

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

REGULAR MEETING – TUESDAY, MARCH 8, 2005

The Board of Police Commissioners of the City of Los Angeles convened in regular session Tuesday, March 8, 2005, at 10:00 a.m., in Room 146, Parker Center, Los Angeles. On calling the roll, the following members were present: Commissioners Cunningham III, Caruso, and Ochi. President Cunningham presiding. Commissioners Alarcon and Skobin were absent.

PRESENT: William J. Bratton, Chief of Police
Richard M. Tefank, Executive Director
Donna Weiss-Jones, Deputy City Attorney
Julie Valenzuela, Commission Executive Assistant
Jill Bogle, Hearing Reporter
Officer Troy Abordo, Sergeant-at-Arms

1. APPROVAL OF MINUTES FOR:

- Regular Meeting February 8, 2005
- Regular Meeting February 15, 2005
- Regular Meeting February 22, 2005

Commissioner Ochi moved, seconded by Commissioner Caruso, 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 March 5, 2005.

3. REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Tefank reported that he had met with representatives from the Human Relations Commission and is currently working on follow up items, which will be calendared before the Board in the near future.

Executive Director Tefank also reported that he and President Cunningham had met with the Executive Director and President of the Commission for Children, Youth and Their Families to discuss a youth summit event involving the Police Department.

Executive Director Tefank introduced new employees, Lieutenant Andre Dawson and Detective Tina Carlozzi, Commission Investigation Division. He also stated that Senior Personnel Analyst II Susan Ozawa of the Commission's Personnel Group had joined the Department's Personnel Division, and that Senior Management Analyst II Eva Vega from the Office of the Inspector General would now be filling Susan's former position.

4. REPORT OF THE INSPECTOR GENERAL

Inspector General Birotte introduced new employee Charles Gaither, Special Investigator.

Inspector General Birotte also stated that he had offered the Assistant Inspector General position to Beth Kennedy, Audit Division.

5. COMMISSION BUSINESS

Commissioner Ochi requested that a presentation be given by the Department of Justice, Community Relations Service and the Police Department's Community Relations Section regarding the community efforts in response to the Devon Brown incident.

6. INFORMATION – FILED ITEMS

Information items on file, submitted for the period ending March 4, 2005.

RECEIVED and FILED.

7. CONSENT AGENDA ITEMS

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

7-A. DONATION – APPROVED – TRANSMIT TO MAYOR AND CITY COUNCIL

DEPARTMENT'S REPORT regarding a monetary donation from the Robinson Foundation for Hearing Disorders, Inc. in the amount of \$15,000.00 to be disbursed in the amount of \$5,000.00 each to 77 Street Area, Newton Area, and Southwest Area Explorer Posts, as set forth.

[BPC #05-0059]

Recommendation(s) for Board action:

1. MOTION to retroactively APPROVE the donation and the Department's report.
2. MOTION to TRANSMIT to the Mayor and City Council.

7-B. DONATIONS – APPROVED

DEPARTMENT'S REPORT regarding various donations (i.e., monetary, color laser printer, and personal computers) totaling \$22,496.53 to be used by various divisions within the Police Department, as set forth. [BPC #05-0065]

Recommendation(s) for Board action:

1. MOTION to APPROVE the various donations as listed in the Department's report.
2. MOTION to ACCEPT the Department's report.

8. REGULAR AGENDA ITEMS

8-A. UPDATE GIVEN

DEPARTMENT UPDATE regarding the New Police Headquarters Facility and current health and safety issues relative to the Police Administration Building.

Assistant Chief Papa, Office of Support Services and Ms. Floyd, Facilities Management Division gave an update regarding the above matter.

8-B. OFFICE OF THE INSPECTOR GENERAL'S REPORT RECEIVED AND FILED

OFFICE OF THE INSPECTOR GENERAL'S REPORT regarding the Activity Report for the month of December 2004, as set forth. [BPC #05-0057]

Recommendation(s) for Board action:

1. MOTION to RECEIVE and FILE the Office of the Inspector General's report.

The above matter was REVIEWED with Inspector General Birotte.

Commissioner Ochi moved, seconded by Commissioner Caruso, to RECEIVE AND FILE the above matter. Unanimously APPROVED.

