

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

**REGULAR MEETING – TUESDAY, MAY 24, 2005**

The Board of Police Commissioners of the City of Los Angeles convened in regular session Tuesday, May 24, 2005, at 9:49 a.m., in Room 146, Parker Center, Los Angeles. On calling the roll, the following members were present: Commissioners Skobin, Alarcon, and Ochi. Vice President Skobin presiding. Commissioner Caruso and President Cunningham were absent.

PRESENT: Jim McDonnell, Acting Chief of Police  
Richard M. Tefank, Executive Director  
Debra Gonzales, Deputy City Attorney  
Julie Valenzuela, Commission Executive Assistant  
Jill Bogle, Hearing Reporter  
Officer Troy Abordo, Sergeant-at-Arms  
Detective Tom Butler, Sergeant-at-Arms  
Officer Deborah Nichols, Sergeant-at-Arms

**1. APPROVAL OF MINUTES**

- Regular Meeting May 10, 2005

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

**2. REPORT OF CHIEF OF POLICE**

Assistant Chief McDonnell reported on several events that had taken place over the past week: the First Candlelight Vigil for Police Memorial Month, which was held at the Ahmanson Recruit Training Center last Wednesday; Detective Bureau's hosting of the Law Enforcement and Private Security (LEAPS) Conference at the Wilshire Grand on Thursday; the Annual Police Celebrity Golf Tournament for the Police Memorial Foundation at Rancho Park this past Saturday; Interfaith Day of Prayer at Saint Michael's Church on Sunday; and the Chaplain's Banquet at the Policy Academy last night.

Assistant Chief McDonnell also reported on the Department's "weekly crimes year to date" statistical report for the period ending May 21, 2005.

Assistant Chief McDonnell stated that there were six restorations year to date and 273 recruits currently in the Academy.

### **3. REPORT OF THE EXECUTIVE DIRECTOR**

Executive Director Tefank reported that the Photo Red Light contract negotiations are still in progress between the Department and the City Attorney's Office. He also stated that this matter would need to be addressed in Closed Session when it comes back to the Board. There is a potential legal issue from the current vendor and their concern about the contractor selection process.

Executive Director Tefank stated that he had attended the Public Safety Committee meeting in which the Committee approved the Chief Legislative Analyst's Consent Decree report, which would be forwarded to City Council.

Executive Director Tefank also announced that there would be a Consent Decree Principle's meeting on Friday. Commissioner Skobin would be attending this meeting along with the Mayor's staff, City Administrative Officer, and Chief Legislative Analyst.

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

Inspector General Birotte reported that he had also attended the Public Safety Committee meeting to discuss staffing issues and Consent Decree issues.

Inspector General Birotte also reported that an offer had been extended to a new Special Investigator.

The following person addressed the Board:

Gregory Roberts.

The public hearing was closed.

### **5. COMMISSION BUSINESS**

Commissioner Ochi reported that she had attended the Police Memorial Ceremony in front of Parker Center last Thursday. President Cunningham and Commissioners Caruso and Skobin were also in attendance.

Commissioner Ochi instructed Executive Director Tefank to report back to the Board as soon as the report from the Coalition of Community Relations was ready.

Commissioner Ochi also requested an update on pending projects within the next two meetings. Commissioner Ochi's particular concern was relative to the 300 or so personnel complaint issues, which were completed by Former Chief of Police Pomeroy.

Commissioner Skobin stated that he had also attended the Candlelight Vigil at the Westchester Academy.

Commissioner Skobin also attended the Explorer Graduation on Saturday and the Chaplain's Banquet where Assistant Chief McDonnell was the keynote speaker. Commissioner Skobin also thanked Assistant Chief McDonnell for a job well done.

## **6. INFORMATION – FILED ITEMS**

Information items on file, submitted for the period ending May 20, 2005.

RECEIVED and FILED.

## **7. CONSENT AGENDA ITEMS**

Commissioner Alarcon moved, seconded by Commissioner Ochi, to APPROVE Item Nos. 7-A through 7-C. 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 JCL Barricade Company for nighttime construction which began on Friday, March 20, 2005, from 8:00 p.m. to 6:00 p.m. and was completed on Tuesday, March 22, 2005 for work located on Main Street from Wilhardt Street to Gibbons Street, as set forth.

