



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 19 - 0399  
DEC 02 2019

**REPORT RE:**

**ADMINISTRATIVE CITATION ENFORCEMENT (ACE) PROGRAM  
STATUS REPORT**

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 June 21, 2013, your Council adopted the Administrative Citation Enforcement (ACE) Program Ordinance (Council File 10-0085), and requested that the City Attorney's Office develop an ACE Pilot Program involving the Los Angeles Police Department (LAPD) and the Department of Animal Services (DAS). On November 5, 2014, the City Council adopted an implementation plan for the pilot program and, as part of that plan, requested the City Attorney report back on a quarterly basis on the status of the program. This report provides the most recent update as to the program and recommends the addition of the Los Angeles Sanitation and Environment Bureau to the ACE program (see attached request from the Chief Environmental Compliance Officer).

Recommendation

1. Approve the request of LASAN/DPW Environmental Enforcement and Emergency Response Unit to participate in the ACE Program.
2. Receive and file the Annual 2018-2019 Fiscal Year Status Report.

Program Implementation

The ACE Pilot Program has been enthusiastically embraced by LAPD, DAS, the Department of Parks and Recreation's Park Rangers (Park Rangers), and the Bureau of Street Services (BOSS) enforcement personnel. The City Attorney's Office continues to review every citation issued and submitted for processing. This practice will continue

with each agency until the City Attorney's Office is confident that the agencies are correctly implementing ACE and to maintain quality control. To date, the Supervising Deputy City Attorney has reviewed 42,861 citations. The City Attorney's Office also continues to participate in regularly scheduled LAPD, DAS, Park Rangers, and BOSS trainings to strengthen the program and the collaboration between our offices.

#### LAPD Statistics

From July 1, 2018, through June 30, 2019, LAPD issued 6,554 citations. Over 80% of those citations were processed – the remaining citations were either referred to another program for handling or rejected after being reviewed. The following is a summary of the citations received from each LAPD division between July 1, 2018, and June 30, 2019.

Division	Citations Received
77th	145
Central	319
Central Traffic	166
Devonshire	336
Foothill	175
Harbor	85
Hollenbeck	265
Hollywood	1344
Mission	253
Newton	114
North Hollywood	197
Northeast	199
Olympic	322
Pacific	151
Rampart	78
Southeast	6
Southwest	336
South Traffic	167
Topanga	228
Valley Traffic	0
Van Nuys	476
West Los Angeles	75
West Traffic	6
West Valley	89
Wilshire	191
Commission Investigations Division	406
Security Services	56
Commercial Crimes Division	0
Detective Support and Vice Division	0
Metropolitan Division	18
Emergency Operations Division	3
Metropolitan Transit Authority	0
Major Crimes Division	0
Office of Operations/Film Unit	11
Transit Services Division	1

Of the LAPD citations processed in this reporting period of the ACE Program, offenses were recorded in the following general categories:

• Drinking in public	31.02%
• Possession of open container on or adjacent to ABC location	15.10%
• Required Police Commission Permits	30.29%
• Street vending	2.14%
• Violation of City Park ordinances	5.90%
• Spectator, Speed Contest	6.65%
• Bikes/Skateboards/Sidewalk	0.82%
• Noise	3.65%
• Fireworks	0.62%
• Urinating or defecating in public	1.14%
• Gambling related offenses	0.87%
• Illegal cannabis sales	1.06%
• All other miscellaneous offenses	0.74%

During this reporting period, 422 violators cited by LAPD requested an initial review out of a total of 5,274 citations processed.

The City's ACE Ordinance allows violators an additional appeal by requesting an independent hearing which is conducted by an Administrative Hearing Officer. During this reporting period, 62 hearings were held for LAPD citations. Additionally, 69 LAPD citations were referred to the Homeless Engagement and Response Team (HEART) program and 29 LAPD citations were referred to the Neighborhood Justice Program (NJP).

