

NEWS

MAYOR TOM BRADLEY

Date:

MONDAY, APRIL 1, 1991

Release:

IMMEDIATELY

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BRADLEY APPOINTS A HIGH-LEVEL, INDEPENDENT CITIZENS COMMISSION TO RESTORE PUBLIC CONFIDENCE IN THE POLICE DEPARTMENT

Mayor Tom Bradley today appointed a high-level, independent commission to conduct a full and fair examination of the structure and operation of the Los Angeles Police Department. Warren Christopher, former U.S. Deputy Attorney General and Deputy Secretary of State who now is chairman of the O'Melveny & Myers law firm, will head the panel of seven members that is expected to submit an initial report to the Mayor within 60 to 90 days on what changes need to be instituted at the department. Christopher served as vice-chairman of the McCone Commission that investigated the Watts Riots in 1965.

"The Los Angeles Police Department is facing a crisis of confidence in light of the intense scrutiny following the brutal beating of Rodney King. As a police officer for 21 years, I empathize with the thousands of honorable men and women of our police force who have watched helplessly in recent weeks as the department's reputation has been seriously tarnished. My top priority is to restore the public's confidence in the LAPD and to restore the prestige and morale of our officers," Bradley said.

"With the assistance of three nationally-recognized Senior Advisors, independent financing and staffing, and subpoena power, the seven members of the Independent Commission will produce a report that is beyond reproach. The Christopher Commission will begin a comprehensive effort to

-more-

deal with the entire problem of police brutality in Los Angeles. My hope is that the commission will recommend solutions that reflect a broad consensus and that will find broad acceptance throughout the entire community," Bradley said today at a City Hall news conference where he was joined by the commission members.

In addition to Christopher, members of the commission are former United States Attorney Andrea Sheridan Ordin, Occidental College president John Slaughter, UCLA professor and expert in ethnic studies Leo Estrada, USC School of Medicine Dean Robert Tranquada, Lockheed Corporation's chairman emeritus Roy Anderson, and Los Angeles lawyer and leader of the American Jewish Committee Mickey Kantor. Three Senior Advisors appointed to assist the commission are recently-retired LAPD Assistant Chief Jesse Brewer, UCLA professor James Q. Wilson who has written extensively about crime and conditions of the urban city, and former Detroit and New York police commissioner Patrick Murphy, who was president of the Police Foundation from 1973 to 1985.

The Bradley-appointed Independent Commission is modeled after two successful ad-hoc committees: the Knapp Commission, established in 1970 by New York Mayor John Lindsay to investigate police corruption in New York City, and the McCone Commission appointed to investigate the Watts Riots in 1965.

"The time has come for a reasoned, objective, thorough and constructive examination of the structure and operation of our Police Department. The special Independent Commission will evaluate the structure and operation of the department, determining its efficiency, fairness and service. We want the best possible Police Department, the

finest in the nation. That has been our objective, and that is what we demand for the future," Bradley said today

"I expect that the quality of the Special Independent Commission's report will equal the quality of its membership," Bradley said.

The Special Independent Commission will focus on needed changes in the department's methods of selecting, training, promoting and disciplining its officers. The five-member permanent Police Commission has already begun a comprehensive review to determine the causes of the shocking Rodney King incident and the immediate steps that must be taken to prevent recurrences.

The charge of the Special Independent Commission is to consider recommendations for possible charter amendments, new laws and steps that the Mayor, the City Council, the Police Commission or the Chief should take to restore public confidence in the department.

Specifically, the Independent Commission will determine:

- (1) The proper role, staffing and resources of the Police Commission;
- (2) The proper role of the Office of Chief of Police, with an examination of the desirability of new City Charter provisions governing the appointment, disciplining and removal of the chief;
- (3) Recruitment, promotion, training and supervisory practices in the Department and suggestions for improvements;
- (4) The departmental disciplinary system, how it is working and what changes, if any, are needed;
- (5) The effectiveness of the present citizen-complaint system and of the current review process for such complaints;
- (6) The impact of current department practices and procedures upon the investigation and prosecution by the District Attorney of allegations concerning the use of excessive force; and

- (7) The level of departmental responsiveness to community concerns and related questions of departmental accountability.

