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Attorney General Jerry Brown
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& ADVOCATE

Dear Attorney General Brown,

We are writing to urge you to appeal the 2nd District Court of Appeals decision in *People v. Saleem* (B204606) to the California Supreme Court. That decision wrongly invalidated the ban of those convicted of violent felonies from possessing or wearing body armor.

The case arose when Los Angeles Police Officers stopped convicted murderer Ethan Saleem in 2007 while he was out on parole after serving time for his conviction of voluntary manslaughter. Mr. Saleem was wearing a 10-pound military style armored vest that had a label reading "body armor, fragmentation protection," which he was not allowed to wear because of his violent felony conviction. The Court of Appeals reversed his conviction for being a violent felon in possession of body armor on the grounds that the law was constitutionally vague, and that Saleem and other violent felons would not know when they were in violation of the law.

The law that was invalidated was certainly not overly broad---only those convicted of violent felonies were prohibited from possessing body armor. In our view--- and that of one dissenting Justice Richard Aldrich ---the majority on the Court of Appeals ruled the wrong way. However, as Justice Aldrich pointed out, "if a violent felon chooses to possess an item that appears to be body armor...and the garment is actually body armor...then there is no reason why the conviction should not stand." We wholeheartedly concur.

This case further illustrates the message that we have been hammering home the past few months---felon parolees released from prison early pose an avoidable danger to our communities. Certainly Saleem wasn't wearing body armor because he was going to a job interview or going on a date. Like so many parolees before him and, if early prison releases begin, likely to come after him, he was again engaged in criminal activity. Just

how many times will innocent people and police officers have to be victimized before the message sinks in that convicted felons are dangerous?

In 1997 we saw 11 LAPD officers and 6 civilians wounded in a prolonged shootout with violent criminals fully clad in homemade body armor. Another bank robber wearing body armor killed a SFPD officer and held off others for nearly two hours in 1994. The subsequent legislation which prevented violent felons from possessing body armor which could impede their capture and arrest by police officers was a major step towards police officer safety.

On behalf of law enforcement officers across this state, we urge you to put the safety of law enforcement officers and the interests of justice first in the final resolution of this case. This ruling, which makes officers less safe, is a decision that is illogical and should not be allowed to stand. We look forward to your office's immediate appeal of this misguided and erroneous decision.

Very truly yours,

BOARD OF DIRECTORS
Los Angeles Police Protective League

A handwritten signature in blue ink, appearing to read "Paul M. Weber", is written over the typed name below.

PAUL M. WEBER
President

cc: Antonio Villaraigosa, Mayor of Los Angeles
Chief Charlie Beck
Los Angeles City Council Members