

**LOS ANGELES POLICE DEPARTMENT  
BOARD OF POLICE COMMISSIONERS  
CITY OF LOS ANGELES  
MINUTES**

**REGULAR MEETING – TUESDAY, APRIL 20, 2004**

The Board of Police Commissioners of the City of Los Angeles convened in regular session Tuesday, April 20, 2004, at 9:50 a.m., in Room 146, Parker Center, Los Angeles. On calling the roll, the following members were present: Commissioners Cunningham III, Skobin and Ochi. Commissioner Caruso was absent. President Cunningham presiding.

PRESENT: William J. Bratton, Chief of Police  
Daniel R. Koenig, Executive Director  
Mark Burton, Senior Assistant City Attorney  
Julie Valenzuela, Commission Executive Assistant  
Jill Bogle, Hearing Reporter  
Officer Troy Abordo, Sergeant-at-Arms  
Officer Deborah Nichols, Sergeant-at-Arms

**1. APPROVAL OF MINUTES – NONE.**

**2. REPORT OF CHIEF OF POLICE**

Chief Bratton gave the Department's "weekly crimes year to date" statistical report for the period ending April 17, 2004.

Chief Bratton announced that the Department had received a \$2,000,000,000 grant, \$40,000 of which will be allotted to overtime use in and around the housing developments in the City.

**3. COMMISSION BUSINESS**

Commissioner Ochi stated that she had attended the Chief's Sexual Assault Conference yesterday. She also stated that she had met with the Mental Health Task Force this morning.

Commissioner Ochi reported that the Hate Crimes Task Force was currently finalizing the Memorandum of Agreement, which should be ready for the next agenda.

Commissioner Ochi requested an update regarding the Police Headquarters Facility.

Commissioner Skobin stated that he had attended several meetings. The first was a community meeting regarding racial profiling, he also attended the North Hollywood C-PAB, Public Safety Town Hall Meeting in Councilmember Perry's district, and an Official Police Garage (OPG) Committee meeting regarding the shift of OPG responsibility when the two new police stations are opened.

President Cunningham stated that he had attended two press conferences last week, the first was at Nickerson Gardens regarding zero tolerance for crime and the second was to announce the redeployment of some sworn positions to the field. President Cunningham also spoke at the 11<sup>th</sup> Annual C-PAB Summit, attended two events which were both held on April 8<sup>th</sup>, one at the Century Plaza Hotel and the other at the Regency Hotel. President Cunningham stated that Chief Bratton and his wife received the Bernard S. Jefferson award at the Urban League Dinner.

President Cunningham reported that Commissioner Caruso hosted a fundraiser for Sheriff Baca's Homeland Security Tax Initiative, which raised over \$100,000.00.

President Cunningham and Commissioner Skobin met with the community at the Renaissance First AME Church to discuss homeland security and the "broken glass" syndrome.

The Board presented a Certificate of Appreciation to Deputy City Attorney Richard Wong upon his retirement. Mr. Wong was instrumental in the Misdemeanor Program, which enforces the Alarm Ordinance.

Commissioner Skobin moved, seconded by Commissioner Ochi, to increase the time limit for public comment from one minute to two minutes provided there are no more than 10 speakers for each item. If more than ten individuals wish to address the Board on a given item, the time limit will become one minute for each person. Unanimously APPROVED.

#### **4. INFORMATION – FILED ITEMS**

Information items on file, submitted for the period ending April 16, 2004.

RECEIVED and FILED.

#### **5. CONSENT AGENDA ITEMS**

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE Item Nos. 5-A through 5-H. Unanimously APPROVED.

##### **5-A. VARIANCE - APPROVED**

APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Right of Way, Inc. to permit nighttime construction which began on Monday, April 5, 2004, from 9:00 p.m. to 3:00 a.m. and is scheduled for completion on Tuesday, April 6, 2004, at the work located at 4955 Van Nuys Boulevard, as set forth. [BPC #04-0132]

**5-B. VARIANCE – RETROACTIVELY APPROVED**

Retroactively APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Padre Associates, Inc. to permit early morning construction which began on Saturday, February 28, 2004 from 5:30 a.m. to 12:00 p.m., and was completed on Saturday, February 28, 2004 at the work which was located at 300 North La Cienega Boulevard, as set forth. [BPC #04-0155]

