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# AGENDA



## BOARD OF POLICE COMMISSIONERS

### REGULAR MEETING

**TUESDAY, DECEMBER 14, 2004**

**9:30 A.M.**

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

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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 THE MINUTES FOR – NONE.**

**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

**4. REPORT OF THE INSPECTOR GENERAL**

- ? Status of Future Agenda Items/Pending Projects
- ? Significant Incidents

**5. COMMISSION BUSINESS**

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

**6. INFORMATION – FILED ITEMS**

- A. Information items on file, as submitted for the period ending December 10, 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. DEPARTMENT'S REPORT regarding request for variance to Los Angeles Municipal Code Section 41.40 from the Ross A. Guy and Son, Inc., to permit nighttime construction which began on Monday, November 29, 2004 from 8:00 p.m. to 6:00 a.m. and was completed on Monday, December 6, 2004 for the worksite located northbound on Alameda Street, 300 feet south of Cesar Chavez Avenue, as set forth.

[BPC #04-0740]

Recommendation for Board action:

- 1. Retroactively APPROVE the Department's report.

- B. DEPARTMENT'S REPORT regarding request for variance to Los Angeles Municipal Code Section 41.40 from the Metropolitan Transportation Authority to permit nighttime construction which will begin as soon as the variance is granted. The work is scheduled for completion in early 2006 for the worksite located on the eastside of Canoga Avenue to Variel Avenue and between Victory Boulevard and Van Owen Avenue, as set forth. [BPC #04-0741]

Recommendation for Board action:

1. APPROVE the Department's report.

- C. DEPARTMENT'S REPORT regarding request for variance to Los Angeles Municipal Code Section 41.40 from PPR A rePipe Company to permit nighttime construction which began on Wednesday, December 1, 2004 from 10:00 p.m. to 5:00 a.m. and will be completed on Wednesday, December 15, 2004 for the worksite located on Talmadge Street, between Kingwell Avenue and Prospect Avenue, as set forth. [BPC #04-0742]

Recommendation for Board action:

1. Retroactively APPROVE the Department's report.

- D. DEPARTMENT'S REPORT regarding request for variance to Los Angeles Municipal Code Section 41.40 from PPR A rePipe Company to permit nighttime construction which began on Wednesday, December 1, 2004 from 10:00 p.m. to 5:00 a.m. and will be completed on Wednesday, December 15, 2004 for the worksite located on Hoover Street and Lafayette Park Place, as set forth. [BPC #04-0743]

Recommendation for Board action:

1. Retroactively APPROVE the Department's report.

- E. DEPARTMENT'S REPORT regarding a monetary donation in the amount of \$20,307.71 from the Foothill Advisory Booster Association which was used to remodel the Foothill Area Roll Call Room and replace worn tables and chairs therein, as set forth. [BPC #04-0749]

Recommendations for Board action:

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

- F. DEPARTMENT'S REPORT regarding a donation of video surveillance systems and a three-year maintenance contract, valued at \$128,000.00 from the Hollywood Entertainment District Property Owners Association to be used by the Hollywood Community Police Station, as set forth. (Previously adopted by City Council motion on 11/3/04) [BPC #04-0748]

Recommendation for Board action:

1. Retroactively APPROVE the Department's report.

- G. DEPARTMENT'S REPORT regarding various donations totaling in the amount of \$14,472.83 received by the Los Angeles Police Department, as set forth. [BPC #04-0750]

Recommendation for Board action:

1. REVIEW and APPROVE the Department's report.

## 8. REGULAR AGENDA ITEMS

- A. DEPARTMENT'S PROPOSED FLASHLIGHT POLICY and DEPARTMENT'S REPORT in response to Board request for development of a policy and training curriculum regarding the "Use of the Flashlight," as set forth. [BPC #04-0752]

Recommendation for Board action:

1. REVIEW and APPROVE the Department's report.
2. ADOPT the proposed flashlight policy.

- B. DEPARTMENT PRESENTATION regarding reorganization of functions within the Department.

Recommendation for Board action:

1. DISCUSS and ACCEPT the Department's presentation.

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

- D. EXECUTIVE DIRECTOR'S REPORT regarding recognition of the International Association of Chiefs of Police (IACP) 111<sup>th</sup> Annual Conference Host Committee and Planning Group.

Recommendations for Board action:

1. REVIEW and APPROVE the Executive Director's report.
2. RECOMMEND the 111<sup>th</sup> IACP Conference Host Committee and Planning Group for the Police Commission Unit Citation.
3. AUTHORIZE the Executive Director to prepare and submit necessary commendation reports for consideration to the Departments' Awards and Commendations Board.

- E. DEPARTMENT'S REPORT regarding a comparison of the Department's budget request for upgrades to Parker Center with the Bureau of Engineering cost estimates approved by the Municipal Facilities Committee, as set forth. [BPC #04-0732]

Recommendation for Board action:

1. REVIEW and ACCEPT the Department's report.

- F. DEPARTMENT'S REPORT in response to City Council motion involving illegal street racing in the San Fernando Valley, as set forth. [BPC #04-0725A]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's updated status report
2. TRANSMIT to Public Safety Committee.

