

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

**REGULAR MEETING – TUESDAY, MAY 3, 2005**

The Board of Police Commissioners of the City of Los Angeles convened in regular session Tuesday, May 3, 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, Caruso, and Ochi. President Cunningham presiding. Commissioner Alarcon was absent.

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

Executive Director Tefank announced that Management Analyst II Wayne Sugahara, Alarms Section was named the Employee of the Month for April 2005.

**1. APPROVAL OF MINUTES FOR:**

- Regular Meeting April 12, 2005
- Regular Meeting April 19, 2005

Commissioner Skobin 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 April 30, 2005.

Chief Bratton also reported on the recent freeway shootings and stated that it should be noted that year to date, there are about the same number of freeway shootings as in previous years, however there has been more media attention on these incidents this year.

Chief Bratton also reported that there are currently 278 recruits in five classes at the Academy.

### **3. REPORT OF THE EXECUTIVE DIRECTOR**

Executive Director Tefank reported that Assemblymember Mark Ridley-Thomas would be attending the next Board meeting to report on the Days of Dialogue following the Devin Brown incident.

Executive Director Tefank also stated that the Photo Red Light Contract issue is still under negotiations and should be calendared for a Commission meeting within the next 60 days.

### **4. REPORT OF THE INSPECTOR GENERAL**

Inspector General Birotte introduced a new member of his staff, Police Performance Auditor IV John Grosidider

### **5. COMMISSION BUSINESS**

Commissioner Ochi stated that she had attended the Annual Manzanaar Pilgrimage.

Commissioner Skobin stated that he had attended the inspection and dedication of the new Mission Area Police Station.

Commissioner Skobin was also a guest speaker at the Staff Officers Annual Retreat (SOAR) Conference.

Commissioner Skobin instructed the Department to prepare a report on the feasibility of handling private party misdemeanor arrests in the same manner as any other misdemeanor arrest.

President Cunningham stated that he attended the recruit and reserve graduation ceremony on April 29, 2005.

President Cunningham also reported attending the SOAR Conference and the Crossroads event where numerous agencies collaborated on addressing the disconnected youth issue.

President Cunningham was also present for the announcement of the end of the internal investigation into the Stanley Miller incident.

### **6. INFORMATION – FILED ITEMS**

Information items on file, submitted for the period ending April 29, 2005.

RECEIVED and FILED.

## **7. CONSENT AGENDA ITEMS**

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

### **7-A. VARIANCE REQUEST APPROVED – DEPARTMENT’S REPORT APPROVED**

DEPARTMENT’S REPORT regarding a request for variance to Los Angeles Municipal Code Section 41.40 from the Department of Water and Power for nighttime construction which will begin on Monday, May 9, 2005 from 9:00 p.m. to 7:00 a.m. and will be completed on Monday, June 6, 2005 for the work site located at 3<sup>rd</sup> Street and Vermont Avenue, as set forth.

[BPC #05-0128]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department’s report and variance request.

### **7-B. VARIANCE REQUEST APPROVED – DEPARTMENT’S REPORT APPROVED**

DEPARTMENT’S REPORT regarding acceptance of various donations (i.e., monetary, computers, and a registered Quarter Horse) totaling in the amount of \$12,020.00, as set forth.

[BPC #05-0135]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department’s report and various donations as listed in the report.

## **8. REGULAR AGENDA ITEMS**

### **8-A. PRESENTATION - UPDATE GIVEN**

PRESENTATION and UPDATE from the Community Police Advisory Board regarding community initiated problem solving, crime strategies, and other programs and goals within the Southeast Area.

An UPDATE was given by Captain Diaz, Southeast Division and Reverend Heard, co-chair C-PAB.

**8-B. PRESENTATION - UPDATE GIVEN**

PRESENTATION and UPDATE from the Department regarding the Valley Bureau Coalition Against Gangs.

An UPDATE was given by Deputy Chief Bergmann, Valley Bureau, Paul Vinetz, Supervisory Deputy Probation Officer, and Blinky Rodriguez.

**8-C. PRESENTATION - UPDATE GIVEN**

PRESENTATION and UPDATE on TEAMS II.

An UPDATE was given by Deputy Chief Doan, TEAMS II.

**8-D. EXECUTIVE DIRECTOR'S REPORT APPROVED**

EXECUTIVE DIRECTOR'S REPORT regarding Official Police Garage rate adjustment, as set forth.

Recommendation(s) for Board action:

1. MOTION to APPROVE the Executive Director's report.

The above matter was DISCUSSED with Mr. Romo, Police Commission Policy Group.

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

**8-E. DEPARTMENT'S REPORT APPROVED – TRANSMIT TO BUDGET AND FINANCE AND PUBLIC SAFETY COMMITTEES**

DEPARTMENT'S REPORT, dated April 4, 2005, in response to Council File No. 04-1942 relative to a monthly progress report detailing the backfill and funding of sworn positions assigned to the Police Department, as set forth. [BPC #05-0124]

Recommendation(s) for Board action:

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

The above matter was DISCUSSED with Ms. Ozawa, Personnel Division.

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

**8-F. DEPARTMENT'S REPORT APPROVED – TRANSMIT TO PUBLIC SAFETY COMMITTEE**

DEPARTMENT'S REPORT, dated April 14, 2005, in response to a request from the Public Safety Committee regarding Out-of Statute Personnel Complaints – Fourth Quarter, 2004, as set forth. [BPC #05-0125]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.
2. MOTION to TRANSMIT this report to the Public Safety Committee.

The above matter was DISCUSSED with Commander Lillo, Internal Affairs Group.

