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# AGENDA



## BOARD OF POLICE COMMISSIONERS

### REGULAR MEETING

**TUESDAY, OCTOBER 5, 2004  
9:30 A.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 THE MINUTES FOR:**

? Regular Meeting March 2, 2004

**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

**5. COMMISSION BUSINESS**

? Meetings/Events Attended

? Consideration of Future Agenda Items/Pending Projects

**6. INFORMATION – FILED ITEMS**

A. Information items on file, as submitted for the period ending October 1, 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. Retroactively APPROVE a request for variance to Los Angeles Municipal Code Section 41.40 from George C. Hopkins Construction Company, Inc. for early morning construction, which began on Thursday, September 9, 2004 from 5:00 a.m. to 6:00 p.m., for one day only at the work site located on 4063 West Ingraham Street, as set forth. [BPC #04-0593]

- B. Retroactively APPROVE a request for variance to Los Angeles Municipal Code Section 41.40 from Swinerton Builders for early morning and late night construction, which began Monday, September 20, 2004 from 5:00 a.m. to 11:00 p.m. and will be completed by Friday, July 29, 2005 for the work site located at 1800 and 1840 Century Park East in Los Angeles, as set forth. [BPC #04-0614]
- C. APPROVE a request for variance to Los Angeles Municipal Code Section 41.40 from Hathaway Dinwiddie Construction Company for daytime construction beginning on Saturday, October 23, 2004 from 8:00 a.m. to 6:00 p.m. and will be completed on Sunday, November 7, 2004 for the work site located at 2000 Avenue of the Stars in the City of Los Angeles, as set forth. [BPC #04-0626]
- D. APPROVE a request for variance to Los Angeles Municipal Code Section 41.40 from Tropical Creations Horticultural Services for nighttime construction beginning on Friday, October 1, 2004 from 11:00 p.m. to 7:00 a.m. and will be completed on Sunday, October 31, 2004 for tree trimming located on: Gayley Avenue west boundary; Le Conte north boundary; Tiverton Avenue east boundary; Lindbrook Drive south boundary; Gayley Avenue east side; Westwood Boulevard west side; and Glendon west side, as set forth. [BPC #04-0630]
- E. RECEIVE and FILE the Department's report and request for variance from Lavey Roofing Services, Inc, inasmuch as requestor initiated this cancellation, as set forth. [BPC #04-0615]

**8. REGULAR AGENDA ITEMS**

- A. RECEIVE and FILE the Chief of Police's Activity Report for the month of July 2004, as set forth. [BPC #04-0611]
- B. REVIEW and ACCEPT the Department's report regarding status of the Department's helicopter fleet, as set forth. [BPC #04-0628]
- C. DISCUSSION and UPDATE by the Department regarding the upcoming Budget Priorities Overview for Fiscal Year 2005/2006.
- D. REVIEW and APPROVE the Department's Revised Annual Audit Plan for Fiscal Year 2004/2005, pursuant to Paragraph 131 of the Consent Decree, as set forth. [BPC #04-0629]
- E. REVIEW and APPROVE the monthly Consent Decree status reports submitted by the:
  - 1. Department [BPC #04-0639]
  - 2. Office of the Inspector General [BPC #04-0639A]
  - 3. Executive Director [BPC #04-0639B]
- F. APPROVE and TRANSMIT to the City Clerk's Office, Records Management Officer, the Department's "Request for Authority to Destroy Obsolete Records" forms, as set forth. [BPC #04-0638]

- G. REVIEW and APPROVE a Travel Authority for the Chief of Police from February 13, through February 16, 2005 to participate in the Major Cities Chiefs' Meeting in Honolulu, Hawaii, as set forth. [BPC #04-0637]

CONTINUED FROM 09/14/04

- H. REVIEW and CONSIDER the Department's Warrant Applications and Supporting Affidavits Audit, Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 128 of the Consent Decree and APPROVE the Inspector General's analysis of this report, as set forth. [BPC #04-0138 and #04-0138A]

CONTINUED FROM 07/13/04

- I. REVIEW and APPROVE the Department's audit of Training for Gang Enforcement Detail Personnel and the Inspector General's analysis of this report, pursuant to Paragraph 106 of the Consent Decree, as set forth. [BPC #04-0440 and #04-0440A]

CONTINUED FROM 09/21/04

- J. REVIEW and APPROVE the Office of the Inspector General's analysis of the Department's Discipline Report, Second Quarter 2004, pursuant to Paragraph 156 of the Consent Decree, as set forth. (Also Calendared as Item Nos. 10-D and 10-E in Closed Session) [BPC #04-0546A]

- K. REVIEW and ACCEPT the Department's report relative to interagency protocol concerning In-Custody Death investigations involving officers from the Los Angeles Port Police and the Police Department, as set forth. [BPC #04-0610]

CONTINUED FROM 08/03/04

- L. REVIEW and ACCEPT the Department's report in response to Board query regarding benefits available to surviving family members of sworn employees from other law enforcement agencies who are injured or killed, as set forth. [BPC #04-0403B]

CONTINUED FROM 09/21/04

- M. REVIEW, DISCUSS, and CONSIDER presentation by the Department, and ACCEPT the Commission staff's report regarding research into the disciplinary process of other law enforcement agencies and update on Board of Rights outcomes by the Department, as set forth.

- N. DISCUSSION and PRESENTATION of training curriculum provided to sworn officers within the Department for intervention techniques, ensuring officers are courteous, taking a person into custody, and other training classes of a similar nature.

CONTINUED FROM 09/21/04

- O. REVIEW, DISCUSS, and APPROVE the Board of Police Commissioners' Vision Statement, Goals, and Action Plan for Fiscal Year 2005, as set forth. [BPC #04-0603]

## **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. LERI-HS #A033-03                      One Police Officer III  
Three Police Officers II
- 2. OIS #056-03                              One Sergeant I  
Three Police Officers III  
Two Police Officers II
- 3. OIS #057-03                              Four Police Officers II

B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action relative to investigation concerning Complaint File No. 04-3327. Government Code Section 54957.6.

- 1. Chief of Police
- 2. Deputy Chief
- 3. Inspector General

C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action relative to investigation concerning Complaint File No. 04-4561. Government Code Section 54957.6.

- 1. Chief of Police

CONTINUED FROM 09/21/04

D. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE. Discussion regarding the Department’s Discipline report, Second Quarter and the Office of the Inspector General’s analysis of this report. Government Code Section 54957.6. (Also Calendared as Item 8-J in Open Session) [BPC #04-0546A]

CONTINUED FROM 09/21/04

E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion regarding the Commission’s assessment of the appropriateness of the Chief of Police’s actions on the Department’s Discipline report, Second Quarter and the Office of the Inspector General’s analysis of this report. Government Code Section 54957. (Also Calendared as Item 8-J in Open Session) [BPC #04-0546A]

CONTINUED FROM 09/21/04

- F. CONFERENCE WITH LABOR NEGOTIATOR. Discussion and bargaining instructions to the Employee Relations Administrator regarding Meet and Confer procedure for Financial Disclosure, pursuant to Paragraph 132 of the Consent Decree. Government Code Section 54957.6.
  
- G. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Annual evaluation. Government Code Section 54957.
  - 1. Chief of Police

*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, October 1, 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.