

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 99-13190-GAF

Date: September 27, 2000

Title: Raul Rodriguez v. Darryl F. Gates, et al.

The Honorable Gary Allen Feess, Judge

Marilynn Morris

Courtroom Deputy Clerk

None Present

Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

None Present

ATTORNEYS PRESENT FOR DEFENDANTS:

None Present

PROCEEDINGS: (In Chambers)

Plaintiff Raul Rodriguez, Jr. has requested the Court to lift its stay for the purpose of permitting him to move for preliminary injunction. The requested injunction would involve placing limits on the alleged illegal acts and practices of the Los Angeles Police Department. In that regard, the application notes that there are continuing negotiations between the City of Los Angeles and the United States Department of Justice regarding a consent decree concerning the operation of the Los Angeles Police Department. The application states:

[T]he City Council reportedly is divided on the issue and is not yet in a position to enter into a Consent Decree with the Justice Department. Accordingly, the LAPD remains unregulated by any federal oversight. As the recently-published Chemerinski Report makes clear, this is precisely the atmosphere which led to the development of the abuses by the CRASH Unit to begin with.

Plaintiff is therefore desirous of bringing before the Court a noticed motion for a preliminary injunction requiring the City and the LAPD to implement certain reforms recommended by the Christopher Commission.

It appears that the premise of the application has been mooted. The following was reported in the Los Angeles Times on Wednesday, September 20, 2000:

The Los Angeles City Council on Tuesday agreed to enter into a consent decree with the U.S. Department of Justice directing the Los Angeles Police Department to undertake a wide range of reforms. The council voted 10 to 2 to move forward with

a legally binding agreement, which would be filed in federal court and implemented under the watchful eye of an independent monitor.

Lawmakers--at times going beyond even the Justice Department's recommendations--consented to a long list of ambitious reforms aimed at rooting out police corruption and ensuring that the LAPD does not violate the civil rights of citizens.

A similar report appeared on the front page of the September 20, 2000 Los Angeles Daily Journal indicating that "The Los Angeles City Council Tuesday put the final touches on a policing reform package that city negotiators will submit to the U.S. Department of Justice later this week."

In a follow up article in the September 21, 2000, Los Angeles Times, Chief Parks was reported as committing himself and the department to implementing the draft consent decree. The article noted:

Los Angeles Police Chief Bernard C. Parks said Wednesday that he will "diligently implement" police reforms dictated by a consent decree with the U.S. Department of Justice, ending his vocal resistance to the legally binding agreement.

The bulk of the settlement was approved by the City Council Tuesday. It is aimed at rooting out police corruption and ending the LAPD's "pattern or practice" of infringing civil rights.

"Parks Drops His Opposition, Commits LAPD to Decree, " Los Angeles Times, Metro, September 21, 2000.

Thus, it appears that the negotiations are nearly complete and that any action that might be taken by the Court at this time would at least duplicate much of what is being done in a more appropriate context, and could potentially disrupt or inject confusion into that process. The Court believes that such action would be ill-advised. Accordingly, the Court declines, at this time, to lift its stay.

The Clerk is to give notice of this ruling to all parties in all "Ramparts" cases transferred to this Court.

IT IS SO ORDERED.