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# AGENDA

***\*\*\*Please note time change\*\*\****



## BOARD OF POLICE COMMISSIONERS

### REGULAR MEETING

**TUESDAY, AUGUST 3, 2004  
12:00 P.M.**

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

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

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. APPROVAL OF MINUTES FOR:**

- Regular Meeting April 20, 2004
- Special Meeting July 22, 2004

**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

**4. REPORT OF THE EXECUTIVE DIRECTOR**

- REVIEW Timeline for Police Commission Policy Issues

**5. REPORT OF THE INSPECTOR GENERAL**

**6. INFORMATION – FILED ITEMS**

- A. Information items on file, as submitted for the period ending July 30, 2004.

**7. CONSENT AGENDA ITEMS**

The remaining 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. CANCEL a request for variance to Los Angeles Municipal Code 41.40 from the Alameda Corridor Transportation Authority – Requestor no longer requires a variance, as set forth. [BPC #04-0472]

- B. APPROVE a request for variance to Los Angeles Municipal Code 41.40 from the Department of Water and Power for nighttime construction beginning on Wednesday, August 4, 2004, from 10:00 p.m. to 5:00 a.m., which will be completed on Tuesday, August 31, 2004 for the worksite located at the intersection of Lincoln Boulevard and Jefferson Boulevard, as set forth. [BPC #04-0509]
- C. APPROVE and TRANSMIT to the Mayor and City Council, a donation of various equipment valued at \$88,183.20 from State Point of Contact, Office of Criminal Justice Planning to be used by various divisions throughout the Department, as set forth. [BPC #04-0480]
- D. APPROVE a donation of a silver cruiser bicycle valued at \$518.52 from East Valley Police Activities League Supporters to be used by the North Hollywood Area Patrol Division, as set forth. [BPC #04-0481]
- E. Retroactively APPROVE a monetary donation of \$2,212.00 from the City of Columbus, Ohio Civil Service Commission to assist with travel expenses for Department personnel to participate as panelists in the Promotional Assessment Board, as set forth. [BPC #04-0482]
- F. APPROVE a monetary donation in the amount of \$650.00 from the Topanga Banjo/Fiddle Contest & Folk Festival, Inc., to West Valley Area Explorer Post No. 515, as set forth. [BPC #04-0483]
- G. APPROVE a monetary donation in the amount of \$500.00 from Highland Park Ebell Club to the Northeast Area Explorers, as set forth. [BPC #04-0484]
- H. APPROVE a monetary donation in the total amount of \$2,100.00 from Mr. Alan Skobin, Mr. Rickey Gelb, and the Los Angeles Police Protective League to the Fugitive Warrant Section, Detective Support Division, as set forth. [BPC #04-0485]
- I. APPROVE a monetary donation in the amount of \$50.00 from Audiences Unlimited, Inc. to the Northeast Area Explorers, as set forth. [BPC #04-0486]
- J. APPROVE a monetary donation in the amount of \$500.00 from Ellis Paint Company to the Harbor Area Explorers, as set forth. [BPC #04-0489]
- K. APPROVE a monetary donation in the amount of \$50.00 from Mr. and Mrs. Victor Penn to the Devonshire Area Explorer Post No. 660, as set forth. [BPC #04-0490]
- L. APPROVE a monetary donation in the amount of \$100.00 from Mr. and Mrs. John Gritmon to the Harbor Area Explorers, as set forth. [BPC #04-0491]
- M. APPROVE a monetary donation in the amount of \$100.00 from Banning Residence Museum to the Harbor Area Explorers, as set forth. [BPC #04-0492]
- N. APPROVE a monetary donation in the amount of \$50.00 from Mr. and Mrs. Accetta to the Harbor Area Explorers, as set forth. [BPC #04-0493]

- O. APPROVE a monetary donation in the amount of \$50.00 from Mr. and Mrs. Brian Rainwater to the Devonshire Area Explorers, as set forth. [BPC #04-0497]

