

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

**REGULAR MEETING - TUESDAY, MAY 18, 1999**

**5-B. Report – Integrated Strategic Plan**

Appearances: Captain Dan Koenig, MSD  
Commander Ronald Bergman, AG

Discussion of the Department's 1999 Integrated Strategic Plan.

Captain Koenig gave an overview of the Strategic Plan. Discussion as to the content of the report ensued.

**5-C. CONTINUED FROM 5/4/99  
Report - BIDs**

Appearance: Joe Germain, BID

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

Mr. Germain said that he appreciated the additional time to iron out some of the objections they (BIDs) had on the previous report. He then commented on the Executive Director's report and stated his objections. Commissioner Perez said that she understood their concerns and that recommendation number nine could be rephrased. Further discussion relative to the report and the drafting of the Ordinance took place.

On motion of Commissioner Hansell, seconded by Commissioner Chaleff, the recommendation to approve and transmit the report to the City Council was APPROVED, by unanimous vote.

**5-G. Report – Waive Fee for Copy of Crime Report**

Appearance: Rosa Fregoso

Approval and transmittal to the City Council of request to waive the \$13.00 fee for a copy of a crime report where the victim is a low-income immigrant, a set forth.

Mr. Gunn gave an overview of how this came about and his recommendations. He indicated that the waiving of the fee applied only to requests for copies of crime reports and that this would require modifying the Administrative Code to create the exemption.

In response to a question from Commissioner Perez, Ms. Fregoso said that this would cover approximately 20 cases a month. Ms. Fregoso further stated that the INS requires the report.

Continued  
to 5/18/99

MAY 18 1999

SC

INTRADEPARTMENTAL CORRESPONDENCE

April 27, 1999

LUPE,  
Joe will be  
giving us a  
revise report.  
on this. JM

TO: Board of Police Commissioners

FROM: Executive Director Police Commission

SUBJECT: BUSINESS IMPROVEMENT DISTRICTS-MODIFICATION OF  
EXISTING PRIVATE PATROL ORDINANCE/POLICE COMMISSION  
BOARD RULES

It is recommended that the Board of Police Commissioners approve the following proposed exemptions to the Private Patrol Ordinance 52.34 LAMC and approve the amendments to the following Police Commission Board Rules.

BACKGROUND

On April 15, 1999, the Police Commission hosted a meeting with representatives from the Business Improvement Districts (BID) as requested by Public Safety Committee Chairperson Laura Chick. The purpose of this meeting was to discuss modification and/or exemption of existing City Ordinance LAMC 52.34 and Police Commission Board Rules relative to Private Patrol Services and Special Officers to accommodate the concept of the BID. Invitations were extended to 30 BIDS, and representatives from four attended the meeting. The following exemptions and modifications are proposed by Police Commission Staff to allow the BID's to operate under less strict guidelines.

DISCUSSION

The Board of Police Commissioners and the Public Safety Committee requested that the Police Commission Staff attempt to accommodate the BID's innovative approach to private patrol security by modifying or eliminating rules and regulations on their business operation. The following exemptions and amendments are those that were agreed upon by both the Police Commission staff and the BID's. Though cooperative, the BIDs at

this meeting noted their standing position that much of the existing Ordinance, in particular the application process required by the City, is a duplication of effort and, in fact, prohibited by law under Section 7582.5(c) Business and Professions Code. The Police Commission staff and the Public Safety Committee have requested the City Attorney to review Section 7582.5 Business and Professions Code to render an opinion. At this writing, the City Attorney has not yet responded with an answer.

The following exemptions and modifications were agreed to, in principle, by both Police Commission staff and the BID's who attended the meeting.

52.34(c)3A LAMC (UNIFORMS, EQUIPMENT, BADGES, INSIGNIA)

It is recommended that the Police Commission maintain authority over Special Officer uniforms but would, however, practice great flexibility by allowing variances to accommodate the special needs of the individual BID.

