

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

REGULAR MEETING – TUESDAY, JUNE 7, 2005

The Board of Police Commissioners of the City of Los Angeles convened in regular session Tuesday, June 7, 2005 at 9:44 a.m., in Room 146, Parker Center, Los Angeles. On calling the roll, the following members were present: Commissioners Cunningham III, Skobin, Alarcon, and Ochi. President Cunningham presiding. Commissioner Caruso arrived late.

PRESENT: George Gascón, Acting Chief of Police
Richard M. Tefank, Executive Director
Donna Weisz-Jones, Assistant City Attorney
Julie Valenzuela, Commission Executive Assistant
Jill Bogle, Hearing Reporter
Officer Troy Abordo, Sergeant-at-Arms
Officer Jose Ceja, Sergeant-at-Arms
Officer Ernesto Vicencio, Sergeant-at-Arms

1. APPROVAL OF MINUTES FOR:

- Regular Meeting January 27, 2004
- Regular Meeting April 6, 2004
- Regular Meeting November 16, 2004
- Regular Meeting May 17, 2005
- Regular Meeting May 24, 2005

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

2. REPORT OF CHIEF OF POLICE

Assistant Chief Gascón reported on the Department's "weekly crimes year to date" statistical report for the period ending June 4, 2005.

Assistant Chief Gascón also reported that there were six restorations year to date, 273 recruits currently in the academy, and eight retirements last week.

3. REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Tefank stated that he had prepared briefing points for new Commissioners and also a list of pending projects.

Executive Director Tefank also reported that the monthly independent monitor's meeting with Kroll and the Department of Justice would take place this Thursday.

4. REPORT OF THE INSPECTOR GENERAL

Inspector General Birotte stated that his office is currently investigating certain allegations regarding the murder investigation involving Bruce Lisker.

Inspector General Birotte also introduced new employee Jeremiah Williams, Special Investigator.

5. COMMISSION BUSINESS

Commissioner Ochi stated that she had attended the L.A. Terrorist Early Warning Conference at RAND Corporation.

Commissioner Ochi also stated that she had attended KOREISHA, a community event that honored actor George Takei.

Commissioner Skobin instructed Executive Director Tefank, Inspector General Birotte, and the Department to develop a strategy for an audit, review, and inspection plan to maintain the Consent Decree goals when the Independent Monitor's commitment is fulfilled.

Commissioner Alarcon announced that she had attended the installation of the chairperson for the Foothill Area Boosters.

President Cunningham stated that he had attended the Police Magnet High School Graduation at the Elysian Park Policy Academy.

At this time, Commissioner Caruso entered the Boardroom.

President Cunningham also announced that the Board was awarding the Police Commission Distinguished Service Medal to Kerry Morrison, Executive Director of the Hollywood Entertainment District.

6. INFORMATION – FILED ITEMS

Information items on file, submitted for the period ending June 3, 2005.

RECEIVED and FILED.

7. CONSENT AGENDA ITEMS

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

7-A. DEPARTMENT'S REPORT APPROVED – DONATIONS APPROVED

DEPARTMENT'S REPORT, dated June 7, 2005, relative to various donations totaling \$54,276.08, which will be distributed throughout the Department, as set forth.

[BPC #05-0175]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report and various donations as indicated in this report.

7-B. DEPARTMENT'S REPORT APPROVED – DONATIONS APPROVED – TRANSMIT TO THE MAYOR AND CITY COUNCIL

DEPARTMENT'S REPORT, dated June 7, 2005, relative to various donations from the Los Angeles Police Foundation totaling \$120,286.71, which will be distributed throughout the Department, as set forth.

[BPC #05-0174]

Recommendation(s) for Board action:

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

7-C. DEPARTMENT'S REPORT APPROVED – DONATIONS APPROVED – TRANSMIT TO THE MAYOR AND CITY COUNCIL

DEPARTMENT'S REPORT, dated June 7, 2005, relative to the acceptance of various donations totaling \$287,000, which will be distributed throughout the Department, as set forth.

