

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

REGULAR MEETING – TUESDAY, FEBRUARY 22, 2005

The Board of Police Commissioners of the City of Los Angeles convened in regular session Tuesday, February 22, 2005, at 9:40 a.m., in Room 146, Parker Center, Los Angeles. On calling the roll, the following members were present: Commissioners Cunningham III, Skobin, and Alarcon. President Cunningham presiding. Commissioners Caruso and Ochi were absent.

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
Officer Jose Ceja, Sergeant-at-Arms
Officer Ernesto Vicencio, Sergeant-at-Arms

1. APPROVAL OF MINUTES FOR:

- Regular Meeting February 1, 2005

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

2. REPORT OF CHIEF OF POLICE

Chief Bratton gave the Department's "weekly crimes year to date" statistical report for the period ending February 19, 2005.

Chief Bratton stated that there are currently 9,097 police officers in the Department and there are 171 recruits at the academy.

3. REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Tefank announced that the Rampart Community Police Advisory Board was scheduled to give a presentation at the next Board of Police Commissioners' Community Meeting on March 1, 2005.

President Cunningham asked Executive Director Tefank for an update on the Juvenile Department Auxiliary Programs (DAP), Gang prevention and outreach programs.

4. REPORT OF THE INSPECTOR GENERAL

Inspector General Birotte stated that he had attended "Days of Dialogue" last week, which was relative to the Stanley Miller Use of Force Incident.

Inspector General Birotte announced that his office has been authorized to begin advertising for the Police Performance Auditor position.

5. COMMISSION BUSINESS

Commissioner Skobin stated that he had attended the one-year memorial service for Officer Ricardo Lizarraga. President Cunningham also attended Officer Lizarraga's memorial service.

President Cunningham stated that he had also attended "Days of Dialogue" last week and thanked Assistant Chief McDonnell, Deputy Chief Paysinger, and Captain Jackson for an extraordinary job with this event. President Cunningham directed Executive Director Tefank to publish the findings from this "Days of Dialogue."

President Cunningham also reported attending two more events: West Angeles Church honoring Police, Fire, and Military Personnel and the Black History Month Expo at the Faith Dome.

Commissioner Alarcon announced that the Department's DART (Domestic Abuse Response Team) Officers would be honored at next Tuesday's Police Commission Community Meeting at Micheltorena Elementary School in Silver Lake.

6. INFORMATION – FILED ITEMS

Information items on file, submitted for the period ending February 18, 2005.

RECEIVED and FILED.

7. CONSENT AGENDA ITEMS

Commissioner Skobin moved, seconded by Commissioner Alarcon, to APPROVE Item Nos. 7-A and 7-B. Unanimously APPROVED.

7-A. VARIANCE – RETROACTIVELY APPROVED.

DEPARTMENT'S REPORT regarding a request for variance to Los Angeles Municipal Code Section 41.40 from Hollywood Community Housing Corporation for Sunday construction, which began on Sunday, February 13, 2005 from 8:00 a.m. to 6:00 p.m. and will be completed on Tuesday, March 1, 2005 for the worksite located at the corner of Sunset Boulevard and Western Avenue, as set forth.

[BPC #05-0043]

Recommendation for Board action:

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

7-B. VARIANCE - APPROVED

DEPARTMENT'S REPORT regarding a request for variance to Los Angeles Municipal Code Section 41.40 from Hathaway Dinwiddie for Sunday construction, beginning on Sunday, February 27, 2005 from 8:00 a.m. to 6:00 p.m. and will be completed by Sunday, July 31, 2005 for the worksite located at 2000 Avenue of the Stars, as set forth. [BPC #05-0046]

Recommendation for Board action:

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

8. REGULAR AGENDA ITEMS

8-A. REVIEWED – DEPARTMENT'S REPORT APPROVED – FIRST AMENDMENT TO CONTRACT NO. 103981 APPROVED – TRANSMIT TO MAYOR AND CITY COUNCIL – CHIEF OF POLICE AUTHORIZED TO EXECUTE AMENDMENT, SUBJECT TO MAYOR AND CITY COUNCIL APPROVAL

DEPARTMENT'S REPORT regarding a First Amendment to Agreement No. 103981 between the City of Los Angeles and Motorola, Incorporated for Voice Radio Switch and Dispatch Integration Services, as set forth. [BPC #05-0044]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's report.
2. TRANSMIT the Amendment to the Mayor and City Council for approval.
3. AUTHORIZE the Chief of Police to execute this Amendment, subject to the approval of the Mayor and City Council.

The above matter was REVIEWED with Mr. Jantz, Emergency Command Control Communications System Division.

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

8-B. REVIEWED – DEPARTMENT'S REPORT APPROVED – 30 DAY EXTENSION REQUEST GRANTED FOR REVISED ANTI-RETALIATION POLICY REPORT

DEPARTMENT'S REPORT regarding a status update on the Anti-Retaliation Policy, as set forth. [BPC #05-0049]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's report.
2. APPROVE a 30-day extension on submission of the Revised Anti-Retaliation Policy Report.

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

Commissioner Skobin moved, seconded by Commissioner Alarcon, to APPROVE the above matter and GRANT a 30-day extension for a revised anti-retaliation policy report. Unanimously APPROVED.

8-C. DEPARTMENT'S REPORT RECEIVED – DIRECT OFFICE OF THE INSPECTOR GENERAL TO SUBMIT AN ANALYSIS OF THIS REPORT

DEPARTMENT'S REPORT regarding the Discipline Report, Fourth Quarter 2004, as set forth.
[BPC #05-0048]

Recommendations for Board action:

1. RECEIVE the Department's report.
2. DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board.

The above matter was DISCUSSED with Inspector General Birotte.

The Board RECEIVED the Department's report and DIRECTED the Office of the Inspector General to submit an analysis of this report.

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

OFFICE OF THE INSPECTOR GENERAL'S REPORT regarding the Annual Retaliation Policy Review, as set forth.
[BPC #05-0047]

Recommendation for Board action:

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

The above matter was REVIEWED with Inspector General Birotte.

The Board DIRECTED the Office of the Inspector General to comeback with an interim report once the Commission receives the Department's final retaliation report.

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

9. PUBLIC COMMENT PERIOD

The following persons addressed the Board on general issues:

Bill Murray, Tut Hayes, and Ted Hayes.

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 Government Code Section 54957.

10. CLOSED SESSION ITEMS

10-A. DISCUSSED - CONTINUED

CONTINUED FROM 02/15/05

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 02/15/05

(Law Enforcement Activity Related Death – LEARD)

1. LEARD #038-04
One Sergeant I
Two Police Officers III
Five Police Officers II

10B-2. REVIEWED – CONTINUED TO MARCH 1, 2005

- (Officer Involved Shooting – OIS)
2. OIS #034-04 One Sergeant I
Six Police Officers II

10B-3. REVIEWED - ADOPTED

3. OIS #046-04 Five Police Officers II

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

ADJOURNMENT

A motion of adjournment at 11:25 a.m. was made by Commissioner Skobin, 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.