- G. DEPARTMENT'S REPORT regarding a grant for implementation of the Forensic Casework DNA Backlog Reduction Program from the United States Department of Justice, National Institute of Justice, as set forth. [BPC #04-0736]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's report.
2. TRANSMIT concurrently to the Mayor and City Council.
3. ACCEPT the grant award in the amount of \$669,707.00 from the United States Department of Justice, National Institute of Justice for the period July 1, 2004 through December 31, 2005 for the Forensic Casework DNA Backlog Reduction Program.
4. 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.

- H. DEPARTMENT'S REPORT in response to Board request regarding the process to document training given to all sworn employees of the Department, as set forth. [BPC #04-0739]

Recommendation for Board action:

1. REVIEW and ACCEPT the Department's report.

- I. DEPARTMENT'S REPORT regarding Domestic Violence statistics for the Los Angeles Commission on the Status of Women, as set forth. [BPC #04-0738]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's report.
2. TRANSMIT this report to the Commission on the Status of Women.

- J. DEPARTMENT PRESENTATION regarding the status of TEAMS II implementation.

Recommendation for Board action:

1. DISCUSS and ACCEPT the Department's presentation.

- K. DEPARTMENT'S REPORT regarding a Gang Enforcement Detail status report on Citywide Consent Decree compliance, as set forth. [BPC #04-0751]

Recommendations for Board action:

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

- L. DEPARTMENT'S REPORT in response to Board request regarding recapitulation of firearms seized and warrants authored by the respective Gang Impact Teams, November 2004, as set forth. [BPC #04-0751A]

Recommendation for Board action:

1. REVIEW and ACCEPT the Department's report.

CONTINUED FROM 11/30/04

- M. DEPARTMENT'S REPORTS and OFFICE OF THE INSPECTOR GENERAL'S REPORTS regarding Second Quarter Fiscal Year 2004/2005 supplemental audit to the "Gang Enforcement Detail Non-Categorical Use of Force reports Audit Supplemental" (which was submitted Fourth Quarter, Fiscal Year 2003/2004), as required by Paragraphs 128 and 129 of the Consent Decree, as set forth. [BPC #04-0737]  
(X-ref with BPC #04-0439, #04-0439A, and #04-0439B)

Recommendations for Board action:

1. RECEIVE the Department's report.
2. DIRECT the Office of the Inspector General to review the Department's report.

CONTINUED FROM 11/30/04

- N. DEPARTMENT'S REPORTS and OFFICE OF THE INSPECTOR GENERAL'S REPORTS regarding the review of the Department's Gang Enforcement Detail Non-Categorical Use of Force reports Audit Supplemental and Summaries of Transcribed Statements Follow-up report – Revised, as required by Paragraphs 128, 129, and 136 of the Consent Decree, as set forth. [BPC #04-0439, #04-0439A and #04-0439B]

Recommendations for Board action:

1. REVIEW and APPROVE the Department's supplemental report – BPC #04-0439.
2. REVIEW and APPROVE the Office of the Inspector General's review of the Department's supplemental report and summaries of transcribed statements follow-up report- BPC #04-0439A.
3. REVIEW and APPROVE the Office of the Inspector General's review of the Department's supplemental report and summaries of transcribed statements follow-up report – Revised – BPC #04-0439B.

- O. OFFICE OF THE INSPECTOR GENERAL'S REPORT regarding the Annual Categorical Use of Force Incidents report, in compliance with Paragraph 142 of the Consent Decree, as set forth. [BPC #04-0754]

Recommendation for Board action:

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

CONTINUED FROM 11/30/04

- P. DEPARTMENT'S REPORT and OFFICE OF THE INSPECTOR GENERAL'S REPORT regarding the Discipline Report, Third Quarter 2004, as required by Paragraphs 88 and 89 of the Consent Decree, as set forth.

[BPC #04-0715 and #04-0715A]

Recommendations for Board action:

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

## 9. PUBLIC COMMENT PERIOD

## 10. CLOSED SESSION ITEMS

- A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Review of Officer Involved Shootings and other personnel matters. Government Code Section 54957.

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|----|-------------|---|
| 1. | OIS #002-04 | One Captain I<br>One Sergeant I<br>One Police Officer III<br>One Police Officer II                    |
| 2. | OIS #003-04 | One Police Officer III + I<br>One Police Officer III<br>One Police Officer II<br>One Police Officer I |
| 3. | OIS #006-04 | Five Police Officers II   |
| 4. | OIS #011-04 | One Lieutenant II<br>One Detective III<br>One Detective II<br>One Detective I                         |

- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE. Discussion and update regarding Complaint File No. 04-6072. Government Code Section 54957.6.

1. Chief of Police
2. Deputy Chief

*The Board will reconvene in Open Session to announce its decision, 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, December 10, 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.