
AGENDA

BOARD OF POLICE COMMISSIONERS

REGULAR MEETING

TUESDAY, APRIL 19, 2005

9:30 A.M.

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



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 October 5, 2004
- Regular Meeting November 9, 2004
- Special Meeting November 9, 2004
- Regular Meeting November 30, 2004
- Special Meeting February 16, 2005
- Regular Meeting March 15, 2005

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
- Update on Office Reorganization
- Status of Consent Decree Compliance

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 April 15, 2005.

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 monetary donations totaling \$911,106.34 (\$456,828.79 from 2003 calendar year and \$454,277.55 from 2004 calendar year) from the Los Angeles Police Foundation, as set forth. [BPC #05-0118]

Recommendation(s) for Board action:

1. MOTION to retroactively APPROVE the Department's report and various donations.
2. MOTION to TRANSMIT this report to the Mayor and City Council.

- B. DEPARTMENT'S REPORT regarding a request for variance to Los Angeles Municipal Code Section 41.40 from the Raider Painting Company for nighttime construction which began on Monday, April 11, 2005 from 9:00 p.m. to 7:00 a.m. and will be completed on Friday, April 29, 2005 for the work site located at 121 North La Cienega Boulevard, as set forth. [BPC #05-0122]

Recommendation(s) for Board action:

1. MOTION to retroactively APPROVE the Department's report and variance request.

8. REGULAR AGENDA ITEMS

- A. DEPARTMENT'S REPORT in response to Council File No. 04-0767 regarding a monthly update on the funding and staffing needs for the Mission Area Police Station, as set forth. [BPC #05-0119]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.
2. MOTION to TRANSMIT the Department's report to the Budget and Finance Committee.

- B. DEPARTMENT'S REPORT regarding a professional services contract with JusticeTrax, Inc., to provide an integrated Laboratory Information Management System (LIMS) for Scientific Investigation Division, for a total amount not to exceed \$1,036,545.00, as set forth. [BPC #05-0121]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report and professional services contract with JusticeTrax, Inc.
2. MOTION to AUTHORIZE the Chief of Police to execute this contract, subject to the approval of the City Attorney as to form and legality, and approval of the Mayor and City Council
3. MOTION to TRANSMIT this report and contract to the Mayor and City Council.

- C. DEPARTMENT'S REPORT and GRANT from the State of California Office of Traffic Safety regarding a grant agreement entitled "Three Plus One Program" (TPO), as set forth. [BPC #05-0120]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.
2. MOTION to ACCEPT the grant.
3. MOTION to REQUEST the Mayor and City Council to:
 - a) AUTHORIZE the Chief of Police to ACCEPT funds in the amount of \$2,400,000.00 for the period January 1, 2005 through December 31, 2006 for the TPO;
 - b) AUTHORIZE the Chief of Police to execute this grant agreement on behalf of the City, subject to approval of the City Attorney as to form and legality;
 - c) AUTHORIZE the Chief of Police to reapply for TPO funds on behalf of the City as they become available;
 - d) AUTHORIZE the Controller to transfer, as a reimbursable advance, \$646,000.00 from the Reserve Fund to the Unappropriated Balance and establish and appropriate a like amount therefrom to Department No. 70, Fund 339, Account No. W508, for expenditure purposes and Revenue Source Code for Fund 339 to be assigned by the Controller;
 - e) AUTHORIZE the Controller to set up a Revenue Source Code in Fund 339 for the grant to receive and deposit reimbursement receipts from the grantor and reappropriate funds on an as needed basis to pay back the general fund and reserve fund advance; and
 - f) AUTHORIZE the Department to prepare Controller instructions for any necessary technical adjustments subject to approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.
4. MOTION to TRANSMIT the Department's report and grant agreement to the Mayor and City Council.

- D. DEPARTMENT'S REPORT in response to Board query regarding the possibility of using restraints on combative suspects during the transportation of those individuals by ambulance and the use of a protective cover to be placed over the head of an individual who is spitting, as set forth. [BPC #05-0123]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.

CONTINUED FROM 04/12/05

- E. DEPARTMENT'S REPORT and OFFICE OF THE INSPECTOR GENERAL'S REPORT regarding the Initiation of Complaints Audit, Third Quarter Fiscal Year 2004/2005 and the assessment of this audit, as set forth.

[BPC #05-0104 and #05-0104A]

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.

9. PUBLIC COMMENT PERIOD

10. CLOSED SESSION ITEMS

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION. Discussion with legal counsel regarding National Lawyers Guild vs. City of Los Angeles, Case No. CV 01-06877 (COLA). Government Code Section 54956.9(a).
- B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Discussion with legal counsel and possible Board action regarding an EEOC Charge of Discrimination – No. 340-2004-01782. Government Code Sections 54957.6 and 54956.9.
1. Deputy Chief
 2. Captain
 3. Lieutenant
 4. Sergeant
- C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of Officer Involved Shootings (OIS) and other personnel matters. Government Code Section 54957.

(Officer Involved Shooting – OIS)

CONTINUED FROM 04/12/05

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| 1. | OIS #047-04 | Two Police Officers III
Two Police Officers II |
| 2. | OIS #051-04 | One Lieutenant II
Two Detectives I
One Police Officer III
Five Police Officer 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, April 15, 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.