**5-C. VARIANCE - APPROVED**

APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Bureau of Street Services to permit nighttime construction beginning on Monday, April 19, 2004 from 9:00 p.m. to 6:00 a.m. and is scheduled for completion on Friday, May 7, 2004 for street resurfacing at Sunset Boulevard, from Gower Street to Highland Avenue and Western Avenue from Melrose Avenue to Beverly Boulevard, as set forth. [BPC #04-0164]

**5-D. DONATION – APPROVED AND AUTHORIZED**

APPROVE and AUTHORIZE a donation from Safelite Glass Corp. in the amount of \$265.00 to the Devonshire Area Explorer Post to benefit various Explorer activities, as set forth. [BPC #04-0146]

**5-E. DONATION – APPROVED AND AUTHORIZED**

APPROVE and AUTHORIZE a donation from the Los Angeles Police Equestrian Fund of a Quarter Horse, valued at \$1,200.00 to the Department's Mounted Platoon, as set forth. [BPC #04-0147]

**5-F. DONATION – APPROVED AND AUTHORIZED**

APPROVE and AUTHORIZE a donation from Mr. Issachar Shabtay in the amount of \$300.00 to the North Hollywood Area Stations Fund, as set forth. [BPC #04-0156]

**5-G. DONATION – APPROVED AND AUTHORIZED**

APPROVE and AUTHORIZE a donation from Rydell Automotive Group in the amount of \$500.00 to the Devonshire Area Explorer Post 660, as set forth. [BPC #04-0157]

**5-H. DONATION – APPROVED AND AUTHORIZED**

APPROVE and AUTHORIZE a donation from Devonshire Police Activity League Supporters in the amount of \$1,090.00 to the Devonshire Area Explorer Post 660 for entry fees to the Central Coast Law Enforcement Explorer Competition, as set forth. [BPC #04-0158]

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE Item Nos. 5-I through 5-M. Unanimously APPROVED.

**5-I. DONATION – APPROVED AND AUTHORIZED**

APPROVE and AUTHORIZE a donation from Devonshire Open House in the amount of \$202.00 to the Devonshire Area Explorer Post 660, as set forth. [BPC #04-0169]

**5-J. FIREARMS/AMMUNITION SALES POLICE PERMIT - APPROVED**

REVIEW and APPROVE an application for a Firearms/Ammunition Sales Police Permit from Mr. Jaime Martinez, as set forth.

**5-K. FIREARMS/AMMUNITION SALES POLICE PERMIT - APPROVED**

REVIEW and APPROVE an application for a Firearms/Ammunition Sales Police Permit from Mr. Gregory P. Green, as set forth.

**5-L. FIREARMS/AMMUNITION SALES POLICE PERMIT - APPROVED**

REVIEW and APPROVE an application for a Firearms/Ammunition Sales Police Permit from Mr. Damon R. Louis, as set forth.

**5-M. FIREARMS/AMMUNITION SALES POLICE PERMIT - APPROVED**

REVIEW and APPROVE an application for a Firearms/Ammunition Sales Police Permit from Ms. Suzanne Garber, as set forth.

**6. REGULAR AGENDA ITEMS**

**6-A. APPROVED – TRANSMIT TO THE MAYOR AND CITY COUNCIL – AUTHORIZE CHIEF OF POLICE**

APPROVE and TRANSMIT to the Mayor and City Council, the agreement between the City and Donna Cline for Police Composite Artist services and upon approval by the Board, Mayor's Office, and City Council, AUTHORIZE the Chief of Police to execute this contract, as set forth. [BPC #04-0159]

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE and TRANSMIT the above matter. Unanimously APPROVED.

**6-B. APPROVED – TRANSMIT TO THE MAYOR AND CITY COUNCIL – AUTHORIZE CHIEF OF POLICE**

APPROVE and TRANSMIT to the Mayor and City Council, the Eighteenth Amendment to Agreement No. C-94580 between the City and Northrop Grumman Commercial Systems, Inc. (former contractor was Northrop Grumman Space and Mission Systems Corp.) and AUTHORIZE the Chief of Police to execute this amendment, as set forth. [BPC #04-0022]

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE, TRANSMIT, and AUTHORIZE the above matter. Unanimously APPROVED.

**6-C. APPROVED – TRANSMIT TO THE MAYOR AND CITY COUNCIL –  
AUTHORIZE THE CHIEF OF POLICE**

APPROVE and TRANSMIT to the Mayor and City Council, the Department's report regarding contract selection and contract negotiations with JusticeTrax, Inc., for the Laboratory Information Management System program, and AUTHORIZE the Chief of Police to enter into contract negotiations, as set forth. [BPC #04-0166]

The above matter was DISCUSSED with Mr. Johnson, Scientific Investigation Division and Ms. Gonzales-Kimbrough, Deputy City Attorney.

