



## **AGENDA**

***\*\*Please note location of meeting\*\****

### **BOARD OF POLICE COMMISSIONERS**

#### **REGULAR MEETING**

**TUESDAY, JANUARY 4, 2005**

**9:30 A.M.**

**CITY HALL, ROOM 350  
200 NORTH SPRING STREET  
LOS ANGELES, CA 90012**

#### **CLOSED SESSION**

**11:00 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 THE MINUTES FOR:**

- ? Regular Meeting December 7, 2004
- ? Special Meeting December 7, 2004
- ? Regular Meeting December 14, 2004

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

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

**3. REPORT OF THE EXECUTIVE DIRECTOR**

- ? Status of Future Agenda Items/Pending Projects
- ? Update on Routine Administrative Matters

**4. REPORT OF THE INSPECTOR GENERAL**

- ? Status of Future Agenda Items/Pending Projects
- ? Significant Incidents

**5. COMMISSION BUSINESS**

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

**6. INFORMATION – FILED ITEMS**

- A. Information items on file, as submitted for the period ending December 30, 2004.

**7. 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. DEPARTMENT'S REPORT regarding a request filed by Avanes Zirakian, representing the United Young Armenians Inc., for a Special Event Permit for the "United Young Armenians Public March" which will be held on Sunday, April 24, 2005, as set forth. [BPC #04-0761]

Recommendation for Board action:

1. APPROVE the Department's report.

- B. DEPARTMENT'S REPORT regarding request for variance to Los Angeles Municipal Code Section 41.40 from Right of Way Inc., to permit nighttime construction beginning on Friday, January 7, 2005 from 10:00 p.m. to 5:00 a.m., to be completed by Saturday, January 8, 2005 for the work site located at 860 Via De La Paz, as set forth. [BPC #04-0768]

Recommendation for Board action:

1. APPROVE the Department's report.

- C. DEPARTMENT'S REPORT regarding request for variance to Los Angeles Municipal Code Section 41.40 from Department of Public Works, Bureau of Engineering to permit 24 hour construction beginning Wednesday, June 1, 2005 and estimated to be completed by Wednesday, March 1, 2006 for the work site located on Third Street and Broadway, as set forth. [BPC #04-0771]

Recommendation for Board action:

1. APPROVE the Department's report.

- D. DEPARTMENT'S REPORT regarding request for variance to Los Angeles Municipal Code Section 41.40 from Department of Public Works, Bureau of Engineering to permit nighttime construction beginning Monday, July 11, 2005 from 8:30 p.m. to 5:30 a.m. to be completed by Monday, May 22, 2006 for the work site located on Grand Avenue from 21<sup>st</sup> Street to 18<sup>th</sup> Street, 18<sup>th</sup> Street from Grand Avenue to Hill Street, and Hill Street from 18<sup>th</sup> Street to Pico Boulevard, as set forth. [BPC #04-0676A]

Recommendation for Board action:

1. APPROVE the Department's report.

- E. DEPARTMENT'S REPORTS regarding request for variance to Los Angeles Municipal Code Section 41.40 from Bureau of Street Lighting to permit nighttime construction, which began on Thursday, December 9, 2004 from 11:00 p.m. to 5:00 a.m. and is scheduled for completion by Friday, December 31, 2004 for the work site located at the Third Street tunnel between Hill Street and Flower Street, as set forth. [BPC #04-0753]

Recommendations for Board action:

1. Retroactively APPROVE the Department's initial report.
2. Retroactively APPROVE the Department's variance extension report.