[BPC #05-0160]

Recommendation(s) for Board action:

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

### **7-B. REAFFIRMED BOARD'S ACTION OF MAY 3, 2005 – EXECUTIVE DIRECTOR'S REPORT APPROVED**

EXECUTIVE DIRECTOR'S REPORT, dated May 19, 2005, regarding the Official Police Garage Towing and Storage Fee Increase, as set forth.

[BPC #05-0166]

Recommendation(s) for Board action:

1. MOTION to REAFFIRM the Board action of May 3, 2005, which would authorize the fee increases to become effective on June 1, 2005.
2. MOTION to APPROVE the Executive Director's report.

**7-C. EXECUTIVE DIRECTOR'S REPORT ACCEPTED**

EXECUTIVE DIRECTOR'S REPORT, dated May 19, 2005, relative to the 2003 and 2004 revenue from false alarm fees and the number of new alarm permits since November 8, 2004, as set forth. [BPC #05-0165]

Recommendation(s) for Board action:

1. MOTION to ACCEPT the Executive Director's report.

**8. REGULAR AGENDA ITEMS**

**8-A. DEPARTMENT'S REPORT APPROVED – TRANSMIT TO CITY COUNCIL AND CITY CONTROLLER**

DEPARTMENT'S REPORT, dated May 11, 2005, regarding the Supplemental Police Account Quarterly report (January through March 2005), as set forth. [BPC #05-0156]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.
2. MOTION to TRANSMIT this report to the City Council and City Controller, in accordance with the provisions of Article 17, Section 5.115 of the Los Angeles Administrative Code.

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

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

**8-B. DEPARTMENT'S REPORT APPROVED – TRANSMIT TO BUDGET AND FINANCE AND PUBLIC SAFETY COMMITTEES – (SEE DETAILED MINUTES FOLLOWING ITEM NO. 8-D)**

DEPARTMENT'S REPORT, dated May 3, 2005, in response to Council File No. 04-1942 relative to a monthly progress report detailing the backfill and funding of sworn positions assigned to the Police Department, as set forth. [BPC #05-0157]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.
2. MOTION to TRANSMIT this report to the Budget and Finance and Public Safety Committees.

**8-D. DEPARTMENT'S REPORT APPROVED – TRANSMIT TO BUDGET AND FINANCE COMMITTEE – (SEE DETAILED MINUTES FOLLOWING)**

DEPARTMENT'S REPORT, dated May 27, 2005, in response to Budget and Finance Committee request regarding a monthly update on the funding and staffing needs for the Mission Area Police Station (Council File No. 04-0767), as set forth. [BPC #05-0163]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.
2. MOTION to REQUEST the Budget and Finance Committee to discontinue requesting submission of this report.
3. MOTION to TRANSMIT this report to the Budget and Finance Committee.

The above matters were DISCUSSED with Mr. Brennan, Personnel Division.

Commissioner Alarcon moved, seconded by Commissioner Ochi, to APPROVE and TRANSMIT the above matters attached to Item Nos. 8-B and 8-D. Unanimously APPROVED.

**8-C. DEPARTMENT'S REPORT APPROVED WITH MODIFICATIONS – TRANSMIT TO PUBLIC SAFETY COMMITTEE AND BOARD OF RECREATION AND PARK COMMISSIONERS – (SEE DETAILED MINUTES FOLLOWING)**

DEPARTMENT'S REPORT, dated May 12, 2005, in response to Public Safety Committee request regarding the expansion of the "Summer of Success" Youth Program (Council File No. 05-0174), as set forth. [BPC #05-0158]

Recommendation(s) for Board action:

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

The above matter was DISCUSSED with Captain Craig, Juvenile Division.

The following person addressed the Board:

Rose Ibanez, Councilmember Ludlow's Office.

The public hearing was closed.

The Board INSTRUCTED the Department to modify the report on page two, first paragraph, last sentence, to DELETE “**coincidentally**” and to ADD VERBIAGE to the report that would explain the importance of the Summer of Success Youth Program as a component of crime reduction.

