
AGENDA



BOARD OF POLICE COMMISSIONERS

REGULAR MEETING

TUESDAY, OCTOBER 11, 2005

9:30 A.M.

**PARKER CENTER, ROOM 146
150 NORTH LOS ANGELES STREET
LOS ANGELES, CA 90012**

Commissioners: John W. Mack, President
Alan J. Skobin, Vice President
Shelley Freeman
Andrea Sheridan Ordin
Anthony Pacheco

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. COMMISSION BUSINESS

- Commission Business
- Consideration of Future Agenda Items/Pending Projects

2. REPORT OF THE CHIEF OF POLICE

- Significant Incidents
- Crime Statistics
- Recruitment/Reinstatement/Reassignment of Officers

3. REPORT OF THE EXECUTIVE DIRECTOR

- Status of Future Agenda Items/Pending Projects
- Update on Routine Administrative Matters
- C-PAB Meeting Schedule for October, November, and December 2005
- Commission Investigation Division's Monthly Report

4. REPORT OF THE INSPECTOR GENERAL

- Status of Future Agenda Items/Pending Projects
- Significant Incidents
- Update on Office Reorganization

5. INFORMATION – FILED ITEMS

A. Special event permits on file, as submitted for the period ending October 7, 2005.

- Saturday, September 24, 2005 Kong Chow Benevolent Association Eleventh National Convention
- Saturday, October 8, 2005 Peace is Every Step: Walking and Eating Mindfully in the Park

6. 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. DEPARTMENT'S REPORT, dated September 30, 2005, regarding a request for variance to Los Angeles Municipal Code Section 41.40 from Department of Water and Power for nighttime and early morning construction which will begin on Thursday, October 27, 2005, from 8:00 p.m. to 5:30 a.m. and will be completed on Friday, October 28, 2005, for the work site located on Wilshire Boulevard at Saint Paul Avenue, as set forth

[BPC #05-0326]

Recommendation(s) for Board action:

1. APPROVE the Department's report and variance request.
- B. DEPARTMENT'S REPORT, dated September 30, 2005, regarding a request for variance to Los Angeles Municipal Code Section 41.40 from Murray Company Mechanic Contractors for nighttime construction which began on Monday, October 10, 2005, from 7:00 p.m. to 3:30 a.m. and will be completed on Monday, October 31, 2005, for the work site located on De Longpre Avenue, as set forth [BPC #05-0327]

Recommendation(s) for Board action:

1. Retroactively APPROVE the Department's report and variance request.
- C. DEPARTMENT'S REPORT, dated September 30, 2005, regarding a request for variance to Los Angeles Municipal Code Section 41.40 from Science Applications International Corporation, for nighttime construction which will begin on Tuesday, November 1, 2005, from 9:00 p.m. to 7:00 a.m. and will be completed on Friday, March 31, 2006, for the work site located at 12403 Venice Boulevard, as set forth [BPC #05-0328]

Recommendation(s) for Board action:

1. APPROVE the Department's report and variance request.
- D. BOARD SECRETARY'S MEMO, dated October 5, 2005, relative to authorization for Commission Executive Assistant I Rhonda Ketay to sign documents and to cancel such authority formerly assigned to Christy Sherrod, in accordance with City Charter Section 503, as set forth.

Recommendation(s) for Board action:

1. APPROVE the Board Secretary's memo.
- E. EXECUTIVE DIRECTOR'S MEMO, dated October 3, 2005, relative to appointment of Commissioner Skobin as designated Parade Commissioner, as set forth. [BPC #05-0334]

Recommendation(s) for Board action:

1. APPROVE the Executive Director's memo.

7. REGULAR AGENDA ITEMS

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

- B. EXECUTIVE DIRECTOR'S REPORT, dated October 3, 2005, and PROPOSED DRAFT ORDINANCE, relative to amending Los Angeles Municipal Code Section 103.102.1 to prohibit physical contact between entertainers and patrons at businesses providing adult live entertainment, as set forth. [BPC #05-0336]

Recommendation(s) for Board action:

1. APPROVE the Executive Director's report, proposed draft Ordinance, and TRANSMIT recommendations to the Public Safety Committee.