## 8. REGULAR AGENDA ITEMS

- A. DEPARTMENT'S REPORT in response to Board query regarding the Cellmark Laboratories DNA analysis incident, as set forth. [BPC #04-0773]

Recommendation for Board action:

1. REVIEW and ACCEPT the Department's report.

- B. DEPARTMENT'S REPORT regarding revision to the Annual Audit Plan for Fiscal Year 2004/2005 which would move the Gang Enforcement Detail Selection Criteria Audit currently scheduled for submission in the Third Quarter, Fiscal Year 2004/2005 to the Fourth Quarter, Fiscal Year 2004/2005, as set forth. [BPC #04-0777]

Recommendation for Board action:

1. REVIEW and APPROVE the Department's report.

- C. DEPARTMENT'S REPORT regarding the Secret Service Funds Audit, Fiscal Year 2004/2005 conducted by Organized Crime and Vice Division, as set forth. [BPC #04-0774]

Recommendation for Board action:

1. REVIEW and APPROVE the Department's report.

- D. DEPARTMENT'S REPORTS regarding the Ethics Enforcement Section Quarterly report, Second Quarter 2004 and Third Quarter 2004, as required by Paragraph 127 of the Consent Decree, as set forth. [BPC #04-0759 and #04-0760]

Recommendations for Board action:

1. RECEIVE the Department's Second Quarter 2004 report.
2. RECEIVE the Department's Third Quarter 2004 report.
3. DIRECT the Office of the Inspector General to submit an analysis of both reports along with any appropriate recommendations to the Board.

- E. DEPARTMENT'S REPORT regarding the Complaint, Form 1.28, Investigations Audit – Second Quarter, Fiscal Year 2004/2005, as required by Paragraph 74 of the Consent Decree, as set forth. [BPC #04-0775]

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.

- F. DEPARTMENT'S REPORT, OFFICE OF THE INSPECTOR GENERAL'S REPORT, and EXECUTIVE DIRECTOR'S REPORT regarding the monthly Consent Decree status report for the period ending December 31, 2004, as set forth.  
[BPC #04-0772, #04-0772A, and #04-0772B]

Recommendations for Board action:

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

CONTINUED FROM 04/20/04

- G. DEPARTMENT'S REPORTS and OFFICE OF THE INSPECTOR GENERAL'S REPORT regarding the Audit of Field Data Reports completed by Gang Enforcement Detail Officers, Third Quarter Fiscal Year 2003/2004 and Revised Audit of Gang Enforcement Detail Work Product, Third Quarter Fiscal Year 2003/2004 (SEU ABC Audit), as required by Paragraph 131 of the Consent Decree, as set forth.  
[BPC #04-0144, #04-0145, and #04-0144A]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's Field Data Report Audit.
2. REVIEW and APPROVE the Department's Revised Audit of Gang Enforcement Detail Work Product.
3. REVIEW and APPROVE the Office of the Inspector General's report and executive summary pertaining to both Department audits.

CONTINUED FROM 06/22/04

- H. DEPARTMENT'S REPORT and OFFICE OF THE INSPECTOR GENERAL'S REPORT regarding the Categorical Use of Force Interim Audit report, Fourth Quarter Fiscal Year 2003/2004, as required by Paragraph 129 of the Consent Decree, as set forth.  
[BPC #04-0402 and #04-0402B]

Recommendations for Board action:

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

CONTINUED FROM 07/13/04

- I. DEPARTMENT'S REPORT and OFFICE OF THE INSPECTOR GENERAL'S REPORT regarding the Gang Enforcement Detail Work Product – Warrant Applications and Supporting Affidavits Audit Supplemental – Fourth Quarter 2004, as required by Paragraph 131 of the Consent Decree, as set forth.  
[BPC #04-0438 and #04-0438A]

Recommendations for Board action:

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

**9. PUBLIC COMMENT PERIOD**

**10. 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.

CONTINUED FROM 12/14/04

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|----|---------------|---|
| 1. | OIS #006-04   | Five Police Officers II   |
| 2. | LEARD #007-04 | Four Police Officers II   |
| 3. | OIS #008-04   | One Police Officer III<br>One Police Officer I                            |
| 4. | OIS #014-04   | One Police Officer III<br>Four Police Officers II<br>One Police Officer I |
| 5. | OIS #022-04   | Four Police Officers II   |

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

**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, December 30, 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.