
AGENDA



BOARD OF POLICE COMMISSIONERS

REGULAR MEETING

**TUESDAY, JULY 13, 2004
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 MINUTES FOR:

- ? Regular Meeting June 15, 2004
- ? Special Meeting June 15, 2004
- ? Regular Meeting June 22, 2004

2. REPORT OF THE CHIEF OF POLICE

- ? Status Update on the Miller Use of Force Incident
- ? Significant Incidents
- ? Crime Statistics
- ? Recruitment/Reinstatement/Reassignment of Officers

3. COMMISSION BUSINESS

- ? Meetings/Events Attended
- ? Consideration of Future Agenda Items/Pending Projects

4. REPORT OF THE EXECUTIVE DIRECTOR

5. REPORT OF THE INSPECTOR GENERAL

- ? Status Update on the Miller Use of Force Incident

6. INFORMATION – FILED ITEMS

- A. Information items on file, as submitted for the period ending July 9, 2004.

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. APPROVE and TRANSMIT to the Mayor and City Council, a donation of various computer and camera equipment valued at \$12,795.00 from the Los Angeles Police Southeast Explorer Post 911 to the Southeast Area to assist with the Weed and Seed Grant Program, as set forth. [BPC #04-0426]

- B. APPROVE a donation of car wash vouchers valued at \$772.72 from Mr. Stew Peterson, owner of a Mobile Gas Station to be used by the West Valley Area in order to maintain their police vehicles during the months of October through December 2003, as set forth. [BPC #04-0427]
- C. APPROVE a donation of car wash vouchers valued at \$688.85 from Mr. Stew Peterson, owner of a Mobile Gas Station to be used by the West Valley Area in order to maintain their police vehicles during the months of January through March 2004, as set forth. [BPC #04-0428]
- D. APPROVE a donation of various video equipment valued at \$7,495.00 from Southeast Explorer Post 911 to the Southeast Area to assist with the Weed and Seed Grant Program, as set forth. [BPC #04-0432]
- E. APPROVE a monetary donation in the amount of \$1,000.00 from Mr. Moo Han Bae to the Special Operations Support Division to subscribe for the use of Teletrac equipment, as set forth. [BPC #04-0429]
- F. Retroactively APPROVE a monetary donation in the amount of \$649.00 from the Parker Foundation to assist with travel expenses for an employee to attend the AELE Workshop on Discipline and Internal Investigations for Law Enforcement, Public Safety, as set forth. [BPC #04-0430]
- G. Retroactively APPROVE a monetary donation in the amount of \$1,174.50 from the Los Angeles Police Equestrian Fund to assist with travel expenses for three employees to visit the New York Police Department's Mounted Unit to obtain information regarding their training, operations, and crowd control techniques, as set forth. [BPC #04-0431]
- H. REVIEW and APPROVE an application for Firearms/Ammunition Sales Police Permit from Mr. Thomas W. Andersen, as set forth. [BPC #04-0445]

8. REGULAR AGENDA ITEMS

- A. RECEIVE and FILE the Chief's Activity Report for the month of April 2004, as set forth. [BPC #04-0423]
- B. RECEIVE and FILE the Inspector General's Activity Report for the month of May 2004, as set forth. [BPC #04-0420]
- C. REVIEW and APPROVE the Department's status report on Consent Decree related audit recommendations, Fourth Quarter 2003, pursuant to Paragraph 154 of the Consent Decree, as set forth. [BPC #03-0569]
- D. DISCUSSION and UPDATE by the Department regarding the Fiscal Year 2003/2004 Budget and development of the Fiscal Year 2004/2005 Budget.

- E. APPROVE and TRANSMIT to the Mayor, the Department's sole source professional services contract between the City and J. David Wheat, Jr., DVM to provide equine veterinary services and AUTHORIZE the Chief of Police to execute this contract, as set forth. [BPC #04-0433]
 - F. Retroactively APPROVE and TRANSMIT to the Mayor and City Council, the Department's report regarding a sixth year grant application and award for the Bulletproof Vest Partnership Program, as set forth. [BPC #04-0435]
 - G. APPROVE and TRANSMIT to the Mayor and City Council, a Memorandum of Understanding (MOU) for Fiscal Year (FY) 2004/2005 between the Department and the Los Angeles County Department of Probation and AUTHORIZE the Chief of Police to accept \$231,000.00 in grant funding and execute this MOU, subject to the approval of the City Attorney for form and legality, as set forth. [BPC #04-0446]
 - H. RECEIVE and FILE the Department's update regarding the Annual Audit Plan for Fiscal Year 2003/2004, as set forth. [BPC #04-0413]
 - I. REVIEW and APPROVE the Department's Revised Annual Audit Plan for Fiscal Year 2004/2005, as set forth. [BPC #04-0362A]
 - J. REVIEW and APPROVE the Department's Internet Access Audit, Fourth Quarter Fiscal Year 2003/2004, as set forth. [BPC #04-0414]
- CONTINUED FROM 06/22/04
- K. REVIEW and APPROVE the revised version of the Office of the Inspector General's review of the Department's Quarterly Discipline report, First Quarter 2004, as set forth. [BPC #04-0325B]
 - L. RECEIVE the Department's Supplemental Audit of Arrest, Booking, and Charging reports, Fourth Quarter Fiscal Year 2003/2004, pursuant to Paragraph 128 of the Consent Decree and the Annual Audit Plan for Fiscal Year 2003/2004, and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board, as set forth. [BPC #04-0141B]
 - M. RECEIVE a correction to the Department's Complaint Investigations Audit, Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 129 of the Consent Decree and the Annual Audit Plan for Fiscal Year 2003/2004, and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board, as set forth. [BPC #04-0143A]
 - N. REVIEW and APPROVE the Department's Audit of Secret Service Funds, pursuant to Annual Audit Plan for Fiscal Year 2003/2004, as set forth. [BPC #04-0441]
 - O. RECEIVE the Department's Confidential Informant Control Packages Audit, Fourth Quarter Fiscal Year 2003/2004, pursuant to Paragraphs 108, 109, 128, and 131 of the Consent Decree and the Annual Audit Plan for Fiscal Year 2003/2004, and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board, as set forth. [BPC #04-0443]

