

INTRADEPARTMENTAL CORRESPONDENCE

September 10, 2015

1.0

TO: The Honorable Board of Police Commissioners

FROM: Executive Director, Board of Police Commissioners

SUBJECT: RULES FOR PUBLIC ATTENDANCE AND PARTICIPATION AT MEETINGS OF THE BOARD OF POLICE COMMISSIONERS

RECOMMEND ACTION

That the Board of Police Commissioners (Board) approve the attached Rules for Public Attendance and Participation at Meetings of the Board of Police Commissioners.

DISCUSSION

This matter was on the Board September 1, 2015 agenda however was removed due to a letter received from the American Civil Liberties Union of Southern California (ACLU) on August 31, 2015 expressing concerns with the proposed rules. In consultation with the Office of the City Attorney, Police General Counsel, modifications have been made to clarify the intent of the rules is not to inhibit free speech, but rather allow the meetings to function in an orderly and efficient manner and are in compliance with The Ralph M. Brown Act.

In order to establish an appropriate level of safety and efficiency in the meeting room of the Board for Police Department stakeholders and other members of the public attending and/or addressing the Board it is recommended that the attached "Rules for Public Attendance and Participation at Meetings of the Board of Police Commissioners" be approved by the Board.

The ability of all interested persons properly attending public meetings to safely and efficiently participate in the business of the Commission and to observe the Board members in the performance of their duties is of paramount importance to the Board. The Board also has a compelling interest in the efficient transaction of business, free from actual disruption. Toward that end the attached rules have been promulgated to facilitate the conduct of public meetings in an open, orderly and efficient manner and in an environment safe for all persons in attendance.

The rules provide information relative to access to the Police Headquarters Facility and Board room, guidelines for submitting speaker cards and speaking before the Board, time limits for speaking and a process for providing warnings and enforcement of the rules if they are not adhered to.

The Honorable Board of Police Commissioners

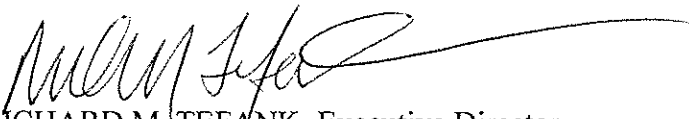
Page 2

1.0

If approved by the Board I recommend they become effective the first meeting following their adoption which will allow for appropriate posting and distribution.

As always should you have any questions please do not hesitate to contact me at (213) 236-1400.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard M. Tefank", with a long horizontal flourish extending to the right.

RICHARD M. TEFANK, Executive Director
Board of Police Commissioners

Attachment

**RULES OF THE
LOS ANGELES BOARD OF POLICE
COMMISSIONERS**



(SEPTEMBER 2015)

LOS ANGELES POLICE COMMISSION

Rules for Public Attendance and Participation at Meetings of the Board of Police Commissioners

I. Purpose

The purpose of these rules is to establish an appropriate level of safety and efficiency in the meeting room of the Board of Police Commissioners ("Board") for Police Department stakeholders and other members of the public attending and/or addressing the Board. The ability of all interested persons attending public meetings to safely and efficiently participate in the business of the Commission and to observe the Board members in the performance of their duties is of paramount importance to the Board. The Board also has a compelling interest in the efficient transaction of business, free from actual disruption. Toward that end, the following rules have been promulgated to facilitate the conduct of public meetings in an open, orderly and efficient manner and in an environment safe for all persons in attendance.

II. Access to the Police Headquarters Facility (PHF)

Visitors to the PHF must first check in at the front desk on the first floor. All visitors attending a meeting of the Board of Police Commissioners shall pass through the security screening (i.e., magnetometer, bag search), and obtain a visitor's pass which must be worn on the front of the torso and must be visible at all times while in the building.

All visitors to the PHF are required to remain in Public Areas at all times. Public Areas are: 1) the ground floor lobby; and 2) the Board room and adjacent entry corridor and lobby area restrooms. Visitors are not allowed in secured areas such as the elevator lobby, staff office areas, conference rooms and other work areas, unless accompanied at all times by a Police Department/Commission employee and for a specific invited business purpose.

III. Access to the Board Room

Visitors to the PHF who desire to attend meetings of the Board shall not be required to register their names or otherwise provide any other information to enter into the Board room. Non-badged public meeting attendees must, however, display a visitor's pass. Where a public meeting attendee wishes to maintain his or her anonymity, he or she will not be required to write his or her name on the visitor's pass and such pass may remain blank, except for the designation "Police Commission."

Public meeting attendees shall be required to leave the PHF immediately following the adjournment of the public meeting and must exit the building from the ground floor lobby.

A. Capacity of the Board Room

Each member of the audience must be seated. Standees are not permitted in the Board room except for Police Department/Commission Sergeants-at-arms or authorized media representatives in possession of a Department-issued Press Pass.

Whenever the President anticipates that the number of persons attending a Board meeting may exceed the legal capacity of the Board Room, an alternate room within the PHF (overflow

Rules for Public Attendance and Participation at Meetings
of the Board of Police Commissioners

Page 2

1.0

room), equipped with live audio of the meeting will be opened to the public, when available. Opportunities to address the Board will be made equally available to members of the public from both rooms, and the Rules set forth herein shall apply in both rooms.

