



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 19-0076
MAR 14 2019

REPORT RE:

**RECOMMENDATIONS, BUDGET NEEDS, AND IMPLEMENTATION PLAN TO
HAVE THE CITY ATTORNEY'S OFFICE SERVE AS THE POLICE DEPARTMENT'S
ADVOCATE FOR ALL BOARD OF RIGHTS HEARINGS**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 17-0071-S1

Honorable Members:

On May 16, 2017, voters approved Charter amendment Measure C, which authorized the City Council to enact an ordinance that would grant police officers in the Los Angeles Police Department (LAPD), who have been accused of misconduct, the option of having their cases heard and decided by a Board of Rights panel composed of three civilians. On November 14, 2018, your Council requested the City Attorney prepare a draft ordinance implementing the provisions of Measure C. The draft ordinance was transmitted on February 5, 2019. We were also asked to report with recommendations, budget needs, and an implementation plan to have this Office serve as LAPD's Advocate for all Board of Rights hearings. Accordingly, we submit this report for your review and consideration.

Budget Needs

A. City Attorney Personnel

Currently, the LAPD Advocate Section is staffed with 11 sworn Advocates, 5 sworn Discovery officers, and 3 civilian support staff. In order to assume the current case load and related legal work, we estimate that we will need an additional 8 deputy city attorneys to replace the 11 Advocates. The 8 attorneys would include a supervisor. Specifically, proposed staffing would include an Assistant City Attorney and 7 Deputy City Attorney III's. (City Attorney personnel budget figures are attached in Addendum A.) Our estimated need is based on the expectation that the number of hearings will remain relatively the same going forward. However, a significant increase in the number of the hearings would increase the workload and require additional attorneys.

B. Additional Personnel Resources

Given the knowledge, experience, and duties performed by the LAPD Discovery officers and civilian staff, we believe operational efficiencies favor keeping these LAPD employees in their current assignments to support our Advocate Section.

C. Office Space

The LAPD's Advocate Section offices are located in Figueroa Plaza, 201 N. Figueroa Street. The current space includes offices and Board of Rights hearing rooms. For cost and operational efficiencies, including the fact that the City Attorney's office cannot accommodate this personnel in its current space, we propose assuming occupancy of eight advocate offices in Figueroa Plaza while the common areas would be shared with LAPD.

D. Equipment and Technology

The attorneys assigned to our Advocate Section will need computers that have the necessary software and connectivity to be able to operate on the City Attorney's computer network. Additionally, we require a dedicated copier connected to the network. Other copiers and miscellaneous office equipment currently utilized by LAPD would be shared with LAPD.

Implementation Plan

The nature of the work is such that Board of Rights cases are always pending at various stages. For this reason, it would be impractical to transfer all the cases to the assigned attorneys at once. We anticipate that an orderly transition could be accomplished over several weeks to several months to allow the attorneys to become familiar with the issues, evidence, and hearing process, particularly those cases currently at the hearing stage. This would also allow current LAPD Advocates the

opportunity to complete any outstanding work on the cases and transition to new assignments within LAPD. Assuming appropriate funding is allocated in the next fiscal year's budget, we are confident that our Office can complete the necessary hiring/transfers, equipment acquisition, and office moves to be able to start transitioning the duties and responsibilities of the Advocates by September 30, 2019.

If you have any questions regarding this matter, please contact Assistant City Attorney Carlos De La Guerra at (213) 978-8748.

Sincerely,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON
Chief Assistant City Attorney

DM:CDLG:lp
Attachment

OFFICE OF THE CITY ATTORNEY
Board of Rights

Positions Quantity	Class Title	Annual Salary	Total Salary	Related Cost	Total salary with related Cost
7	Deputy City Attorney III	\$ 180,349	\$ 1,262,443	\$ 472,378	\$ 1,734,821
1	Asst City Attorney	\$ 232,397	\$ 232,397	\$ 82,920	\$ 315,317
8		\$ 412,746	\$ 1,494,840	\$ 555,298	\$ 2,050,138

Related Cost (2018-19 Add/Delete Rates)

Retireme 29.66%
 Health \$ 13,991 per position