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# AGENDA



## BOARD OF POLICE COMMISSIONERS

### REGULAR MEETING

**TUESDAY, JUNE 22, 2004**

**9:30 A.M.**

**PARKER CENTER, ROOM 146  
150 NORTH LOS ANGELES STREET  
LOS ANGELES, CA 90012**

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Commissioners: David S. Cunningham, III, President  
Alan J. Skobin, Vice President  
Corina Alarcon  
Rick J. Caruso  
Rose Ochi

Members of the public are invited to address the Board of Police Commissioners on any item on the agenda prior to action by the Board on that specific item. Members of the public may also address the Board on any matter within the subject matter jurisdiction of the Board. The Board will entertain such comments during the Public Comment Period. Public comment will be limited to two (2) minutes per individual for each item addressed, unless there are more than ten (10) comment cards for each item, in which case the public comment will be limited to one (1) minute per individual. The aforementioned limitation may be waived by the President of the Board.

*(NOTE: Pursuant to Government Code Section 54954.3(b) the legislative body of a local agency may adopt reasonable regulations, including, but not limited to, regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker.)*

Members of the public who wish to address the Board are urged to complete a Speaker Card and submit it to the Board Secretary prior to commencement of the public meeting. The cards are available at the public counter, Room 150, Parker Center. However, should a member of the public feel the need to address a matter while the meeting is in progress, a card may be obtained from the Sergeant-At-Arms, who will submit the completed form to the Board Secretary prior to final consideration of the matter.

It is requested that individuals who require the services of a translator contact the Board Secretary no later than the day preceding the meeting. Whenever possible, a translator will be provided.

Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend.

SI REQUIERE SERVICIOS DE TRADUCCION, FAVOR DE NOTIFICAR LA OFICINA CON 24 HORAS POR ANTICIPADO.

**NOTE: The meeting is tape-recorded and the tape is kept for 30 days.**

**1. APPROVAL OF MINUTES FOR:**

- Regular Meeting February 17, 2004
- Regular Meeting June 8, 2004
- Special Meeting June 8, 2004

**2. REPORT OF THE CHIEF OF POLICE**

- Significant Incidents
- Crime Statistics
- Recruitment/Reinstatement/Reassignment of Officers

**3. COMMISSION BUSINESS**

- Meetings/Events Attended
- Consideration of Future Agenda Items/Pending Projects

**4. INFORMATION – FILED ITEMS**

- A. Information items on file, as submitted for the period ending June 18, 2004.

**5. CONSENT AGENDA ITEMS**

The remaining Consent Agenda items are considered to be routine and non-controversial upon which documentation provided to the Board is adequate to give sufficient information for approval without inquiry or discussion. It is designated to minimize the time required for the handling of routine matters in order to permit additional time to be spent on more significant matters. The President will call for ayes and nays on the Consent Agenda as a whole and the vote will be treated as a separate vote on each item. These items may be moved to the Regular Agenda at the order of the President or at the request of the other members of the Board or if a member of the general public has submitted a request to speak on the subject.

- A. APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Kenny, Shea, Traylor, and Frontier-Kemper to permit nighttime construction from 11:00 p.m. to 7:00 a.m. beginning on Monday, June 21, 2004 and is scheduled for completion by Wednesday, July 14, 2004 for the work site located on South Trinity Street, south of East 23<sup>rd</sup> Street, as set forth. [BPC #04-0410]

**6. REGULAR AGENDA ITEMS**

- A. RECEIVE and FILE the Department's report relative to Grobeson, et al., v. City of Los Angeles – Fiscal Year 2002/2003 Compliance Report, as set forth. [BPC #04-0369]
- B. REVIEW and APPROVE the Department's Hunter-LaLey report for Deployment Periods 1 through 3, Fiscal Year 2003/2004, Department's Supplemental Report for this same period, and Police Commission Personnel Group's analysis of these reports, as set forth. [BPC #04-0323, #04-0401, and #04-0323A]

