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EXECUTIVE OFFICE
SUITE 144-150, PARKER CENTER
150 N. LOS ANGELES STREET
LOS ANGELES, CA 90012

(213) 485-3531 PHONE
(213) 485-8861 FAX

March 21, 2007

BPC #07-0104

The Honorable Antonio Villaraigosa
Mayor, City of Los Angeles
City Hall, Room 303
Los Angeles, CA 90012

✓ The Honorable City Council
City of Los Angeles
City Hall, Room 395
Los Angeles, CA 90012

Attn: June Lagmay

Dear Honorable Members:

RE: MODIFICATION TO THE UNITED STATES DEPARTMENT OF JUSTICE COMMUNITY
ORIENTED POLICING SERVICE (COPS) OFFICE NATIONAL AFFAIRS BEST PRACTICES
GRANT

At the regular meeting of the Board of Police Commissioners held Tuesday, March 20, 2007, the
Board APPROVED the Department's report relative to the above matter.

This matter is being forwarded to you for your approval.

Respectfully,

BOARD OF POLICE COMMISSIONERS

DONNA BASULTO
Acting Commission Executive Assistant

Enclosure

c: Office of Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE
REVIEWED

BPC #07-0104
813

March 5, 2007
1.13


DAVID M. TEFANK
DIRECTOR
3/12/07
DATE

TO: The Honorable Board of Police Commissioners

RECEIVED

MAR 12 2007

FROM: Chief of Police

POLICE COMMISSION

SUBJECT: REQUEST FOR MODIFICATION TO THE UNITED STATES DEPARTMENT
OF JUSTICE COPS OFFICE NATIONAL INTERNAL AFFAIRS BEST
PRACTICES GRANT

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) review and approve the Request for Modification to the United States Department of Justice (USDOJ) COPS Office National Internal Affairs Best Practices Grant (Grant).
2. That the Board transmits this report concurrently to the Mayor and the City Council.
3. That the Board request the Mayor and the City Council to:
 - A. Authorize the Chief of Police to negotiate and execute modifications to the program for the USDOJ COPS Office Grant.
 - B. Authorize the Chief of Police to execute a contract amendment for an increase in the payment by \$50,000 to the Police Assessment Resource Center (PARC) in support of the Grant.
 - C. Authorize the Chief of Police to accept the USDOJ COPS Office approval of a modification to the budget for the Grant.
 - D. Authorize the Chief of Police to instruct the USDOJ COPS Office to modify the Grant budget in the amount of \$69,000.00 by transferring funds to the following accounts: \$59,000.00 from the Equipment Account to the Contract – Consultant Account (\$50,000.00) and the Travel Account (\$9,000.00); \$10,000.00 from the Supplies Account to the Contract – Transcription Services Account (\$2,000.00) and the Other Costs (Meetings) Account (\$8,000.00).
 - E. Authorize the Chief of Police to accept the USDOJ COPS Office approval of a three-month extension from August 31, 2007 to November 30, 2007, to the Grant.

DISCUSSION

Program Modification

This Grant, in the amount of \$414,000, was awarded to the City of Los Angeles in May 2005 in an effort to improve police accountability across the nation. The Grant provided for two executive sessions and ongoing video teleconferencing with a community of best practices comprised of Internal Affairs managers for the police agencies of the 12 biggest cities in the United States. The "Big 12" are: Atlanta Police Department, Boston Police Department, Chicago Police Department, Dallas Police Department, Detroit Police Department, Houston Police Department, Philadelphia Police Department, Los Angeles County Sheriff's Office, Miami Dade Police Department, New Orleans Police Department, Washington, DC, Police Department, and the Los Angeles Police Department. (New York Police Department was asked to participate, but has thus far opted not to.)

As often happens during the life of a Grant, some of the assumptions we started with have shifted or been found to be wrong and we therefore seek to adjust some operational aspects of the Grant.

Committee Meetings

The original expectation was that the policies, procedures and practices of the "Big 12" would be relatively similar and would allow us to quickly develop a common set of best practices. The reality has been found to be exactly the opposite: we agree on virtually nothing and have struggled to reach common ground and agreement.