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE, TRANSMIT, and AUTHORIZE the above matter. Unanimously APPROVED.

**6-D. APPROVED – TRANSMIT TO MAYOR AND CITY COUNCIL**

APPROVE and TRANSMIT to the Mayor and City Council, the Department's Memorandum of Agreement between the Department and the City's Housing Authority to fund the Department overtime details with the goal of enhancing safety and reducing violent crime within the City's housing developments, as set forth. [BPC #04-0176]

The above matter was DISCUSSED with Commander Moore and Lieutenant Trotter, Office of Operations.

The following person addressed the Board relative to the above matter:

Alex Cain.

The public hearing was closed.

Commissioner Skobin moved, seconded by Commissioner Ochi, to APPROVE and TRANSMIT the above matter. Unanimously APPROVED.

**6-E. APPROVED – TRANSMIT TO MAYOR AND CITY COUNCIL**

APPROVE and TRANSMIT to the Mayor and City Council the Department's Memorandum of Agreement between the Harbor Department and the Police Department to provide aerial patrols due to increased Port security needs, as set forth. [BPC #04-0167]

The above matter was DISCUSSED with Lieutenant Smith, Air Support Division.

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE and TRANSMIT the above matter. Unanimously APPROVED.

**6-F. APPROVE – TRANSMIT TO MAYOR AND CITY COUNCIL**

APPROVE and TRANSMIT to the Mayor and City Council, the Department's recommendation that a \$25,000.00 reward be paid to a witness who provided information which led to the conviction of Avery Hypolite for the murder of Soon Jae Baek, Council File No. 03-0010-S5, as set forth. [BPC #04-0152]

The above matter was DISCUSSED with Captain Craig and Detective Nickerson, Operation South Bureau.

Commissioner Skobin moved, seconded by Commissioner Ochi to APPROVE and TRANSMIT the above matter. Unanimously APPROVED.

**6-G. AUDIT RECEIVED – DIRECTION GIVEN TO OFFICE OF THE INSPECTOR GENERAL**

RECEIVE the Department's Warrant Applications and Supporting Affidavits Audit, Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 128 of the Consent Decree and DIRECT the Office of the Inspector General to submit their analysis of this Audit along with any appropriate recommendations to the Board, pursuant to Paragraph 135 of the Consent Decree, as set forth. [BPC #04-0138]

The above matter was DISCUSSED with Mr. Chaleff, Consent Decree Bureau and Deputy Chief Doan, TEAMS II.

**6-H. AUDIT RECEIVED – DIRECTION GIVEN TO POLICY GROUP**

RECEIVE the Department's Officer-Involved Traffic Collisions Audit, Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 127 of the Consent Decree and DIRECT the Police Commission Policy Group to submit their analysis of this report along with any appropriate recommendations to the Board, as set forth. [BPC #04-0139]

The above matter was DISCUSSED with Mr. Chaleff, Consent Decree Bureau and Assistant Chief Gascon.

**6-I. AUDIT RECEIVED – DIRECTION GIVEN TO POLICY GROUP**

RECEIVE the Department's Area Liability Incident Response Training Audit, Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 128 of the Consent Decree and DIRECT the ~~Office of the Inspector General~~ \*Police Commission Policy Group to submit their analysis of this report along with any appropriate recommendations to the Board, pursuant to Paragraph 135 of the Consent Decree, as set forth. [BPC #04-0140]

Executive Director Koenig noted that direction regarding the above matter should be given to the Police Commission Policy Group, not the Office of the Inspector General.

**6-J. AUDIT RECEIVED – DIRECTION GIVEN TO OFFICE OF THE INSPECTOR GENERAL**

RECEIVE the Department's Arrest, Booking and Charging Reports Audit, Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 128 of the Consent Decree and DIRECT the Office of the Inspector General to submit their analysis of this report along with any appropriate recommendations to the Board, pursuant to Paragraph 135 of the Consent Decree, as set forth.

BPC #04-0141]

The Board INSTRUCTED the Office of the Inspector General to REPORT BACK with a breakdown of each area and what compliance was for each area.

At this time, Item No. 6-X was taken out of order.

**6-X. ENTIRE MATTER CONTINUED**

RECONSIDER the 77<sup>th</sup> Area Official Police Garage (OPG) contract in light of the City Council's action of April 13, 2004 as follows:

1. Disapprove the Commission's recommendation that Al's Towing be awarded the 77<sup>th</sup> Area OPG contract; and
2. Return the entire matter to the Commission requesting that the Board issue a new Request for Proposals (RFP) for the 77<sup>th</sup> Area OPG Contract.