- P. RECEIVE the Department's Motor Vehicle and Pedestrian Stop Data Collection Audit, Fourth Quarter Fiscal Year 2003/2004, pursuant to Paragraph 128 and the Annual Audit Plan for Fiscal Year 2003/2004 and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board, as set forth. [BPC #04-0444]
- Q. RECEIVE the Department's Supplemental Gang Enforcement Detail Non-Categorical Use of Force Reports Audit, Fourth Quarter Fiscal Year 2003/2004, pursuant to Paragraph 131(c) of the Consent Decree and the Annual Audit Plan for Fiscal Year 2003/2004, and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board, as set forth. [BPC #04-0439]
- R. RECEIVE the Department's Audit of Training for Gang Enforcement Details, pursuant to Paragraph 106(a) and the Annual Audit Plan for Fiscal Year 2003/2004, and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board, as set forth. [BPC #04-0440]
- S. RECEIVE the Department's Gang Enforcement Detail Section Criteria Audit, pursuant to Paragraphs 106 and 107 of the Consent Decree and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board, as set forth. [BPC #04-0442]
- T. RECEIVE the Department's Supplemental Gang Enforcement Detail Warrant Applications and Supporting Affidavits Work Product Audit, Fourth Quarter Fiscal Year 2003/2004, pursuant to Paragraph 131(c) of the Consent Decree and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board, as set forth. [BPC #04-0438]
- U. RECEIVE the Department's Audit of Gang Enforcement Detail Work Product, Fourth Quarter Fiscal Year 2003/2004, pursuant to Paragraph 131(a) of the Consent Decree and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board, as set forth. [BPC #04-0437]
- V. RECEIVE the Department's Supplemental Audit of Gang Enforcement Detail Work Product, First Quarter Fiscal Year 2003/2004, which is being reported during the Fourth Quarter Fiscal Year 2003/2004, pursuant to Paragraph 131(a) of the Consent Decree and DIRECT the Office of the Inspector General to submit an analysis of this report along with any appropriate recommendations to the Board, pursuant to Paragraph 135 of the Consent Decree, as set forth. [BPC #04-0437A]
- W. APPROVE and TRANSMIT to the Public Safety Committee, the Department's progress report regarding Review of the Retaliation Investigation Process – Fifth Report, as set forth. [BPC #04-0454]
- X. DISCUSS and APPROVE the monthly Consent Decree Status reports submitted by the:
1. Office of the Inspector General [BPC #04-0448]
 2. Executive Director [BPC #04-0448A]

CONTINUED FROM 06/08/04

- Y. APPROVE and TRANSMIT to the City Council, the Department's Singapore Airlines After-Action report in response to City Council Motion (Weiss) presented on May 11 2004, as set forth. [BPC #04-0436]

CONTINUED FROM 06/22/04

- Z. DISCUSSION and POSSIBLE BOARD ACTION of Departmental response to Board query regarding Benefits available to Officers killed or seriously injured in the line of duty/off-duty, as set forth. [BPC #04-0403A]
- AA. APPROVE and TRANSMIT to the Public Safety Committee, the Department's report regarding a proposed Ordinance Amending Section 42.15 of the Los Angeles Municipal Code regulating public expression activities on the Venice Beach Boardwalk, as set forth. [BPC #04-0434]
- BB. DISCUSSION and POSSIBLE BOARD ACTION regarding the Board of Inquiry report and Executive Summary on the in-custody death of Mr. Eugene Yamabe, as set forth. [BPC #04-0447]

9. PUBLIC COMMENT PERIOD

10. CLOSED SESSION ITEMS

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of Officer Involved Shootings, Law Enforcement Related Injury, and other personnel matters. Government Code Section 54957.
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| 1. | OIS #039-03 | One Sergeant II One Police Officer III One Police Officer II |
| 2. | ACC #044-03 | One Police Officer II |
| 3. | A-D #040-03 | Two Police Officers II |
| 4. | A-D #043-03 | Two Police Officers II |
| 5. | A-D #059-03 | One Sergeant I |
- B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of Officer Involved Shootings, Law Enforcement Related Injury, and other personnel matters, in compliance with Paragraph 67 of the Consent Decree. Government Code Section 54957.
1. OIS #046-03
 2. LERI #A031-03
 3. OIS #050-03

- C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Update and discussion regarding Complaint File No. 01-1582. Government Code Section 54957.
- D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code Section 54957.
 - 1. Chief of Police
 - 2. Executive Director
 - 3. Inspector General
 - 4. Commission Executive Assistant

The Board will reconvene in Open Session to announce its decision, if any, regarding matters considered in Closed Session.

11. 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, July 9, 2004.

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.