[BPC #05-0176]

Recommendation(s) for Board action:

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

**7-D. DEPARTMENT'S REPORT APPROVED – DONATIONS APPROVED –
TRANSMIT TO THE MAYOR AND CITY COUNCIL**

DEPARTMENT'S REPORT, dated June 7, 2005, relative to the acceptance of a 2005 GMC Yukon donation valued at \$41,425 from Martin Cadillac, Pontiac, and GMC to be utilized by the West Los Angeles Area, as set forth. [BPC #05-0177]

Recommendation(s) for Board action:

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

**7-E. DEPARTMENT'S REPORT APPROVED – DONATIONS APPROVED –
TRANSMIT TO THE MAYOR AND CITY COUNCIL**

DEPARTMENT'S REPORT, dated June 7, 2005, relative to the acceptance of three All Terrain Vehicles and trailer valued at \$30,000 from the Department of Neighborhood Empowerment to be utilized by the Harbor Area, as set forth. [BPC #05-0178]

Recommendation(s) for Board action:

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

8. REGULAR AGENDA ITEMS

At this time, Item No. 8-B was taken out of order.

8-B. UPDATE GIVEN

DEPARTMENT UPDATE regarding the New Police Headquarters Facility and current health and safety issues relative to the Police Administration Building.

Assistant Chief Papa, Office of Support Services, Ms. Sanchez-Owens, Facilities Management Division, Mr. Palacios, DMJM Architects, and Mr. Tanaka, Bureau of Engineering gave an update regarding the above matter.

**8-A. REVIEWED – DISCUSSED IN OPEN AND CLOSED SESSION – ACTION
DEFERRED – (SEE DETAILED MINUTES FOLLOWING AND WITH ITEM
NO. 10-A ON PAGE 9)**

POLICE DEPARTMENT AND DEPARTMENT OF TRANSPORTATION'S JOINT REPORT, relative to Photo Red Light Contracts, as set forth.

Recommendation(s) for Board action:

- 1-A. MOTION to APPROVE proposed Fourth Amendment to Contract No. C-100595 between ACS State & Local Solutions, Inc. and the Department, which would extend the existing agreement to June 14, 2006, or until a new contract resulting from the Request for Proposals process for the Automated Photo Red Light Enforcement Program becomes effective.
- 1-B. MOTION to TRANSMIT to City Council, the Police Commission's action approving the Fourth Amendment to extend the Agreement with ACS State & Local Solutions, Inc. FORTHWITH. (Public Safety Committee).
2. STATUS report regarding negotiations for Nestor Photo Red Light Contract. (Request to discuss matter in Closed Session – 10-A) Government Code Section 54956.9.

The above matter was DISCUSSED with Captain McCarthy, Special Operations Support Division and Sergeant Foster, Traffic Coordination Section.

The following person addressed the Board:

Randall Keen, representing ACS State & Local Solutions, Inc.

The public hearing was closed.

At this time, the Board recessed into Closed Session to DISCUSS the above matter, concurrently with Item No. 10-A.

Upon reconvening in Open Session, Commissioner Caruso moved, seconded by Commissioner Alarcon, to DEFER action on the above matter. Unanimously APPROVED.

8-C. DEPARTMENT'S REPORT APPROVED – TRANSMIT TO THE MAYOR AND CITY COUNCIL

DEPARTMENT'S REPORT, dated May 18, 2005, relative to a request for payment of reward for assistance leading to the arrest and conviction of home invasion robbery/sexual assault suspect Gary Johnson – Council File No. 02-0010-S37, as set forth. [BPC #05-0168]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.
2. MOTION to TRANSMIT this report to the Mayor and City Council.
3. MOTION to REQUEST that City Council transfer \$25,000 from Special Reward Trust Fund No. 436, City Clerk's Office, to the Police Department Fund 100, Department 70, Secret Service Account 4310.

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

8-D. DEPARTMENT'S REPORT APPROVED – TRANSMIT TO PERSONNEL AND PUBLIC SAFETY COMMITTEES

DEPARTMENT'S REPORT, dated May 24, 2005, in response to Personnel and Public Safety Committees request relative to a revision of Los Angeles Police Department Policy – Extended Light Duty Assignments, as set forth. [BPC #05-0169]

Recommendation(s) for Board action:

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

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

8-E. DEPARTMENT'S REPORT ACCEPTED

DEPARTMENT'S REPORT, dated June 7, 2005, regarding the timetable for implementation of "Shooting at or from a Moving Vehicle Policy", as set forth. [BPC #05-0170]

Recommendation(s) for Board action:

