

ORDINANCE NO. _____

An ordinance adding Article 12 to Chapter 11 of Division 22 of the Los Angeles Administrative Code to implement Los Angeles City Charter Amendment C by providing an accused officer the option of having a Board of Rights composed of three civilian members.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A new Article 12 is added to Chapter 11 of Division 22 of the Los Angeles Administrative Code to read as follows:

CHAPTER 11, ARTICLE 12

ALTERNATIVE COMPOSITION OF BOARD OF RIGHTS

Sec. 22.290. Board of Rights Optional Composition.

(a) **Composition.** Pursuant to Charter Section 1070(h), the accused shall have the option of having the complaint heard and decided by a Board of Rights composed of three individuals who are not members of the Department (three civilian members) instead of a Board composed of two officers and one civilian.

(b) **Qualifications and Compensation of the Civilian Members.** The Board of Police Commissioners shall maintain a panel of competent adult civilians to serve as members of Boards of Rights and to be compensated at a per diem rate established for City hearing examiners.

(c) **Selection Procedures for Civilian Members to Board of Rights.** Upon the filing of the request for a hearing before a Board of Rights, the Police Commission staff shall randomly draw nine names from the approved panel of individuals who are qualified to be civilian members of the Board of Rights. The Department representative and the employee shall each strike three of the nine names selected. The Department representative shall strike the first name and the employee shall strike the second name in alternating fashion until there are three remaining names. Those three remaining names shall serve as members of the Board of Rights. The Board of Police Commissioners shall establish any additional procedures necessary to effectuate the selection process above.

(d) **No Retroactive Application.** This section shall not apply to any complaint that has been filed by the Chief of Police with the Board of Police Commissioners prior to the effective date this section.

(e) **Annual Audit By Inspector General.** The Inspector General of the Police Commission shall conduct an annual audit on the Board of Rights proceedings.


(f) **Release of Board of Rights Decisions.** The Board of Rights decisions shall be released to the public as permissible under law.

(g) **Repeal Period and Evaluation.** This section shall not be repealed for at least two years after its adoption. At the end of the two-year period, the Department shall submit a report to the City Council evaluating the effectiveness of the ordinance.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  _____
WAYNE H. SONG
Assistant City Attorney

Date 3-28-19

File No. 17-0071-S1

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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR

Ordinance Passed _____

Approved _____