Independent private funding and an independent staff will support the work of the commission. In addition, the special Independent Commission will draw its necessary legal authority from the powers delegated to the Mayor by the City Charter, including the Mayor's subpoena power.

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Willie M. Barnes, Esq.
 Partner
 Katten Michin Zavis & Weitzman
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 Los Angeles, California 90067

FILE - 1.1

BIOGRAPHY

Mr. Barnes was a Partner of Wyan Bautzer Kuchel & Silbert from January 1989 to March 1991.

From 1979 to 1988, Mr. Barnes was a Senior Partner of Manatt, Phelps, Rothenberg & Phillips and served as Chairman of its Corporate and Securities Department. In addition to a general corporate and securities practice (including acquisitions and other business combinations and public and limited offering of securities), Mr. Barnes represents clients in the franchise, health care, financial institution and partnership areas.

Mr. Barnes was Commissioner of Corporations, State of California, from January, 1975 to April, 1979. He joined the staff of the Department of Corporations in 1960 and served as Assistant Commissioner from 1970 until his appointment as Commissioner in January, 1975.

Mr. Barnes received his B.A. from the University of California at Los Angeles in 1953. He was graduated from the UCLA Law School in 1959, and was admitted to the California State Bar in 1960.

He is a member of the American Bar Association, Section of Corporation, Banking and Business Law; the Federal Regulation of Securities Committee; the State Regulation of Securities Committee, the Commodities Committee and the Franchise Forum; Corporations and Commercial Law Section of the Beverly Hills Bar Association; the Business Law Section of the State Bar, the Business and Corporations Section of the Los Angeles County Bar Association and the Commissioner of Corporations' Corporate Securities Law Advisory Committee.

He is also a member of the California Senate Commission on Corporate Governance, Shareholder Rights and Securities Transactions and the Advisory Board - Institute for Corporate Counsel. He served as a member of the Ad Hoc Committee on Corporate Governance of the Business Law Section of the State Bar from 1985 to 1988, as Chairman of the Leveraged Real Estate Task Force of the Institute of Financial Planners from 1985-1986, and as a Director of Public Counsel.

He was President of the Midwest Securities Commissioners Association (1978-79) and a member of various committees, including ALI-ABA Liaison and Real Estate Syndication Securities Committees. Mr. Barnes was First Vice President of the North American Securities Commissioners Association (1978-79) and a member of various committees including the Oil and Gas Interest and Real Estate Investment Committees.

Mr. Barnes served as Vice President of the UCLA Law Alumni Association, 1972-73, and a member of the Board of Directors, 1971-1973. He was General Counsel and a Director of the UCLA Alumni Association from 1984 to 1986.

From 1981 to 1987, he served as a member of the Executive Committee of the Business and Corporations Section of the Los Angeles County Bar Association. In 1986, he was First Vice President of the Executive Committee of the Business Law Section of the State Bar of California and served as a member from 1983 to 1986.

Mr. Barnes is a frequent lecturer, speaker and author on corporate and securities matters. Publications include: The California Corporate Securities Law: "An Overview of the Private Placement and other Select Exemptions from Qualification", Private Placements 1990 Current Developments in Private Financing, Practising Law Institute (1990); "An Introduction to Section 25102(f) California's Private Placement Exemption", Private Placements 1989 Current Developments in Private Financing, Practising Law Institute 1989. "Due Diligence", State Bar of California 7th Annual Spring Program: Legal Opinions, Due Diligence and the Attorney's Responsibilities in Business Transactions (1985); "Blue Sky Regulations in California", Blue Sky Laws: STATE Regulation of Securities, Practising Law Institute (1988); "State Regulation of Broker Dealers and Agents in Private Offerings", Real Estate Syndications 1986 Current Techniques and Investment Vehicles, Practising Law Institute 1986, "Federal Securities Law (An update)", A Corporate Law Overview, Beverly Hills Bar Association Eighth Annual Symposium (1987).

