
AGENDA



BOARD OF POLICE COMMISSIONERS

REGULAR MEETING

TUESDAY, JANUARY 9, 2007

9:30 A.M.

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

Commissioners: John W. Mack, President
Alan J. Skobin, Vice President
Shelley Freeman
Andrea Sheridan Ordin
Anthony Pacheco

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. COMMISSION BUSINESS

- Commission Business
- Consideration of Future Agenda Items/Pending Projects

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
- Commission Investigation Division's Activity Report for November 2006

4. REPORT OF THE INSPECTOR GENERAL

- Status of Future Agenda Items/Pending Projects
- Significant Incidents
- Update on office reorganization and staffing issues

5. INFORMATION – FILED ITEMS

A. Special event permits on file, as submitted for the period ending January 5, 2007.

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| • Tuesday, December 26, 2006 | 30 th Annual Kwanzaa Parade |
| • Saturday, December 30, 2006 | Kwanzaa Heritage Festival/Parade |
| • Saturday, January 6, 2007 | Fast for Remembrance |
| • Sunday, January 7, 2007 | New Bible |
| • Sunday, January 7, 2007 | South Central Farmer's Tianguis |
| • Saturday, January 13, 2007 | Cristo de Esquipulas |
| • Sunday, January 14, 2007 | Celebracion 15 de Enero |
| • Monday, January 15, 2007 | Procession/Feast Senior De Esquipulas |

6. PRESENTATIONS

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, dated December 14, 2006, relative to nine (9) donations for a total value of \$15,733.94 from the Los Angeles Police Foundation of telephone headsets, tactical mirrors, bolt cutters and extendable ladder, promotional tent, airfare to attend Operation Cease Fire meeting with New Jersey officials, London Metro Senior Investigator Course – 4th week of training, meals and miscellaneous expenses for visiting military dignitaries, printing of COMPSTAT brochures, Military Family – blue Star Banners and pins, computers and related equipment, as set forth. [BPC #06-0443]

Recommendation(s) for Board action:

1. APPROVE the Department's report, accept the donations, and TRANSMIT to Mayor and City Council.

- B. DEPARTMENT'S REPORT, dated December 14, 2006, relative to a donation in the amount of 11,340.00, to be used for conducted traffic control at the Hollywood Bowl in October 2006, from the Los Angeles Philharmonic Association, as set forth.

[BPC #06-0445]

Recommendation(s) for Board action:

1. APPROVE the Department's report, accept the donation, and TRANSMIT to Mayor and City Council.

- C. DEPARTMENT'S REPORT, dated December 14, 2006, relative to thirteen (13) donations totaling \$30,501.08, from various organizations: 1) anonymous donation (for efforts of the Department in fighting criminal activity), in the amount of \$3.00. 2) Jostens Incorporated (for Training Division), in the amount of \$101.03. 3) The Midnight Mission (benefit the LAPD's Explorer Program), in the amount of \$1,402.52. 4) U.S. Discount Center Corporation (to benefit Gang and Operations Support Division), in the amount of \$2,000.00. 5) Los Angeles Philharmonic Association (conducted traffic control at the Hollywood Bowl for November 2006), in the amount of \$2,250.00. 6) Supporters of Law Enforcement (to benefit Devonshire Area), in the amount of \$3,879.53. 7) North Hills West Neighborhood Council in the amount of \$1,000.00. 8) Hollywood Area Law (from Explorers assisting with Hollywood Bowl events), in the amount of \$6,300.00. 9) 7-Eleven/Blaze Public Relations (various 7-Eleven coupons) in the amount of \$65.00. 10) Los Angeles Police Protective League (to replace inoperable voice mail system at Central Area, Community Relations), in the amount of \$4,000.00. 11) Mrs. Sherry Sung (Costco gas barbecue) in the amount of \$500.00. 12) Cargon, LLC (to be used by the Explorer Posts that were assigned to the L.A. Triathlon Event – Newton, West Los Angeles, Mission, Foothill, Rampart), in the amount of \$4,000.00. 13) The Kleiner Cohen Foundation (to be used by Juvenile Division, Youth Programs Unit and the Explorer Post for various expenses), in the amount of \$5,000.00, as set forth. [BPC #06-0444]

