



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R24-0219
APRIL 30, 2024

REPORT RE:

FISCAL YEAR 2023-2024 BUDGET SPECIAL STUDIES R. 15

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

On May 31, 2023, the Chief Legislative Analyst transmitted to the Members of the City Council a list of Special Studies requested by the Budget, Finance and Innovation Committee. This list included the following entry:

R.15 Request the City Attorney to report to the Public Safety Committee on the number of prosecutions that have been successfully pursued with respect to illegal cannabis operations and interventions.

This Office has prepared and now transmits for your review the following information responsive to that request.

Introduction

The Regulatory Prosecution Division (RPD) is responsible for the criminal prosecution of unlicensed and unlawful Commercial Cannabis Activity in the City of Los Angeles, which

are largely violations of Los Angeles Municipal Code (LAMC) section 104.15.¹

RPD receives cannabis cases for review and potential filing from law enforcement agencies. Cases are reviewed to determine whether the evidence is sufficient for prosecution. Appropriate individuals are referred to the Criminal Administrative Citation Enforcement (ACE) Program pursuant to LAMC section 104.15(d). Appropriate matters are referred to the Public Rights Branch for potential civil filing. Other matters move forward for criminal filing.

The criminal prosecutions are based on violations of LAMC section 104.15 and other associated charges. A violation of LAMC section 104.15 is a misdemeanor punishable by up to six months in jail and / or a \$1000 fine. Each day a violation continues is a separate offense. A violation of LAMC section 104.15 committed by an employee, contractor, agent or volunteer who has no financial interest in the business may be referred to the Criminal Administrative Citation Enforcement Program pursuant to LAMC 104.15(d) which provides that “[A] violation of this section by an Employee, contractor, agent or volunteer, who has no financial interest in the Unlawful Establishment, may be punishable by means of a citation issued under the City’s Administrative Citation Enforcement Program.”

Criminal Filings

	2018	2019	2020	2021	2022	2023	2024 (4/30/24)
Cases Filed	170	275	213	141	169	172	47
Defendants Charged	703	935	722	364	405	361	85

¹ The predecessor unit, the Cannabis Abatement and Prosecution Section, was responsible for both the civil and criminal prosecution of unlicensed and unlawful Commercial Cannabis Activity. However, due to City Attorney’s Office restructuring, civil prosecution has been transferred to the Public Rights Division.

ACE Referrals

In early 2019, based on amendments to LAMC section 104.15(d), the Cannabis Abatement and Prosecution Section in our office began referring potential defendants categorized as employees (where appropriate) to for citations under the Criminal Administrative Citation Enforcement Program in lieu of misdemeanor prosecution.

	2019	2020	2021	2022	2023	2024 (4/30/24)
Criminal ACE Referrals	600	431	355	249	135	41

Sincerely,

A handwritten signature in black ink, reading "Hydee Feldstein Soto". The signature is fluid and cursive, with the first name "Hydee" being the most prominent.

HYDEE FELDSTEIN SOTO
Los Angeles City Attorney