B. Special Accommodations

The Police Commission is committed to ensuring equal access to its meetings. It is requested that individuals who require the services of a translator contact the Board Secretary no later than the day preceding the meeting. Whenever possible, a translator will be provided.

Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting you wish to attend.

IV. Speaking Before the Board

While the Board invites public participation in the business of the Commission, meetings of the Board are not traditional public forums where speakers have a right to speak freely on any topic of interest to the speaker. Meetings of the Board are regulated limited public forums and are strictly limited to topics directly concerning the subject matter or business of the Police Commission generally, or the individual agenda topics noticed for review.

A. Scope of Public Comment

Members of the public may address the Board orally at Board meetings on either: 1) specific agenda items of business, or 2) at the general Public Comment portion of the meeting. Public comment on an agenda item shall be taken prior to the Board taking action on such matter. Speakers on agenda items shall limit their comments to the specific agenda item of business.

Time will be allotted at every meeting for general Public Comment. During general Public Comment, members of the public may speak on matters within the subject matter jurisdiction of the Board. Speakers shall limit their comments to matters relating to the business of the Police Commission.

Members of the public who have submitted speaker cards for either an agenda item or general Public Comment shall address the Board from the podium.

B. Speaker Cards

A person wishing to address the Board on an agenda item or during general Public Comment is requested to complete and submit a speaker card to a Sergeant-at-Arms, who will deliver it to the Board secretary, for each agenda item on which he or she wishes to speak. No speaker cards will be accepted once the specific agenda item for which a card is being submitted has been called for discussion or, with respect to general Public Comment, once the general Public Comment period has commenced. Individuals will be called in the order in which the speaker cards were submitted by the Sergeant-at-Arms to the Board secretary.

Rules for Public Attendance and Participation at Meetings
of the Board of Police Commissioners

Page 3

1.0

C. Time Limits

Each person timely submitting a Speaker card shall be permitted to speak for a maximum of two (2) minutes on each item for which a card has been submitted. Where greater than ten (10) speaker cards are received for a particular item or for general Public Comment, the Presiding Officer may, in the exercise of his or her discretion, reduce the time limit for comment. Time cannot be ceded to another speaker, and an individual may speak only once during any individual agenda item, and once during general Public Comment.

V. **Decorum**

A. Persons Addressing the Board

Each person who addresses the Board shall do so only from the podium and shall refrain from speaking beyond the allotted time or making remarks which are not relevant to the specific agenda item for which public comment is being given.

Speakers shall direct all remarks to the Board as a whole.

B. Members of the Audience

No person in the audience at a Board meeting shall engage in any acts which cause an actual disruption of the meeting by preventing or impeding the Board's ability to accomplish its business in a reasonably efficient manner.

Signs, posters, banners or other display material which disrupt or otherwise impede the orderly conduct of the meeting or which create any obstruction to another person's attendance at or participation in the meeting are prohibited.

Members of the public or press attending a meeting of the Board may record and/or photograph the proceedings, unless such activities or the manner in which they are carried out cause a disruption of the meeting.

VI. **Enforcement**

The Presiding Officer shall be charged with enforcing the provisions of these Rules, with the assistance of Board staff, the Sergeants-at-Arms, and other necessary Police Department personnel.

A. Presiding Officer

The Presiding Officer at meetings of the Board shall be the President of the Board, or his/her designee. The Presiding Officer is charged with maintaining order during meetings and enforcing the provisions of these Rules including, but not limited to violations of:

- The limitations on the scope of public comment set forth in Rule IV.A, above;
- The limitations on speaker time set forth in Rule IV.C, above; and
- The decorum requirements set forth in Rule V, above.

Rules for Public Attendance and Participation at Meetings
of the Board of Police Commissioners

Page 4

1.0

B. Warnings

The Presiding Officer shall request that a person who is breaching the Rules cease and desist from such conduct. In such a case, the Presiding Officer shall advise said individual(s) that a failure to cease and desist may lead to the termination of his or her remaining Public Comment time.

C. Removal For Actual Disruption

If, after being warned by the Presiding Officer, the individual(s) persist in causing an actual disruption of the meeting, the Presiding Officer may order the individual(s) to leave the meeting. If the individual(s) do not remove themselves, the Presiding Officer may order any law enforcement officer to facilitate the removal of the noncompliant individual(s) from the Board room.

Any person so removed shall be excluded from further attendance at the meeting from which he or she was removed.

Any person who resists removal from the Board room (or other area where a meeting is held) by a law enforcement officer may be subject to arrest for violation of the Penal Code or other applicable Los Angeles Municipal Code sections.

D. Recess Due to Inability to Restore Order

In the event that a meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of the meeting infeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the Presiding Officer may call for a recess, order the meeting room cleared and continue in session. Where the Board elects to proceed in this manner, only agenda items shall be considered, and representatives of the press or other news media not previously engaged in the disturbance shall be allowed to remain present and attend such session.

Adopted by a majority vote of the Board of Police Commissioners at a regular Commission meeting on _____, 2015.