- C. DEPARTMENT'S REPORT, dated September 13, 2005, relative to continuation of the Real Estate Fraud Prosecution (REFP) Grant and Resolution Authorities for Fiscal Year 2005/2006, as set forth. [BPC #05-0305]

Recommendation(s) for Board action:

1. APPROVE the Department's report, ACCEPT the grant, and TRANSMIT the entire matter to the Mayor and City Council.
2. REQUEST the Mayor and City Council to:
 - a) AUTHORIZE the Chief of Police to ACCEPT funds in the amount of \$779,439.00 for the REFP Grant Program for the period of July 1, 2005 through June 30, 2006;
 - b) AUTHORIZE the Chief of Police to execute the Grant Agreement on behalf of the City and submit the necessary documents relative to the grant award, subject to the approval of the City Attorney as to form and legality;
 - c) AUTHORIZE the Chief of Police to continue the existing Resolution Authorities of two (2) Detective IIIs, three (3) Detective IIs, and one (1) Senior Clerk Typist position;
 - d) AUTHORIZE the Chief of Police to reapply for the REFP grant on behalf of the City when it becomes available;
 - e) AUTHORIZE the Controller to transfer, as reimbursable advance, \$27,000.00 from the Reserve Fund to the Unappropriated Balance and appropriate therefrom as an advance to Department No. 70, Fund 339, Account No. Y618 and Revenue Source for Fund 339 to be assigned by the Controller.

- D. DEPARTMENT'S REPORT, dated September 30, 2005, in response to Board query, relative to Department's reporting of aggravated assaults to the Department of Justice, as set forth. [BPC #05-0335]

Recommendation(s) for Board action:

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

- E. DEPARTMENT'S REPORT, dated October 3, 2005, relative to a Memorandum of Agreement (MOA) between the Los Angeles Police Department and Department of General Services (GSD), to assist management, supervisory, and security services at GSD; to outline specific duties and responsibilities of each department, to ensure that duplication of services does not occur; and that GSD's Office of Public Safety, adheres to the specific roles and responsibilities as defined in this MOA, and for the Board of Police Commissioners to conduct civilian oversight in review of categorical use of force incidents involving members of GSD's Office of Public Safety, as set forth. [BPC #05-0318]

Recommendation(s) for Board action:

1. APPROVE the Department's report and Memorandum of Agreement, and TRANSMIT the entire matter to Public Safety Committee.

- F. DEPARTMENT'S REPORT, dated September 30, 2005, in response to Board query, relative to a report on the current Release From Custody procedures (Devonshire pilot program), evaluating the feasibility of processing misdemeanor arrests made by private persons in the same manner as when the arrest is made by a sworn officer, as set forth. [BPC #05-0337]

Recommendation(s) for Board action:

1. ACCEPT the Department's report and DIRECT the Department to prepare a final policy recommendation and report back to the Commission upon conclusion of the pilot program (January 30, 2006).

- G. DEPARTMENT'S REPORT, dated September 21, 2005, regarding an Audit Recommendation Status Report, Second Quarter, 2005/2006, in accordance with Paragraph 154 of the Consent Decree, as set forth. [BPC #05-0321]

Recommendation(s) for Board action:

1. APPROVE the Department's report.

- H. DEPARTMENT'S REPORT, dated September 30, 2005, relative to an Audit of the Tour of Duty for Professional Standards Bureau Investigators, in accordance with Paragraph 99 of the Consent Decree, as set forth. [BPC #05-0322]

Recommendation(s) for Board action:

1. APPROVE the Department's report.

- I. DEPARTMENT'S REPORT, dated September 19, 2005, in response to Board query, relative to information on police officer separations and their reason for separation from the Department, as set forth. [BPC #05-0324]

Recommendation(s) for Board action:

1. RECEIVE AND FILE the Department's report.

CONTINUED FROM 07/12/05

- J. DEPARTMENT'S REPORT, dated June 22, 2005, and OFFICE OF THE INSPECTOR GENERAL'S REPORT, dated September 29, 2005, relative to the Gang Enforcement Detail Selection Criteria Audit, Fourth Quarter Fiscal Year 2004/2005, in accordance with Paragraphs 106, 107, and 131 of the Consent Decree, as set forth. (Also calendared as Item No. 9-B in Closed Session) [BPC #05-0208 and #05-0208A]

Recommendation(s) for Board action:

1. APPROVE the Department's report and Office of the Inspector General's report.

- K. DEPARTMENT'S REPORT, dated August 11, 2005, and EXECUTIVE DIRECTOR'S REPORT, dated September 28, 2005, relative to the Hunter-La Ley Quarterly Report for Deployment Periods 4 through 6, Fiscal Year 2004/2005, as set forth. [BPC #05-0263 and #05-0263A]

