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# AGENDA



## BOARD OF POLICE COMMISSIONERS

**\*\*Please note time and location of meeting\*\***

### REGULAR MEETING

**TUESDAY, MARCH 1, 2005**

**6:00 PM. – CLOSED SESSION**

**6:30 P.M. – OPEN SESSION**

**Micheltorena Elementary School  
1511 Micheltorena Street  
Silver Lake, CA 90026**

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

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. PUBLIC COMMENT PERIOD (CLOSED SESSION ITEMS)**

**2. CLOSED SESSION ITEMS**

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of Officer Involved Shootings, Law Enforcement Accidental Related Death, and other personnel matters. Government Code Section 54957.6.

CONTINUED FROM 02/22/05

(Officer Involved Shooting – OIS)

- |    |             |  |
|----|-------------|--|
| 1. | OIS #034-04 | One Sergeant I<br>Six Police Officers II |
|----|-------------|--|

(Officer Involved Shooting - Animal Shooting)

- |    |             |                       |
|----|-------------|-----------------------|
| 2. | A-D #027-04 | One Police Officer II |
|----|-------------|-----------------------|

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

**3. APPROVAL OF MINUTES - NONE.**

**4. INTRODUCTION BY COUNCILMEMBER ERIC GARCETTI**

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

**5. COMMENDATIONS/CERTIFICATES OF APPRECIATION**

**6. REPORT OF THE CHIEF OF POLICE**

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

**7. REPORT OF THE EXECUTIVE DIRECTOR**

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

**8. REPORT OF THE INSPECTOR GENERAL**

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

**9. COMMISSION BUSINESS**

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

**10. INFORMATION – FILED ITEMS**

- A. Information items on file, as submitted for the period ending February 25, 2005.

**11. CONSENT AGENDA ITEMS**

- A. DEPARTMENT’S REPORT regarding various donations (i.e., monetary, camera equipment, gym equipment, car wash vouchers, etc.) totaling \$20,188.11, which have been received by the Los Angeles Police Department, as set forth. [BPC #05-0053]

Recommendation for Board action:

1. REVIEW and APPROVE the Department’s report and ACCEPT the various donations.

- B. DEPARTMENT’S REPORT regarding a request for variance to Los Angeles Municipal Code Section 41.40 from Fibrwrap Construction, Inc. to permit nighttime construction, which began on Wednesday, February 23, 2005 from 9:00 p.m. to 7:00 a.m. and is scheduled to be completed on Tuesday, March 1, 2005 for the work site located at 10500 Owensmouth, as set forth. [BPC #05-0056]

Recommendations for Board action:

1. REVIEW and APPROVE the Department’s report and retroactively ACCEPT the variance request.

**12. REGULAR AGENDA ITEMS**

REVISITED FROM 02/15/05

- A. DEPARTMENT’S REPORT regarding a request filed by Nick Curl representing the Los Angeles Marathon, Inc.; for a Special Events Permit for the City of Los Angeles Marathon XX; Acura LA Bike Tour; Emerald Nuts 5K event on Sunday, March 6, 2005. [BPC #05-0026]

Recommendations for Board action:

1. MOTION to set aside the Commission’s earlier approval of this permit.
2. MOTION to reconsider APPROVAL of Special Events Permit for the City of Los Angeles Marathon XX; Acura LA Bike Tour; and Emerald Nuts 5K event.

3. MOTION to adopt the Department's recommendation to FIND that this approval is Categorically Exempt from the California Environmental Quality Act (CEQA) under City CEQA Guidelines Article III, Section 1, d 6, because this marathon is a temporary use of land which has no permanent effect on the environment and therefore fits into the classification of projects described in that categorical exemption.
4. MOTION to APPROVE the request for Special Events Permit for the City of Los Angeles Marathon XX; Acura LA Bike Tour; and Emerald Nuts 5K event.

- B. DEPARTMENT'S REPORT regarding revision to the Annual Audit Plan Status report – Second Quarter, Fiscal Year 2004/2005, as set forth. [BPC #05-0027A]

Recommendations for Board action

1. REVIEW and APPROVE the Department's report with a correction to "Attachment No. 2", which was previously approved on 02/08/05.

- C. DEPARTMENT'S REPORT, OFFICE OF THE INSPECTOR GENERAL'S REPORT, and EXECUTIVE DIRECTOR'S REPORT regarding the monthly Consent Decree Status report for the month of February 2005, as set forth. [BPC #05-0055, #05-0055A, and #05-0055B]

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.

- D. DEPARTMENT'S REPORT regarding the Supplemental Police Account Quarterly report (October through December 2004), as set forth. [BPC #05-0051]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's report.
2. TRANSMIT concurrently to the City Council and the Office of the City Controller.

- E. DEPARTMENT'S REPORT in response to City Council request regarding a comparison and status report of gun-trafficking enforcement, number of guns confiscated, filing rate of cases with the City Attorney's Office and the District Attorney's Office, number of warrants issued, and number of gun-traffickers prosecuted in calendar year 2004 compared to previous years, as set forth. [BPC #05-0050]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's report.
2. TRANSMIT to the Public Safety Committee.

- F. DEPARTMENT'S REPORT regarding the Sobriety Checkpoint Program II, as set forth. [BPC #05-0052]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's report and grant agreement.
2. AUTHORIZE the Chief of Police to ACCEPT funds for the Sobriety Checkpoint Program II in the amount of \$347,200.00 for the period of December 1, 2004 through January 3, 2006.
3. AUTHORIZE the Chief of Police to execute this grant agreement on behalf of the City, subject to the approval of the City Attorney as to form and legality.
4. TRANSMIT concurrently to the Mayor and City Council.

- G. PROPOSED DRAFT AMENDING ORDINANCE NO. 175,676 regarding Police Permits, as set forth. [BPC #05-0054]

Recommendations for Board action:

1. MOTION to SUPPORT the Office of the City Attorney's proposed technical amendments to Ordinance No. 175,676 relating to procedures for the conduct of hearings before the Board upon the denial, suspension, or revocation of a police permit.
2. TRANSMIT to the Public Safety Committee.

### **13. COMMUNITY, COMMISSION, AND DEPARTMENT DISCUSSION**

- A. DISCUSSION and CONSIDERATION of community concerns and issues within Council District Thirteen.
- Crime activity related to homeless encampment at the Silver Lake Boulevard underpass at Sunset Boulevard.
  - Gang activity including graffiti activity in Rampart/Silver Lake area.

### **14. PUBLIC COMMENT PERIOD**

- Public testimony on non-agenda items within the jurisdiction of the Board.

### **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, February 25, 2005.

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.