Recommendation(s) for Board action:

1. APPROVE the Department's report, accept the donation, and TRANSMIT to Mayor and City Council.

- D. EXECUTIVE DIRECTOR'S REPORT, dated December 28, 2006, relative to a request for variance to Los Angeles Municipal Code Section 41.40, from Right of Way Inc., for nighttime and early morning construction beginning on Sunday, January 21, 2007 through Monday, January 22, 2007, from 8:00 p.m. to 6:00 a.m., Sunday through Monday for the work site located at 189 South The Grove Drive, as set forth.
[BPC #06-0447]

Recommendation(s) for Board action:

1. APPROVE the Executive Director's report and variance request.

8. REGULAR AGENDA ITEMS

- A. DEPARTMENT PRESENTATION relative to the strategy to implement the recommendations of the Blue Ribbon Rampart Review Panel, "Rampart Reconsidered" report.
- B. DEPARTMENT'S REPORT, dated November 30, 2006, relative to a request for approval of First Supplemental Agreement to Agreement No. C-106105 with Orchid Biosciences, Inc., dba Orchid Cellmark, to provide forensic DNA analysis services, as set forth.
[BPC #06-0434]

Recommendation(s) for Board action:

1. APPROVE the Department's report and First Supplemental Agreement, and TRANSMIT to Mayor.
- C. DEPARTMENT'S REPORT, dated December 18, 2006, relative to the approval of Gang Resistance Education and Training (GREAT), Fiscal Year 2006/07 Grant Award, as set forth.
[BPC #07-0002]

Recommendation(s) for Board action:

1. APPROVE the Department's report, AUTHORIZE the Chief of Police to ACCEPT the grant award, and TRANSMIT concurrently to the Mayor and City Council.
- D. DEPARTMENT'S REPORT, dated January 4, 2007, in response to Councilmember Zine's request for proposals for body armor engineered and manufactured specifically for women, as set forth.
[BPC #07-0003]

Recommendation(s) for Board action:

1. APPROVE the Department's report and TRANSMIT to City Council.
- E. DEPARTMENT'S REPORT, dated November 30, 2006, relative to the Activity Report for the month of September 2006, as set forth.
[BPC #06-0432]

Recommendation(s) for Board action:

1. RECEIVE and FILE the Department's report.
- F. DEPARTMENT'S REPORT, dated December 14, 2006, relative to Hunter-La Ley Quarterly Report covering deployment periods 7 through 9, for Fiscal Year 2006/2007, as set forth. [BPC #06-0433]

Recommendation(s) for Board action:

1. RECEIVE and FILE the Department's report.
- G. DEPARTMENT'S REPORT, dated December 20, 2006, relative to the Supervisor and Field Training Officer Audit, Second Quarter, conducted by Training Division and the Executive Summary, in accordance with the Annual Audit Plan for Fiscal Year 2006/2007, as set forth. [BPC #06-0442]

Recommendation for Board action:

1. APPROVE the Department's report.
- H. DEPARTMENT'S REPORT, dated December 20, 2006, relative to the Secret Service Funds Audit, Second Quarter, conducted by Detective Support and Vice Division, and the Executive Summary, in accordance with the Annual Audit Plan for Fiscal Year 2006/2007, as set forth. [BPC #06-0437]

Recommendation(s) for Board action:

1. APPROVE the Department's report.
- I. DEPARTMENT'S REPORT, dated January 2, 2007, relative to a request for approval of the Professional Services Contract between the City of Los Angeles and the County of Los Angeles, as set forth. [BPC #07-0001]

Recommendation(s) for Board action:

