



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 19 - 0087
MAR 29 2019

REPORT RE:

**REVISED DRAFT 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 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:

Pursuant to your request, this Office has prepared and now transmits for your consideration the enclosed revised draft ordinance, approved as to form and legality. On March 20, 2019, the Ad Hoc Police Reform Committee requested that the City Attorney's Office prepare a revised draft ordinance to add two new sections to Los Angeles Administrative Code Section 22.290 as follows: (1) requiring the Inspector General to conduct an annual audit of the Board of Rights proceedings; and (2) requiring the release of Board of Rights decisions to the public as permissible under law.

The draft ordinance implements Los Angeles City Charter Amendment C, providing an accused officer the option of having a Board of Rights composed of three civilian members instead of a Board composed of one civilian and two officers of the Los Angeles Police Department. The draft ordinance also adds Article 12 to Chapter 11 of Division 22 of the Los Angeles Administrative Code to provide for an all civilian member Board of Rights hearing to make findings of fact and penalty recommendations.

Consistent with the Charter provision, as adopted by the voters, the draft ordinance shall not apply retroactively to any complaints that were filed prior to the enactment of the ordinance, and it shall not be repealed for a period of two years. At the end of the two years, the Department shall submit a report to the City Council evaluating the effectiveness of the ordinance.

Council Rule 38 Referral

Pursuant to Council Rule 38, a copy of the revised draft ordinance was sent to the Los Angeles Police Department with a request that all comments, if any, be presented directly to the City Council or its Committees when this matter is considered.

If you have any questions regarding this matter, please contact Assistant City Attorney Wayne Song at (213) 978-8751. He or another member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By 
DAVID MICHAELSON
Chief Assistant City Attorney

DM:WHS:lp
Transmittal