Executive Director Tefank stated that he would compose a letter of support for Board signature and forward to Public Safety Committee and the Board of Recreation and Park Commissioners, as soon as the modified report was received.

Commissioner Alarcon moved, seconded by Commissioner Ochi, to APPROVE the Department’s report as modified, and TRANSMIT to the Public Safety Committee and Board of Recreation and Park Commissioners. Unanimously APPROVED AS MODIFIED.

**8-E. DEPARTMENT’S REPORT APPROVED – TRANSMIT TO PUBLIC SAFETY COMMITTEE**

DEPARTMENT’S REPORT, dated May 16, 2005, in response to Public Safety Committee request regarding Out of Statute Personnel Complaints, First Quarter 2005, as set forth.

[BPC #05-0164]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department’s report.
2. MOTION to TRANSMIT this report to the Public Safety Committee.

The above matter was DISCUSSED with Captain Weinstein, Internal Affairs Group.

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

**8-F. DEPARTMENT’S REPORT ACCEPTED – EXECUTIVE DIRECTOR’S REPORT ACCEPTED**

DEPARTMENT’S REPORT, dated February 14, 2005, and EXECUTIVE DIRECTOR’S REPORT, dated May 16, 2005, regarding the Hunter-La Ley report for the period June 27, 2004 through January 8, 2005 (Deployment Periods 7 through 13), Fiscal Year 2004/2005, as set forth.

[BPC #05-0062 and #05-0062A]

Recommendation(s) for Board action:

1. MOTION to ACCEPT the Department’s report.
2. MOTION to ACCEPT the Executive Director’s report.

The above matter was DISCUSSED with Mr. Chaleff, Consent Decree Bureau and Ms. Vega, Police Commission Personnel Group.

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

#### **8-G. EXECUTIVE DIRECTOR'S REPORT APPROVED**

EXECUTIVE DIRECTOR'S REPORT, dated May 16, 2005, in response to Board query regarding the Special Events Permit Process, as set forth. [BPC #05-0161]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Executive Director's report.

The above matter was DISCUSSED with Executive Director Tefank and Mr. Romo, Police Commission Policy Group.

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

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

DEPARTMENT'S REPORT, dated May 16, 2005, regarding Criminal Cases Submitted to Prosecutors for Review, First Quarter 2005, as set forth. (Also calendared as Item No. 10-A in Closed Session) [BPC #05-0162]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.

The above matter was DISCUSSED with Captain Weinstein, Internal Affairs Group.

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

### **9. PUBLIC COMMENT PERIOD**

The following persons addressed the Board on general issues:

Gregory Roberts, Page Miller, Lewis Logan, Reverend Brazil, Tommy Walker, James Harris, Geraldine Middleton, Larry Aubry, Shaka Satori, and Bernadette Scully.

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 and 10-B, in accordance with the appropriate Government Code Sections.

### **10. CLOSED SESSION ITEMS**

#### **10-A. DISCUSSED – APPROVED IN OPEN SESSION**

**PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** Commission's assessment of the appropriateness of the actions of the Chief of Police concerning the report of Criminal Cases submitted to Prosecutors for Review, First Quarter 2005. (Also calendared as Item No. 8-H in Open Session) Government Code Section 54957. [BPC #05-0162]

**10-B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION.** Review of Animal Shootings (A-D), Accidental Discharge (ACC), and other personnel matters. Government Code Section 54957.

#### **10B-1. REVIEWED - ADOPTED**

(Animal Shootings – A-D)  
CONTINUED FROM 05/17/05

1. A-D #057-04 Two Police Officers II

#### **10B-2. REVIEWED – OFFICE OF THE INSPECTOR GENERAL'S REPORT ADOPTED**

(Accidental Discharge – ACC)

2. ACC #061-04 One Police Officer II

### **ADJOURNMENT**

The Board reconvened in Open Session to announce its decision regarding matters considered in Closed Session.

A motion of adjournment at 11:58 a.m. was made by Commissioner Alarcon, seconded by Commissioner Ochi. Unanimously ADOPTED.

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.