8-C. DISCUSSED - DEPARTMENT'S REPORT RECEIVED – OFFICE OF THE INSPECTOR GENERAL DIRECTED TO PROVIDE AN ANALYSIS OF THIS REPORT

DEPARTMENT'S REPORT regarding the report of Criminal Cases Submitted to Prosecutors for Review, Fourth Quarter 2004, as set forth. (Also Calendared as Item No. 10-A in Closed Session) [BPC #05-0060]

Recommendation(s) for Board action:

1. MOTION to RECEIVE the Department's report.
2. MOTION to 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 Commander Lillo, Internal Affairs Group.

Commissioner Ochi moved, seconded by Commissioner Caruso, to RECEIVE the Department's report and DIRECT the Office of the Inspector General to submit an analysis of this report. Unanimously APPROVED.

8-D. DISCUSSED - DEPARTMENT'S REPORT RECEIVED – OFFICE OF THE INSPECTOR GENERAL DIRECTED TO PROVIDE AN ANALYSIS OF THIS REPORT

DEPARTMENT'S REPORT regarding the Warrant Applications and Supporting Affidavits Audit, pursuant to the Annual Audit Plan for Fiscal Year 2004/2005, as set forth.

[BPC #05-0063]

Recommendation(s) for Board action:

1. MOTION to RECEIVE the Department's report.
2. MOTION to 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.

Commissioner Ochi moved, seconded by Commissioner Caruso, to RECEIVE the Department's report and DIRECT the Office of the Inspector General to submit an analysis of this report. Unanimously APPROVED.

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

OFFICE OF THE INSEPECTOR GENERAL'S REPORT regarding an evaluation of the Department's Annual Audit Plan Status report, First Quarter, Fiscal Year 2004/2005, as set forth. (Department's report approved at 11/09/04 meeting)

[BPC #04-0659A]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Office of the Inspector General's report.

The above matter was REVIEWED with Inspector General Birotte.

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

8-F. REVIEWED – CONTINUED FOR 30 DAYS TO APRIL 12, 2005

CONTINUED FROM 01/18/05

DEPARTMENT'S REPORTS in response to Board query concerning medical fraud scams affecting medical supplies and services provided to immigrant communities, the scope and significance of the problem, and what regulatory action or other options the Police Commission may take to address this problem, as set forth. [BPC #05-0010 and #05-0010A]

Recommendation(s) for Board action:

1. MOTION to ACCEPT the Department's report.
2. MOTION to ACCEPT the Department's supplemental report.

The above matter was DISCUSSED with Captain Michelena, Robbery Homicide Division and Sergeant Opferman, Los Angeles County Sheriff's Department, Health Authority Law Enforcement Task Force (HALT).

The Board DIRECTED the City Attorney to review this matter and REPORT BACK IN 30 DAYS with a legal opinion.

8-G. ENTIRE MATTER CONTINUED TO MARCH 15, 2005

DEPARTMENT UPDATE regarding the status of the District Policing Pilot Program

9. PUBLIC COMMENT PERIOD

The following persons addressed the Board on general issues:

Leonard Wayne Rose, Jr., Randolph Brandelli, Kerry Morrison, Dan Chismire, Jeff Loeb, and Mr. Juarez.

The public hearing was closed.

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

10. CLOSED SESSION ITEMS

10-A. DISCUSSED - CONTINUED

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of DEPARTMENT'S REPORT regarding Criminal Cases Submitted to Prosecutors for Review, Fourth Quarter 2004 and the Commission's assessment of the appropriateness of the actions of the Chief of Police concerning this matter, as set forth. Government Code Section 54957 (Also Calendared as Item No. 8-C in Open Session).
[BPC #05-0060]

10-B. ENTIRE MATTER CONTINUED TO MARCH 15, 2005

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action relative to investigation concerning Complaint File No. #00-4679. Government Code Section 54957.6.

1. Former Chief of Police
2. Lieutenant II

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

10C-1. REVIEWED - ADOPTED

(Law Enforcement Activity Related Death – LEARD)

1. LEARD #035-04 Four Police Officers II

10C-2. REVIEWED - ADOPTED

(Law Enforcement Related Injury Head Strike – LERI-HS)

2. LERI-HS #031-04 Two Police Officers II

10C-3. REVIEWED - ADOPTED

3. LERI-HS #032-04 Two Police Officers II