RICHARD W. MOSE

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Beverly Hills, California 90210
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Office: 1901 Avenue of the Stars, Suite 810
Los Angeles, California 90067
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PERSONAL: Age 51. Married, two children.

EDUCATION: Los Angeles public schools; A.B. Stanford, "With Great Distinction"; Phi Beta Kappa; three varsity athletic letters; J.D. Harvard Law School, "Cum Laude"; Beeson Found Prize; Honorary Woodrow Wilson Fellow.

MILITARY: Active duty as enlisted man; legal officer, U.S. Naval Reserve (honorably discharged).

PROFESSIONAL: Member California Bar since 1964. Admitted to practice before U.S. Supreme Court; U.S. Court of Military Appeals; U.S. Court of Appeals; U.S. District Courts.

Former President of Federal Bar Association - Los Angeles Chapter; American Bar Association Litigation and International Law Sections; served on Los Angeles Bar Association Superior Courts, Federal Courts, Criminal Defense Conflicts and Federal Indigent Defense Panel, Judicial Candidate evaluation committees and other committees; served on State Bar Committee on Rules of Court Procedure, Special Committee on Appellate Judges Elections and Executive Committee of State Bar Criminal Law Section. Served Pro Tem Judge under Beverly Hills Bar Association program. Member of American, Federal, Los Angeles and Beverly Hills Bar Associations; American Judicature Society and Association of Business Trial Lawyers. Member of the Council of the American Bar Association International Law Section; Executive Committee of Los Angeles County Bar Association International Law Section and of the Los Angeles Center for International Commercial Arbitration; The Fellows of the American Bar Foundation.

Formerly partner in Los Angeles law firm of Mitchell, Silberberg & Knapp (1963-1967); principal in the firm of Sanders, Barron, Jacobsen, Goldman & Mook - specializing in the areas of commercial, entertainment and international law and domestic and international arbitration. Appeared and argued before California and United States Supreme Courts. Rated "AV" in Martindale-Hubbell. Who's Who in America; Who's Who in American Law; Who's Who in the World.

Special Deputy Federal Public Defender (1973-76), on leave of absence from firm - handled federal criminal cases, including jury trials; Federal Indigent Defense Panel.

Contributor to various legal periodicals and to the Los Angeles Times; book reviewer, Riverside Press Enterprise; panelist on Continuing Education of Bar and Association of Business Trial Lawyers programs; prepared chapter for Vol. 1 of Continuing Education of Bar book on civil procedure; consultant for Vol. 1 of Continuing Education of Bar book on civil procedure.

Member of American Film Marketing Association; British Columbia International Commercial Arbitration Centre, The Hong Kong International Arbitration Centre, Los Angeles Center for International Commercial Arbitration and American Arbitration Association commercial arbitration panels; and of American Arbitration Association Advisory Council of the Asia/Pacific Center for Resolution of International Trade Disputes and Los Angeles Committee on Foreign Relations; served as International Chamber of Commerce arbitrator; private judge for Private Adjudication Center (Duke University Law School); member of Board of Directors of International Arbitration Commission; served as State Bar Association examiner (prosecuted attorney disciplinary case) and as a member of a State Bar Disciplinary Committee; served as member of L.A. County Commission of Judicial Procedures (Chairman), of the L.A. City-County Board of Inquiry on Brush Fires and of the Board of Trustees of Los Angeles County Law Library.

Member of Staff of President's Commission on the Assassination of President Kennedy (Warren Commission) (1963-64). Clerked for California Supreme Court (1964-65).

Lecturer, U.S.C. Law School (litigation) - 1979.

Member of the East-U.S. Claims Tribunal (The Hague) (1983-84). Substitute member (1984-).

COMMUNITY: Formerly member of the Board of Directors of the California Museum of Science and Industry; member of board of Governors of Town Hall of California and member of other fraternal and charitable organizations.