52.34(c)B LAMC (UNIFORMS, EQUIPMENT [FIREARMS], BADGES, INSIGNIA)

It is recommended that the Police Commission modify its policy on the type of firearms which may be used by Special Officers so that the State Law, which mandates that a Special Officer be trained and qualified in the use of his weapon of choice, will suffice.

52.34(d) LAMC (VEHICLES)

It is recommended that the Police Commission number would not be required on private patrol vehicles if the State License number is displayed. The BID's would give the Police Commission a list of all vehicles, license numbers, and State identification.

52.34(e) LAMC (REPORTS)

It is recommended that incidents of infractions, traffic offenses and minor misdemeanors observed by Special Officers would not have to be reported to both the Police Commission and the Police Department. These types of violations may be reported only to the Police Department, along with high-grade misdemeanors and felonies.



#### BOARD RULE NO.4

This Board Rule requires the wearing of a uniform at all times when performing any private patrol duty. It is recommended that this rule be modified to allow for Special Officers to dress out of uniform for undercover assignments.

#### BOARD RULE NO.6

This Board Rule requires that only badges issued by the Board shall be worn by Special Officers. It is recommended that this rule be modified to allow for badges to be issued by either the State, as regulated by the Penal Code, or by the Board.

#### BOARD RULE NO.7

This Board Rule requires that badges issued by the Board shall only be worn by the Special Officer to whom the badge was issued. It is recommended that the Police Commission allow for badges to be issued by either the State, as regulated by the Penal Code, or by the Board.

#### BOARD RULE NO.8

This Board Rule requires that Special Officers wear a slate grey color uniform. It is recommended that this rule be modified to allow for flexibility in color and design.

#### BOARD RULE NO.9

This Board Rule requires that hat emblems or pieces shall be of a design approved by the Police Commission. It is recommended this rule be modified to allow the same requirement specified under State Law.

#### BOARD RULE NO.11

Same as 52.34(d) LAMC.

#### BOARD RULE NO.12

This Board Rule requires that the Private Patrol Permittee hold monthly inspections of uniforms and equipment, and records of inspection be maintained for one year available to the Commission upon request. It is recommended that this rule be

modified to mandate adherence to the State requirement for inspections and allow for inspections by the Police Commission.

#### BOARD RULE NO.13

This Board Rule requires all Private Patrol operators and self-employed Special Officers to prepare and deliver an employee list to the Board four times a year. It is recommended that the required reporting procedure be reduced to twice a year.

#### BOARD RULE NO.17

This Board Rule requires the Private Patrol operator to forward copies of all complaints regarding activities of the Private Patrol Permittee or their agents to the Police Department. These complaints are subject to review by the Board of Police Commissioners. It is recommended that only complaints involving violations of codified laws, Police Commission Board Rules and Police Commission Conditions (if any) would be required to be reported to the Police Department and subject to review by the Board.

#### BOARD RULE NO.18

This Board Rule requires the Private Patrol Permittee to keep posted a copy of the Board Rules and Laws regulating private patrol operations in a conspicuous place. It is recommended that only the Board Rules, and not the laws, be posted. However, copies of both the Board Rules and applicable laws shall be available for review at the main place of business.

#### ARGUMENTS FOR:


The BID's play a vital role in promoting public safety and revitalizing an area. It is recommended that the Board approve the foregoing exemptions and modifications of the Ordinance and Board Rules for all BID's.

#### ARGUMENTS AGAINST:

The Board should take into account that if the aforementioned exemptions and amendments are not universal to all Private Patrol Operations and Special Officers it may be perceived as unfair.

RECOMMENDATION:

It is recommended that the Board of Police Commissioners approve the items listed under "Discussion", forward this report to the City Council, and reaffirm to the BID's that, until the City Council takes action, the Police Commission will continue to cease enforcement efforts against the BID's.

A handwritten signature in black ink, appearing to read "J. Gunn", is positioned above the printed name.

JOSEPH A. GUNN  
Executive Director