

PUBLIC SAFETY COMMITTEE REPORT relative to an all-civilian Board of Rights and the effectiveness of Ordinance No. 186100.

Recommendation for Council action:

NOTE and FILE the December 15, 2022 Board of Police Commissioners report relative to an all-civilian Board of Rights and the effectiveness of Ordinance No. 186100, inasmuch as this report is for information only and no Council action is required.

Fiscal Impact Statement: Not applicable.

Community Impact Statement: None submitted.

Summary:

On February 27, 2024, your Committee considered a December 15, 2022 Board of Police Commissioners (Board) report relative to an all-civilian Board of Rights and the effectiveness of Ordinance No. 186100. According to the Board, in 2019, Council passed Ordinance No. 186100, which provided sworn employees of the Los Angeles Police Department (LAPD) facing a Board of Rights the option of having their Board composed of three civilian hearing examiners. This change was designed to remain in place for two years, after which its effectiveness would be evaluated. The LAPD has observed that all-civilian Boards are resulting in an increased frequency in which sworn employees who have committed serious misconduct are not being removed from their positions. Similarly, all-civilian Boards are proving substantially more lenient reducing every recommended penalty in each Board completed this year.

Charter Section 1070 details the disciplinary process for officers within the LAPD. It prescribes that almost all disciplinary actions taken against members of the police department - including suspension, demotion, and removal - be recommended by the Chief of Police, but ultimately decided by a "Board of Rights." A Board of Rights is a three-member panel that serves as a quasi-judicial body, hearing evidence related to each charge of misconduct, determining guilt, and deciding whether to approve, reduce, or increase the recommended punishment from the Chief of Police.

The Chief of Police may then levy a punishment up to, but not exceeding, the recommendation by the Board. Before 2017, the Charter dictated that the composition of a Board of Rights panel be one civilian and two officers of the rank Captain or above. In May 2017, voters approved Charter Amendment C, which authorized City Council to allow officers facing disciplinary action to request an all-civilian Board of Rights panel. In 2019, City Council adopted Ordinance No. 186100, effectuating this alternative model for police accountability. After consideration and having provided an opportunity for public comment, the Committee moved to note and file the Board report. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

Public Safety Committee

COUNCILMEMBER	VOTE
RODRIGUEZ:	YES
LEE:	YES
McOSKER:	YES
PARK:	YES
SOTO-MARTINEZ:	YES

ARL

2/27/24

-NOT OFFICIAL UNTIL COUNCIL ACTS-