
AGENDA



BOARD OF POLICE COMMISSIONERS

REGULAR MEETING

**TUESDAY, SEPTEMBER 9, 2003
9:30 A.M.**

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

Commissioners: David S. Cunningham, III, President
Alan J. Skobin, Vice President
Rick J. Caruso
Rose Ochi
Silvia Saucedo

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 one (1) minute per individual for each item addressed, unless this limitation is 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. APPROVAL OF MINUTES FOR:

? Regular Meeting February 4, 2003

2. REPORT OF THE CHIEF OF POLICE

? Significant Incidents

? Crime Statistics

? Recruitment/Reinstatement/Reassignment of Officers

3. COMMISSION BUSINESS

? Meetings/Events Attended

? Consideration of Future Agenda Items/Pending Projects

? Continued Discussion and Presentation Regarding Parker Center Facility

4. INFORMATION – FILED ITEMS

A. Information items on file, as submitted for the period ending September 5, 2003.

5. 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.

CHIEF OF POLICE RECOMMENDS FOR BOARD ACTION

- A. APPROVE a donation of printing service pamphlets (1000 units), valued at \$800.00, from M&M Printing to the West Traffic Division, as set forth. [BPC #03-0373]
- B. APPROVE a monetary donation in the amount of \$200.00 from International Association of Auto Theft Investigators to the West Valley Area Explorer Post No. 515, as set forth. [BPC #03-0374]
- C. APPROVE a monetary donation in the amount of \$600.00 from the Los Angeles Police Protective League to Risk Management Division for Professional Resource for Officer Assistance (PROACT), as set forth. [BPC #03-0377]
- D. APPROVE a donation of fitness equipment, valued at \$2,432.00, from Business for Law Enforcement in Northeast Division (BLEND) to be used by the Northeast Area Explorer Post, as set forth. [BPC #03-0382]

- E. APPROVE a request for variance to Los Angeles Municipal Code Section 41.40 from Southern California Gas Company to permit nighttime construction from 7:00 p.m. to 5:00 a.m., Monday through Friday, beginning August 25, 2003 and scheduled for completion by November 8, 2003 for work located at the intersection of Aviation Boulevard and 104th Street, as set forth. [BPC #03-0375]
- F. Retroactively APPROVE a request for variance to Los Angeles Municipal Code Section 41.40 from Southern California Edison to permit nighttime construction from 8:00 p.m. to 8:00 a.m., Monday through Saturday, which began on July 21, 2003 and was completed on July 26, 2003 for work located on Sawtelle Boulevard from Orange Avenue to Ohio Avenue, as set forth. [BPC #03-0381]
- G. APPROVE a request for variance to Los Angeles Municipal Code Section 41.40 from Clark Construction Group, Inc. to permit daytime construction from 7:00 a.m. to 6:00 p.m., on Sunday, August 24, 2003 only for the worksite located at 100 South Main Street between First Street and Second Street, as set forth. [BPC #03-0383]

6. REGULAR AGENDA ITEMS

CHIEF OF POLICE SUBMITS FOR BOARD INFORMATION/ACTION

- A. APPROVE the Chief's Special Order No.35, entitled, "Duty to Assess a Supervisor's Response to a Categorical Use of Force," pursuant to Paragraph 143 of the Consent Decree, as set forth.
 - B. APPROVE and TRANSMIT to the Mayor and City Council, the Department's recommendation of request for reward payment regarding Council File No. 02-0010-S3, for victims Leonel Mendival, Juan Torres, Felipe Meza, and Veronica Cortez, as set forth. [BPC #03-0338]
 - C. APPROVE and TRANSMIT to the Mayor and City Council, the Department's contract with BioSciences, Inc., dba Orchid Cellmark, for DNA analysis services, and AUTHORIZE the Chief of Police to execute this contract, as set forth. [BPC #03-0339]
 - D. APPROVE and TRANSMIT to the Mayor and City Council, the Department's report and City Attorney's draft ordinance adding Los Angeles Municipal Code Section 63.131, which would make it a crime to trespass on any property operated by the Police or Fire Department, as set forth. [BPC #03-0388]
- CONTINUED FROM 07/15/03
- E. APPROVE and TRANSMIT to the Mayor and City Council, the Department's report and City Attorney's revised draft ordinance for Los Angeles Municipal Code Section 103.111, regarding the regulation of parades, assemblies, and other first amendment events, as set forth. [BPC #03-0286]
 - F. REVIEW and APPROVE the Department's Special Order establishing policy for the participation of chaplains at Department events, as set forth. [BPC #03-0366]

EXECUTIVE DIRECTOR SUBMITS FOR BOARD INFORMATION/ACTION

- G. DISCUSS and APPROVE the proposed budgetary review strategy and the Mayor's Proposed Budget Policy for FY 2004/05, as set forth.
- H. APPROVE and TRANSMIT to the Mayor and City Council, the Executive Director's report requesting that a new City ordinance be drafted to regulate businesses which operate as a "cyber café" or "internet café," as set forth.

7. PUBLIC COMMENT PERIOD

8. CLOSED SESSION ITEMS

- A. Conference with Legal Counsel – Existing Litigation. Update from legal counsel regarding case entitled Tatreau, Wemmer, and Bonneau vs. City of Los Angeles, et al. Government Code Section 54957.
- B. Discussion and possible Board action regarding the Department's report of Criminal Cases Submitted to Prosecutors For Review, First Quarter 2003. [BPC #03-0187 and #03-0187A]
- C. Discussion and possible Board action on Public Employee Performance Evaluation – Review of Officer-Involved Shootings, Law Enforcement Related Injuries and other personnel matters. Government Code Section 54957.
 - 1. ICD #A029-02
- D. CONTINUED FROM 08/26/03
Discussion of Public Employee Performance Evaluation. Government Code Section 54957.
 - 1. Chief of Police
 - 2. Executive Director
 - 3. Inspector General

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

9. 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 Secretary, Police Commission, at (213) 485-3531 (TDD 213/485-9818), after 9:30 a.m., Friday, September 5, 2003.

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.