1. MOTION to ACCEPT the Department's report.

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

8-F. DEPARTMENT'S REPORTS ACCEPTED

DEPARTMENT'S REPORTS, dated May 19, 2005, regarding a status report on Consent Decree compliance by the Gang Enforcement Details and warrants authored and recapitulation of firearms seized by the Gang Impact Teams for the month of April 2005, as set forth. [BPC #05-0171 and #05-0171A]

Recommendation(s) for Board action:

1. MOTION to ACCEPT the Department's Consent Decree/Gang Enforcement Detail Status Report.
2. MOTION to ACCEPT the Department's Warrants Authored and Recapitulation of Firearms Seized by Gang Impact Teams Report.

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

8-G. REVIEWED - DEPARTMENT'S REPORT RECEIVED – OFFICE OF THE INSPECTOR GENERAL DIRECTED TO SUBMIT AN ANALYSIS OF THIS REPORT

DEPARTMENT'S REPORT, dated May 13, 2005, relative to the Annual Audit Plan for Fiscal Year 2005/2006, as set forth. [BPC #05-0167]

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.

The above matter was DISCUSSED with Mr. Chaleff, Consent Decree Bureau and Captain Schick, Audit Division.

Commissioner Alarcon moved, seconded by Commissioner Ochi, to RECEIVE the Department's report and DIRECT the Office of the Inspector General to submit an analysis of this report. Unanimously APPROVED.

8-H. REVIEWED – DEPARTMENT'S REPORT APPROVED – EXECUTIVE DIRECTOR'S REPORT APPROVED – OFFICE OF THE INSPECTOR GENERAL'S REPORT APPROVED

DEPARTMENT'S REPORT, dated May 25, 2005, EXECUTIVE DIRECTOR'S REPORT, dated June 2, 2005, and OFFICE OF THE INSPECTOR GENERAL'S REPORT, dated May 31, 2005, regarding the Consent Decree Status report for June 2005, as set forth.

[BPC #05-0172, #05-0172A, and #05-0172B]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's report.
2. MOTION to APPROVE the Executive Director's report.
3. MOTION to APPROVE the Office of the Inspector General's report.

The above matter was DISCUSSED with Mr. Chaleff, Consent Decree Bureau.

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

8-I. OFFICE OF THE INSPECTOR GENERAL'S REPORT RECEIVED AND FILED

OFFICE OF THE INSPECTOR GENERAL'S REPORT, dated May 26, 2005, regarding the Activity Report for the month of April 2005, as set forth. [BPC #05-0173]

Recommendation(s) for Board action:

1. MOTION to RECEIVE AND FILE the Office of the Inspector General's report.

The above matter was DISCUSSED with Inspector General Birotte.

Commissioner Ochi moved, seconded by Commissioner Alarcon, to RECEIVE and FILE the above matter. Unanimously APPROVED.

8-J. DEPARTMENT'S REPORTS APPROVED – OFFICE OF THE INSPECTOR GENERAL'S REPORTS APPROVED

CONTINUED FROM 03/08/05

DEPARTMENT'S REPORTS dated February 10, 2005 and May 25, 2005, and OFFICE OF THE INSPECTOR GENERAL'S REPORT, dated May 27, 2005, relative to the Warrant Applications and Supporting Affidavits Audit, the Review of the Department's Warrant Applications and Supporting Affidavits Audit, an amendment of the Warrant Applications and Supporting Affidavits Audit, and Amended Executive Summary thereto, as set forth.

[BPC #05-0063, #05-0063A, and #05-0063B]

Recommendation(s) for Board action:

1. MOTION to APPROVE the Department's original report.
2. MOTION to APPROVE the Department's amendment and amended executive summary.
3. MOTION to APPROVE the Office of the Inspector General's report.

The above matter was DISCUSSED with Mr. Chaleff, Consent Decree Bureau.

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

9. PUBLIC COMMENT PERIOD

The following persons addressed the Board on general issues:

Mr. Juarez, Bernadette Scully, Shaka Satori, Lorenzo Frank, Destinee DeWalt, Derek, Stephan Brooks, and Morris Griff.

The public hearing was closed.

ADJOURNMENT

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

A motion of adjournment at 12:55 p.m. was made by Commissioner Ochi, seconded by Commissioner Skobin. Unanimously ADOPTED.

ATTEST:

President

Board Secretary

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