

AGENDA

BOARD OF POLICE COMMISSIONERS

REGULAR MEETING

TUESDAY, NOVEMBER 4, 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 October 31, 2008.

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| • November 5, 2008 – November 6, 2008 | Anglemyer Crane (PC #08/281) |
| • November 14, 2008 – January 14, 2009 | Asplundh Tree Expert Co. (PC #08/223) |
| • November 14, 2008 – January 14, 2008 | Asplundh Tree Expert Co. (PC #08/227) |
| • November 14, 2008 – January 14, 2009 | Asplundh Tree Expert Co. (PC #08/231) |
| • November 3, 2008 – January 16, 2008 | Insituform Technologies, Inc. (PC #08/272) |
| • October 31, 2008 – February 16, 2009 | FCI/FLOUR/PARSONS J.V. (PC #08/273) |
| • December 1, 2008 – December 23, 2008 | SMS Builders, Inc. (PC #08/278) |

B. Special event permits on file, as submitted for the period ending October 31, 2008.

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|------------------------------|--|
| • Saturday, November 1, 2008 | We Hold the Future in Our Hands |
| • Saturday, November 1, 2008 | Locke High School Homecoming Parade |
| • Sunday, November 2, 2008 | Say Yes On 8 |
| • Saturday, November 8, 2008 | St. Genevieve High School Homecoming Parade |
| • Tuesday, November 11, 2008 | 5 th Annual S.F.V. Veterans Day Parade
Carnival & Festival |

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 October 21, 2008, relative to the donation of a CR3 insTand Tripod, valued at \$120.00, from the Los Angeles Police Foundation, for the benefit of the Force Investigation Division, as set forth. [BPC #08-0499]

Recommendation(s) for Board action:

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

- B. DEPARTMENT'S REPORT, dated October 21, 2008, relative to a monetary donation of \$900.00, from the Los Angeles Police Relief, for the benefit of Rampart Area, as set forth. [BPC #08-0500]

Recommendation(s) for Board action:

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

- C. DEPARTMENT'S REPORT, dated October 21, 2008, relative to a monetary donation of \$2,850.00, from the Los Angeles Police Protective League, for the benefit of Personnel Group, Officer Representation Section, as set forth. [BPC #08-0501]

Recommendation(s) for Board action:

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

- D. DEPARTMENT'S REPORT, dated October 21, 2008, relative to a monetary donation of \$800.00, from Passco Hughes Promenade, for the benefit of Pacific Area Explorer Program, as set forth. [BPC #08-0502]

Recommendation(s) for Board action:

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

- E. DEPARTMENT'S REPORT, dated October 21, 2008, relative to a monetary donation of \$650.00, from the Los Angeles Philharmonic Association, for the benefit of Hollywood Area Explorer Program, as set forth. [BPC #08-0503]

Recommendation(s) for Board action:

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

- F. DEPARTMENT'S REPORT, dated October 21, 2008, relative to a monetary donation of \$650.00, from the Los Angeles Philharmonic Association, for the benefit of Hollywood Area Explorer Program, as set forth. [BPC #08-0504]

Recommendation(s) for Board action:

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

- G. DEPARTMENT'S REPORT, dated October 21, 2008, relative to a monetary donation of \$5,200.00, from the Los Angeles Philharmonic Association, for the benefit of Hollywood Area Explorer Program, as set forth. [BPC #08-0505]

Recommendation(s) for Board action:

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

- H. DEPARTMENT'S REPORT, dated October 21, 2008, relative to the donation of checks, gift cards, food and drink products, and other items and equipment necessary to host West Valley Area's National Night Out Event, valued at \$11,224.38, for the benefit of the West Valley Area, as set forth. [BPC #08-0506]

Recommendation(s) for Board action:

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

- I. DEPARTMENT'S REPORT, dated October 17, 2008, relative to a donation of a 2004 Ford Econoline Van, valued at \$18,546.41, from the Foothill Volunteer Surveillance Team, for the benefit of the Foothill Area to be used by authorized personnel at Foothill Division to conduct surveillance, as set forth. [BPC #08-0507]

Recommendation(s) for Board action:

