

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

REGULAR MEETING – TUESDAY – MAY 4, 1999

opportunity to explore future issues. Aspects of the motion will be discussed in Closed Session which will also allow for further dialogue.

Commissioner Jackson brought up the fact that the guidelines are similar to those of a board of director's meeting and it also institutionalizes dialogue. Commissioner Perez voiced her concern regarding the time period that lapses between the Board receiving information and it being transmitted to the Chief of Police. In response, Commissioner Hansell stated that advanced planning is difficult and that there is no statement in the motion, which allows for flexibility.

Commissioner Perez then asked how this differs from the reports of the Chief of Police. Commissioner Jackson indicated that discussion can not take place on items reported by the Chief of Police because they are not placed on the agenda, however, there is great value in having a forum where all Commissioners can engage in dialogue with the Chief of Police instead of the President and the Chief of Police on a one-on-one basis. Commissioner Hansell suggested amending the motion to include the word "meetings".

On motion of Commissioner Hansell, seconded by Commissioner Jackson, the recommendation was APPROVED, by unanimous vote.

7-B. Business Improvement Districts

Approval and transmittal to the City Council of Department's report relative to LAMC Section 52.34-Private Patrol Service and the Business Improvement Districts.

Commissioner Perez began the discussion by stating that a report from the Executive Director has been received and reviewed and that additional information is needed from the City Attorney regarding this item in reference to the preemption and equal protection issues; these same issues were raised by the City Council's Public Safety Committee as well. In response, Assistant City Attorney Debra Gonzales indicated that since the report from the City Attorney's office is straightforward, she would like to give the public an opportunity to speak.

Carol Schatz

Ms. Schatz who is the president of the Central City Association, Downtown Center of the Business Improvement District, began by congratulating Commissioner Perez on her recent appointment and then went on to indicate that a meeting took place between the Executive Director of the Police Commission and members of the Business Improvement District (BID). Even though progress is being made, she stated that the language contained in the report itself was not shared with them prior to it being publicized on the

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agenda. She also agreed that the preemption needs to be addressed again and would like to have another meeting with the Executive Director to iron out the language that will be utilized. In response, Commissioner Perez replied that the memo makes reference to recommendations to the Public Safety Committee and that there is no mention of any effort to change any language in the rules or the ordinance. Therefore, Commissioner Perez requested that Ms. Schatz clarify what appears to be problematic other than the preemption and equal protection issues. She also indicated that the report was transmitted via fax to all BIDs on Friday, which fulfills the Board's obligation of notifying all parties involved.

Randall Ely

Mr. Randall Ely, Director of Operations for the Downtown Center of the Business Improvement District, also agreed that progress was made at the meeting between Mr. Gunn and members of the BID. However, he and several members feel that the language is different from what they had anticipated. For example, in reference to Los Angeles Municipal Code Section 52.34 which deals with uniforms, equipment, badges, and insignias, it was their understanding that this section would include language to address the uniform issue and its approval as long as the uniforms did not look exactly like those worn by police officers. Commissioner Chaleff then asked if he was referring to Board Rule Number 8. Mr. Ely confirmed that this was the rule he was making reference to. Commissioner Chaleff then read what the rule stated and asked Mr. Ely to explain what the problem was. Mr. Ely clarified that the point he is trying to make is that BID should have the ability to utilize uniforms that are not in the statute of a police uniform. Since state law governs this, they would like more flexibility. Mr. Gunn brought up the fact that the verbiage could be changed, however, they are recommending that if state law does not apply, then the Commission would retain authority and practice greater flexibility in allowing variances to accommodate the BID's needs.

Another issue Mr. Ely wanted clarification on was section 52.34(d), which deals with vehicle licensing. It was his understanding that license numbers would only have to be provided for people that would actually be driving. In response, Mr. Gunn added that the recommendation was not referring to drivers but to displaying a Police Commission identification number on the vehicle. Furthermore, the Commission would like to have a list of all of the vehicles as well as their license numbers and state identification. Assistant City Attorney Debra Gonzalez suggested using the words "license plate number" for clarity.

The next issue discussed was section 34(e). Clarification needed to be made as to what needs to be reported. Mr. Gunn responded by saying that according to previous discussions, it was agreed upon that infractions such as traffic offenses and minor misdemeanors would not have to be reported to the Commission but to the Police

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Department. Moreover, complaints regarding employee conduct, rudeness, and discourtesy would not fall under this category. Commissioner Perez then asked the Chief or the Executive Director to explain the purpose of this rule. In response to this question, Mr. Gunn replied that the purpose of this rule is to make the Department aware of criminal actions and offenses. Mr. Ely then questioned whether or not the Commission is obligating them to report infractions and misdemeanors that they normally encounter in the field and not take note of. Frankly, the Los Angeles Police Department according to Mr. Ely, does not have the resources to respond to these types of incidents that they usually deal with on a daily basis. Mr. Gunn reiterated the fact that the report is only referring to reporting not responding. Commissioner Chaleff also stated that the report is simply asking that a copy of such a report or a record of the incident be forwarded to the Police Department to show that that particular activity occurred. He also pointed out someone would need to determine what is considered a minor and high-grade misdemeanor. Commissioner Jackson then asked what the Department will do with the reports once they are received. In response, Chief Parks said that if the report involves a crime, then the Department should be notified so that it can take a crime report. But if they are incidents dealing with quality of life issues, then the Division that the incident takes place in should be notified in order to deploy the appropriate number of footbeats and units in order to combat these incidents. This activity should also be included in the division's day-to-day crime activity report. Mr. Ely assured the Chief that they are working closely with Central Area, especially Captain Maislin. Commissioner Hansell then asked if there is a special form that needs to be filled out in terms of the report itself or can it be submitted on the form the BIDs have created. Chief Parks stated that the Department would be pleased to receive the form they've created as long as serious crimes don't go unreported. Mr. Paschcall, the operations manager for the Central Business District and representative of the toy district, stated that Mr. Ely was basically pointing out the same concerns that he had.

To conclude, Mr. Gunn noted that this report would be forwarded to the Public Safety Committee after today's meeting. Commissioner Perez then suggested that Mr. Gunn conduct another meeting with the members of the BID and have them point out their concerns ahead of time to facilitate the proceedings. Afterwards, the report will be resubmitted to the Board no later than May 18, 1999. All parties were in agreement with this suggestion and this item was CONTINUED until May 18, 1999.