The above matter was DISCUSSED with Executive Director Koenig.

The following persons addressed the Board:

Eric Nishizawa, Robert Ring, and Ricardo A. Torres.

The public hearing was closed.

The Board INSTRUCTED Executive Director Koenig to REPORT BACK with the minority report, clarification on the RFP process, and a copy of the City Council tape from their meeting of April 13, 2004.

At this time, Item Nos. 6-K through 6-N were RECEIVED and DIRECTIONS were given to the proper entities to submit their analysis of each report.

**6-K. AUDIT RECEIVED – DIRECTION GIVEN TO POLICY GROUP**

RECEIVE the Department's Continuing Education Delivery Plan Audit, Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 117 of the Consent Decree and DIRECT the Police Commission Policy Group to submit their analysis of this report along with any appropriate recommendations to the Board, as set forth. [BPC #04-0142]

**6-L. AUDIT RECEIVED – DIRECTION GIVEN TO OFFICE OF THE INSPECTOR GENERAL**

RECEIVE the Department's Complaint Investigations Audit, Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 129 of the Consent Decree and DIRECT the Office of the Inspector General to submit their analysis of this report along with any appropriate recommendations to the Board, pursuant to Paragraph 135 of the Consent Decree, as set forth. [BPC #04-0143]

**6-M. AUDIT RECEIVED – DIRECTION GIVEN TO OFFICE OF THE INSPECTOR GENERAL**

RECEIVE the Department's Field Data Reports Audit Completed by Gang Enforcement Detail Officers, Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 131 of the Consent Decree and DIRECT the Office of the Inspector General to submit their analysis of this report along with any appropriate recommendations to the Board, pursuant to Paragraph 135 of the Consent Decree, as set forth. [BPC #04-0144]

The following person addressed the Board:

Alex Cain.

The public hearing was closed.

**6-N. AUDIT RECEIVED – DIRECTION GIVEN TO OFFICE OF THE INSPECTOR GENERAL**

RECEIVE the Department's revised Gang Enforcement Detail Work Product Audit, Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 131(a) of the Consent Decree and DIRECT the Office of the Inspector General to submit their analysis of this report along with any appropriate recommendations to the Board, pursuant to Paragraph 135 of the Consent Decree, as set forth. [BPC #04-0145]

The following person addressed the Board.

Alex Cain.

The public hearing was closed.



**6-O. REVIEWED - APPROVED**

REVIEW and APPROVE the Department's Audit of Front Desk Service provided to the deaf and hearing-impaired via Telecommunications Devices for the Deaf (TDD), Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 124 of the Consent Decree, as set forth. [BPC #04-0134]

The above matter was REVIEWED with Mr. Chaleff, Consent Decree Bureau.

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE the above matter. Unanimously APPROVED.

**6-P. REVIEWED - APPROVED**

REVIEW and APPROVE the Department's Audit of Gang Enforcement Detail Work Product, Second Quarter Fiscal Year 2003/2004 and the Inspector General's analysis of this report, pursuant to Paragraph 135 of the Consent Decree, as set forth. [BPC #03-0576 and #03-0576A]

The above matter was REVIEWED with Mr. Chaleff, Consent Decree Bureau and Inspector General Birotte.

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE the above matter. Unanimously APPROVED.

**6-Q. UPDATE GIVEN – CONTINUED TO MAY 4, 2004**

Verbal UPDATE from the Department regarding a Board of Inquiry into jail and booking procedures.

The above matter was DISCUSSED with Ms. Johnson, Fiscal and Technical Services Bureau.

**6-R. NOT DISCUSSED - ENTIRE MATTER CONTINUED TO MAY 4, 2004**

Verbal PRESENTATION and DISCUSSION from the Department staff and Personnel Department regarding a proposal to remove physicians from the City Jails and replacing these physicians with Physician Assistants and/or Nurse Practitioners.

**6-S. UPDATE GIVEN – ENTIRE MATTER CONTINUED TO MAY 4, 2004**

Verbal report from the Department regarding the establishment of a Recruitment Advisory Committee to provide the Department with long-term assistance in its recruiting efforts.

The above matter was DISCUSSED with Captain Webb, Recruitment and Employment Division.

The Board INSTRUCTED the Department to REPORT BACK with a list of names for the Recruitment Advisory Committee – ENTIRE MATTER CONTINUED TO MAY 4, 2004.

**6-T. APPROVED – TRANSMIT TO THE UNITED STATES DEPARTMENT OF JUSTICE**

APPROVE and TRANSMIT to the United States Department of Justice via Consent Decree Work Group, the Department's report regarding TEAMS II, Risk Management Information System's individual performance assessments based upon specific performance thresholds, as set forth. [BPC #04-0135]

The above matter was DISCUSSED with Deputy Chief Doan, TEAMS II.

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE and TRANSMIT the above matter. Unanimously APPROVED.

**6-U. ENTIRE MATTER CONTINUED TO MAY 4, 2004**

APPROVE and TRANSMIT to the Public Safety Committee, the Department's second progress report regarding review of the retaliation investigation process, as set forth. [BPC #04-0173]

Executive Director Koenig requested that the above matter be CONTINUED TO MAY 4, 2004.

**6-V. UPDATE GIVEN**

UPDATE and DISCUSSION by the Department regarding the Fiscal Year 2003/2004 Budget and development of the Fiscal Year 2004/2005 Budget.

The above matter was DISCUSSED with Ms. Johnson, Fiscal and Technical Services Bureau.

**6-W. REVIEWED - APPROVED**

REVIEW and APPROVE the Department's Discipline Report, Fourth Quarter 2003 and the Inspector General's analysis of this report, pursuant to Paragraphs 88 and 89 of the Consent Decree, as set forth. (Also Calendared as Item No. 8-B in Closed Session)

BPC #04-0061 and #04-0061A]

The above matter was REVIEWED with Commander Lillo, Internal Affairs Group and Inspector General Birotte.

Commissioner Skobin moved, seconded by Commissioner Ochi, to APPROVE the above matter. Unanimously APPROVED.

## 7. PUBLIC COMMENT PERIOD

The following person addressed the Board on general issues:

Frances Bloom.

The public hearing was closed.

At this time, Ms. Valenzuela announced that the Board would recess into Closed Session to discuss Item Nos. 8-A through 8-D, pursuant to the appropriate Government Code Sections.

## 8. CLOSED SESSION ITEMS

8-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.

### 8A-1. ADOPTED

- |    |               |   |
|----|---------------|---|
| 1. | LERI #A013-03 | One Police Officer III<br>Two Police Officers II<br>Two Police Officers I |
|----|---------------|---|

### 8A-2. ADOPTED

- |    |             |  |
|----|-------------|--|
| 2. | OIS #024-03 | One Police Officer III<br>One Police Officer I |
|----|-------------|--|

### 8A-3. ADOPTED

- |    |             |                                       |
|----|-------------|---------------------------------------|
| 3. | OIS #027-03 | One Detective II<br>Four Detectives I |
|----|-------------|---------------------------------------|

### 8A-4. ADOPTED

- |    |             |  |
|----|-------------|--|
| 4. | OIS #028-03 | One Detective II<br>Three Police Officers II |
|----|-------------|--|

### 8A-5. ADOPTED

- |    |             |                         |
|----|-------------|-------------------------|
| 5. | OIS #032-03 | Two Police Officers III |
|----|-------------|-------------------------|

### 8A-6. ENTIRE MATTER CONTINUED TO MAY 4, 2004

- |    |             |                          |
|----|-------------|--------------------------|
| 6. | OIS #029-03 | Three Police Officers II |
|----|-------------|--------------------------|

8A-7. **ADOPTED**

7. LERI #A016-03 Four Police Officers III  
Six Police Officers II

8-B. **DISCUSSED**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion regarding the Commission's assessment of the appropriateness of the Chief of Police's action on the Department's Discipline Report for the Fourth Quarter of 2003 and the Inspector General's analysis of this report. Government Code Section 54957. (Also Calendared as Item No. 6-W in Open Session) [BPC #04-0061 and #04-0061A]

8-C. **ENTIRE MATTER CONTINUED TO MAY 4, 2004**

CONTINUED FROM 04/06/04

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.

8-D. **NOT DISCUSSED**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code Section 54957.

1. Chief of Police
2. Executive Director
3. Inspector General

**9. ADJOURNMENT**

The Board reconvened in Open Session to announce its decision regarding matters considered in Closed Session.

A motion of adjournment at 3:53 p.m. was made by Commissioner Ochi, seconded by Commissioner Skobin. Unanimously ADOPTED.

ATTEST:

\_\_\_\_\_  
President

\_\_\_\_\_  
Board Secretary

NOTE: For more detailed information, a certified transcript of this meeting is included as part of the permanent record of these proceedings.