Represented Father

Indeed, he was the advocate his father chose to represent him in 1978 when the jurist needed counsel. That year one or more of the Supreme Court justices were suspected of having improperly delayed the filing of controversial decisions — particularly his decision in *People v. Fanner*, 22 Cal.3d 18 (1978) (vacated by Cal.3d 114) — until after the November 1978 elections. Four justices of the nine-member court were on the ballot for voter confirmation.

The state Commission on Judicial Performance began a public investigation, and called on all the justices to appear as witnesses. Mosk refused to testify in public on grounds the subpoena was unconstitutional. He said he would not jeopardize the confidentiality of judicial performance commission proceedings.

Mosk asked his son to handle the case. "He's an excellent litigator and for that reason I thought he would be particularly suited in taking a case that started in the trial court and ended in the Supreme Court," says the elder Mosk.

The California Court of Appeal ruled for Mosk, and was later upheld by an ad hoc California Supreme Court constituted of justices sitting by designation.

"I thought it was a great win because he basically took a position on principle," Richard said of his father. "By taking the position on principle, people suspected that he had some ulterior motive. But it was also to win a pure issue of principle on an interesting legal question."

As a judge himself, the younger Mosk held "a very deep commitment to the principle that justice delayed is justice denied," said Holtzmann. From the outset, Mosk insisted on a brisk pace that Holtzmann believes is one of the reasons that the tribunal is considered a success.

'Pretty Tough'

"He was pretty tough on me," remembered Stanton P. Belland, the Universal City attorney who argued the tribunal's first case, *William L. Parreño & Ass. v. Iran*, 1 Iran-U.S. Trib. Rep. 126 (1984). "Still, I can't think of anyone who I would prefer try a case before in an international tribunal than Richard Mosk," Belland said.

"On the other hand, I can't think of anyone before whom I would want to be more thoroughly prepared than Richard Mosk. If there's a weak point, he'll find it."

He also demonstrated a sense of fairness that impressed even the sometimes volatile representatives from Iran, says Caron, who worked for Mosk at The Hague before going to Beirut. "The Iranians truly admired him," Caron said, "because of the kind of person that he

was, a sincere man and a real leader. The Iranians believed him to be a man of his word, and they trusted him."

Though no longer in the Netherlands, his dedication to due process is now established in the American rule that bears his name. "When an arbitrator leaves the tribunal, under the Mosk Rule he will nevertheless return to complete all the cases in which he participated in a hearing on the merits," Holtzmann said. "Dick did it, because he would not let his own convenience get in the way of the parties' right to a fair resolution of the dispute, and it's been the rule since."

Mosk says the tribunal's success has left behind a number of lessons for Los Angeles' international business lawyers.

"Perhaps the most important of those lessons is that it works," he said in an article published recently in the *Pepperdine Law Review*, "and demonstrates that special arbitral tribunals can be established outside the channel of traditional diplomatic protection."

It also underscores the "workability" of the United Nations Commission on International Trade Law Arbitration Rules, which were adapted to meet the special needs of the tribunal, and which perhaps can be similarly modified to handle claims arising out of such international incidents as the Bhopal and Chernobyl disasters and claims against the family of deposed Philippine leader Ferdinand Marcos.

Value of Arbitration

Now back in private practice with his own law firm of Sanders, Barnes, Jacobson, Goodman & Mosk, Mosk says his experience also has reaffirmed his commitment to arbitration as a viable approach to resolving international commercial disputes, and to helping the city of Los Angeles achieve a role of prominence in the field.

In addition to a litigation and entertainment law case load, he also serves as co-director of the Center for International Commercial Arbitration.

"The feeling is that a major center like Los Angeles ought to provide this type of service, to be a central location for international arbitration," he said.

— RICHARD C. BRYDEN

LOS ANGELES DAILY JOURNAL

(Monday, February 1, 1988)

PROFILE: Richard M. Mosk

In 1980, just after the release of the American hostages in Iran, the U.S. government needed someone who could be trusted even by enemies of the Ayatollah.

Attorney Richard M. Mosk of Los Angeles received a telephone call from Deputy U.S. Secretary of State William P. Clark, asking him to serve as one of three Americans on the Iran-United States Claims Tribunal. Unique for its time, the tribunal was composed of representatives of the United States, Iran, and a number of neutral countries to arbitrate claims by U.S. citizens against Iran arising out of the Khomeini revolution.

"In looking at the prospects, I felt that Mr. Mosk was just eminently qualified for this difficult assignment," he said. "My conclusions and recommendations proved to be well-founded when Gen. (Alexander) Haig, who was then Secretary of State, told me later: 'That young man is carrying our flag very well.'

"I was quite honored," Mosk admitted. "I'd always wanted to do something abroad, and was quite eager, despite the possibility of family dissension. But they were all agreeable and enjoyed the experience."



Richard M. Mosk

Starting with a only single room at the Peace Palace in The Hague, the assignment was also a challenge.

"The tribunal had to organize everything from scratch, including the detailed rules of procedure, a case processing system and procedural patterns for the handling of cases," recalls Mark Cuddeker, who clerked for Mosk at the tribunal before returning to Washington, D.C., as an international arbitration attorney.

More troubling perhaps, the tribunal faced major shakable obstacles in that it was formed, obviously, at a time of frosty relations between the two countries, and without clear guidance on such basic issues as jurisdiction to hear the nearly 1,000 claims against Iranian assets released by the U.S. in exchange for the American hostages.

"He possesses that very rare and unusual combination of abilities: determination and the ability to express his position without alienating those people he has to talk with," said Professor David Carr, who teaches international law at South Hall.

Warren Commission

After graduating from Stanford University Phi Beta Kappa (where he also earned three varsity letters in tennis) Mosk distinguished himself in law early as a cum laude graduate at Harvard.

Following a brief tour in the Navy, he was asked to come to the nation's capital to serve on the Warren Commission's staff investigating the assassination of President John F. Kennedy.

When the commission's work was through in 1964, Mosk returned to his native Los Angeles — with his bride, Sandra, whom he had met at Harvard. After clerking for state Supreme Court Justice Matthew O. Tobriner, he accepted a position with the post Los Angeles firm of Mitchell, Silberberg & Knapp.

Mosk, the son of state Supreme Court Justice Stanley Mosk, said he found family connections to be an advantage in his career. Colleagues say he's earned his reputation on his own.

"He was extremely bright, very creative and 'Type A' in terms of work ethic," says Ed Madovec, a partner at Mitchell, Silberberg.

"While I have never seen him in the role of advocate, I have seen his tenacity," said international arbitration specialist Howard Holtzman, who served with Mosk as a judge on the Iran-United States Claims Tribunal and is now its senior jurist. "God forbid I ever needed an advocate, he's the one I'd like to have."



CITY HALL
100 ANGELES, CALIFORNIA 90012
(213) 488-3311

OFFICE OF THE MAYOR

TOM BRADLEY
MAYOR

THE CHARGE

BY

MAYOR TOM BRADLEY

TO

THE SPECIAL INDEPENDENT COMMISSION

TO

REVIEW THE STRUCTURE AND OPERATION

OF

THE LOS ANGELES POLICE DEPARTMENT,

WITH THE COOPERATION AND ASSISTANCE OF THE

LOS ANGELES DISTRICT ATTORNEY'S OFFICE

The Los Angeles Police Department is facing a crisis of confidence. It has become the focus of national attention. The District Attorney has brought indictments against four LAPD officers, including a supervising sergeant. We can expect a series of investigations from other governmental sources, including the U.S. Department of Justice, various Congressional committees, and other state and local agencies. The media interest is unprecedented.

I remain confident in the ability and integrity of the large majority of men and women of LAPD who are out on the streets daily, doing the tough, dirty, and dangerous business of fighting crime. I intend to support our police department to the fullest. I was a police officer for twenty-one years, and I feel for the thousands of honorable men and women of the LAPD. They have watched helplessly in recent weeks as the



LAPD's fine reputation has been damaged. My top priority is to restore the public's confidence in the cop on the street.