1. APPROVE the Department's report.
- J. DEPARTMENT'S REPORT, dated December 27, 2006, relative to a request for qualifications and information for contractor guidelines for service to maintain, preserve, research and market the Los Angeles Police Department's Historical Photographic assets, No. 06-940-001, as set forth. [BPC #07-0008]

Recommendation(s) for Board action:

1. APPROVE the Department's report.
- K. DEPARTMENT'S REPORT, dated December 29, 2006, relative to the Use of TEAMS Data Audit, Second Quarter, conducted by Office of Operation, in accordance with the Annual Audit Plan for Fiscal Year 2006/07, as set forth. [BPC #06-0439]

Recommendation(s) for Board action:

1. APPROVE the Department's report.
- L. DEPARTMENT'S REPORT, dated January 2, 2007, in response to a Board query, relative to policy on the use of Oleoresin Capsicum (OC) Spray, pursuant to Department Manual and Training Bulletin Volume XXXV, Issue 20, dated December 2003, as set forth. [BPC #07-0005]

Recommendation(s) for Board action:

1. RECEIVE and FILE the Department's report.
- M. DEPARTMENT'S REPORT, dated December 20, 2006, relative to Audio Tapes Used in Non-Categorical Use of Force Investigation and Complaint Investigations Audit, Second Quarter, Fiscal Year 2006/2007, in accordance with the Annual Audit Plan, as set forth. [BPC #06-0440]

Recommendation(s) for Board action:

1. APPROVE the Department's report.
- N. DEPARTMENT'S REPORT, dated December 4, 2006, relative to an amendment to the Department Manual Section 1/210.40 – Refusal to work, as set forth. [BPC #07-0007]
- Recommendation(s) for Board action:

1. APPROVE the Department's report and Special Order.
- O. DEPARTMENT'S REPORT, dated December 27, 2006, relative to Complaint Form 1.28, Investigations Audit, Phase I Second Quarter, Fiscal Year 2006/07, in accordance with the Annual Audit Plan, as set forth. [BPC #06-0436]

Recommendation(s) for Board action:

1. RECEIVE the Department's report and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board.
- P. DEPARTMENT'S REPORT, dated December 28, 2006, relative to the Motor Vehicle and Pedestrian Stop Data Collection Audit, Third Quarter Fiscal Year 2006/2007, and the Executive Summary, in accordance with Paragraphs 104, 105, 128, 131(a, c, and e) of the Consent Decree, as set forth. [BPC #06-0438]

Recommendation(s) for Board action:

1. RECEIVE the Department's report and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board.

- Q. DEPARTMENT'S REPORT, dated December 28, 2006, relative to the Warrant Applications and Supporting Affidavits Audit, Second Quarter, Fiscal Year 2006/2007, in accordance with the Annual Audit Plan, as set forth. [BPC #06-0441]

Recommendation(s) for Board action:

1. RECEIVE the Department's report and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board.

- R. OFFICE OF THE INSPECTOR GENERAL'S REPORT, dated December 28, 2006, relative to the Complaint Investigations Audit for Fiscal Year 2006/2007, as set forth. [BPC #06-0446]

Recommendation(s) for Board action:

1. APPROVE the Office of the Inspector General's report.

CONTINUED FROM OCTOBER 10, 2006

- S. DEPARTMENT'S REPORTS dated September 28, 2006, October 11, 2006, November 14, 2006 and OFFICE OF THE INSPECTOR GENERAL'S REPORT, dated December 28, 2006, relative to the Gang Enforcement Detail Work Product Assessment Summary, First Quarter, Fiscal Year 2006/2007, pursuant to the Annual Audit Plan, as set forth. (Also Calendared as Item No. 10- D in Closed Session) [BPC #06-0354, #06-0354A and #06-0354B]

