

MOTION

On September 4, 2004 an individual bypassed a security checkpoint at Los Angeles International Airport (LAX) by dashing up a stairway in Terminal 8 and disappearing into the crowd. This resulted in security officials immediately ordering evacuation of Terminal 8 as well as Terminals 6 and 7, which are connected, in order to re-screen passengers. The Airport Police, Los Angeles Police Department, Fire Department, TSA (Transportation Security Administration) and FBI were all called into action to jointly effect the orderly evacuation of the terminals and take necessary security measures before allowing resumption of normal operations some three hours later.

A similar act of defiance occurred on July 18, 2004 when an individual scaled a security fence and was apprehended on an LAX taxiway.

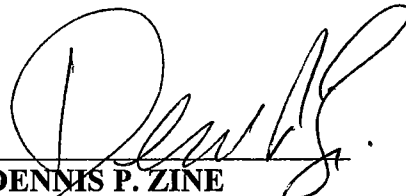
Though these acts were later dismissed as non-terrorist threats, the impact has been devastating. In addition to the inconvenience of disrupted travel plans suffered by thousands of passengers, there are the staggering unanticipated additional costs piled on the backs of the airport, affected airlines, related businesses, law enforcement and most importantly, taxpayers.

Intentionally breaching airport security subjects violators to prosecution in federal and state court, with statutorily prescribed penalties available for those found guilty. Unfortunately, the available penalties leave the City no remedy against violators who are not prosecuted or for costs incurred as a direct result of the violator's conduct.


I THEREFORE MOVE that the City Attorney work in conjunction with the Airport Police, Los Angeles Police Department, District Attorney's Office, TSA and FBI to further review available penalties for those who violate airport security rules when that violation results in additional expense to City taxpayers due to involvement of the Police and/or Fire Departments.

I FURTHER MOVE that the City Attorney determine whether it would be feasible and prudent for the City to create its own penal code similar to California Penal Code 602(v)(1) for such violations, including full restitution for the costs of City Police and Fire Department involvement due to the violator's conduct.

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