## 8. REGULAR AGENDA ITEMS

- A. Verbal update and DISCUSSION regarding the status of TEAMS II.
- CONTINUED FROM 07/13/04
- B. DISCUSSION and RECOMMENDATIONS of Departmental response to Board query regarding Benefits available to Officers killed or seriously injured in the line of duty/off-duty, as set forth. [BPC #04-0403A]
- C. UPDATE and DISCUSSION by the Department regarding the Fiscal Year 2004/2005 Budget and development of the Fiscal Year 2005/2006.
- D. Verbal update regarding the status of the Blue Ribbon Rampart Review Panel.
- E. Verbal update regarding the status of the Transportation Task Force and the 19<sup>th</sup> Area Official Police Garage.
- F. APPROVE and TRANSMIT to the City Council's Public Safety Committee, the Department's Sixth Progress report regarding Review of the Retaliation Investigation Process, as set forth. [BPC #04-0499]
- G. DISCUSSION and RECOMMENDATIONS of the Department's preliminary assessment of the District Policing Pilot Program, as set forth. [BPC #04-0506]
- H. APPROVE the Chief's Personal Expense Statement for expenses incurred in the amount of \$2,399.84 from December 6 through December 11, 2003, to attend the UK-US Police Chiefs' Conference, as set forth. [BPC #04-0502]
- I. APPROVE the Chief's Personal Expense Statement for expenses incurred in the amount of \$1,296.94 from April 20 through April 23, 2004, to attend the Police Executive Research Forum 2004 Annual Meeting, as set forth. [BPC #04-0503]
- J. APPROVE the Chief's Personal Expense Statement for expenses incurred in the amount of \$1,456.70, from June 8 through June 13, 2004, to speak at Northeastern University, as set forth. [BPC #04-0504]
- K. APPROVE the Chief's Personal Expense Statement for expenses incurred in the amount of \$437.20, for June 23 and June 24, 2004, to attend a swearing in ceremony for the Chief of Police of Hartford, Connecticut, as set forth. [BPC #04-0505]
- L. REVIEW and APPROVE the Department's request to enter into sole source contract negotiations with LoJack Corporation to provide the Department with Stolen Vehicle Recovery Network System services and AUTHORIZE the Chief of Police to enter into contract negotiations with LoJack, as set forth. [BPC #04-0507]

- M. REVIEW and APPROVE the Department's request to authorize Western Badge and Trophy Company to manufacture a limited number of replica LAPD "lapel style" badges to be given to guests of the International Association of Chiefs of Police (IACP) Conference in November 2004, as set forth. [BPC #04-0487]
- N. DISCUSSION and RECOMMENDATIONS of the Inspector General's report relative to Board query regarding twelve (12) complaint form investigations for which responses to "kickback" memorandums are pending, as set forth. [BPC #04-0478]
- O. REVIEW and APPROVE a pilot program involving the use of tire deflation devices and vehicle barricades, otherwise referred to as Vehicle Intervention Techniques, at the Los Angeles International Airport (LAX) and other potential terrorist target location and events, as set forth. [BPC #04-0488]
- P. APPROVE and TRANSMIT to the Mayor and City Council, a legislative proposal regarding fortunetelling regulation and the licensing of fortunetellers in the City of Los Angeles, as set forth. [BPC #04-0494]
- Q. REVIEW and APPROVE the Department's recommendation to incorporate a real time briefing into the categorical use of force protocols to ensure that the Inspector General is fully briefed, as set forth. [BPC #04-0495]
- R. REVIEW and APPROVE Commission staff's monthly status report for May 2004 relative to the Revised Burglar Alarm Dispatch Policy and FORWARD this report to the Mayor and City Council for their information, as set forth. [BPC #04-0470]
- S. RECEIVE the Department's report of Personnel Complaint Investigations submitted to prosecutors for review, Second Quarter 2004 and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board, as set forth. (Also calendared as Item No. 10-C in Closed Session) [BPC #04-0500]
- T. REVIEW and APPROVE the Department's report of Personnel Complaint Investigations submitted to prosecutors for review, First Quarter 2004 and the Inspector General's analysis of this report, pursuant to Paragraphs 101 and 136 of the Consent Decree, as set forth. (Also Calendared as Item No. 10-E in Closed Session) [BPC #04-0372 and #04-0372A]
- U. REVIEW and APPROVE the Office of the Inspector General's Complaint Investigations Audit, Fourth Quarter, Fiscal Year 2003/2004, pursuant to Paragraph 136 of the Consent Decree, as set forth. [BPC #04-0501]
- V. REVIEW and APPROVE the monthly Consent Decree Status reports submitted by the:
1. Department
  2. Executive Director [BPC #04-0516A]
  3. Office of the Inspector General [BPC #04-0516]

