

---

# AGENDA

## BOARD OF POLICE COMMISSIONERS

### REGULAR MEETING

**TUESDAY, MAY 19, 2009**

**9:30 A.M.**

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

[www.lapd.online.org](http://www.lapd.online.org)

---



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

**5. INFORMATION – FILED ITEMS**

A. [Noise variance permits](#) on file, as submitted for the period ending May 15, 2009.

- May 7, 2009 – July 7, 2009 Asplundh Tree Expert Company (PC #09/126)
- May 12, 2009 – July 12, 2009 Asplundh Tree Expert Company (PC #09/128)
- May 12, 2009 – July 12, 2009 Asplundh Tree Expert Company (PC #09/130)
- May 14, 2009 – July 14, 2009 Asplundh Tree Expert Company (PC #09/132)
- May 14, 2009 – July 14, 2009 Asplundh Tree Expert Company (PC #09/133)
- May 14, 2009 – July 14, 2009 Asplundh Tree Expert Company (PC #09/134)
- May 14, 2009 – July 14, 2009 Asplundh Tree Expert Company (PC #09/135)
- May 14, 2009 – July 14, 2009 Asplundh Tree Expert Company (PC #09/137)
- May 14, 2009 – July 14, 2009 Asplundh Tree Expert Company (PC #09/138)
- May 14, 2009 – July 14, 2009 Asplundh Tree Expert Company (PC #09/140)
- May 14, 2009 – July 14, 2009 Asplundh Tree Expert Company (PC #09/141)
- May 17, 2009 – July 17, 2009 Asplundh Tree Expert Company (PC #09/142)
- May 18, 2009 – July 18, 2009 Asplundh Tree Expert Company (PC #09/144)
- May 18, 2009 – July 18, 2009 Asplundh Tree Expert Company (PC #09/145)
- May 18, 2009 – July 18, 2009 Asplundh Tree Expert Company (PC #09/146)
- May 23, 2009 – July 23, 2009 Asplundh Tree Expert Company (PC #09/150)
- May 24, 2009 – July 24, 2009 Asplundh Tree Expert Company (PC #09/154)

B. [Special event permits](#) on file, as submitted for the period ending May 15, 2009.

- Sunday, May 10, 2009 Rally for an Agunah
- Friday, May 15, 2009 United Teachers Los Angeles Education & Justice Rally
- Friday, May 15, 2009 The Lemonade Rally
- Saturday, May 23, 2009 Mary Help of Christian (Maria Auxiliadora) Procession

**6. PRESENTATIONS**

**7. CONSENT AGENDA ITEMS**

- A. DEPARTMENT'S REPORT, dated May 14, 2009, relative to a Travel Authority for the Chief of Police, on May 21, 2009, to participate in the California Peace Officers' Association's 89<sup>th</sup> Annual Training Symposium, as set forth. [\[BPC #09-0232\]](#)

Recommendation(s) for Board action:

1. APPROVE the Department's report.

**8. REGULAR AGENDA ITEMS**

- A. VERBAL PRESENTATION by the Department and the Mary Magdalene Project relative to the Mary Magdalene Project.
- B. VERBAL PRESENTATION by the Department and the U.S. Attorney's Office relative to gang enforcement and prosecution.
- C. VERBAL PRESENTATION by the Department and the Kennedy School of Government at Harvard University regarding the "Policing Los Angeles Under a Consent Decree: The Dynamics of Change at the LAPD" report.
- D. DEPARTMENT'S REPORT, dated May 4, 2009, relative to the Department's Response to the Recommendation of the Office of the Inspector General's Non-Categorical Use of Force Investigations Audit, Fiscal Year 2007/08, as set forth.

[\[BPC #08-0182A\]](#)

Recommendation(s) for Board action:

1. RECEIVE and FILE the Department's report.

- E. DEPARTMENT'S REPORT, dated May 12, 2009, relative to the Request for Information: Recapitulation of Warrants Authored and Firearms Seized by Gang Impact Teams, First Quarter 2009, as set forth. [\[BPC #09-0230\]](#)

Recommendation(s) for Board action:

1. APPROVE the Department's report.

- F. DEPARTMENT'S REPORT, dated April 30, 2009, relative to the Semi-Annual Consent Decree Mental Illness Project Status Report – July through December 2008, as set forth. [\[BPC #09-0231\]](#)

Recommendation(s) for Board action:

1. APPROVE the Department's report and TRANSMIT to the City Council, Public Safety Committee.

**9. PUBLIC COMMENT PERIOD**

**10. CLOSED SESSION ITEMS**

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of Officer Involved Shooting (OIS), Tactical Negative Discharge (ND), In-Custody Death (ICD), and other personnel matters. Government Code Section 54957.

CONTINUED FROM MAY 12, 2009

- |  |  |
|--|--|
| 1. OIS #049-08                                 | Three Police Officer III<br>Three Police Officer One                     |
| 2. ND #051-08<br>(Tactical Negative Discharge) | One Detective II<br>Five Police Officer II                               |
| 3. OIS #052-08                                 | Two Police Officer III<br>Four Police Officer II<br>Two Police Officer I |
| 4. ICD #053-08                                 | Four Detention Officer   |

- 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. Government Code Section 54956.9(b)(1).

CONTINUED FROM MAY 12, 2009

- 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 MAY 12, 2009

- D. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action of annual evaluation. 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, May 15, 2009.

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.