

**LOS ANGELES POLICE DEPARTMENT  
BOARD OF POLICE COMMISSIONERS  
CITY OF LOS ANGELES  
MINUTES**

**REGULAR MEETING – TUESDAY, MAY 17, 2005**

The Board of Police Commissioners of the City of Los Angeles convened in regular session Tuesday, May 17, 2005, at 9:43 a.m., in Room 146, Parker Center, Los Angeles. On calling the roll, the following members were present: Commissioners Cunningham III, Skobin, and Ochi. President Cunningham presiding. Commissioners Alarcon and Caruso were absent.

PRESENT: William J. Bratton, Chief of Police  
Richard M. Tefank, Executive Director  
Mark Burton, Senior Assistant City Attorney  
Julie Valenzuela, Commission Executive Assistant  
Jill Bogle, Hearing Reporter  
Officer Troy Abordo, Sergeant-at-Arms  
Officer Deborah Nichols, Sergeant-at-Arms

**1. APPROVAL OF MINUTES FOR:**

- Regular Meeting May 3, 2005

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE the above matter. Unanimously APPROVED.

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

Chief Bratton gave the Department's "weekly crimes year to date" statistical report for the period ending May 14, 2005.

Chief Bratton stated that he had just returned from participating at the National Police Memorial Month in Washington D.C.

Chief Bratton announced that the Department would be holding its first Candlelight Vigil tomorrow night at the Westchester Academy.

**3. REPORT OF THE EXECUTIVE DIRECTOR**

Executive Director Tefank stated that the formal approval of the Official Police Garage Tow rate increase and the staff report regarding locations of Special Events throughout the City for calendar year 2004 would be agendized for the Board meeting of next week.

Executive Director Tefank also reported that staff would be agendizing, in June, a City Attorney's report regarding the recently adopted Ordinance relative to First Amendment Parade Events.

#### **4. REPORT OF THE INSPECTOR GENERAL**

Inspector General Birotte stated that the Independent Monitor had released their quarterly report yesterday.

Commissioner Ochi requested that the Independent Monitor's report be agendized for the next Board meeting.

#### **5. COMMISSION BUSINESS**

At this time, Commander Hansohn, Personnel Group was recognized and presented a Certificate of Commendation to Federal Treasury Agent Mark Pearson.

Commissioner Ochi reported that there was a Cultural Language Task Force meeting last week.

Commissioner Skobin reported that he was a guest speaker at the Chiefs' Special Agents Association last week, which honored the Los Angeles Police Department. Executive Director Tefank also attended this function.

Commissioner Skobin also reported attending the Los Angeles County Sheriff Department's graduation last week where he was a guest speaker.

#### **6. INFORMATION – FILED ITEMS**

Information items on file, submitted for the period ending May 13, 2005.

RECEIVED and FILED.

#### **7. CONSENT AGENDA ITEMS**

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE Item Nos. 7-A through 7-E. Unanimously APPROVED.

#### **7-A VARIANCE RETROACTIVELY APPROVED – DEPARTMENT'S REPORT APPROVED**

DEPARTMENT'S REPORT regarding a request for variance to Los Angeles Municipal Code Section 41.40 from the Los Angeles Unified School District for nighttime construction beginning on Monday, May 16, 2005 from 3:00 p.m. to 10:30 p.m. to be completed on Thursday, October 6, 2005 for work located at 2839 North Eastern Avenue, as set forth. [BPC #05-0151]

Recommendation(s) for Board action:

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

**7-B. VARIANCE APPROVED – DEPARTMENT'S REPORT APPROVED**

DEPARTMENT'S REPORT regarding a request for variance to Los Angeles Municipal Code Section 41.40 from Traffic Management, Inc. for nighttime construction beginning on Wednesday, May 25, 2005 from 9:00 p.m. to 7:00 a.m. to be completed on Thursday, May 26, 2005 for work located at 6801 Hollywood Boulevard, as set forth. [BPC #05-0152]

Recommendation(s) for Board action:

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

**7-C. VARIANCE APPROVED – DEPARTMENT'S REPORT APPROVED**

DEPARTMENT'S REPORT regarding a request for variance to Los Angeles Municipal Code Section 41.40 from the Department of Water and Power for nighttime construction beginning on Monday, August 1, 2005 from 7:00 a.m. to 6:00 p.m. to be completed on Wednesday, August 31, 2005 for work located on Coldwater Canyon Avenue between Satcoy Street and Raymer Avenue, as set forth. [BPC #05-0153]

Recommendation(s) for Board action:

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

**7-D. VARIANCE APPROVED – DEPARTMENT'S REPORT APPROVED**

DEPARTMENT'S REPORT regarding a request for variance to Los Angeles Municipal Code Section 41.40 from Los Angeles Unified School District for nighttime construction beginning on Monday, June 6, 2005 from 2:00 p.m. to 10:30 p.m. to be completed on Monday, August 1, 2005 for work located at 750 East 49<sup>th</sup> Street, as set forth [BPC #05-0154]

Recommendation(s) for Board action:

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

**7-E. VARIANCE APPROVED – DEPARTMENT'S REPORT APPROVED**

DEPARTMENT'S REPORT regarding a request for variance to Los Angeles Municipal Code Section 41.40 from the Department of Water and Power for nighttime construction beginning on Thursday, September 1, 2005 from 9:00 p.m. to 7:00 a.m. to be completed on Friday, September 30, 2005 for work located on Cantara Street, as set forth [BPC #05-0155]

Recommendation(s) for Board action:

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

## **8. REGULAR AGENDA ITEMS**

### **8-A. PRESENTATION AND UPDATE GIVEN**

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

Captain Szymanski, Foothill Area and Ms. Roberts, co-chair, Foothill C-PAB gave an update regarding the above matter.