- W. Verbal update on the City's Semi-Annual Consent Decree Compliance Status report to the Court.
- X. REVIEW and APPROVE the Department's Ethics Enforcement Section Quarterly report, First Quarter 2004 and the Inspector General's Review of this report, pursuant to Paragraph 135 of the Consent Decree, as set forth. (Also Calendared as Item No. 10-D in Closed Session) [BPC #04-0357 and #04-0357A]
- Y. REVIEW and APPROVE the Department's Consent Decree Mental Illness Project Status report, Second Quarter 2004, as set forth. [BPC #04-0498]
- Z. REVIEW and APPROVE the Proposed 2003-2006 Memorandum of Understanding (MOU) No. 25, which covers the employees in the Police Officers, Captain and Above Representation Unit represented by the Los Angeles Police Command Officers Association, as set forth. [BPC #04-0479]
- AA. REVIEW and APPROVE the Office of the Inspector General's analysis of Special Order No. 13, 2004 – Revised Non-Categorical Use of Force reporting, pursuant to Paragraph 136 of the Consent Decree, as set forth. [BPC #04-0386A]
- BB. REVIEW and APPROVE the Department's Special Order – Complaint Advisory, Form 1.28.10 – Activated, and Complaint Form, Form 1.28.0 – Revised (148.6), as set forth. [BPC #04-0455]

**9. PUBLIC COMMENT PERIOD**

**10. CLOSED SESSION ITEMS**

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of Officer Involved Shootings, Law Enforcement Related Injury, and other personnel matters. Government Code Section 54957.
  - 1. LEARD #A048-03 Four Police Officers II
  - 2. LEARD #A026-03 Two Police Officers II
  - 3. LEARD #A028-03 One Police Officer III  
One Police Officer I
  - 4. ACC #054-03 One Police Officer II + II
  - 5. ACC #055-03 One Police Officer III + I
  - 6. A-D #041-03 One Sergeant II  
One Sergeant I  
One Police Officer III  
Two Police Officers II  
One Police Officer I

- B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion with Chief of Police regarding status of investigation and review of Officer Involved Shootings, which may not be completed 60-days prior to the statute of limitations, pursuant to Paragraph 67 of the Consent Decree. Government Code Section 54957.
1. OIS #048-03
- C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion regarding the Commission’s assessment of the appropriateness of the Chief of Police’s actions on the Department’s report of Personnel Complaint Investigations submitted to prosecutors for Review, Second Quarter 2004. Government Code Section 54957. (Also calendared as Item No. 8-S in Open Session) [BPC #04-0500]
- D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion regarding the Commission’s assessment of the appropriateness of the actions of the Chief of Police’s actions on the Department’s Ethics Enforcement Section Quarterly report, First Quarter 2004 and the Inspector General’s Review of this report. Government Code Section 54957. (Also Calendared as Item No. 8-X In Open Session) [BPC #04-0357 and #04-0357A]
- E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion regarding the Commission’s assessment of the appropriateness of the actions of the Chief of Police’s actions on the Department’s report of Personnel Complaint Investigations submitted to prosecutors for review, First Quarter 2004 and the Inspector General’s analysis of this report. Government Code Section 54957. (Also Calendared as Item No. 8-T in Open Session) [BPC #04-0372 and #04-0372A]
- F. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE. Discussion and update from the Office of the Inspector General regarding Complaint File No. 00-1431. Government Code Section 54957.6.
- G. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code Section 54957.
1. Commission Executive Assistant

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

## **11. 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, July 30, 2004.

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.