

INTERGOVERNMENTAL RELATIONS RESOLUTION PUBLIC SAFETY

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state or federal government body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, California Penal Code Section 594.2 makes it is misdemeanor to possess marking substances with the intent of committing vandalism or graffiti; and

WHEREAS, a number of California Penal Code Section 594.2 Los Angeles Police Department (LAPD) juvenile arrests/citations are being dismissed by the Court due to the high volume of cases in the courts; and

WHEREAS, the dismissal of LAPD misdemeanor arrests/citations made pursuant to State Penal Code violations due to lack of Court resources serves to undermine the "broken windows" approach to reducing crime and vandalism in our neighborhoods, results in lost opportunities to provide appropriate guidance and intervention for the City's youth, and renders State laws ineffective at addressing crime; and

WHEREAS, the California Welfare and Institutions Code Section 256 allows the Informal and Juvenile Traffic Court to hear and dispose of a number of juvenile graffiti and vandalism related offenses; however, State law does not provide for California Penal Code Section 594.2 offenses to be heard by the Informal and Juvenile Traffic Court; and

WHEREAS, the Informal and Juvenile Traffic Court is allowed to address local municipal code misdemeanor violations by juveniles; and

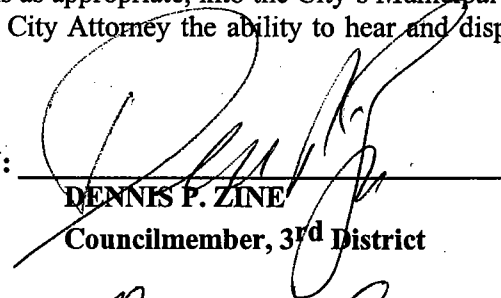
WHEREAS, to ensure that juveniles and their parents are held accountable for vandalism and graffiti offenses, to maximize the results of law enforcement efforts, and to enhance the City's efforts to address juvenile delinquency at an early stage through intervention, action must be taken to ensure that the entire criminal justice system is operational to address juvenile misdemeanor offenses.

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2005-2006 State Legislative Program: 1) SPONSORSHIP and SUPPORT of legislation to allow the Informal and Juvenile Traffic Court to hear and dispose of juvenile California Penal Code Section 594.2 violations, and other California Penal Code juvenile misdemeanor violations as appropriate; and 2) SUPPORT for Court funding adequate to prosecute and dispose of all arrests/citations, maximize the benefits of the City and County's law enforcement resources, improve the quality of life in the City's communities, and enhance early juvenile intervention opportunities.

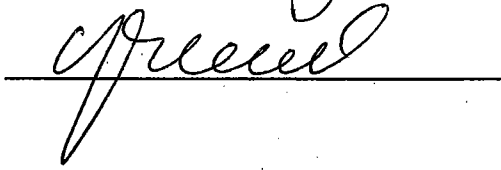
BE IT FURTHER RESOLVED that the City Council request the City Attorney, in coordination with the LAPD Juvenile Division, to draft an Ordinance establishing a local law similar to Penal Code Section 594.2, and other State Penal Code juvenile misdemeanor violations as appropriate, into the City's Municipal Code, enabling the Informal and Juvenile Traffic Court and the City Attorney the ability to hear and dispose of such misdemeanor offenses.

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PRESENTED BY:


DENNIS P. ZINE
Councilmember, 3rd District

SECONDED BY:



SEP 27 2005