Commander Hansohn also DISCUSSED the above matter in reference to reserve officers.

### **8-B. DEPARTMENT'S REPORT APPROVED**

DEPARTMENT'S REPORT regarding a request to approve Kerry Morrison to receive the Police Commission Distinguished Service Medal, as set forth. [BPC #05-0127]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.

The above matter was DISCUSSED with Commander Hansohn, Personnel Group.

Commissioner Skobin moved, seconded by Commissioner Ochi, to APPROVE the above matter. Unanimously APPROVED.

At this time, Item Nos. 8-C and 8-D were taken up together.

### **8-C. DEPARTMENT'S REPORT RECEIVED – OFFICE OF THE INSPECTOR GENERAL DIRECTED TO SUBMIT AN ANALYSIS OF THIS REPORT – (SEE DETAILED MINUTES FOLLOWING ITEM NO. 8-D)**

DEPARTMENT'S REPORT, dated May 6, 2005, regarding the Discipline Report, First Quarter 2005, in accordance with Paragraph 88 of the Consent Decree, as set forth. [BPC #05-0146]

Recommendation(s) for Board action:

1. MOTION to RECEIVE the Department's report.

2. MOTION to DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board.

**8-D. DEPARTMENT'S REPORT RECEIVED – OFFICE OF THE INSPECTOR GENERAL DIRECTED TO SUBMIT AN ANALYSIS OF THIS REPORT – (SEE DETAILED MINUTES FOLLOWING)**

DEPARTMENT'S REPORT, dated May 6, 2005, regarding the Ethics Enforcement Section Quarterly Report, First Quarter 2005, in accordance with Paragraph 127 of the Consent Decree, as set forth. [BPC #05-0147]

Recommendation(s) for Board action:

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

Commissioner Ochi moved, seconded by Commissioner Skobin, to RECEIVE the Department's report and DIRECT the Office of the Inspector General to submit an analysis of the reports attached to Item Nos. 8-C and 8-D. Unanimously APPROVED.

**8-E. DEPARTMENT'S REPORT APPROVED – TRANSMIT TO ARTS, PARKS, HEALTH, AND AGING COMMITTEE**

DEPARTMENT'S REPORT, dated May 10, 2005, regarding the Status Report on the Implementation of the Americans with Disabilities Act Transition Plan, July 1 through December 31, 2003 (Council File No. 01-1022), as set forth. [BPC #05-0148]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.
2. MOTION to TRANSMIT to the Arts, Parks, Health, and Aging Committee.

The above matter was DISCUSSED with Mr. Brennan, Personnel Division.

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE and TRANSMIT the above matter. Unanimously APPROVED.

**8-F. DEPARTMENT'S REPORT APPROVED**

DEPARTMENT'S REPORT, dated May 12, 2005, approving Dodger's Stadium as an authorized venue for uniformed, off-duty employment for Department personnel, as set forth. [BPC #05-0159]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.

The above matter was DISCUSSED with Executive Director Tefank and Captain Cansler, Planning and Research Division.

Commissioner Skobin moved, seconded by Commissioner Ochi, to APPROVE the above matter. Unanimously APPROVED.

**8-G. DEPARTMENT'S REPORT APPROVED**

DEPARTMENT'S REPORT, dated May 10, 2005, regarding the Report on Status of Nurse Practitioners at Jail Division, as set forth. [BPC #05-0149]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.

The above matter was DISCUSSED with Lieutenant Biersborn, Jail Division.

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE the above matter. Unanimously APPROVED.

**8-H. DEPARTMENT'S REPORT ACCEPTED**

DEPARTMENT'S REPORT, dated May 10, 2005, regarding Review of Medical Protocol for Handling Arrestees Under the Influence of Narcotics, as set forth. [BPC #05-0150]

Recommendation(s) for Board action:

1. MOTION to REVIEW and ACCEPT the Department's report.

The above matter was DISCUSSED with Lieutenant Biersborn, Jail Division.

Commissioner Ochi moved, seconded by Commissioner Skobin, to ACCEPT the above matter. Unanimously APPROVED.

**8-I. DEPARTMENT'S REPORT APPROVED – TRANSMIT TO MAYOR AND CITY COUNCIL**

CONTINUED FROM 05/10/05

DEPARTMENT'S REPORT, dated April 28, 2005, regarding the Supplemental Police Account Expenditure Plan XIX for calendar year 2005, as set forth [BPC #05-0142]

Recommendation(s) for Board action:

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

Commissioner Ochi moved, seconded by Commissioner Skobin, to APPROVE and TRANSMIT the above matter. Unanimously APPROVED.

## **9. PUBLIC COMMENT PERIOD**

The following person addressed the Board on general issues:

George Pappas.

The public hearing was closed.

At this time, Ms. Valenzuela announced that the Board would recess to Closed Session to discuss Item Nos. 10-A through 10-E, in accordance with the appropriate Government Code Sections.

## **10. CLOSED SESSION ITEMS**

### **10-A. REVIEWED – WITHDRAWN – LACK OF SUFFICIENT EVIDENCE**

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action relative to investigation concerning Complaint File No. 02-1963. Government Code Section 54957.6.

1. Former Chief of Police

### **10-B. REVIEWED – NON-DISCIPLINARY – EMPLOYEE'S ACTIONS DID NOT RISE TO THE LEVEL OF MISCONDUCT**

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action relative to investigation concerning Complaint File No. 04-4620. Government Code Section 54957.6.

1. Chief of Police





ATTEST:

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President

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Board Secretary

NOTE: For more detailed information, a certified transcript of this meeting is included as part of the permanent record of these proceedings.