Recommendation(s) for Board action:

1. ACCEPT the Department's report and Executive Director's report.

- L. DEPARTMENT'S MEMO, dated September 23, 2005, relative to Motor Vehicle/Pedestrian Stops Audit scheduled for submission in the Second Quarter, Fiscal year 2005/2006, in accordance with the Annual Audit Plan, as set forth. [BPC #05-0323]

Recommendation(s) for Board action:

1. NOTE AND FILE the Department's memo.

- M. DEPARTMENT'S REPORT, dated September 27, 2005, relative to the Arrest, Booking, and Charging Reports Audit First Quarter Fiscal Year 2005/2006, in accordance with the Annual Audit Plan, as set forth. [BPC #05-0329]

Recommendation(s) for Board action:

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

- N. DEPARTMENT'S MEMO, dated September 30, 2005, relative to the Supervisor and Field Training Officer Training Audit scheduled for submission in the First Quarter, Fiscal Year 2005/2006, as set forth. [BPC #05-0330]

Recommendation(s) for Board action:

1. NOTE AND FILE the Department's memo.

- O. DEPARTMENT'S REPORT, dated September 29, 2005, relative to the Categorical Use of Force Investigation reports Audit Fiscal Year 2005/2006, in accordance with the Annual Audit Plan, as set forth. [BPC #05-0332]

Recommendation(s) for Board action:

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

CONTINUED FROM 08/02/05

- P. DEPARTMENT'S REPORT, dated July 22, 2005, and OFFICE OF THE INSPECTOR GENERAL'S REPORT, dated October 7, 2005, relative to the Quarterly Discipline Report, Second Quarter Fiscal Year 2005/2006, in accordance with the Annual Audit Plan, as set forth. (Also calendared as Item No. 9-C in Closed Session) [BPC #05-0249 and #05-0249A]

Recommendation(s) for Board action:

1. APPROVE the Department's report and Office of the Inspector General's report.

- Q. DEPARTMENT'S REPORT, dated October 3, 2005, EXECUTIVE DIRECTOR'S REPORT, dated October 5, 2005, OFFICE OF THE INSPECTOR GENERAL'S REPORT, dated October 5, 2005, relative to the Consent Decree Status report for the period ending September 30, 2005, as set forth. [BPC #05-0338, #05-0338A, and #05-0338B]

1. APPROVE the Department's report, Executive Director's report, and Office of the Inspector General's report.

- R. OFFICE OF THE INSPECTOR GENERAL'S REPORT, dated September 26, 2005, relative to the Activity Report for August 2005, as set forth. [BPC #05-0325]

Recommendation(s) for Board action:

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

8. PUBLIC COMMENT PERIOD

9. CLOSED SESSION ITEMS

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of Officer Involved Shootings (OIS), Law Enforcement Related Injury (LERI), Law Enforcement Activity Related Death (LEARD), and other personnel matters. Government Code Section 54957.

- (Law Enforcement Related Injury – LERI)
1. LERI #103-04 One Lieutenant I
 Three Sergeants I
 Three Police Officers III
 Five Police Officers II
 One Police Officer I

 2. (Officer Involved Shooting – OIS)
 OIS #104-04 CURRENT RANK
 One Deputy Chief
 One Captain III
 One Captain I
 Two Lieutenants I
 One Detective III
 Two Sergeants II
 One Police Surveillance Specialist I

 - RANK AT THE TIME
 Three Sergeants II
 Two Police Officers II

 3. (Law Enforcement Activity Related Death – LEARD)
 LEARD #105-04 One Police Officer II
 One Police Officer I

- B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action regarding the Commission’s assessment of the appropriateness of the Chief of Police’s actions on the Department’s audit regarding the Gang Enforcement Detail Selection Criteria, Fourth Quarter, Fiscal Year 2004/2005 and the Office of the Inspector General’s analysis of this report. Government Code Section 54957. (Also calendared as Item No. 7-J in Open Session) [BPC #05-0208 and #05-0208A]

- C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Discussion and possible Board action regarding the Commission’s assessment of the appropriateness of the Chief of Police’s actions on the Department’s Quarterly Discipline Report, Second Quarter Fiscal Year 2005/2006 and the Office of the Inspector General’s analysis of this report. Government Code Section 54957. (Also calendared as Item No. 7-P in Open Session) [BPC #05-0249 and #05-0249A]

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

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, October 7, 2005.

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.