Nonetheless, we all know -- and the Rodney King beating has been a shocking and tragic reminder -- that we have problems in the department. These problems can and must be corrected.

The time has come for a reasoned, objective, thorough and constructive examination of the structure and operation of our Police Department. How can we improve it; how can we correct its faults; how can we increase its service, its efficiency, its fairness; how can we make it a model for the next century? All of us can unite in working toward this goal. We want the best possible Police Department, the finest in the nation. That has been our objective, and that is what we demand for the future.

I am not willing to leave this inquiry to others. To that end, I am today appointing a special Independent Commission, to be chaired by Warren Christopher and charged with the responsibility of conducting a full and fair examination of the structure and operation of the LAPD. Because I want it to reflect the views of all those interested in the crucial issues it will examine, I have appointed seven members representing the widest possible spectrum of interests. They are:

Warren Christopher, a former Deputy Attorney General and Deputy Secretary of State now serving as chairman of O'Melveny & Myers law firm, who also served as vice chairman of the McCone Commission that investigated the 1965 Watts Riots;

Roy Anderson, chairman emeritus, Lockheed Corporation and a member of the board of trustees of Stanford University;

Leo F. Estrada, associate professor at the Graduate School of Architecture and Urban Planning at UCLA, who served as a principal advisor during the recent redistricting of the Los Angeles County Board of Supervisors' districts;

Mickey Kantor, a partner of Manatt, Phelps & Phillips law firm since 1975, who is also a member of the Los Angeles Conservation Corps, California Commission on Campaign Financing, and the American Jewish Committee;

Andrea Sheridan Ordin, a former United States Attorney and chief assistant Attorney General for the State of California, now chief of litigation at the Los Angeles law firm of Pepper, Hamilton & Scheetz;

John Slaughter, president of Occidental College and former chancellor for University of Maryland, College Park, who has been involved with a wide-range of organizations such as the President's Commission on the National Collegiate Athletic Association and San Diego Urban League; and

Dr. Robert Tranquada, Dean of the University of Southern California School of Medicine.

This is a citizens' commission of the highest order. The Commission will report to the Mayor, to the Police Commission and, most important of all, to the public. An initial report will be filed in 60 to 90 days.

I expect that the quality of the Special Independent Commission's report will equal the quality of its membership. My hope is that it will recommend solutions that reflect a broad consensus and that will find broad acceptance throughout the entire community.

The Commission's work will be primarily prospective, focusing on needed changes to the department's methods of selecting, training, promoting and disciplining its officers. The Special Commission will not adjudicate individual complaints. That is the job of the Police Commission, the Chief and the LAPD. The Special Independent Commission may, however, consider particular cases in order to determine the existence of a pattern, practice or general condition. The Commission will also consider recommendations for possible charter amendments, new laws and steps that the Mayor, the City Council, the Police Commission or the Chief should take. Among the particular areas the Special Independent Commission will review are:

- (1) The proper role, staffing and resources of the Police Commission;
- (2) The proper role of the Office of Chief of Police, with an examination of the desirability of new City Charter provisions governing the appointment, disciplining and removal of the chief;
- (3) Recruitment, promotion, training and supervisory practices in the Department and suggestions for improvements;
- (4) The departmental disciplinary system, how it is working and what changes, if any, are needed;
- (5) The effectiveness of the present citizen-complaint system and of the current review process for such complaints;

- (6) The impact of current department practices and procedures upon the investigation and prosecution by the District Attorney of allegations concerning the use of excessive force; and
- (7) The level of departmental responsiveness to community concerns and related questions of departmental accountability.

The Special Independent Commission's role will be separate and distinct from the ongoing role and responsibilities of the Police Commission. The Police Commission will continue to look retrospectively at the causes of the tragic Rodney King beating, the investigation of the beating, and the immediate steps that must be taken to prevent recurrences.

The Special Independent Commission must have adequate, independent funding to perform its critical tasks. I will work with Chairman Christopher to ensure that adequate private funds are raised.

