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# AGENDA



## BOARD OF POLICE COMMISSIONERS

### REGULAR MEETING

**TUESDAY, AUGUST 16, 2005**

**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.**

CONTINUED FROM 08/02/05

**1. ELECTION OF OFFICERS FOR FISCAL YEAR 2005/2006**

- OFFICE OF THE PRESIDENT
- OFFICE OF THE VICE PRESIDENT

**2. APPROVAL OF MINUTES – NONE.**

**3. REPORT OF THE CHIEF OF POLICE**

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

**4. REPORT OF THE EXECUTIVE DIRECTOR**

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

**5. REPORT OF THE INSPECTOR GENERAL**

- Status of Future Agenda Items/Pending Projects
- Significant Incidents
- Update on Office Reorganization

**6. COMMISSION BUSINESS**

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

**7. INFORMATION – FILED ITEMS**

- A. Information items on file, as submitted for the period ending August 12, 2005.

**8. 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, dated August 12, 2005, regarding a request for variance to Los Angeles Municipal Code Section 41.40 from The Lee Group, Inc. for nighttime construction beginning on Monday, August 29, 2005, from 9:00 p.m. to 6:00 a.m. and will be completed on Friday, December 30, 2005, for the work site located at 801 South Grand Avenue, as set forth. [BPC #05-0266]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report and variance request.
- B. DEPARTMENT'S REPORT, dated August 15, 2005, regarding a request for variance to Los Angeles Municipal Code Section 41.40 from Webcor Concrete for early morning construction beginning on Tuesday, August 16, 2005, from 2:00 a.m. to 8:00 a.m. and will be completed on Friday, November 15, 2005, for the work site located at 3183 Wilshire Boulevard, as set forth. [BPC #05-0275]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report and variance request.
- C. DEPARTMENT'S REPORT, dated August 8, 2005, relative to a Travel Authority for the Chief of Police on June 24 through June 25, 2005, to attend the Los Angeles Police Protective League Delegates' Conference in Rancho Mirage, California, as set forth. [BPC #05-0267]

Recommendation(s) for Board action:

1. MOTION to retroactively APPROVE request for Travel Authority.
- D. DEPARTMENT'S REPORT, dated August 8, 2005, relative to a Travel Authority for the Chief of Police on August 30, 2005, to accompany the Mayor in making a presentation regarding terrorism to the State Legislators in Sacramento, California, as set forth. [BPC #05-0268]

Recommendation(s) for Board action:

1. MOTION to APPROVE request for Travel Authority.
- E. DEPARTMENT'S REPORTS, dated August 8, 2005, relative to a Travel Authority and Personal Expense Statement for the Chief of Police for expenses incurred from May 12 through May 16, 2005, in the amount of \$1,919.05 to attend the National Law Enforcement Memorial Police Week ceremonies in Washington, D.C., as set forth. [BPC #05-0270 and #05-0271]

Recommendation(s) for Board action:

1. MOTION to retroactively APPROVE request for Travel Authority.
2. MOTION to APPROVE the Personal Expense Statement.

## 9. REGULAR AGENDA ITEMS

- A. DEPARTMENT'S REPORT, dated August 9, 2005, relative to the status on the proposed revisions to the Department's Use-Of-Force Sourcebook, as set forth. [BPC #05-0265]

Recommendation(s) for Board action:

1. MOTION to ACCEPT the Department's report.
- B. DEPARTMENT'S REPORT, dated August 9, 2005, relative to status report on the Department of Transportation Stolen Vehicle Recovery Pilot Program, Second Quarter 2005, as set forth. [BPC #05-0269]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.
  2. MOTION to REQUEST that the Board of Transportation Commissioners expand this program Citywide.
  3. MOTION to TRANSMIT this report to Audits and Governmental Efficiency Committee and the Board of Transportation Commissioners.
- C. DEPARTMENT'S REPORT, dated August 10, 2005, relative to a report of Criminal Cases submitted to prosecutors for review, Second Quarter 2005, as set forth. (Also calendared as Item No. 11-A in Closed Session) [BPC #05-0264]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.
- D. DEPARTMENT'S REPORT, dated August 12, 2005, relative to the Activity Report for the month of June 2005, as set forth. [BPC #05-0273]

Recommendation(s) for Board action:

1. MOTION to RECEIVE AND FILE the Department's report.
- E. OFFICE OF THE INSPECTOR GENERAL'S REPORT, dated August 10, 2005, relative to the Activity Report for the month of June 2005, as set forth. [BPC #05-0272]

Recommendation(s) for Board action:

1. MOTION to RECEIVE AND FILE the Office of the Inspector General's report.
- CONTINUED FROM 03/15/05
- F. DEPARTMENT'S REPORT, dated March 3, 2005, and EXECUTIVE DIRECTOR'S REPORT, dated August 4, 2005, the Non-Categorical Use of Force Reports Interim Audit, Second Quarter Fiscal Year 2004/2005, as set forth. [BPC #05-0070 and #05-0070A]

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.

## 10. PUBLIC COMMENT PERIOD

## 11. CLOSED SESSION ITEMS

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action regarding the Commission's assessment of the appropriateness of the Chief of Police's actions on the Department's report of Criminal Cases Submitted to Prosecutors for Review, Second Quarter 2005. Government Code Section 54957. (Also Calendared as Item No. 9-C in Open Session) [BPC #05-0264]
- B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action regarding the Commission's assessment of the appropriateness of the Chief of Police's actions on Complaint File No. 04-2851 (Investigation regarding the Stanley Miller Use of Force Incident). Government Code Section 54957.
1. Chief of Police
- C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of In-Custody Deaths (ICD) and other personnel matters. Government Code Section 54957.
- (In-Custody Death - ICD)
1. ICD #084-04 One Police Officer I
- D. PUBLIC EMPLOYEE APPOINTMENT/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action regarding appointments and other personnel matters. Government Code Section 54957.
1. Hearing Examiners
- CONTINUED FROM 08/09/05
- E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action of annual performance evaluation. Government Code Section 54957.
1. Commission Executive Assistant

*The Board will reconvene in Open Session to announce its decisions, 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, August 12, 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.