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

CONTINUED FROM OCTOBER 10, 2006

- T. DEPARTMENT'S REPORT, dated September 28, 2006 and OFFICE OF THE INSPECTOR GENERAL'S REPORT, dated December 28, 2006, relative to the Supplemental Non-Categorical Use of Force Reports Audit, First Quarter, Fiscal Year 2006/2007, pursuant to the Annual Audit Plan, as set forth. (Also Calendared as Item No. 10- C in Closed Session) [BPC #06-0360 and #06-0360A]

Recommendation(s) for Board action:

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

CONTINUED FROM OCTOBER 10, 2006

- U. DEPARTMENT'S REPORTS dated September 27, 2006, and OFFICE OF THE INSPECTOR GENERAL'S REPORT, dated December 27, 2006, relative to the Audit of Arrest, Booking, and Charging Reports, First Quarter, Fiscal Year 2006/2007, pursuant to Consent Decree Paragraphs 70 (a and b), 73, 106e (i and vii), 128(2), and 131 (a, c, and e), as set forth. (Also Calendared as Item No. 10-B in Closed Session) [BPC #06-0355 and #06-0355A]

Recommendation(s) for Board action:

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

CONTINUED FROM NOVEMBER 14, 2006

- V. DEPARTMENT'S REPORT, dated January 3, 2007, in response to Board query, relative to a comprehensive database of all parole violators residing in the City of Los Angeles who are known sex offenders. [BPC #06-0385A]

Recommendation(s) for Board action:

1. RECEIVE and FILE Department report dated November 1, 2006.
2. APPROVE the Department's report dated January 3, 2007 and TRANSMIT to City Council.

9. PUBLIC COMMENT PERIOD

10. CLOSED SESSION ITEMS

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

(Officer Involved Shooting – OIS)

1. OIS #004-06 Six Police Officers II
2. OIS #009-06 One Police Officer III
Three Police Officers II
One Police Service Representative
3. Upper Body Control Hold - UBCH)
UBCH #006-06 One Sergeant I
One Police Officer III
Four Police Officers II

- 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 the Department's audit regarding the Arrest, Booking, and Charging Reports Audit, First Quarter, Fiscal Year 2006/2007 and the Office of the Inspector General's analysis of this report. Government Code Section 54957. (Also Calendared as Item No. 8-U in Open Session) [BPC #06-0355 and #06-0355A]

- C. 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 audit regarding the Supplemental Non-Categorical Use of Force Reports Audit, First Quarter, Fiscal Year 2006/2007, and the Office of the Inspector

General's analysis of this report. Government Code Section 54957. (Also Calendared as Item No. 8-T in Open Session) [BPC #06-0360 and #06-0360A]

- D. 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 audit regarding the Gang Enforcement Detail Work Product Assessment Summary, First Quarter, Fiscal Year 2006/2007, and the Office of the Inspector General's analysis of this report. Government Code Section 54957. (Also Calendared as Item No. 8-S in Open Session)
[BPC #06-0354, #06-0354A and #06-0354B]

- E. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action relative to investigation concerning Complaint File No. 05-6060. Government Code Section 54957.6.

1. Chief of Police

- F. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action relative to investigation concerning Complaint File No. 04-5523. Government Code Section 54957.6.

1. Chief of Police
2. Former Chief of Police

- G. DEPARTMENT'S REPORT, dated December 4, 2006, relative to reclassification of Categorical Use of Force, #F082-06.

CONTINUED FROM DECEMBER 5, 2006

- H. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Settlement discussion regarding Jim Tatreau, Richard Bonneau, and Richard Wemmer v. City of Los Angeles, Los Angeles Police Department, and Bernard C. Parks, United States District Court Case No. CV 02-06436 ER(PJW) (CTx). Government Code Section 54956.9(a).

CONTINUED FROM DECEMBER 12, 2006

- I. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. United States of America vs. City of Los Angeles, Case No. CV00-11769, pursuant to the Federal Consent Decree. Government Code Section 54956.9(a).

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, January 5, 2007.

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.