The Commission must also have the power to determine the facts. The Special Independent Commission will draw its necessary legal authority from the powers delegated to the Mayor by the City Charter, including the Mayor's subpoena powers. The Police Commission has offered its full cooperation to the Special Independent Commission.

Three prominent individuals have already agreed to serve as Senior Advisors to the Special Independent Commission. They are:

Jesse Brewer, a 38-year veteran of the Los Angeles Police Department who retired in February of this year after rising to the rank of Deputy Chief of Police;

James Q. Wilson, a widely-published author on such subjects as crime, American government and politics and a professor at the John E. Anderson Graduate School of Management at UCLA, is considered one of the foremost experts on the challenges facing urban cities; and

Patrick Murphy, a former police commissioner with both the cities of New York and Detroit and president of the Police Foundation from 1973 to 1985, now serves as a consultant with the United States Conference of Mayors on crime issues.

Finally, I expect that the Special Commission will have a professional, independent staff. I have discussed that matter with Chairman Christopher, and the composition of the Commission staff will be announced shortly.

ROUTING - REQUEST

- Please READ
- HANDLE
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- and FORWARD
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- REVIEW WITH ME

To MHE

for - Allys

From JOHN W SPIEGEL

Date 5/6/91

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JWS

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(copy has been retained by Indep. Comm. files)
5/2/91

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COUNTY CLERK

7
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12 ATTORNEYS FOR DEFENDANTS



16 SUPERIOR COURT OF CALIFORNIA
17 FOR THE COUNTY OF LOS ANGELES

19 THE PEOPLE OF THE STATE
20 OF CALIFORNIA,

21 Plaintiff,

22 v.

24 LAURENCE M. POWELL, TIMOTHY E.
25 WIND, THEODORE J. BRIENO and
26 STACEY C. KOON,

26 Defendants.

CASE NO: BA 035498

ORDER RE: PERSONNEL FILES
OF ALL DEFENDANTS

DATE: April 30, 1991
TIME: 8:00 a.m.
DEPT: 114
TRIAL DATE: MAY 13, 1991

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Copy to John Spiegel
(copy has been retained by
Indy. Comm. files)
5/2/91

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12 ATTORNEYS FOR DEFENDANTS

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA
17 FOR THE COUNTY OF LOS ANGELES

19 THE PEOPLE OF THE STATE
20 OF CALIFORNIA,

21 Plaintiff,

22 v.

24 LAURENCE M. POWELL, TIMOTHY E.
25 WIND, THEODORE J. BRISENO and
26 STACEY C. KOON,

26 Defendants.

28 / / /

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MAY 06 1991
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APR 30 1991
COUNTY CLERK

CASE NO: BA 035498
ORDER RE: PERSONNEL FILES
OF ALL DEFENDANTS

DATE: April 30, 1991
TIME: 8:00 a.m.
DEPT: 114
TRIAL DATE: MAY 13, 1991

1 This Court finds that, in order to protect defendants' ^{and}
2 rights to due process of law and a fair trial, the personnel
3 records of the Los Angeles Police Department, relating to
4 defendants ^{in this action} ~~and each of them~~, should not be disseminated in a
5 manner which subjects their contents to public disclosure.

including Press.

7 It further appearing to the Court that dissemination of
8 the personnel files of defendants may interfere with the constitu-
9 tional rights of the defendants to a fair trial and disrupt the
10 proper administration of justice, this court hereby directs that:

12 1. No party to this action, nor any attorney connected
13 to this case as defense counsel or prosecutor, nor any other
14 attorney, nor any judicial officer or employee, nor any public
15 official, including but not limited to any Chief of Police, nor
16 any Sheriff, nor any agent or employee of any such person, shall
17 release or cause or authorize the release for public dissemina-
18 tion, the official LAPD personnel files, ~~or any portion thereof,~~
19 ~~of any~~ defendant in this case. of 4 AS

21 2. For purposes of this order, public dissemination
22 shall include release of the subject files to the Independent
23 Commission On The Los Angeles Police Department, its members,
24 agents, counsel, or any person associated therewith. AKA
Christofide
Commission

26 3. For purposes of this order, "personnel files" shall
27 mean any file kept by the LAPD which is used for any personnel
28 purpose whatsoever including, but not limited to, files maintained

1 by the Internal Affairs Division of the LAPD.

