AGENDA ITEM REPORT

Title: FINAL DECISION/STATUS OF SETTLEMENT DISCUSSIONS; DIVISION'S REQUEST FOR REVOCATION OF CERTIFICATION - POST 2303691 - JAMES KURTZ FILLMORE (POST ID: A37-Q67)

REPORT PROFILE

MEETING DATE 06/12/2024	**BUREAU SUBMITTING THE REPORT** Peace Officer Standards Accountability Division	
RESEARCHED BY Annemarie Del Mugnaio		**REVIEWED BY** Annemarie Del Mugnaio
REPORT DATE 05/27/2024	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 05/31/2024
PURPOSE		**FINANCIAL IMPACT** No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

The matter is before the Commission for review and action regarding the subject peace officer's certification status. The Commission shall return any determination requiring action to be taken against an individual's certification to the Division, which shall initiate proceedings for a formal hearing before an administrative law judge in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), which shall be subject to judicial review as set forth in that Act.

BACKGROUND:

The Respondent began his employment with the Los Angeles Police Department on 07/28/2003 as a full time Police Officer. Respondent was promoted to the rank of detective on 06/15/2014. At the time of the incident before the POSAAB, Respondent had nearly 20 years with the Los Angeles Police Department. As of 03/22/2023, Respondent was relieved from duty at the Los Angeles Police Department.

On March 7, 2024, the Commission reviewed the record and recommendations made by the Peace Officer Standards Accountability Advisory Board (POSAAB) wherein the POSAAB had recommended revocation of the Respondent's certification. The Commission deliberated the record of the POSAAB and did not adopt its recommendation, but instead directed counsel to explore settlement based on specifically identified goals of the Commission.

On or about April 1, 2024 Respondent's Board of Rights hearing was held and has now been adjudicated.

ANALYSIS:

On March 7, 2024, the Commission heard this case and moved and passed a motion directing counsel to work "to explore a settlement based on the goals identified in closed session and report back to the Commission at our next Commission meeting."

Staff was able to reach agreement on the proposed settlement in this matter and as such, the matter is again before the Commission for a motion to adopt the settlement agreement and impose the terms and conditions as proposed by the Commission on Mr. Fillmore's peace officer certification status.

RECOMMENDATION:

This matter is before the Commission to render a decision regarding the case of James Kurtz Fillmore (Respondent); POST 2303691. In accordance with the Commission's prior direction, staff entered into settlement discussions with Fillmore's counsel and has reached an agreement with Fillmore to the terms proposed by the Commission. The Commission may consider the settlement as a final resolution in the matter as the Commission deems appropriate.