

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

REGULAR MEETING – TUESDAY, AUGUST 17, 2004

The Board of Police Commissioners of the City of Los Angeles convened in regular session Tuesday, August 17, 2004, at 9:46 a.m., in Room 146, Parker Center, Los Angeles. On calling the roll, the following members were present: Commissioners Cunningham III, Skobin, Alarcon, and Caruso. President Cunningham presiding. Commissioner Ochi was absent.

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

At this time, Commissioner Alarcon requested that everyone in the Board room stand and have a moment of silence for Firefighter Jamie Foster, Los Angeles Fire Department who died in the line of duty.

Commissioner Alarcon also requested that a Board letter of condolence be sent to the family of Jamie Foster, via Board of Fire Commissioners.

1. APPROVAL OF THE MINUTES FOR:

NONE.

2. REPORT OF CHIEF OF POLICE

Chief Bratton gave the Department's "weekly crimes year to date" statistical report for the period ending August 14, 2004.

3. REPORT OF THE EXECUTIVE DIRECTOR

NONE.

4. REPORT OF THE INSPECTOR GENERAL

NONE.

5. COMMISSION BUSINESS

Commissioner Skobin requested that the Department's Use of Force issues be calendared for a future agenda and also a presentation relative the different levels of force which are involved.

Commissioner Skobin also asked that the criteria for P-III selection process be re-evaluated.

6. INFORMATION – FILED ITEMS

Information items on file, submitted for the period ending August 13, 2004.

RECEIVED and FILED.

7. CONSENT AGENDA ITEMS

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

7-A. DONATION - APPROVED – TRANSMIT TO MAYOR AND CITY COUNCIL

APPROVE and TRANSMIT to the Mayor and City Council, a monetary donation in an amount not to exceed \$262,000.00 from the Los Angeles Police Foundation which will be used to assist with redesigning and maintenance of the Department's Website www.lapdonline.org for the next three years, as set forth. [BPC #04-0529]

7-B. DONATION – APPROVED

APPROVE a monetary donation in the amount of \$50.00 from Mr. Isaac Kasim to the Department, as set forth. [BPC #04-0528]

7-C. DONATION – RETROACTIVELY APPROVED

Retroactively APPROVE a monetary donation in the amount of \$1,081.00 from City of Philadelphia, Personnel Department for Wilshire Area personnel to attend the Promotional Assessment Boards for Police Sergeant, as set forth. [BPC #04-0530]

7-D. DONATION – RETROACTIVELY APPROVED

Retroactively APPROVE the donation of car wash vouchers valued at \$706.82 from Stew Peterson, Mobil Gas Station to be used by West Valley Area to maintain their police vehicles, as set forth. [BPC #04-0531]

7-E. DONATION - APPROVED

APPROVE the donation of a multifunction laser printer/fax machine valued at \$653.96 from East Valley Police Activities League Supporters to North Hollywood Area Patrol Division, as set forth. [BPC #04-0532]

7-F. DONATION - APPROVED

APPROVE the donation of a Mavica Digital camera valued at \$347.99 from Mid-Valley Community Police Council, Inc. to the Van Nuys Area, as set forth. [BPC #04-0533]

7-G. DONATION – RETROACTIVELY APPROVED – TRANSMIT TO MAYOR AND CITY COUNCIL

Retroactively APPROVE and TRANSMIT to the Mayor and City Council the monetary donation of \$12,500.00 to Metropolitan Division from the Special Weapons and Tactics (SWAT) Foundation for the “SWAT Round Up” Event, as set forth. [BPC #04-0542]

7-H. DONATION – RETROACTIVELY APPROVED

Retroactively APPROVE the monetary donation of \$5,000.00 to West Valley Area Explorer Post No. 515 from Ms. Eveline Bedjai, as set forth. [BPC #04-0544]

7-I. DONATION – RETROACTIVELY APPROVED

Retroactively APPROVE the donation of seven lattice-style planter boxes valued at \$3,500.00 from Green Set, Inc. to the Metropolitan Division K-9 Unit, as set forth. [BPC #04-0547]

7-J. DONATION – RETROACTIVELY APPROVED

Retroactively APPROVE the monetary donation of \$1,800.00 from various sponsors to the Hollywood Area, as set forth. [BPC #04-0548]

7-K. DONATION – RETROACTIVELY APPROVED

Retroactively APPROVE the monetary donation of \$294.00 from the Pasadena Police Department to the 77th Street Area Explorers, as set forth. [BPC #04-0549]

