

- J. DEPARTMENT'S REPORT, dated September 10, 2008, relative to a monetary donation from the Westside Pavilion, in the amount of \$2,800.00, for the benefit of the Foothill Area Explorer Program, as set forth. [BPC #08-0417]

Recommendation(s) for Board action:

1. APPROVE the Department's report and ACCEPT the donation.

- K. DEPARTMENT'S REPORT, dated September 11, 2008, relative to a monetary donation from the Los Angeles Dodgers, LLC, in the amount of \$8,300.00, for the benefit of the Northeast Area Explorer Program, as set forth. [BPC #08-0418]

Recommendation(s) for Board action:

1. APPROVE the Department's report and ACCEPT the donation.

- L. EXECUTIVE DIRECTOR'S REPORT, dated September 12, 2008, relative to approval of a Firearms/Ammunition Sales Police Permit for Dante F. Camacho, as set forth. [BPC #08-0424]

Recommendation(s) for Board action:

1. APPROVE the Executive Director's report and Firearms/Ammunition Sales Police Permit.

- M. EXECUTIVE DIRECTOR'S REPORT, dated September 12, 2008, relative to approval of a Firearms/Ammunition Sales Police Permit for Eryn Michelle Burroughs, as set forth. [BPC #08-0425]

Recommendation(s) for Board action:

1. APPROVE the Executive Director's report and Firearms/Ammunition Sales Police Permit.

- N. EXECUTIVE DIRECTOR'S REPORT, dated September 12, 2008, relative to approval of a Firearms/Ammunition Sales Police Permit for Hector Cabral, as set forth. [BPC #08-0426]

Recommendation(s) for Board action:

1. APPROVE the Executive Director's report and Firearms/Ammunition Sales Police Permit.

- O. EXECUTIVE DIRECTOR'S REPORT, dated September 12, 2008, relative to approval of a Firearms/Ammunition Sales Police Permit for Steve Esquivel, as set forth. [BPC #08-0427]

Recommendation(s) for Board action:

1. APPROVE the Executive Director's report and Firearms/Ammunition Sales Police Permit.

8. REGULAR AGENDA ITEMS

- A. VERBAL PRESENTATION and UPDATE from the Commanding Officer and Community Police Advisory Board (C-PAB) representative regarding community initiated problem solving, crime strategies, and other programs and goals within the Mission Area.

- B. DEPARTMENT'S REPORT, dated September 9, 2008, relative to the Audit Recommendation Status Report, First Quarter, 2008/2009, as set forth. [BPC #08-0419]

Recommendation(s) for Board action:

1. APPROVE the Department's report.

- C. DEPARTMENT'S REPORT, dated September 11, 2008, relative to the Foreign Language and Telecommunications Device for the Deaf (TDD) Telephone Calls Audit (AD No. 07-026), as set forth. [BPC #08-0420]

Recommendation(s) for Board action:

1. RECEIVE and FILE the Department's report.

- D. DEPARTMENT'S REPORT, dated August 25, 2008, relative to the Recommendation for the Medal of Valor, as set forth. [BPC #08-0421]

Recommendation(s) for Board action:

1. APPROVE the Department's report.

- E. DEPARTMENT'S REPORT, dated September 4, 2008, relative to the Timekeeping and Fair Labor Standards Act (FLSA) Audit, March 2008, as set forth. [BPC #08-0422]

Recommendation(s) for Board action:

1. RECEIVE and FILE the Department's report.

- F. DEPARTMENT'S REPORT, dated September 12, 2008, relative to the Tour of Duty for Professional Standards Bureau Investigators Audit (AD No. 08-22), as set forth. [BPC #08-0423]

Recommendation(s) for Board action:

1. APPROVE the Department's report and the Executive Summary.

9. PUBLIC COMMENT PERIOD

10. CLOSED SESSION ITEMS

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of Officer Involved Shootings (OIS). Government Code Section 54957.

1. OIS #099-07 Two Police Officer III
One Police Officer I
2. OIS #101-07 Two Police Officer II

- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: 1 potential case involving Nestor Traffic Systems, Inc. (Nestor) which arises from a payment dispute between Nestor and the City regarding a Performance Guarantee provision of an agreement between the City and Nestor. 54956.9(b)(1).
- CONTINUED FROM SEPTEMBER 16, 2008
- C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action regarding the Commission’s assessment of the appropriateness of the Chief of Police’s actions on the Department’s Quarterly Discipline Report for the First Quarter of 2008 and the Office of the Inspector General’s analysis of this report. Government Code Section 54957.
- D. PUBLIC EMPLOYEE REAPPOINTMENT. Discussion and possible Board action relative to the reappointment of Civilian Hearing Examiners.
- E. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. United States of America v. City of Los Angeles, Case No. CV00-11769, pursuant to the Federal Consent Decree. Government Code Section 54956.9(a).
- F. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action relative to investigations concerning Complaint File Nos. 07-005281, 07-005319 and 08-001443. Government Code Section 54957.

1. Chief of Police

The Board will reconvene in Open Session to announce its decisions, if any, regarding matters considered in Closed Session.

ADJOURNMENT

Support materials relative to Open Session agenda items are available for public inspection in Room 150, Parker Center. The Board may consider matters of an emergency nature not appearing on the published agenda. Information on supplemental agenda items may be obtained by calling the Office of the Board Secretary, Police Commission, at (213) 485-3531 (TDD 213/485-9818), after 9:30 a.m., Friday, September 19, 2008.

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities.