

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

REGULAR MEETING – TUESDAY, JANUARY 25, 2005

The Board of Police Commissioners of the City of Los Angeles convened in regular session Tuesday, January 25, 2005, at 9:54 a.m., in Room 146, Parker Center, Los Angeles. On calling the roll, the following members were present: Commissioners Cunningham III, Skobin, Alarcon, Caruso, and Ochi. President Cunningham presiding.

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

At this time, Commissioner Skobin introduced Councilmember Ludlow, Council District 10.

Councilmember Ludlow presented President Cunningham with a birthday certificate on behalf of the entire City Council.

1. APPROVAL OF MINUTES:

NONE.

2. REPORT OF CHIEF OF POLICE

Chief Bratton gave his “weekly crimes year to date” statistical report for the period ending January 22, 2005.

3. REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Tefank submitted the revised Commission Liaison/Assignments. The Board asked that this matter be continued to February 1, 2005.

4. REPORT OF THE INSPECTOR GENERAL

Assistant Inspector General Bershon thanked Mr. Brennan, Personnel Division for his assistance with the reorganization and re-staffing issues of the Inspector General’s Office (OIG).

Assistant Inspector General Bershon also announced that the OIG was ready to fill all positions needed for the reorganization: Seven Police Performance Auditors, six Police Performance Auditor III, one Police Performance Auditor IV, and three additional Special Investigators.

Assistant Inspector General Bershon reported that two Special Investigator candidates were currently undergoing background checks within the Department.

5. COMMISSION BUSINESS

Commissioner Alarcon directed Commission staff to transmit a condolence letter to the New York Fire Department for the tragic loss of three firefighters yesterday.

President Cunningham stated that the Board would adjourn this meeting in their memory.

Commissioner Ochi stated that she had met with Ann Reiss-Lane, Chairperson, Women Against Gun Violence who supports the half-cent tax ballot measure.

Commissioner Ochi reported attending the League of Women Voters luncheon honoring elected women officials.

Commissioner Ochi also met with Training Group and a vendor that demonstrated a translation device which would enable officers to communicate with Non-English speaking constituents. The vendor also presented a device that would assist the hearing impaired. Commissioner Ochi would like this calendared in the near future.

Commissioner Ochi announced that there would be a Cultural Language and Hate Crimes Task Force joint meeting next week.

Commissioner Skobin gave an update on his review of the Use of Force review process.

Commissioner Skobin stated that he went to an officer involved shooting scene to observe the new Force Investigation Division (FID) and was very pleased with the way FID officers handled the crime scene.

President Cunningham reported attending a City Council meeting last week with Commissioner Caruso and Chief Bratton regarding an amendment to the City Charter for the Police Department and Airport Department merger.

President Cunningham inquired about the status report on the Community Police Advisory Board (C-PAB). Executive Director Tefank stated that the Board would be receiving two status reports from C-PAB members in February.

6. INFORMATION – FILED ITEMS

Information items on file, submitted for the period ending January 21, 2005.

RECEIVED and FILED.

7. CONSENT AGENDA ITEMS

7-A. VARIANCE – RETROACTIVELY APPROVED

DEPARTMENT'S REPORT regarding a request for variance to Los Angeles Municipal Code Section 41.40 from Coastal Traffic Systems to permit nighttime construction which began on Sunday, January 16, 2005 from 7:00 a.m. to 4:00 p.m. and will be completed by Sunday, January 30, 2005 for the work site located at 1903 South Sawtelle Boulevard, as set forth.

[BPC #05-0016]

Recommendation for Board action:

1. Retroactively APPROVE the Department's report and request for variance.

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

8. REGULAR AGENDA ITEMS

8-A. REVIEWED – DEPARTMENT'S REPORT APPROVED – TRANSMIT TO PUBLIC SAFETY COMMITTEE

DEPARTMENT'S REPORTS regarding a status report on Citywide Consent Decree compliance by the Gang Enforcement Details and recapitulation of firearms seized and warrants authored by the Gang Impact Teams for the month of December 2004, as set forth.

[BPC #05-0006 and #05-0006A]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's reports.
2. TRANSMIT to the Public Safety Committee.

The above matter was REVIEWED with Commander Roupoli, Special Operations Bureau.

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

8-B. DISCUSSED – ENTIRE MATTER CONTINUED FOR TWO WEEKS TO FEBRUARY 8, 2005

DEPARTMENT'S REPORT regarding a request received from City Council (Council File No. 04-2320) to research a proposal under California Vehicle Code Section 21101.4(a)(1), to temporarily close two streets in the Harbor Gateway area due to criminal activity, as set forth.

[BPC #05-0014]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's report, pending recommendation by Department of Transportation.
2. TRANSMIT to the Public Works Committee.

The above matter was REVIEWED with Captain McCarthy and Lieutenant Farrell, Special Operations Support Division.

The Board INSTRUCTED the Department to come back with opinions from the Fire Department, C-PAB or Neighborhood Council, and constituents residing in this area.

ENTIRE MATTER CONTINUED FOR TWO WEEKS TO FEBRUARY 8, 2005.

8-C. REVIEWED – DEPARTMENT'S REPORT APPROVED – TRANSITION APPROVED – CHIEF OF POLICE AUTHORIZED

DEPARTMENT'S REPORT regarding an amendment to the Vytex Public Safety Solutions, Inc. Contract (C-104899), which supports the Portable Officer Data Device System, as set forth.

[BPC #05-0015]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's report.
2. APPROVE transition of contract management from the Chief Legislative Analyst and the Mayor's Office to the Police Department.
3. AUTHORIZE the Chief of Police to execute an amendment to Vytex Public Safety Solutions, Inc. Contract.

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

8-D. REVIEWED – DEPARTMENT’S REPORT APPROVED – TRANSMIT TO BUDGET AND FINANCE AND PUBLIC SAFETY COMMITTEES

DEPARTMENT’S REPORT regarding the monthly update and status report detailing the progress on funding and backfill of sworn positions assigned to the Los Angeles Police Department, as set forth. [BPC #05-0017]

Recommendations for Board action:

1. REVIEW and APPROVE the Department’s report.
2. TRANSMIT to the Budget and Finance and Public Safety Committees.

The above matter was REVIEWED with Commander Hansohn and Mr. Brennan, Personnel Group.

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

8-E. REVIEWED – DEPARTMENT’S REPORT APPROVED – TRANSMIT TO BUDGET AND FINANCE COMMITTEE

DEPARTMENT’S REPORT regarding the Budget and Finance Committee request (Council File No. 04-0767) for a monthly status report on funding and staffing needs for the North Valley Police Station, as set forth. [BPC #05-0019]

Recommendations for Board action:

1. REVIEW and APPROVE the Department’s report.
2. TRANSMIT to the Budget and Finance Committee.

The above matter was REVIEWED with Commander Hansohn and Mr. Brennan, Personnel Group.

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

8-F. REVIEWED – DEPARTMENT’S REPORT APPROVED – TRANSMIT TO MAYOR’S OFFICE

DEPARTMENT’S REPORT in response to Mayor’s request for review of the Department’s efforts with respect to recruiting openly gay and lesbian officers, promoting an environment that supports gay and lesbian officers and policies that assure respect and appreciation for diversity, as set forth. [BPC #05-0020]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's report.
2. TRANSMIT to the Mayor's Office.

The above matter was REVIEWED with Commander Hansohn and Mr. Brennan, Personnel Group.

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

8-G. REVIEWED – DEPARTMENT'S REPORT APPROVED

DEPARTMENT'S REPORT in response to Board query regarding asset forfeiture, statutory authority (criteria) for use of the funds, amount seized in the last ten years, and State versus Federal breakdown, as set forth. [BPC #05-0018]

Recommendation for Board action:

1. REVIEW and APPROVE the Department's report.

The above matter was REVIEWED with Captain Crosley, Narcotics Division.

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

8-H. REVIEWED – DEPARTMENT'S REPORT APPROVED – OFFICE OF THE INSPECTOR GENERAL'S REPORT APPROVED

CONTINUED FROM 10/19/04

DEPARTMENT'S REPORT and OFFICE OF THE INSPECTOR GENERAL'S REPORT regarding the Arrest, Booking, and Charging reports Audit, First Quarter Fiscal Year 2004/2005, in accordance with Paragraph 128 of the Consent Decree, as set forth.

[BPC #04-0651 and #04-0651A]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's report.
2. REVIEW and APPROVE the Office of the Inspector General's report.

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

The Board INSTRUCTED the Department to report back on the matter of compliance with issuing property receipts.

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

8-I. REVIEWED – DEPARTMENT’S REPORT APPROVED – POLICE COMMISSION PERSONNEL GROUP’S STAFF ANALYSIS APPROVED

CONTINUED FROM 12/28/04

DEPARTMENT’S REPORT and POLICE COMMISSION PERSONNEL GROUP’S STAFF ANALYSIS regarding the Hunter-La Ley Quarterly report for deployment periods 7 through 9 of Fiscal Year 2004/2005, as set forth. [BPC #04-0776 and #04-0776A]

Recommendations for Board action:

1. REVIEW and APPROVE the Department’s report.
2. REVIEW and APPROVE the Police Commission Personnel Group’s staff analysis.

The above matter was DISCUSSED with Mr. Chaleff, Consent Decree Bureau and Ms. Ozawa, Police Commission Personnel Group.

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

9. PUBLIC COMMENT PERIOD

The following person addressed the Board on general issues:

Bill Murray.

The public hearing was closed.

At this time, Ms. Valenzuela announced that the Board would recess to Closed Session to discuss Item Nos. 10-A and 10-B, pursuant to the appropriate Government Code Sections.

10. CLOSED SESSION ITEMS

10-A. NOT DISCUSSED - CONTINUED

CONTINUED FROM 01/18/05

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.

10-B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of Officer Involved Shootings, Law Enforcement Related Injuries, and other personnel matters. Government Code Section 54957.

10B-1. REVIEWED - ADOPTED

CONTINUED FROM 01/04/05

1. OIS #022-04 Four Police Officers II

10B-2. REVIEWED - ADOPTED

CONTINUED FROM 01/18/05

2. LERI #015-04
One Captain I
One Sergeant II
Two Sergeants I
Three Police Officers II

10B-3. REVIEWED - ADOPTED

3. LERI #017-04 Two Police Officers III

10B-4. REVIEWED – ADOPTED

4. OIS #018-04 Three Police Officers II

10B-5. REVIEWED – CONTINUED TO FEBRUARY 1, 2005

5. OIS #025-04
One Detective II
One Sergeant II
Three Police Officers III
Two Police Officers II
One Police Officer I

ADJOURNMENT

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

A motion of adjournment at 11:46 a.m. was made by Commissioner Ochi, seconded by Commissioner Alarcon. 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.