7-L. DONATION – RETROACTIVELY APPROVED

Retroactively APPROVE the monetary donation of \$735.00 from the Pasadena Police Department to the 77th Street Area Explorers, as set forth. [BPC #04-0550]

7-M. DONATION - APPROVED

APPROVE the donation of computer/camera equipment valued at \$1,506.98 from Californians Organized for Police Support to the Professional Standards Bureau, as set forth [BPC #04-0551]

7-N. VARIANCE – RETROACTIVELY APPROVED

Retroactively APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Wesco Infrastructure for nighttime construction which began on Monday, August 2, 2004 and was completed on Friday, August 6, 2004 which was located in the vicinity of Lynn Street and Avenue 49, also Shanley Avenue and Malta Street, as set forth. [BPC #04-0526]

7-O. VARIANCE – RETROACTIVELY APPROVED

Retroactively APPROVE a request for variance to Los Angeles Municipal Code 41.40 from Martin Mechanical for nighttime construction which began on Tuesday, August 3, 2004 and will be completed on Friday, September 17, 2004 for the worksite located at 201 South Figueroa Street, as set forth. [BPC #04-0527]

8. REGULAR AGENDA ITEMS

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

8-B. APPROVED – TRANSMIT TO MAYOR AND CITY COUNCIL FORTHWITH

APPROVE and TRANSMIT to the Mayor and City Council, the Department's report relative to unification and consolidation of Los Angeles World Airport Police and the Police Department, in response to Motion (Weiss) presented in City Council on May 11, 2004, as set forth. [BPC #04-0543]

The above matter was DISCUSSED with Assistant Chief Papa, Office of Support Services.

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

8-C. ENTIRE MATTER CONTINUED

APPROVE and TRANSMIT to the City Council, the Department's supplemental report relative to the feasibility of uniformed off-duty officers working as security for Business Improvement Districts (BIDs), as set forth. [BPC #04-0535]

8-A. REVIEWED - APPROVED

REVIEW and APPROVE the Department's Hunter-La Ley Quarterly report for Deployment Periods 4 through 6, 2004 and the Police Commission's staff analysis of this report and DISCUSS the effect of the budget allocations on Department's Hunter-La Ley goals, as set forth. BPC #04-0323B and #04-0323C]

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

Commissioner Skobin moved, seconded by Commissioner Alarcon, to APPROVE the above matter with a supplemental report from the Department. Unanimously APPROVED.

8-D. APPROVED – TRANSMIT TO THE PUBLIC SAFETY COMMITTEE

APPROVE and TRANSMIT to the Public Safety Committee, the Department's report relative to the status of Integrated Crime and Arrest Records System (ICARS) backlog, as set forth.

[BPC #04-0534]

The above matter was DISCUSSED with Ms. Taylor, Records and Identification Division and Ms. Johnson, Fiscal and Technical Services Bureau.

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

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

8-M. VERBAL UPDATE GIVEN

Verbal update and possible Board action relative to the Memorandum of Agreement regarding Bandit Taxi Cab Enforcement with the Los Angeles Department of Transportation and the Los Angeles Police Department.

The above matter was DISCUSSED with Joe Cyzyck, President, Board of Taxicab Commissioners, Tom Drischler, Department of Transportation, Carol Cooper, Chief Negotiator, City Administrative Officer, and Commander Roupoli, Special Operations Bureau.

8-E. APPROVED – TRANSMIT TO MAYOR AND CITY COUNCIL

APPROVE and TRANSMIT to the Mayor and City Council, the Department's report relative to acceptance of a grant in the amount of \$722,860.00 from the County of Los Angeles for the Department's participation in the Los Angeles County Real Estate Fraud Prosecution Program for Fiscal Year 2004/2005 and AUTHORIZE the Chief of Police to enter into a grant agreement with the County, as set forth

[BPC #04-0536]

The above matter was DISCUSSED with Commander Ward, Detective Bureau.

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

8-F. REVIEWED - APPROVED

REVIEW and APPROVE the Department's Professional Standards Bureau Notice entitled "Standardizing Reply Letters and Establishing a Status Update Correspondence to Complainants," in compliance with Paragraph 91 of the Consent Decree, as set forth.

[BPC #04-0537]

The above matter was REVIEWED with Commander Lillo, Internal Affairs Group and Inspector General Birotte.