#### Park Rangers Statistics

Park Rangers began issuing citations in July 2016. Below represents the status of citations received between July 1, 2018 and June 30, 2019:

• ACE Citations received	874
• Initial review requests	73
• Referred to the Neighborhood Justice Program	1
• Administrative Hearings conducted	5
• HEART Referrals	4

#### BOSS Statistics

BOSS began issuing citations in February 2017. Below represents the status of citations received between July 1, 2018, and June 30, 2019:

• ACE Citations received	1,051
• Initial review requests	232

• Referred to the Neighborhood Justice Program	2
• Administrative hearing requests	39
• Administrative hearings conducted	10

#### DAS Statistics

The following represents the status of the citations submitted by DAS personnel between July 1, 2018, and June 30, 2019:

• ACE citations submitted to the City Attorney for fines to be imposed due to non-compliance	2,226
• Initial review requests	421
• Administrative hearings held	6
• HEART Referrals	1

#### Payment of Fines and Transfer of Fines to Code Compliance Fund

The City's citation processing company, Data Ticket, collects fines and late penalties from persons who have been cited through the ACE Program and whose citations have been screened and referred for processing by the City Attorney's Office. As of June 30, 2019, the 2018-2019 fiscal year total of collections was \$1,192,537 for the ACE Program. The fines and penalties collected by Data Ticket are electronically transferred to the Office of Finance monthly for deposit to the Code Compliance Fund, which was established in the ACE Ordinance. Data Ticket refers delinquent fines and penalties which are owed to the City to the California Franchise Tax Board for collection through the tax refund intercept program.

Data Ticket invoices the City Attorney's Office monthly for its citation processing services, in accordance with its contract. During the 2018-2019 fiscal year, a total of \$212,548.08 was paid by the City to the contractor for processing, noticing and collection services.

Unpaid citations are referred to the income tax return intercept program of the State's Franchise Tax Board. From July 1, 2018, through June 30, 2019, a total of \$209,080.12 has been deposited to the Code Compliance Fund from income tax refund intercepts by the Franchise Tax Board. As more cited persons become eligible for State income tax refunds, additional payments to the City are likely to be received.

#### Unpaid Fines and Penalties

The total of unpaid fines from July 1, 2018, through June 30, 2019, is \$1,579,614.07. The breakdown by each of the participating Departments is as follows: LAPD \$794,925.18; Department of Animal Services \$614,610.22; Recreation and Park Rangers \$60,790.03; and Bureau of Street Services \$109,288.64.

Expansion of the ACE Pilot Program

Continuing efforts by the City Council to enact ordinances to regulate and legalize street vending, and the registration of short term rentals will impact the ACE Program. Both ordinances will employ the use of ACE citations as the enforcement component.

The City's ACE Ordinance allows for the expansion of the ACE Pilot Program to include additional City departments upon City Council approval. The request to participate from the LASAN (Los Angeles Sanitation and Environment Bureau) is attached.

The City Attorney's Office continues to engage in discussions with the Housing and Community Investment Department as to its inclusion in the ACE Program.

If you have any further questions regarding the ACE Program, please contact Deputy City Attorney Rita Hernandez-Venegas at (213) 978-2021.

Sincerely,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON  
Chief Assistant City Attorney

DM: RHV: pj  
Attachments (1)

cc: Honorable Eric Garcetti, Mayor  
Honorable Ron Galperin, Controller  
Sharon Tso, Chief Legislative Analyst  
Richard Llewellyn, City Administrative Officer  
Michel Moore, Chief of Police  
Brenda F. Barnette, General Manager, Animal Services  
Michael Shull, General Manager, Recreation and Parks  
Kevin James, President, Board of Public Works

**CITY OF LOS ANGELES**  
INTER-DEPARTMENTAL CORRESPONDENCE

**DATE:** August 22, 2019

**TO:** Mary Clare Molitor  
Chief Assistant City Attorney  
Criminal Branch

**FROM:** Steven Pedersen  
Chief Environmental Compliance Officer  
LASAN/WRD Environmental Enforcement & Emergency Response Unit

**SUBJECT:** LASAN Request to be added to the ACE Program

The City of Los Angeles Sanitation and Environment (LASAN) requests to be added to the Administrative Citation Enforcement Program (ACE), currently being facilitated by the City Attorney's Office. The ACE program is an alternative method of enforcement for violations of the municipal code. LASAN believes that this program is an added enforcement tool for some of its current and future administrative enforcement programs. Additionally, LASAN requests the City Attorney's Office to assist with implementation and training of the ACE program for all necessary LASAN staff.

Please contact Assistant Chief ECO Gonzalo Barriga at 213-725-8862 to assist with the implementation of LASAN into the ACE Program.

CC:

Enrique Zaldivar  
Traci Minamide  
Lisa Mowery  
Mas Dojiri  
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Alex Helou  
Gonzalo Barriga  
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Rita Venegas, ACE Unit  
William Mangan, City Attorney Admin Crd III