

RESOLUTION

WHEREAS, the Council of the City of Los Angeles has adopted a resolution to place a Charter amendment before the qualified voters of the City of Los Angeles at a Special Election to be called and consolidated with the City's General Municipal Election held on May 16, 2017; and

WHEREAS, the City Election Code requires the City Attorney to prepare and present a ballot title and question consisting of an impartial statement of the measure; and

WHEREAS, the City Attorney has presented the following ballot title and question for the measure:

CIVILIAN REVIEW OF POLICE DISCIPLINARY MATTERS. CHARTER AMENDMENT ____.

Shall the Charter be amended to allow the City Council to provide that a police officer who is entitled to a Police Department Board of Rights hearing for a disciplinary matter may select a Board of Rights composed of all civilian members?

NOW, THEREFORE, BE IT RESOLVED that the ballot title and question presented by the City Attorney be adopted by the City Council.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on JAN 24 2017.



HOLLY L. WOLCOTT, City Clerk

By *Eileen Furst*
Deputy

RESOLUTION

Resolution providing that a ballot measure be submitted to the qualified voters of the City of Los Angeles.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LOS ANGELES AS FOLLOWS:

Section A. The following amendment to the Charter of the City of Los Angeles is hereby proposed to be submitted for approval by a majority of the qualified voters of the City of Los Angeles at a Special Election to be called and consolidated with the City's General Municipal Election on May 16, 2017:

CHARTER AMENDMENT _____

Section 1. Subsection (h) of Section 1070 of the Charter of the City of Los Angeles is amended to read as follows:

(h) **Composition of Board of Rights.** The Board of Rights shall be composed of two officers of the rank of captain or above and an individual who is not a member of the department (the civilian member), except as provided in the second paragraph of this subsection below. The members selected as prescribed in this section shall constitute the Board for the purpose of hearing and deciding upon the matter for which it was specially drawn. The qualifications of, selection procedures for, and compensation of the civilian members shall be established by ordinance. Upon the filing of the request for a hearing before a Board of Rights, as provided in subsection (f), the accused shall draw four cards from a box containing the names on cards of all officers who are qualified to be members of the Board of Rights (except the names of the accused, accuser, the Chief of Police, any staff or command officer specifically exempted by the Chief of Police in accordance with the provisions of the Board of Rights Manual or successor document, and any other officer who may be prejudiced or disqualified by reason of being a material witness to the facts constituting the charges made, otherwise disqualified for cause as determined by the Chief, or who has a conflict of interest). The accused shall select any two of the four names drawn to be members of the Board of Rights.

Notwithstanding the foregoing, the Council may adopt an ordinance providing the accused 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. The qualifications of, selection procedures for, and compensation of the civilian members shall be established by ordinance. If the Council adopts an ordinance providing the option for an all civilian Board of Rights as described in this paragraph: the ordinance 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 of the ordinance; the Council shall not repeal the ordinance for at least two years after it is adopted; and the department shall submit a report to the Council evaluating the effectiveness of the ordinance at the end of the two-year period.

Sec. B. The City Clerk is hereby authorized and directed to publish a notice containing the proposed ballot measure, specifying the date of May 16, 2017, as the date the measure is to be voted upon by the qualified voters of the City of Los Angeles. The notice shall be published once in a newspaper of general circulation in the City of Los Angeles, and in each edition thereof during that day of publication. The City Clerk is authorized and directed to prepare and keep in the City Clerk's office a sufficient supply of copies of the proposed ballot measure and to distribute the proposed ballot measure to any and all persons requesting a copy. Further, the City Clerk is authorized and directed to mail copies of the proposed ballot measure to each of the qualified voters of the City of Los Angeles.

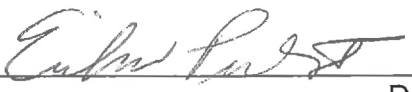
Sec. C. The City Clerk is hereby authorized and directed to cause a notice to be published once in a newspaper of general circulation that copies of voter information pamphlets containing the proposed ballot measure may be obtained upon request in the City Clerk's office.

Sec. D. The City Clerk shall file a duly certified copy of this Resolution forthwith with the Board of Supervisors and with the Registrar-Recorder of the County of Los Angeles.

I hereby certify that the foregoing Resolution was adopted by the Council of the City of Los Angeles at its meeting held on JAN 24 2017.



HOLLY L. WOLCOTT, City Clerk

By  Deputy

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
CARLOS DE LA GUERRA
Assistant City Attorney

Date 1/18/17