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

8-G. REVIEWED - APPROVED

REVIEW and APPROVE the Department's Summaries of Statements Follow-Up for the Non-Categorical Use of Force Reports Audit and Gang Enforcement Detail Non-Categorical Use of Force Reports Audit Supplemental (AD #C03-079S), as set forth. [BPC #04-0439A]

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

Commissioner Skobin moved, seconded by Commissioner Alarcon, to APPROVE the above matter.

8-H. REVIEWED - APPROVED

REVIEW and APPROVE the Inspector General's Activity Report for June 2004, as set forth. [BPC #04-0555]

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

8-I. REVIEWED - APPROVED

REVIEW and APPROVE the Department's Review of Changes in Los Angeles County Procedures for Handling Commitments of Persons with Suspected Mental Illness, as set forth [BPC #04-0553]

The above matter was REVIEWED with Commander Ward and Lieutenant Wall, Detective Bureau.

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

8-J. DISCUSSED – ENTIRE MATTER CONTINUED WITH ITEM NO. 8-C

APPROVE and TRANSMIT to the Mayor, the Department's Cost of Special Events Report, as set forth. [BPC #04-0554]

The above matter was DISCUSSED with Assistant Chief Papa, Office of Support Services and Captain Roper, Emergency Services Division.

The Board INSTRUCTED the Department to re-evaluate the two reports due to inconsistencies.

ENTIRE MATTER CONTINUED WITH ITEM NO. 8-C.

8-K. DISCUSSED – ENTIRE MATTER CONTINUED FOR THREE WEEKS

APPROVE and TRANSMIT to the City Administrative Officer, the Department's Cost of Special Services Analysis for Fiscal Year 2003/2004, as set forth. [BPC #04-0557]

The above matter was DISCUSSED with Ms. Johnson, Fiscal and Technical Services Bureau, Ms. Blodgett, Fiscal Operations Division, and Mr. Romo, Policy Group.

THE ENTIRE MATTER WAS CONTINUED FOR THREE WEEKS

8-L. APPROVED REPORT – DIRECTIONS GIVEN TO THE OFFICE OF THE INSPECTOR GENERAL

REVIEW and APPROVE the Department's Discipline Report, Second Quarter 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 #04-0546]

The above matter was DISCUSSED with Commander Lillo, Internal Affairs Group.

Commissioner Alarcon moved, seconded by Commissioner Skobin, to APPROVE the Department's report and DIRECT the Office of the Inspector General to submit a review of the Department's report. Unanimously APPROVED.

8-N. REVIEWED - APPROVED

REVIEW and APPROVE the Department's report relative to an analysis of Bureau Gang Coordinator Inspections - First Quarter 2004 and the Inspector General's analysis of this report, as set forth. [BPC #04-0353 and #04-0353A]

The above matter was REVIEWED with Mr. Chaleff, Consent Decree Bureau, Commander Roupoli, Special Operations Bureau, and Inspector General Birotte.

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

8-O. REVIEWED - APPROVED

REVIEW and APPROVE the Department's report relative to the Supplemental Audit of Arrest, Booking, and Charging Reports and the Inspector General's analysis of this report, as set forth. [BPC #04-0141B and #04-0141C]

The above matter was REVIEWED with Mr. Chaleff, Consent Decree Bureau, Captain Sanchez, and Inspector General Birotte.

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

8-P. ENTIRE MATTER CONTINUED TO AUGUST 24, 2004

REVIEW and APPROVE the Department's Warrant Applications and Supporting Affidavits Audit, Third Quarter Fiscal Year 2003/2004, pursuant to Paragraph 128 of the Consent Decree and the Inspector General's analysis of this report, as set forth. [BPC #04-0138 and #04-0138A]

9. PUBLIC COMMENT PERIOD

There were no public comment cards, the public hearing was closed.

Ms. Valenzuela announced that the Board would recess to Closed Session to discuss Item Nos. 10-A and 10-B, pursuant to the appropriate Government Code Sections.

10. CLOSED SESSION ITEMS

10-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.

10A-1. ADOPTED

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| 1. | LERI #A029-03 | Police Officer III
Police Officer II |
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10A-2. ADOPTED

- | | | |
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| 2. | UBCH A030-03 | Police Officer III+1
Police Officer III |
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10-B. DISCUSSED – ENTIRE MATTER CONTINUED FOR SIX MONTHS

PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code Section 54957.

1. Commission Executive Assistant

11. ADJOURNMENT

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

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A motion of adjournment at 12:35 p.m. was made by Commissioner Alarcon, 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.