2
3 4. This order shall not apply to prohibit otherwise
4 legal access to said personnel files by ~~any party~~ ^{the Defense Atty's, Δ,} to this action
5 or their counsel. *and People*

6
7 This order shall remain in force and effect until ^{May 13} the
8 conclusion of the judicial process in this case, or until such
9 earlier time as this Court shall deem appropriate, and on request
10 of any interested party.

11
12 DATED: *4/30/91*

Bernard J. Kamins

JUDGE BERNARD J. KAMINS
JUDGE OF THE SUPERIOR COURT



PROOF OF SERVICE

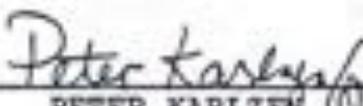
I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 201 N. Figueroa Street, Ste. 1030, Los Angeles, California, 90012.

On April 30, 1991, I served a true and correct copy of: (REVISED)
Order Re Personnel Files of All Defendants' on the interested parties in this action, enclosed in a sealed envelope addressed as follows, and caused such envelope to be delivered by hand to:

Terry White
Deputy District Attorney
210 W. Temple, 17th Floor
Los Angeles, CA 90012

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 30, 1991, at Los Angeles, California.



PETER KARLZEN

\\Powell\PRFPERS.DA

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is: 201 N. Figueroa Street, Ste. 1030, Los Angeles, California, 90012.

On April 30, 1991, I served a true and correct copy of: (Proposed) Order re: Personnel Files of All Defendants on the interested parties in this action, by sending via mail, by enclosing in a sealed envelope with postage thereon fully prepaid and depositing such envelope with U.S. postal service, addressed as follows:

Paul DePasquale
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606 S. Olive Street
Los Angeles, CA 90014

Darryl Mounger
5632 Lankershim Blvd.
North Hollywood, CA 91601

John D. Barnett
STEWART & BARNETT
1502 North Broadway
Santa Ana, CA 92706

I declare under penalty of perjury that the foregoing is true and correct.

Executed on April 30, 1991, at Los Angeles, California.



CAROL JETTE

\Powell\PRFMAIL

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

PEOPLE OF THE STATE OF CALIFORNIA

CASE NUMBER

BA035498

PLAINTIFF(S)

CERTIFICATE OF MAILING OF ORDER

- 01 POWELL, LAURENCE
- 02 WIND, TIMOTHY E.
- 03 BRISENO, THEODORE
- 04 KOON, STACEY C.

DEFENDANT(S)

To the parties named in the Certificate of Mailing below:
 The attached is a true and correct copy of the court order of
APRIL 30, 1991 regarding PERSONNEL FILMS OF ALL
 DEFENDANTS

CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a copy
 of this certificate and the above mentioned minute order was
 mailed first class postage prepaid in a sealed envelope as
 shown below and that the mailing of the foregoing and execution
 of this certificate occurred at (Place) CRIMINAL COURT, LOS ANGELES
 California, on APRIL 30, 1991.

FRANK S. ZOLIN, County Clerk
 Executive Officer of the
 Superior Court

Date APRIL 30, 1991

By *Mandall* Deputy

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 COUNTY COUNSEL
 ROOM 651, HALL OF ADMINISTRATION
 LOS ANGELES, CA 90012

(SEE ATTACHED SHEET)

INDEPENDENT COMMISSION
ON THE LOS ANGELES POLICE DEPARTMENT
SUITE 1910
400 SOUTH HOPE STREET
LOS ANGELES, CA. 90071-2899

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SANTA ANA, CA 92706

MAYOR TOM BRADLEY
LOS ANGELES, CA

CHIEF DARRYL GATES
LOS ANGELES, CA.