After two large group meetings with intervening committee work and discussion, we have moved the group closer to agreement on key aspects of this work. Notwithstanding this, the group has agreed that in order to move to closure on these efforts, we need smaller, more focused meetings with a more limited agenda.

Thus, we are seeking to have three separate meetings that will be focused on the individual committee work. Moreover, by moving the meetings to key partner locations, we will solidify the concept of the community of practice with equal members of the group serving as equal partners.

The meetings would be as follows:

- 1) Classification: This is a key process committee and it will address the original threshold question of "what is a complaint." One of the true issues that this process has laid bare is that while each agency espouses a philosophy of taking all complaints, operationally most agencies have a classification system that results in a significant portion of complaints not being investigated at all.

This meeting would be hosted by the Chicago Police Department.

- 2) Adjudication: We have learned that each department has a different view of and hence a different view of their IA investigators' roles. This includes what findings should be used, who should make the determination as to findings and who should impose the penalty.

This meeting would be hosted by the Dallas Police Department.

- 3) Interview and investigation: This group has been working on interview protocols, issues of bifurcation of investigations, etc.

This meeting would be hosted either in Los Angeles or potentially by the Irvine Police Department.

We recognize that a key responsibility of the LAPD as the Grantee is that all of the work result in a documented outcome: a set of policies and procedures and reports that can be provided to the policing community for individual assessment, adaptation and use. Towards this end, we have had Merrick Bobb, PARC and PERF at each meeting and we would continue this practice for these committee meetings. Indeed, Merrick is already drafting some proposals for the individual committee meetings, proposals that document our consensus developed at the early larger group meetings.

In summary, these will be small group meetings of approximately 10-12 persons for a maximum of two days of concentrated work based on the individual committee work seeking to finalize the policy recommendations of each group.

Additional Executive Session

After the three committee meetings, we propose hosting a third and final executive session in Los Angeles for the entire group to review the committees' and PARC's work and finalize recommendations for best practices.

Review Committee

The final element of the program change we propose is convening a small group of key stakeholders to review the written product produced by PARC before final publication. This meeting would also be held at a key partner location.

Pending your approval, we are hoping to complete these committee meetings before July 1 with a third large group meeting scheduled in late September or early October, and the review committee meeting scheduled in late October.

Contract Amendment

If approved, the program modification will result in a significant change in the scope of the work to be provided by PARC. We are seeking approval to amend PARC's contract to increase payment by \$50,000. Additional deliverables outlining PARC's increased involvement will also be added to the contract. These additional deliverables will include, at minimum, attendance and participation at the three committee meetings and the additional executive session, and preparing documents based on the committees' work for the entire group's review.

Budget Modification

We have been exceptionally frugal with the Grant and have sufficient funding remaining to accomplish the proposed program modifications and to increase PARC's payment. It will be necessary, however, to move funds within the current accounts to other accounts. We propose the following specific changes:

Category	Original Budget		Amended	
	Original Budget	Proposed Modification	New Total	% of Total Project Cost
A. Personnel	0.00	None	0.00	0%
B. Fringe	0.00	None	0.00	0%
C. Travel	90,600.00	+9,000.00	99,600.00	24%
D. Equipment	228,156.00	-59,000.00	169,156.00	41%
E. Supplies	16,844.00	-10,000.00	6,844.00	1.6%
F. Consultants/ Contracts	29,400.00	+52,000.00	81,400.00	19.7%
G. Other Costs	49,000.00	+8,000.00	57,000.00	13.7%
H. Indirect Costs	0.00	None	0.00	0%
Total	414,000.00	0.00	414,000.00	100%

Grant Extension

This Grant is scheduled to end on August 31, 2007. In order to ensure that all additional meetings are held and to allow ample time for the completion and review of all publications, we respectfully request that the Board approve extending the Grant until November 30, 2007.

If you have any questions, please contact Deputy Chief Mark R. Perez, Commanding Officer, Professional Standards Bureau, at (213) 473-6672.

Respectfully,



WILLIAM J. BRATTON
Chief of Police

POLICE COMMISSIONERS

Approved MAR 20 2007
Secretary

