

V LA TO SYDNEY FROM \$777* ROUNDTRIP
INTERNATIONAL ECONOMY

Parks Jumps In The chief's firm stand on the limits of reform

Bobbi Murray

published: January 14, 1999

Photo by Ted SoquiThe momentum toward civilian oversight of the Los Angeles Police Department hit a speed bump last month when Police Chief Bernard Parks sharply opposed five of seven recommendations by the City Council's Public Safety Committee to strengthen the role of the department's embattled inspector general. Parks' objections persuaded the City Council to invite LAPD input, when the council revisits the matter this month, on what changes should be implemented.



Parks' December 10 letter marked the first time the chief had emerged from behind the scenes in the monthslong fray surrounding the civilian-oversight position. Inspector General Katherine Mader resigned in November after weeks of increasing pressure from the Police Commission, led by the panel's executive director, Joseph A. Gunn, a 20-year LAPD veteran and Parks booster.

Parks' public challenge to the reform drive came just one month after another initiative, this one more circumspect, to keep LAPD investigations strictly in the chief's hands. A November 20 Internal Affairs memo issued within days of Mader's resignation reversed department procedure for alerting outside agencies to potentially criminal acts by department personnel, including officer-involved shootings.

Prior policy required that cases be sent to the district attorney as soon as evidence indicated a crime might have occurred. Instead, such a referral now requires a finding of criminal conduct, the need for legal review, or "extraordinary public interest in the investigation."

In addition, the memo concluded, "Under no circumstances shall any complaint investigation . . . be presented to the D.A. for review without . . . the concurrence of the Chief of Staff and the Chief of Police."

Law-enforcement agencies have been on an honor system to review shootings and send them to the District Attorney's Office since 1995, when D.A. Gil Garcetti disbanded the "roll-out unit" that had automatically sent investigators to every shooting scene involving an officer.

The recommendations proposed by the Public Safety Committee contrast with the in-house

approach to discipline favored by Parks. The proposals call for the inspector general to be a "peer of the Commanding Officer of the Police Department's Internal Affairs Division," with "immediate, unimpeded access [to] information upon demand."

Parks objected sharply to the initiatives in his December letter, and attached a six-page staff report from the LAPD's Management Services Division backing his position.

"The recommendations flowing from the Public Safety Committee meeting . . . would go far beyond oversight of the department's administration of discipline and severely encroach on the chief of police's chartered responsibility to provide for the safety of this community," Parks warned.

Moreover, he continued, provisions that would allow the inspector general to protect the identity of complainants, and to release reports on department procedures without prior review, "give the inspector general full authority to engage in police operations," a move Parks termed "dangerous."

The council committee moved to protect the identities of people filing complaints, after Councilwoman Jackie Goldberg produced documents showing that Joe Gunn had intercepted one such complaint and, instead of forwarding it to the inspector general for review, sent it straight to Parks. Gunn explained that the complaint, which objected to public statements Parks had made, "does not justify an investigation by our office."

Goldberg said at the time she was outraged by Gunn's conduct, but Parks was adamant in opposing any move to guarantee the confidentiality of complainants inside the department:

"Change which would allow duplicate investigations, officers to hide behind confidentiality even though they are sworn to come forth with the truth, and a position accountable to no one until after the damage is done will surely and inevitably deny the people of this city the peace and safety they deserve."

The attached staff report fleshes out the chief's criticisms in even more florid language, declaring that the suggestion that the inspector general be equal to the commanding officer of Internal Affairs creates "absolute power . . . unparalleled in this city or anywhere else for that matter."

The department analysis asserted further that investigative information should be disseminated solely on a "need-to-know" basis, and suggested that the inspector general begin seeking access to criminal files with no relation to department misconduct — a prospect no city agency has yet considered. Such wide-ranging access to information, the analysis concluded in a dire crescendo, would jeopardize the city's ability to host the Democratic National Convention.

Granting the inspector general authority to initiate investigations without prior approval of the Police Commission, the report continued, would represent "an extremely dangerous venture in unabashed freedom."

Councilwoman Laura Chick, who chairs the Public Safety Committee, said in a phone interview that her goal is to address the LAPD's concerns, while at the same time strengthening the inspector general position in "an appropriate way."

Chick added that it's the city attorney's place to address the many legal obstacles cited by LAPD staff in their report. "I look to the city attorney to tell us what we can do, not [to] the Police Department as final arbiter."

She said she was not impressed by the attitude evident in Parks' letter.