1. APPROVE the Department's report and TRANSMIT to the Mayor and City Council.

- J. DEPARTMENT'S REPORT, dated October 27, 2008, relative to a Personal Expense Statement of Chief of Police William J. Bratton, in the amount of \$105.00, for expenses incurred on October 1 through October 2, 2008, while attending the Governing: Managing Performance conference in Austin, Texas, as set forth. [BPC #08-0497]

Recommendation(s) for Board action:

1. APPROVE the Department's report and Personal Expense Statement.

- K. DEPARTMENT'S REPORT, dated October 16, 2008, relative to a Personal Expense Statement of Chief of Police William J. Bratton, in the amount of \$1,065.62, for expenses incurred on October 7 through October 9, 2008, while attending the Police Executive Research Forum National Summit on Crime in Washington, D.C., as set forth. [BPC #08-0498]

Recommendation(s) for Board action:

1. APPROVE the Department's report and Personal Expense Statement.

- L. DEPARTMENT'S REPORT, dated October 27, 2008, relative to a Travel Authority for the Chief of Police to attend the Major Cities Chief Meeting and International Association of Chiefs of Police Annual Conference, November 6 through November 10, 2008, in San Diego, California, as set forth. [BPC #08-0495]

Recommendation(s) for Board action:

1. APPROVE the Department's report.

- M. DEPARTMENT'S REPORT, dated October 27, 2008, relative to a Travel Authority for the Chief of Police to attend the Executive Session on Policing and Public Safety at Harvard's Kennedy School of Government, November 20 through November 22, 2008, in Boston, Massachusetts, as set forth. [BPC #08-0496]

Recommendation(s) for Board action:

1. APPROVE the Department's report.

8. REGULAR AGENDA ITEMS

- A. DEPARTMENT'S REPORT, dated October 28, 2008, relative to Unlawful Search Investigations, as set forth. [BPC #08-0478]

Recommendation(s) for Board action:

1. APPROVE the Department's report.

- B. DEPARTMENT'S REPORT, dated October 23, 2008, relative to Racial Profiling Quarterly Report, Regular Meeting, as set forth. [BPC #08-0494]

Recommendation(s) for Board action:

1. APPROVE the Department's report.

- C. DEPARTMENT'S REPORT, dated October 30, 2008, relative to the Policy Against Discrimination in Employment Based on Sexual Orientation, Gender Identity or Gender Expression, as set forth. [BPC #08-0508]

Recommendation(s) for Board action:

1. APPROVE the Department's report.

- D. DEPARTMENT'S REPORT, dated November 3, 2008, relative to the Department Preventable Traffic Collision Policy – Revised, as set forth. [BPC #08-0509]

Recommendation(s) for Board action:

1. APPROVE the Department's report.

- E. DEPARTMENT'S REPORT, dated November 5, 2008, relative to the Request to Withdraw Approved Special Order – Non-Categorical Use of Force Reporting – Revised, as set forth. [BPC #08-0510]

Recommendation(s) for Board action:

1. APPROVE the Department's report.

CONTINUED FROM SEPTEMBER 2, 2008

- F. DEPARTMENT'S REPORT, dated August 14, 2008, and Office of Inspector General's report dated, October 24, 2008, relative to the Department's Discipline Report for the Second Quarter of 2008, as set forth. (Also Calendared as Item No. 10-B in Closed Session) [BPC #08-0361 and #08-361A]

Recommendation(s) for Board action:

1. APPROVE the Department's report and Inspector General's report.

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.

CONTINUED FROM SEPTEMBER 23, 2008

1. OIS #101-07 Two Police Officer III
2. OIS #104-07 One Detective III
Two Detective II
Two Detective I
Two Police Officer II

CONTINUED FROM SEPTEMBER 2, 2008

- B. 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 Second Quarter of 2008 and the Office of the Inspector General's analysis of this report. (Also Calendared as Item No. 8-F in Open Session) Government Code Section 54957.
- C. 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).

CONTINUED FROM OCTOBER 28, 2008

- D. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action relative to investigation concerning Complaint File No. 08-000709. Government Code Section 54957.

1. Executive Director

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, October 31, 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.