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

At this time, Item Nos. 8-G and 8-H were taken up together.

**8-G. DEPARTMENT'S REPORT ACCEPTED – (SEE DETAILED MINUTES FOLLOWING ITEM NO. 8-H)**

DEPARTMENT'S REPORT, dated April 26, 2005, in response to Board query regarding a review of the Metropolitan Division K-9 Development Criteria, as set forth. [BPC #05-0136]

Recommendation(s) for Board action:

1. MOTION to ACCEPT the Department's report.

**8-H. DEPARTMENT'S REPORT ACCEPTED – (SEE DETAILED MINUTES FOLLOWING)**

DEPARTMENT'S REPORT, dated April 28, 2005, in response to Board query regarding the 2004 K-9 Unit Annual Summary report, as set forth. [BPC #05-0137]

Recommendation(s) for Board action:

1. MOTION to ACCEPT the Department's report.

Item Nos. 8-G and 8-H were DISCUSSED with Deputy Chief Hillman, Captain Jacobs, and Lieutenant Zipperman, Special Operations Bureau.

Commissioner Caruso moved, seconded by Commissioner Ochi, to ACCEPT the Department's reports attached to Item Nos. 8-G and 8-H. Unanimously APPROVED.

**8-I. DEPARTMENT'S REPORTS ACCEPTED**

DEPARTMENT'S REPORTS, dated April 13, and 20, 2005, regarding the Consent Decree Gang Enforcement Detail Status Report and the Recapitulation of Firearms Seized and Warrants Authored by the Gang Impact Teams for March 2005, as set forth.

[BPC #05-0133 and #05-0133A]

Recommendation(s) for Board action:

1. MOTION to ACCEPT the Department's reports.

The above matter was DISCUSSED with Deputy Chief Hillman and Sergeant Deming, Special Operations Bureau.

Commissioner Skobin moved, seconded by Commissioner Caruso, to ACCEPT the above matter. Unanimously APPROVED.

At this time, Commissioner Caruso was excused and left the Boardroom.

At this time, Item No. 8-L was taken out of order.

**8-L. 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 March 2005, as set forth.

[BPC #05-0130]

Recommendation(s) for Board action:

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

The above matter was DISCUSSED with Inspector General Birotte.

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

At this time, Item Nos. 8-J and 8-K were taken up together.

**8-J. DEPARTMENT'S REPORT APPROVED – (SEE DETAILED MINUTES FOLLOWING ITEM NO. 8-K)**

DEPARTMENT'S REPORT, dated April 13, 2005, regarding the Annual Audit Plan Status report – Third Quarter Fiscal Year 2004/2005, as set forth. [BPC #05-0132]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.

**8-K. DEPARTMENT'S REPORT APPROVED – OFFICE OF THE INSPECTOR GENERAL'S REPORT APPROVED – EXECUTIVE DIRECTOR'S REPORT APPROVED – (SEE DETAILED MINUTES FOLLOWING)**

DEPARTMENT'S REPORT, dated April 25, 2005, OFFICE OF THE INSPECTOR GENERAL'S REPORT, dated April 27, 2005, and EXECUTIVE DIRECTOR'S REPORT, dated April 28, 2005, regarding the monthly Consent Decree Status report for the period ending April 2005, as set forth. [BPC #05-0131, #05-0131A, and #05-0131B]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.
2. MOTION to APPROVE the Office of the Inspector General's report.
3. MOTION to APPROVE the Executive Director's report.

Item Nos. 8-J and 8-K were DISCUSSED with Mr. Chaleff, Consent Decree Bureau and Captain Kroeber, Audit Division.

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE the Department's report attached to Item No. 8-J, and the Department's report, Office of the Inspector General's report, and Executive Director's report attached to Item No. 8-K. Unanimously APPROVED.

**8-M. DEPARTMENT'S REPORT RECEIVED AND FILED**

DEPARTMENT'S REPORT regarding the Activity Report for the month of January 2005, as set forth. [BPC #05-0134]

Recommendation(s) for Board action:

1. MOTION to RECEIVE and FILE the Department's report.

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

At this time, Commissioner Caruso reentered the Boardroom.

## **9. PUBLIC COMMENT PERIOD**

The following person addressed the Board on general issues:

Barry Greenhalgh.

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, in accordance with the appropriate Government Code Sections.

## **10. CLOSED SESSION ITEMS**

### **10-A. REVIEWED – ALL RECOMMENDATIONS APPROVED**

CONTINUED FROM 04/19/05

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Discussion with legal counsel regarding National Lawyers Guild vs. City of Los Angeles, Case No. CV 01-06877 (COLA). Government Code Section 54956.9(a).

10-B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of Officer Involved Shootings (OIS), Upper Body Control Hold (UBCH), and other personnel matters. Government Code Section 54957.

### **10B-1. REVIEWED - ADOPTED**

(Accidental Discharge - ACC)

1. ACC #050-04 One Police Officer II

### **10B-2. REVIEWED – ADOPTED CHIEF OF POLICE’S RECOMMENDATIONS – AYES (3); NOES (1)**

(Upper Body Control Hold – UBCH)

2. UBCH #052-04 One Lieutenant I  
One Police Officer III  
Three Police Officers II

## **ADJOURNMENT**

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



Commissioner Skobin requested that the Board adjourn in memory of Captain Vance Proctor, West Los Angeles Area and Airport Police Officer Tommy Edward Scott.

A motion of adjournment at 12:03 p.m. was made by Commissioner Skobin, seconded by Commissioner Ochi. 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.