- C. RECEIVE the Department's Categorical Use of Force Interim Audit report, Fourth Quarter Fiscal Year 2003/2004 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 129 of the Consent Decree, as set forth. [BPC #04-0402]
  - D. REVIEW and APPROVE the Department's Discipline report First Quarter 2004 and the Inspector General's analysis of this report, pursuant to Paragraph 135 of the Consent Decree, as set forth. [BPC #04-0325 and #04-0325A]
  - E. REVIEW the Department's status report on Consent Decree related audit recommendations, First and Second Quarter, Fiscal Year 2003/2004 and DIRECT the Office of the Inspector General to submit their analysis of this status report along with any appropriate recommendations to the Board within 45 days, as set forth. [BPC #04-0404]
  - F. RECEIVE and FILE Mayor Hahn's Executive Directive No. MO-2 which would preclude Commissioners from participating in City lease evaluations and shall not involve Commission subcommittees or individual Commissioner participation prior to consideration by the full Commission, as set forth [BPC #04-0411]
  - G. RECEIVE and FILE Mayor Hahn's Executive Directive No. MO-3 which states, "after a contract or lease has been approved by the full Commission, subsequent negotiations on terms or other criteria of that contract or lease involving individual Commissioners or Commissioner subcommittees should take place only pursuant to the direction of the full Commission in an open meeting format and properly noticed pursuant to the Ralph M. Brown Act," as set forth. [BPC #04-0412]
- CONTINUED FROM 06/08/04
- H. DISCUSSION and POSSIBLE BOARD ACTION of the Department's response to Board query regarding a comparison of DNA Analysis testing programs between LAPD and the Commonwealth of Virginia, as set forth. [BPC #04-0388]
- CONTINUED FROM 06/08/04
- I. REVIEW and APPROVE the Memorandum of Agreement between the Los Angeles County Commission on Human Relations and the Police Department to establish the responsibilities of each agency regarding the receipt of police reports for the purpose of analyzing Hate Crimes and Hate Incidents that occur in the City, as set forth. [BPC #04-0327]
- CONTINUED FROM 05/18/04
- J. REVIEW and APPROVE the Department's report regarding recruitment and staffing of police personnel due to the current hiring freeze, as set forth. [BPC #04-0297]
  - K. REVIEW and APPROVE the Department's report regarding the implementation of a Recruitment Advisory Committee, as set forth. [BPC #04-0328]

CONTINUED FROM 03/16/04

- L. DISCUSSION and POSSIBLE BOARD ACTION of Departmental response to Board query regarding Benefits available to Officers killed or seriously injured in the line of duty/off-duty, as set forth. [BPC #04-0403]
- M. APPROVE and TRANSMIT to the Public Safety Committee, Commission Investigation Division's report relative to illegal towing of vehicles from private property, as set forth.
- N. APPROVE and TRANSMIT to the Public Safety Committee, the Department's progress report regarding Review of the Retaliation Investigation Process – Third Report, as set forth. [BPC #04-0416]
- O. APPROVE and TRANSMIT to the Public Safety Committee, the Department's progress report regarding Review of the Retaliation Investigation Process – Fourth Report, as set forth. [BPC #04-0415]
- P. DISCUSSION and POSSIBLE BOARD ACTION authorizing Transportation Task Force to meet and discuss the 19<sup>th</sup> geographic area for Official Police Garage contracts.

**7. PUBLIC COMMENT PERIOD**

**8. CLOSED SESSION ITEMS**

- 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.

- 1. LERI #A019-03                      Three Police Officers II
- 2. OIS #042-03                      Three Police Officers III  
Six Police Officers II
- 3. OIS #045-03                      Two Police Officers III  
Three Police Officers

- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Discussion with legal counsel concerning Public Records Act request from the Los Angeles Times. Government Code Section 54956.9(b).

CONTINUED FROM 06/08/04

- C. 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.

CONTINUED FROM 06/15/04

- D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Annual Performance Evaluation for Inspector General. Government Code Section 54957.
- E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code Section 54957.
  - 1. Chief of Police
  - 2. Executive Director
  - 3. Inspector General
  - 4. Commission Executive Assistant

*The Board will reconvene in Open Session to announce its decision, if any, regarding matters considered in Closed Session.*

**9. REPORT OF THE EXECUTIVE DIRECTOR**

**10. REPORT OF THE INSPECTOR GENERAL**

**11. ADJOURNMENT**

Support materials relative to Open Session agenda items are available for public inspection in Room 150, Parker Center. The Board may consider matters of an emergency nature not appearing on the published agenda. Information on supplemental agenda items may be obtained by calling the Office of the Secretary, Police Commission, at (213) 485-3531 (TDD 213/485-9818), after 9:30 a.m., Friday, June 18, 2004.

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities.