

J. MICHAEL CAREY
City Clerk

When making inquiries
relative to this matter
refer to File No.

CITY OF LOS ANGELES
CALIFORNIA



RICHARD J. RIORDAN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 615, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

99-0355

June 30, 2000

PLACE IN FILES

JUL 05 2000

DEPUTY

City Administrative Officer
Chief Legislative Analyst
Board of Police Commissioners

City Attorney
Police Department

RE: ORDINANCE AMENDING SECTION 52.34 OF THE LOS ANGELES MUNICIPAL CODE
RELATED TO REGULATION OF PRIVATE SECURITY SERVICES

At the meeting of the Council held June 20, 2000, the following
action was taken:

Attached report adopted	_____
Attached motion (-) adopted.....	_____
Attached resolution (-) adopted.....	_____
Mayor concurred.....	_____
FORTHWITH.....	_____
Ordinance adopted.....	X
Ordinance number.....	173375
Effective date.....	8-5-00
Publication date.....	7-5-00
Mayor approved.....	6-28-00
Mayor vetoed.....	_____
Motion adopted to approve attached report.....	_____
Motion adopted to approve communication.....	X

J. Michael Carey
City Clerk
aff
steno\990355



Mayor's Time Stamp

TIME LIMIT FILES
ORDINANCES

City Clerk's Time Stamp

RECEIVED

'00 JUN 26 P1:30

DEPUTY MAYOR

CITY CLERK

00 JUN 26 PM 1:12

RECEIVED

CITY CLERK'S OFFICE

COUNCIL FILE NUMBER 99-0355

COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE JUNE 20, 2000

LAST DAY FOR MAYOR TO ACT _____

JUL 06 2000

ORDINANCE TYPE: Ord of Intent Zoning Personnel General

Improvement X LAMC LAAC CU or Var Appeals - CPC No

SUBJECT MATTER: ORDINANCE AMENDING SECTION 52.34 OF THE LOS ANGELES MUNICIPAL CODE RELATED TO REGULATION OF PRIVATE SECURITY SERVICES

PLANNING COMMISSION

DIRECTOR OF PLANNING

CITY ATTORNEY

CITY ADMINISTRATIVE OFFICER

BOARD OF POLICE COMMISSIONERS

APPROVED

DISAPPROVED

X

X

BY CITY CLERK

RECEIVED
CITY CLERK'S OFFICE
00 JUN 28 PM 1:55

DATE OF MAYOR APPROVAL, SEEMED APPROVED OR *VETO: _____

JUN 28 2000

*VETOED ORDINANCES MUST BE ACCOMPANIED WITH OBJECTIONS IN WRITING PURSUANT TO CHARTER SEC. 29

(CITY CLERK USE ONLY PLEASE DO NOT WRITE BELOW THIS LINE)

DATE RECEIVED FROM MAYOR

JUN 28 2000

ORDINANCE NO.

173375

DATE PUBLISHED

JUL 05 2000

DATE POSTED

EFFECTIVE DATE

AUG 05 2000

ORD OF INTENT: HEARING DATE _____ ASSESSMENT CONFIRMATION _____

ORDINANCE FOR DISTRIBUTION: Yes [] No []

ORDINANCE NO. **173375**

An ordinance amending Section 52.34 of the Los Angeles Municipal Code related to regulation of private security services.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO HEREBY ORDAIN AS FOLLOWS:**

Section 1 of the Los Angeles Municipal Code is hereby amended to read as follows:

Sec. 52.34 PRIVATE PATROL SERVICE - REGULATIONS

(a) Definitions.

For the purpose of this article, certain terms used herein are defined as follows:

(1) **Private Patrol Service.** The term “**private patrol service**” shall mean any “private patrol operator” as defined in the California Business and Professions Code which furnishes or purports to furnish to members, subscribers, or customers any street patrol officer for the purpose of affording additional security and protection of person and property or to perform any other service directly related to the “private protection of life and property.”

(2) **Street Patrol Officer.** The term “**street patrol officer**” shall mean any person who performs for a private patrol service the duties of a uniformed guard or uniformed patrol officer or any of the duties described in subdivision (a)(1) by street patrol service utilizing foot patrol, motor patrol, or other means of transportation in public areas, City streets, or public thoroughfares. This definition shall not apply to uniformed guards or uniformed caretakers employed by an entity other than a private patrol service, such as by industrial plants, department stores, community associations, or private clubs wherein said function does not require patrolling from one location to another by use of a City street, nor shall it apply to persons employed by such an entity solely in connection with the commercial, public, or professional business of such an entity.

(b) Private Patrol Services.

(1) **Permit.** It shall be unlawful to engage in the business of maintaining or operating any private patrol service in the City of Los Angeles without first obtaining a license as required by the State of California and a permit from the City.

(2) Requirements for Permits. The following requirements must be met to obtain a permit to operate, maintain and conduct a private patrol service in the City.

A. Registration. A registration form shall be filed with the Board of Police Commissioners on forms supplied by the City. The registration form shall be signed and verified by the registrant and shall state the name, address and organization of the private security service, its method of operation, the territory or location it proposes to serve, the names, addresses of its officers, members, associates and employees and a description of the procedures for investigating citizen complaints against its street patrol officers.

B. State License. The registration form for a permit shall be accompanied by a photostatic or certified copy of the private patrol service's State of California License evidencing compliance with State laws relating to the business of private patrols.

C. Insurance. Upon request, a private patrol service shall furnish to the Board of Police Commissioners evidence of the following insurance: workers' compensation, general liability insurance, automobile insurance in the amounts required by State law.

(c) Street Patrol Officers.

(1) Registration. It shall be unlawful for any person to perform the duties of a street patrol officer in the City of Los Angeles without first obtaining a Guard Registration card as required by the State of California and registering with the City. Upon the registration being accepted by the City, the Board of Police Commissioners may issue a permit which shall be subject to all of the provisions of Chapter 10 of this Code, including all the rights, regulations, and due process procedures contained therein. The Board of Police Commissioners shall retain street patrol officer permits in its files.

(2) Requirements for Registration. The following requirements must be met to register to perform the duties of a street patrol officer in the City.

A. Registration. A registration form shall be filed with the Board of Police Commissioners on forms supplied by the City. The registration form shall be signed and verified by the registrant and shall state his name, address and the name and address of the private patrol service by whom he is employed. The registration form shall be submitted to the Board of Police Commissioners within 15 days of the Street Patrol Officer being hired by the Private Patrol Service. Registration forms may be submitted by hand-delivery, U.S. mail or facsimile.

B. State Registration Card. The registration form for a street patrol officer permit must be accompanied by a photostatic or certified copy of his State of California Guard Registration card evidencing compliance with the State laws relating to the occupation of a street patrol officer.

(d) Uniform, Equipment, Badges, Insignia.

(1) General. Any badge, insignia, patch or uniform used or worn by any employee, officer, member or associate of a private patrol service, while on duty for said patrol service, shall be in compliance with State law. Any such badge, insignia, patch or uniform shall not be of such a design as to be mistaken for an official badge, insignia or uniform worn by a law enforcement officer of the City of Los Angeles or any other law enforcement agency with jurisdiction in the City.

(2) Uniforms. The Private Patrol Service shall submit to the Board of Police Commissioners a sample or color photograph of the proposed uniform for approval by the Board to ensure that it does not resemble a uniform of any law enforcement agency with jurisdiction in the City. No uniform shall be worn if the sample thereof submitted to the Board has been determined to be in violation of subsection (d)(1).

(3) Equipment, Weapons, Ammunition. Street Patrol Officers are only authorized to carry .38 caliber, .45 caliber, .357 caliber and 9 millimeter firearms. The Board of Police Commissioners shall have the authority to grant an exception to this subsection upon a showing of good cause. Firearms and ammunition used by street patrol officers shall be of a brand name, model and caliber approved by the State of California. No street patrol officer shall carry any firearm in the performance of his duties unless he possesses a valid firearm qualification card issued by the State for said firearm. Other authorized weapons include State approved batons and chemical agents as authorized by the officer's State permit.

(e) Motor Vehicles. Each vehicle used for the purpose of patrolling shall comply with California Vehicle Code section 25279(b) and at a minimum the letters and numerals shall be clearly visible and readable from a distance of fifty feet and shall be permanently affixed to the vehicle. A private patrol service shall not use or permit to be used for purposes of patrolling, any vehicle which is not marked and identifiable with approved markings or insignia in accordance herewith. No vehicle used by a private patrol service shall be equipped with a red light, siren, or be painted in a manner similar to a police vehicle of the City of Los Angeles or other law enforcement agency with jurisdiction in the City. The private patrol service shall submit to the Board of Police Commissioners a color photograph of the proposed vehicles showing compliance with this subsection.

(f) Reports to Police. Every private patrol service operator and every street patrol officer shall immediately make a report to the Police Department of any felonies, high-grade misdemeanors or violation of federal law which come to his attention. High-grade misdemeanors include Petty Theft, Dangerous Weapons' Control Laws, Traffic Manslaughter, Indecent Exposure, Child Molesting, Contributing to the Delinquency of a Minor, Lewd Conduct, and all other misdemeanor sex offenses. The private patrol service shall also immediately notify the Police Department of any weapon discharge or private person's arrest made within the City, by any employee, officer, member, or

associate of the private patrol service.

(g) **Employees.** The private patrol service will be responsible for each street patrol officer to be registered with the State and to carry proof thereof at all times while on duty. A Street Patrol Officer in connection with his duties, upon request by a law enforcement officer, shall identify himself as a Street Patrol Officer and shall give his name and employer's name. At no time shall a Street Patrol Officer conduct himself by word or manner as to lead others to believe that he possesses the power to enforce Traffic Regulations or to issue Traffic Citations.

(h) **Authority to Make Rules and Regulations.** The Board of Police Commissioners shall have the authority to make rules and regulations not inconsistent with State law or this chapter concerning private patrol services and street patrol officers. Prior to any changes or additions to such Board rules and regulations, the Board of Police Commissioners shall give reasonable notice to all private patrol services registered with the City of the proposed changes or additions.

(i) **Permits; Nontransferable.** Permits issued under this article are not transferable. This section shall not be construed to prohibit the owner of a private patrol service from selling, assigning or transferring such service; however any new owner, transferee, or assignee shall be required to qualify under this article before commencing operations or carrying on business as a private patrol service.


(j) **Suspension/Revocation.** Violation of any provision of this ordinance, any of the rules promulgated by the Board of Police Commissioners, or of any State or local law in connection with the operation of a Private Patrol Service, may be cause for suspension and/or revocation of the permit held by the Private Patrol Service. The Board of Police Commissioners shall notify the Private Patrol Service of the intent to suspend or revoke the registration of any of its street patrol officers.

(k) **Permits Not Exclusive.** Permits required by this article shall be in addition to any license or permit required under any other chapter of this code.

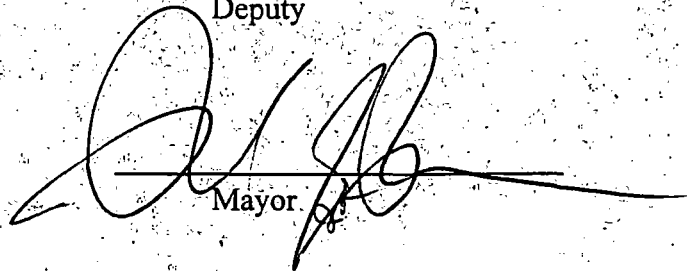
Sec. 2. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of JUN 20 2000.

J. MICHAEL CAREY, City Clerk

By 
Deputy

Approved JUN 28 2000


Mayor

Approved as to Form and Legality

James K. Hahn, City Attorney

By 
DEBRA L. GONZALES

File No. 99-0355

Weds June 14, 2000

321636
COMMUNICATION

TO CITY COUNCIL
REGULAR COUNCIL AGENDA TO BE POSTED

#51

JUN 07 2000

TO: LOS ANGELES CITY COUNCIL

File No. 99-0355

FROM: COUNCIL MEMBER CINDY MISCIKOWSKI, CHAIR
PUBLIC SAFETY COMMITTEE

Public Comments Yes No
 — XX


COMMUNICATION FROM CHAIR, PUBLIC SAFETY COMMITTEE and ORDINANCE FIRST CONSIDERATION relative to amending Los Angeles Municipal Code Section 52.34 relative to regulation of private security services.

Recommendation for Council action, as initiated by Motion (Chick - Alatorre - Hernandez):

PRESENT and ADOPT accompanying ORDINANCE amending Section 52.34 of the Los Angeles Municipal Code related to regulation of private security services.

Fiscal Impact Statement: None submitted by the City Attorney. Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Summary:

 Motion (Chick - Alatorre - Hernandez) requested the Police Commission to report back on Los Angeles Municipal Code Section 52.34 - Private Patrol Service, and whether it could be modified to coincide with the goals and objectives in creating Business Improvement Districts (BID) and to have the Commission cease any enforcement efforts against the Downtown BID and its private patrol services in the interim.

The Downtown Center BID established a private patrol service and provided it with uniforms in the BID's theme colors. The Police Commission, which regulates private patrols, put the Downtown Center BID on notice for failure to comply with the Board's rules and regulations. Specifically, the Commission's rules require that private patrol uniforms be grey in color. Additionally, the BID needed to pay the required City permit fees.

Under LAMC Section 52.34, it makes it unlawful to engage in the business of maintaining or operating any private patrol service in the City without first obtaining a permit as required by the State of California and a permit with the City.

The Ordinance, amended on March 22, 1976, gave the Police Commission power to charge fees, require a surety bond and determine the appropriate uniform, equipment, badges, insignia, weapons, ammunition and motor vehicle.

The Board also has the authority to make additional rules. BID's came into existence subsequent to the enactment of the Ordinance and Rules. It is the contention of BID's that State law exempts them from regulation and that the Police Commission should not have the right to approve uniforms.

In a May 20, 1999 report, the City Attorney recommended that the current ordinance be amended to eliminate any provisions that contradict state law.

At a special meeting of the Public Safety Committee on May 24, 1999, the Chair of the Committee recommended that the City Attorney prepare a draft ordinance to make the necessary changes to LAMC Section 52.34.

The City Attorney in a July 16, 1999 report asked for additional time to respond to meet with representatives of the State in order to clarify issues raised by a letter submitted by the Bureau of Security and Investigative Services.

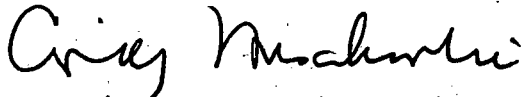
The Public Safety Committee at its November 15, 1999 meeting considered the matter and instructed the City Attorney to prepare the ordinance.

In its March 31, 2000 report, the City Attorney drafted an ordinance amending LAMC Section 52.34 making the appropriate deletions and additions to eliminate duplication and/or conflict with the California Business and Professions Code.

The Board of Police Commissioners at its April 25, 2000 meeting, approved the City Attorney's draft ordinance, and additionally approved amendments to the Board Rules and Regulations governing Private Patrol Services.

At a special meeting held May 22, 2000, the Chair of the Public Safety Committee recommended approval of the draft ordinance and now forwards the matter to the Council for its consideration.

Respectfully submitted,



Council Member Cindy Miscikowski, Chair
Public Safety Committee

MOTION ADOPTED TO APPROVE COMMUNICATION RECOMMENDATION

BEW
#990355
5/22/00

ADOPTED

JUN 20 2000

LOS ANGELES CITY COUNCIL

*Ordinance
Adopted*

COUNCIL VOTE

20-Jun-00 10:49:55 AM, #9

ITEM NO.. (36)

Voting on Item(s): 36

Roll Call

BERNSEN	Yes
CHICK	Absent
FEUER	Yes
*GALANTER	Yes
GOLDBERG	Yes
HERNANDEZ	Yes
HOLDEN	Yes
MISCIKOWSKI	Yes
PACHECO	Yes
PADILLA	Yes
RIDLEY-THOMAS	Yes
SVORINICH	Yes
WACHS	Yes
WALTERS	Absent
FERRARO	Absent
Present: 12, Yes: 12 No: 0	

PUBLIC SAFETY COMMITTEE
Report/~~Communication~~ for Signature

Council File Number 99-0355

Committee Meeting Date 5-22-00

Council Date _____

COMMITTEE MEMBER	YES	NO	ABSENT
COUNCILMEMBER MISCIKOWSKI, CHAIR	✓		
COUNCILMEMBER PACHECO			✓
COUNCILMEMBER WACHS			✓

Remarks AMENDING ORDINANCE RELATIVE TO PRIVATE
SECURITY SERVICES

PUBLIC SAFETY COMMITTEE
SUGGESTED NOTIFICATION OF COUNCIL ACTION

Council File No. 99-0353

<input type="checkbox"/>	Council Member(s) _____	
<input type="checkbox"/>	Mayor (with/without file)	(Mail Stop 370)
<input checked="" type="checkbox"/>	City Administrative Officer	(Mail Stop 130)
<input checked="" type="checkbox"/>	City Attorney	(Mail Stop 140)
<input checked="" type="checkbox"/>	Chief Legislative Analyst	(Mail Stop 136)
<input type="checkbox"/>	Controller	(Mail Stop 183)
<input type="checkbox"/>	Personnel Department	(Mail Stop 391)
<input checked="" type="checkbox"/>	Police Department	(Mail Stop 400)
<input checked="" type="checkbox"/>	Board of Police Commissioners	(Mail Stop 400)
<input type="checkbox"/>	Fire Department	(Mail Stop 250)
<input type="checkbox"/>	Board of Fire Commissioners	(Mail Stop 250)
<input type="checkbox"/>	Department of Animal Regulation	(Mail Stop 105)
<input type="checkbox"/>	Board of Animal Regulation Commissioners	(Mail Stop 105)
<input type="checkbox"/>	Dept. of Building and Safety	(Mail Stop 115)
<input type="checkbox"/>	Board of Building and Safety Commissioners Building Advisory Appeal Board	(Mail Stop 115)
<input type="checkbox"/>	Department of Social Service	(Mail Stop 700)
<input type="checkbox"/>	Board of Social Service Commissioners	(Mail Stop 700)
<input type="checkbox"/>	_____	
<input type="checkbox"/>	_____	

CITY OF LOS ANGELES SPEAKER CARD

Date

5-22-00

Council File No., Agenda Item, or Case No.

#8-99-0355

I wish to speak before the

Public Safety Committee
Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? (☒) For proposal

() Against proposal

() General comments

Name:

Tracey Lovejoy

Business or Organization Affiliation:

Central City East Association

Address:

744 S. San Pedro St., Los Angeles, CA 90014
Street City State Zip

Business phone:

213-228-8484

Representing:

Central City East Assn.

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name:

Phone #:

Client Address:

Street

City

State

Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

CITY OF LOS ANGELES SPEAKER CARD

Date

5/22/00

Council File No. Agenda Item or Case No.

8

I wish to speak before the

PUBLIC SAFETY

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

Name: JOE GORMAN () Against proposal
☒ General comments

Business or Organization Affiliation:

THE FASHION DISTRICT BLD

Address:

110 E. 9TH ST. # C-625, L.A., CA 90079

Street

City

State

Zip

Business phone:

(213) 438-0599

Representing:

FASHION DISTRICT

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name:

Phone #:

Client Address:

Street

City

State

Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

CITY OF LOS ANGELES SPEAKER

ARD

Date

5-22-00

Council File No., Agenda Item, or Case No.

B 8

I wish to speak before the

Public Safety Comm

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? ☒ For proposal☐ Against proposal☐ General comments

Name: Barry A. Bradley, CEO

Business or Organization Affiliation: CALSAGA, Bunk Int'l Security, Protection One, EDISM

Address: 615 N. Central Ave, Glendale

Street

City

State

Zip

Business phone: 818-243-2200

Representing:

CALSAGA

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name:

Phone #:

Client Address:

Street

City

State

Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

CIT OF LOS ANGELES SPEAKER CARD

Date

5-22-00

Council File No., Agenda Item, or Case No.

#8

I wish to speak before the

Public Safety Committee

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? (☒) For proposal

() Against proposal

() General comments

Name: RANDALL K. ELY

Business or Organization Affiliation: DWTN CTR BID

Address: 606 S OLIVE #1000

Street

LA

City

90014

State

Zip

Business phone: 213-624-2146

Representing: BID

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name:

Phone #:

Client Address:

Street

City

State

Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

LOS ANGELES POLICE COMMISSION

8

BOARD OF POLICE COMMISSIONERS

GERALD L. CHALEFF
PRESIDENT

T. WARREN JACKSON
VICE PRESIDENT

HERBERT F. BOECKMANN, II
RAQUELLE DE LA ROCHA
DEAN HANSELL

LUPE ORTIZ
COMMISSION EXECUTIVE ASSISTANT



RICHARD J. RIORDAN
MAYOR

JOSEPH A. GUNN
EXECUTIVE DIRECTOR

JEFFREY C. EGLASH
INSPECTOR GENERAL

EXECUTIVE OFFICE
SUITE 144-150, PARKER CENTER
150 N. LOS ANGELES STREET
LOS ANGELES, CA 90012

(213) 485-3531 PHONE
(213) 485-8861 FAX
commsnrs@pdcomm.ci.la.ca.us

April 27, 2000

Honorable Council members
Council of the City of Los Angeles
c/o City Clerk's Office
Room 615, City Hall East
200 N. Main Street
Los Angeles, CA 90012

PRIVATE PATROL SERVICE-REGULATIONS

At a regular meeting of the Board of Police Commissioners held April 25, 2000, this Board considered and approved the enclosed proposed ordinance amending Section 52.34 of the Los Angeles Municipal Code related to regulation of Private Security Services. The Board took further action and approved amendments to the Board Rules and Regulations governing Private Patrol Services, which is being provided for your information.

The Board requested that this matter be transmitted to your office for further processing.

Very truly yours,
BOARD OF POLICE COMMISSIONERS

A handwritten signature in black ink, appearing to read "Lupe Ortiz".

LUPE ORTIZ
Commission Executive Assistant

Enclosure

BOARD OF
POLICE COMMISSIONERSApproved 4.25.00
As Amended Secretary *[Signature]*

ORDINANCE NO. _____

An ordinance amending Section 52.34 of the Los Angeles Municipal Code related to regulation of private security services.

Sec. 52.34 PRIVATE PATROL SERVICE - REGULATIONS
(Amended by Ord. No. _____, Eff. _____.)

(a) Definitions:

For the purpose of this article, certain terms used herein are defined as follows:

(1) **Private Patrol Service.** The term "private patrol service" shall mean any person, association of persons, or partnership, or corporation "private patrol operator" as defined in the California Business and Professions Code which furnishes or purports to furnish to members, subscribers, or customers any uniformed or special street patrol officer for the purpose of affording additional security and protection of person and property or to perform any other service directly related to the "private protection of life and property".

(2) **Special Officer: Street Patrol Officer.** The term "special officer" "street patrol officer" shall mean any person who performs for a private patrol service the duties of a uniformed guard, uniformed watchman, or uniformed patrolman patrol officer or any of the duties described in subdivision (a)(1) whose primary function is patrolling from one location to another by City streets by street patrol service utilizing foot patrol, motor patrol, or other means of transportation in public areas, City streets, or public thoroughfares. This definition shall not apply to uniformed watchman, uniformed guards or uniformed caretakers employed by an entity other than a private patrol service, such as by industrial plants, department stores, community associations, or private clubs wherein said function does not require patrolling from one location to another by use of a City street, nor shall it apply to persons employed by such an entity solely in connection with the commercial, public, or professional business of such an entity.

(b) Private Patrol Services Permit.

(1) **Requirement: Permit.** It shall be unlawful to engage in the business of maintaining or operating any private patrol service in the City of Los Angeles without first obtaining a permit license as required by the State of California and a permit from the City.

(2) Applications Requirements for Permits. *The following requirements must be met to obtain a permit to operate, maintain and conduct a private patrol service in the City.*

A. Fee: Registration. ~~An application for a permit to operate, maintain and conduct a private patrol service business in the City. A registration form shall be filed together with an application fee with the Permit Section of the City Clerk's Office the Board of Police Commissioners on forms supplied by the City. In addition thereto, a separate application signed and verified by the applicant shall also be filed with the Police Commission, and said application~~ *The registration form shall be signed and verified by the registrant and shall state the name, address and organization of the private security service, its method of operation, the territory or location it proposes to serve, the names, and addresses and physical description of its officers, members, associates and employees and such other identification and information including, but not limited to, fingerprints and recent photographs of the applicant, its officers, members, associates, and employees as may be deemed necessary by Board of Police Commissioners. and a description of the procedures for investigating citizen complaints against its street patrol officers.*

B. Surety Bond. ~~The application for a permit for a private patrol service as required by this Article must be accompanied by a surety bond underwritten by a corporate surety admitted to do business in California, in a form approved by the City Attorney, in the sum of \$15,000 blanket coverage for each and all employees, officers, members or associates of the private patrol service. The bond shall be conditioned upon the faithful and honest conduct of the business of private patrol service by the permittee and also conditioned upon faithful compliance with this Code, each and all of the ordinances of the City and the laws of the State of California in force, or which may thereafter be adopted, relating to the business of private patrol service. The permittee and sureties named in the bond, and their successors and assigns, shall be jointly and severally liable to the City and to any person, firm or corporation for damages suffered by reason of the wrongful acts of the permittee, its officers, associates, members, or employees in breach of the conditions of the bond. The bond shall not be void upon any one or more recoveries thereunder, but may be sued and recovered upon from time to time by any person, firm or corporation aggrieved or damaged, to the extent thereof. The bond shall be reviewed to its original amount on each annual anniversary thereof. Notice of any proposed cancellation of the bond shall be sent by registered mail to the Insurance and Bonds section of the Office of the City Attorney and to the Board of Police Commissioners not less than 30 days in advance of the cancellation date.~~

C. B. State License Bond. ~~Before a permit for a private patrol service is issued, the applicant shall furnish the Board of Police Commissioners with~~ *The registration form for a permit shall be accompanied by a photostatic or certified copy of his the private patrol service's State of California License and Bond evidencing that he has complied compliance with State laws relating to the business of private patrols.*

~~D. C. Insurance.~~ *Upon request, A private patrol service shall furnish to the Board of Police Commissioners evidence of the following insurance with the Board of Police Commissioners upon request: workers' compensation, general liability insurance, automobile insurance and false arrest insurance in the amounts to be determined by the Board: required by State law.*

(c) ~~Special Street Patrol Officers.~~

~~(1) Registration.~~ *Each special officer must be currently registered with the Bureau of Collection and Investigation Services of the State of California as required by Section 7514(f) of the Business and Professions Code of the State of California. The private patrol service will be responsible for each special officer to be registered and to carry proof thereof at all times while on duty. If at any time a special officer while on duty for such a private patrol service cannot produce a temporary or permanent State registration when requested by a City police officer, the private patrol service may be subject to suspension or revocation of its Police permit privilege to operate within the City.*

(1) Registration. *It shall be unlawful for any person to perform the duties of a street patrol officer in the City of Los Angeles without first obtaining a Guard Registration card as required by the State of California and registering with the City. Upon the registration being accepted by the City, the Board of Police Commissioners may issue a permit which shall be subject to all of the provisions of Chapter 10 of this Code, including all the rights, regulations, and due process procedures contained therein. The Board of Police Commissioners shall retain street patrol officer permits in its files.*

~~(2) Permit.~~ *(Amended in Entirety, Ord. No. 158,407, Eff. 11/20/83.)*

~~A.~~ *Any employee, or any officer or member or associate of a private patrol service who performs the service of a Guard, Watchman, Patrolman or other private patrol function whose duties involve patrolling from one location to another by City streets must possess a valid Special Officer's permit at all times as issued by the Police Commission.*

(2) Requirements for Registration. *The following requirements must be met to register to perform the duties of a street patrol officer in the City.*

A. Registration. *A registration form shall be filed with the Board of Police Commissioners on forms supplied by the City. The registration form shall be signed and verified by the registrant and shall state his name, address and the name and address of the private patrol service by whom he is employed. The registration form shall be submitted to the Board of Police Commissioners within 15 days of the Street Patrol Officer being hired by the Private Patrol Service. Registration forms may be submitted by hand-delivery, U.S. mail or facsimile.*

B. State Registration Card. *The registration form for a street patrol officer permit must be accompanied by a photostatic or certified copy of his State of California Guard*

Registration card evidencing compliance with the State laws relating to the occupation of a street patrol officer.

~~B. In addition to or in lieu of a Board-issued temporary permit authorized by Section 103.06(b), a temporary permit not to exceed 45 days may be issued to an applicant by the Secretary of the Board provided the following conditions are met:~~

~~a. An application for permit is on file at the main office of the City Clerk and all permit fees have been paid; and~~

~~b. A preliminary investigation by Commission staff does not reveal information which would normally constitute grounds for denial; and~~

~~c. The applicant possesses a valid permanent or temporary California State Guard Registration Card, and State Firearms Permit, if the applicant intends to carry a firearm; and~~

~~d. The applicant possess a valid California Driver's License.~~

~~The Secretary of the Board may suspend such temporary permit at any time if the Secretary has reason to believe that any of the above conditions have not been met. The Secretary shall notify the applicant in writing of the reasons for any such suspension, and the application for a permanent permit shall continue to be processed according to provisions of this code and any applicable rules and regulations of the Board.~~

(3) (d) Uniform, Equipment, Badges, Insignia.

~~**A: (1) General.** No Any badge, insignia, patch or uniform shall be used or worn by any employee, officer, member or associate of a private patrol service, while on duty for said patrol service; shall be in compliance with State law. Any such badge, insignia, patch or uniform shall not be which is of such a design as to be mistaken for an official badge, insignia or uniform worn by a law enforcement officer of the City of Los Angeles or any other law enforcement agency with jurisdiction in the city. any city, county, or state agency within its jurisdiction. The applicant or permittee shall submit to the Board of Police Commissioners a sample of the insignia intended to be used in the conduct of the private patrol service involved. The Board of Police Commissioners shall approve the color of the proposed uniform and shall issue upon payment therefore a form of badge, which shall not contain the word "police". While engaged in the performance of duties, a special officer shall wear and display the badge issued pursuant to this section and insignia on the outside of his or her uniform in a clearly visible manner. Badges issued pursuant to this section shall not be altered, modified or defaced or be used, worn, or displayed in such condition. Any badge issued hereunder which is in need of repair or replacement or otherwise not authorized for use shall be immediately returned and delivered to the Board of Police Commissioners or its representative. It shall be unlawful for anyone other than a permittee hereunder to use, wear or display a badge issued pursuant to this section. No insignia shall be worn if the sample thereof submitted to the Board of Police commissioners has been determined by the Board to be in violation of this section.~~

(2) Uniforms. *The Private Patrol Service shall submit to the Board of Police Commissioners a sample or color photograph of the proposed uniform for approval by the*

~~misdemeanor sex offenses. , with the exception of minor traffic offenses.~~ The private patrol service shall also immediately report to ~~notify~~ the Police Department of any weapon discharge or private person's arrest made within the City, by any employee, officer member, or associate of the private patrol service.

(g) Employees. The private patrol service will be responsible for each street patrol officer to be registered with the State and to carry proof thereof at all times while on duty. A Street Patrol Officer in connection with his duties, upon request by a law enforcement officer, shall identify himself as a Street Patrol Officer and shall give his name and employer's name. At no time shall a Street Patrol Officer conduct himself by word or manner as to lead others to believe that he possesses the power to enforce Traffic Regulations or to issue Traffic Citations.

(f) (h) Authority to Make Rules and Regulations. The Board of Police Commissioners shall have the authority to make rules and regulations not inconsistent with State law or this chapter concerning private patrol services and special street patrol officers. Prior to any changes or additions to such Board rules and regulations, the Board of Police Commissioners shall give reasonable notice to all private patrol services registered with the City of the proposed changes or additions.

(g) (i) Permits; Nontransferable. Permits issued under this article are not transferable. This section shall not be construed to prohibit the owner of a private patrol service from selling, assigning or transferring such service, however any new owner, transferee, or assignee shall be required to qualify under this article before commencing operations or carrying on business as a private patrol service.

(j) Suspension/Revocation. Violation of any provision of this ordinance, any of the rules promulgated by the Board of Police Commissioners, or of any State or local law in connection with the operation of a Private Patrol Service, may be cause for suspension and/or revocation of the permit held by the Private Patrol Service. The Board of Police Commissioners shall notify the Private Patrol Service of the intent to suspend or revoke the registration of any of its street patrol officers.

~~(h) (k) Licenses and Fees Permits Not Exclusive. Fees and Permits required by this article shall be in addition to any license; or permit or fee required under any other chapter of this code.~~

Board to ensure that it does not resemble a uniform of any law enforcement agency with jurisdiction in the City. No uniform shall be worn if the sample thereof submitted to the Board has been determined to be in violation of subsection (d)(1).

~~B. The Board of Police Commissioners shall specify the police type equipment, including weapons and ammunition, which a special officer may carry while on duty, and it shall be unlawful for a special officer to carry, wear, or to use any such equipment, including weapons and ammunition, while on duty if such is of a type not previously approved by the Board of Police Commissioners for said officer.~~

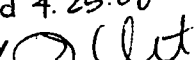
~~The use of any firearm and ammunition, by a special officer, shall be of a brand name, model and caliber as approved by the Board of Police Commissioners or its agent.~~

~~No special officer shall carry any firearms in the performance of his or her duties unless he or she has completed the course of training specified in Section 7514.1 of the Business and Professions Code of the State of California.~~

(3) Equipment, Weapons, Ammunition. Street Patrol Officers are only authorized to carry .38 caliber, .45 caliber, .357 caliber and 9 millimeter firearms. The Board of Police Commissioners shall have the authority to grant an exception to this subsection upon a showing of good cause. Firearms and ammunition used by street patrol officers shall be of a brand name, model and caliber approved by the State of California. No street patrol officer shall carry any firearm in the performance of his duties unless he possesses a valid firearm qualification card issued by the State for said firearm. Other authorized weapons include State approved batons and chemical agents as authorized by the officer's State permit.

~~(d) (e) Motor Vehicles. The Board of Police Commissioners or its agent shall approve the type or character of identification markings or insignia required hereunder to be placed on any motor vehicle used in the operation of any private patrol service. Each vehicle used for the purpose of patrolling shall comply with California Vehicle Code section 25279(b) and at a minimum the letters and numerals shall be clearly visible and readable from a distance of fifty feet and shall be permanently affixed to the vehicle. A private patrol operator service shall not use or permit to be used for purposes of patrolling, any vehicle which is not marked and identifiable with approved markings or insignia in accordance herewith, and with rules and regulations adopted by the Board of Police Commissioners. No vehicle used by a private patrol service shall be equipped with a red light, siren, or be painted in a manner similar to a police vehicle of the City of Los Angeles or other law enforcement agency with jurisdiction in the City. The private patrol service shall submit to the Board of Police Commissioners a color photograph of the proposed vehicles showing compliance with this subsection.~~

~~(e) (f) Reports to Police. Every private patrol service operator and every special street patrol officer shall immediately make a report to the Police Department and to the Board of Police Commissioners of any felonies, high-grade misdemeanors or violations of the Los Angeles Municipal Code, or State or federal law which come to his attention. High-grade misdemeanors include Petty Theft, Dangerous Weapons' Control Laws, Traffic Manslaughter, Indecent Exposure, Child Molesting, Contributing to the Delinquency of a Minor, Lewd Conduct, and all other~~

BOARD OF
POLICE COMMISSIONERS
Approved 4.25.00
Secretary 

RULES AND REGULATIONS GOVERNING PRIVATE PATROL SERVICES
(IN ADDITION TO STATE LAWS AND CITY ORDINANCES)

1. **Address/Telephone:** Each Private Patrol Service permittee shall have and maintain a business address and/or emergency telephone number where a company representative is immediately available to members of the Los Angeles Police Department on a 24-hour per day basis.
2. **Advertisements:** No advertisement, representation or solicitation of any kind by a Private Patrol Service shall in any way imply that the Private Patrol Service is a part of the Los Angeles Police Department or any other law enforcement agency, or under contract or in any other way connected therewith.
3. **Uniforms:** All members of a Private Patrol Service shall be in full uniform at all times when performing any duty or service incidental to the operation of the Private Patrol Service unless prior notification is given to the Los Angeles Police Department Area Watch Commander.
4. **Employee Addresses:** Employee address changes shall be maintained by the permittee and shall be subject to inspection by the Board or its agent.
5. **Inspections:** Each holder of a Private Patrol Service permit shall hold inspections at least monthly of all street patrol officers on-duty on the date of inspection of all uniforms, required identification cards, badges, equipment, ammunition, and weapons. Records of inspections shall be maintained for a period of one year and shall be made available to the Commission or their agent upon request.
6. **Employee Lists:** All Private Patrol Services shall prepare and deliver an employee list or copies of the street patrol officers' registration forms to the Board twice a year. The employee list or copies of the street patrol officers' registration forms shall be received by the Board no later than January 10th and July 10th of each calendar year. The employee list or copies of the street patrol officers' registration forms shall include the employee's name, State Guard Registration card number and any other State required certifications (i.e., firearms, baton, chemical agents, etc.)
7. **Complaints:** The Private Patrol Service shall forward copies of all complaints of violations of codified laws involving the activities of itself or its street patrol officers which occurred in the City of Los Angeles. These complaints shall be investigated by members of the Los Angeles Police Department and shall be subject to review by the Board of Police Commissioners pursuant to Los Angeles Municipal Code sections 103.00 et seq.
8. **Rules:** Upon issuance of a Private Patrol Service permit, the Board of Police Commissioners shall provide to the Private Patrol Service a copy of these rules and of the City ordinance regulating Private Patrol Services and Street Patrol Officers. The Private Patrol Service shall ensure that its employees are familiar with the ordinance and rules.
9. **Severability:** A Board rule which is ruled to be invalid by a Court of competent jurisdiction shall not invalidate the remaining Board Rules.

Adopted by the Board of Police Commissioners at a regular meeting of December 11, 1975. Amended April 25, 2000.

LOS ANGELES POLICE COMMISSION

BOARD OF
POLICE COMMISSIONERS

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PRESIDENT

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VICE PRESIDENT

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INSPECTOR GENERAL

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150 N. LOS ANGELES STREET
LOS ANGELES, CA 90012

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March 24, 1999

Honorable Council members
Council of the City of Los Angeles
c/o City Clerk's Office
Room 615, City Hall East
200 N. Main Street
Los Angeles, CA 90012

BUSINESS IMPROVEMENT DISTRICTS

At a regular meeting of the Board of Police Commissioners held March 23, 1999, this Board considered and approved the enclosed DRAFT report relative to modifying LAMC Section 52.34 – Private Patrol Service.

The Board requested an additional 21-days to discuss additional concerns with the BIDs and finalize the report.

Very truly yours,
BOARD OF POLICE COMMISSIONERS

A handwritten signature in black ink, appearing to read "Lupe Ortiz".

LUPE ORTIZ
Commission Executive Assistant

DRAFT

7E

INTRADEPARTMENTAL CORRESPONDENCE

March 18, 1999

BOARD OF
POLICE COMMISSIONERS
Approved 3-23-99
Secretary *OK*

TO: Board of Police Commissioners

FROM: Executive Director Police Commission

SUBJECT: BUSINESS IMPROVEMENT DISTRICTS

It is **recommended** that the Board of Police Commissioners approve the following report and forward it to the City Council.

BACKGROUND

On March 16, 1999, the City Council adopted a motion by Councilmember Laura Chick which requested that the Police Commission report back within 15 days on how the requirements under LAMC Section 52.34 – Private Patrol Service – can be modified to coincide with the Mayor and Council's goals and objectives in creating Business Improvement Districts (BID); and, the Police Commission cease any enforcement efforts against the Downtown BID and its private patrol service until the matter has been reviewed by the City Council; and, the City Administrative Officer report back relative to the exemption of BIDs from Police Permit fees.

LAMC Section 52.34 makes it unlawful to engage in the business of maintaining or operating any private patrol service in the City of Los Angeles without first obtaining a permit as required by the State of California and a permit from the City. The Ordinance, amended on March 22, 1976, also gives the Police Commission the power to charge fees, require a surety bond and determine the appropriate uniform, equipment, badges, insignia, weapons, ammunition and motor vehicle. The Board also has the authority to make additional rules. In fact, on December 11, 1975, and amended on April 29, 1980, the Board adopted additional rules and regulations governing private patrols and private special officers which detail and enhance the requirements of LAMC Section 52.34

Business Improvement Districts came into existence subsequent to the enactment of the Ordinance and Board Rules. The most common method of financing these Districts is for the concerned property owners and/or businesses to levy a charge on each other which is then utilized to supplement City services, i.e., safety, sanitation, etc. With the exception of the Hollywood BID, which has applied for and received a Police Permit, the Downtown BID and other BIDs have not complied with LAMC Section 52.34. They maintain that their state license is all that is required. However, LAMC Section 52.34 requires an additional Police Commission Permit.

DISCUSSION

It is obvious that BIDs are an unqualified success. Every area where BIDs operate has experienced a decrease in crime and a decrease in the perception of crime. On March 8, 1999, the Board President and Executive Director had a productive meeting with Carol Schatz, CEO of the Downtown Center District BID, in which we agreed to explore methods to give BIDs flexibility while ensuring that public and officer safety is maintained. The following represents our attempt to satisfy that agreement:

Fees

The Police Commission does not have the authority to waive fees. Although the fees collected are cost neutral, which reflect the actual dollars spent for investigation and administration, only the City Council can authorize a waiver of fees.

Permits

Even if the City Council waives fees, the Ordinance obligates the Police Commission to require the private guard companies and individual private guards to obtain a permit. The Downtown Center District BID made over 4,000 police related contacts in 1998. For the safety of the public, it is **recommended** that Commission Investigation Division (CID) continue to do a background check on private guards. We have had instances in the past where applicants received a clean record check when applying for their state license but showed criminal activity when applying for their Police Commission Permit.

Uniforms

It is **recommended** that the Police Commission maintain authority over private guard uniforms while practicing great flexibility. The issue should always be, "Will the public confuse a private patrol guard with a regular police officer?" In the case of the Downtown BID's purple t-shirts and pith helmets, the obvious answer is "no." It is **recommended** that a variance be granted.

Vehicles

It is **recommended** that the Police Commission maintain authority over private guard vehicles so that there is no confusion by the public as to whether it is an official police vehicle. In the case of the Downtown BID's purple and white security patrol vehicle, there would not be a problem providing that the Police Permit number is applied to the vehicle, as per Rule 11. Therefore, it is **recommended** that the vehicle utilized by the Downtown BID be approved. However, the Police Commission does not have the authority to waive Vehicle Code Section 25279, which prohibits the activation of a flashing amber warning light while the vehicle is on the highway unless directed by a peace officer.

Equipment, Weapons and Ammunition

All equipment must be of a type previously approved by the Board of Police Commissioners.

Reports to Police

It is **recommended** that the Police Commission waive the responsibility of the BIDs to report all violations of the law to them, providing the BIDs continue to report the violations directly to the Police Department.

Submittal of Employee Lists

Currently, the private guard operators are required to submit an employee list to the Board four times a year. It is **recommended** that the Board reduce this requirement to twice a year for the BIDs.

Complaints against Private Guard Operators and Employees

It is **recommended** that these complaints continue to be forwarded and the investigation be conducted by members of the Department and be subject to review by the Board of Police Commissioners.

ARGUMENTS FOR

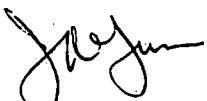
The BIDs play a vital role in promoting public safety and revitalizing an area. It is **recommended** that the Board approve the foregoing modifications of its rules for all BIDs.

ARGUMENTS AGAINST

The Board should take into account that guard companies operating outside a BID may object to more stringent rules. Granting BIDs modifications or exemptions to the Board's rules may be perceived as unfair.

RECOMMENDATION

It is **recommended** that the Board of Police Commissioners approve the items listed under "Discussion", forward this report to the City Council, and reaffirm to the Downtown Center District BID that, until the City Council takes action, the Police Commission will continue to cease enforcement efforts against that Downtown BID.


JOSEPH A. GUNN
Executive Director

Attachments

(Amended by Ord. No. 148,077, Eff. 3/22/76.) 5234

(a) Definitions:

For the purpose of this article, certain terms used herein are defined as follows:

(1) Private Patrol Service.

The term "private patrol service" shall mean any person or association of persons, or, partnership, or corporation which furnishes or purports to furnish to members, subscribers, or customers any uniformed or special officer for the purpose of affording additional security and protection of person and property or to perform any other service directly related to the "private protection of life and property".

(2) Special Officer.

The term "special officer" shall mean any person who performs for a private patrol service the duties of a uniformed guard, uniformed watchman or uniformed patrolman whose primary function is patrolling from one location to another by City streets. This definition shall not apply to uniformed watchman, uniformed guards or uniformed caretakers employed by an entity other than a private patrol service, such as by industrial plants, department stores, community associations, or private clubs wherein said function does not require patrolling from one location to another by use of a City street, nor shall it apply to persons employed by such an entity solely in connection with the commercial, public, or professional business of such an entity.

(b) Private Patrol Service Permit.

(1) Requirement.

It shall be unlawful to engage in the business of maintaining or operating any private patrol service in the City of Los Angeles without first obtaining a permit as required by the State of California and a permit from the City.

(2) Applications for Permits.

A. Fees. An application for a permit to operate, maintain and conduct a private patrol service business in the City shall be filed together with an application fee with the Permit Section of the City Clerk's Office on forms supplied by the City. In addition thereto, a separate application signed and verified by the applicant shall also be filed with the Police Commission, and said application shall state the name, address and organization of the private patrol service, its method of operation, the territory or location it proposes to serve, the names, addresses and physical description of its officers, members, associates and employees, and such other identification and information including, but not limited to, fingerprints and recent photographs of the applicant, its officers, members, associates, and employees as may be deemed necessary by Board of Police Commissioners.

B. Surety Bond. The application for a permit for a private patrol service as required by this Article must be accompanied by a surety bond underwritten by a corporate surety admitted to do business in California, in a form approved by the City Attorney, in the sum of \$15,000 blanket coverage for each and all employees, officers, members or associates of the private patrol service. The bond shall be conditioned upon the faithful and honest conduct of the business of private patrol service by the permittee and also conditioned upon faithful compliance with this Code, each and all of the ordinances of the City and the laws of the State of California in force, or which may thereafter be adopted, relating to the business of private patrol service. The permittee and sureties named in the bond, and their successors and assigns, shall be jointly and severally liable to the City and to any person, firm or corporation for damages suffered by reason of the wrongful acts of the permittee, its officers, associates,

members, or employees in breach of the conditions of the bond. The bond shall not be void upon any one or more recoveries thereunder, but may be sued and recovered upon from time to time by any person, firm or corporation aggrieved or damaged, to the extent thereof. The bond shall be renewed to its original amount on each annual anniversary thereof. Notice of any proposed cancellation of the bond shall be sent by registered mail to the Insurance and Bonds section of the Office of the City Attorney and to the Board of Police Commissioners not less than 30 days in advance of the cancellation date.

C. State License Bond. Before a permit for a private patrol service is issued, the applicant shall furnish the Board of Police Commissioners with a photostatic or certified copy of his State of California License and Bond evidencing that he has complied with State laws relating to the business of private patrols.

D. Insurance. A private patrol service shall furnish evidence of the following insurance with the Board of Police Commissioners upon request: workers' compensation, general liability insurance, automobile insurance and false arrest insurance in amounts to be determined by the Board.

(c) Special Officers.

(1) Registration.

Each special officer must be currently registered with the Bureau of Collection and Investigation Services of the State of California as required by Section 7514(f) of the Business and Professions Code of the State of California. The private patrol service will be responsible for each special officer to be registered and to carry proof thereof at all times while on duty. If at any time a special officer while on duty for such a private patrol service cannot produce a temporary or permanent State registration when requested by a City police officer, the private patrol service may be subject to suspension or revocation of its Police permit privilege to operate within the City.

(2) Permit. (Amended in Entirety, Ord. No. 158,407, Eff. 11/20/83.)

A. Any employee, or any officer or member or associate of a private patrol service who performs the service of a Guard, Watchman, Patrolman or other private patrol function whose duties involve patrolling from one location to another by City streets must possess a valid Special Officer's permit at all times as issued by the Police Commission.



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B. In addition to or in lieu of a Board-issued temporary permit authorized by Section 103.06(b), a temporary permit not to exceed 45 days may be issued to an applicant by the Secretary of the Board provided the following conditions are met:

a. An application for permit is on file at the main office of the City Clerk and all permit fees have been paid; and

b. A preliminary investigation by Commission staff does not reveal information which would normally constitute grounds for denial; and

c. The applicant possesses a valid permanent or temporary California State Guard Registration Card, and State Firearms Permit, if the applicant intends to carry a firearm; and

d. The applicant possesses a valid California Driver's License.

The Secretary of the Board may suspend such temporary permit at any time if the Secretary has reason to believe that any of the above conditions have not been met. The Secretary shall notify the applicant in writing of the reasons for any such suspension, and the application for a permanent permit shall continue to be processed according to provisions of this code and any applicable rules and regulations of the Board.

(3) Uniform, Equipment, Badges, Insignia.

A. No badge, insignia or uniform shall be used or worn by any employee, officer, member or associate of a private patrol service, while on duty for said patrol service, which is of such a design as to be mistaken for an official badge, insignia or uniform worn by a law officer of any city, county, or state agency within its jurisdiction. The applicant or permittee shall submit to the Board of Police Commissioners a sample of the insignia intended to be used in the conduct of the private patrol service involved. The Board of Police Commissioners shall approve the color of the proposed uniform and shall issue upon payment therefor a form of badge, which shall not contain the word "police". While engaged in the performance of duties, a special officer shall wear and display the badge issued pursuant to this section and insignia on the outside of his or her uniform in a clearly visible manner. Badges issued pursuant to this section shall not be altered, modified or defaced or be used, worn or displayed in such condition. Any badge issued hereunder which is in need of repair or replacement or otherwise not authorized for use shall be immediately returned and delivered to the Board of Police Commissioners or its representative. It shall be unlawful for anyone other than a permittee hereunder to use, wear or display a badge issued pursuant to this section. No insignia shall be worn if the sample thereof submitted to the Board of Police commissioners has been determined by the Board to be in violation of this section.

B. The Board of Police Commissioners shall specify the police-type equipment, including weapons and ammunition, which a special officer may carry while on duty, and it shall be unlawful for a special officer to carry, wear, or to use any such equipment, including weapons and ammunition, while on duty if such is of a type not previously approved by the Board of Police Commissioners for said officer.

The use of any firearm and ammunition, by a special officer, shall be of a brand name, model and caliber as approved by the Board of Police Commissioners or its agent.

No special officer shall carry any firearms in the performance of his or her duties unless he or she has completed the course of training specified in Section 7514.1 of the Business and Professions Code of the State of California.

(d) Motor Vehicle.

The Board of Police Commissioners or its agent shall approve the type or character of identification markings or insignia required hereunder to be placed on any motor vehicle used in the operation of any private patrol service. A private patrol operator shall not use or permit to be used for purposes of patrolling, any vehicle which is not marked and identifiable with approved markings or insignia in accordance herewith and with rules and regulations adopted by the Board of Police Commissioners. No vehicle used by a private patrol service shall be equipped with a red light, siren, or be painted in a manner similar to a police vehicle of the City of Los Angeles or other law enforcement agency with jurisdiction in the City.

(e) Reports to Police.

Every private patrol service operator and every special officer shall immediately make a report to the Police Department and to the Board of Police Commissioners of any violation of the Los Angeles Municipal Code, or State, or federal law which comes to his or her attention, with the exception of minor traffic offenses. The private patrol service shall also immediately report to the Police Department any weapon discharge or arrest made within the City, by any employee, officer member, or associate of the private patrol service.

(f) Authority to Make Rules and Regulations.

The Board of Police Commissioners shall have the authority to make rules and regulations not inconsistent with this chapter concerning private patrol services and special officers.

(g) Permits; Nontransferable.

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Every private patrol service operator and every special officer shall immediately make a report to the Police Department and to the Board of Police Commissioners of any violation of the Los Angeles Municipal Code, or State, or federal law which comes to his or her attention, with the exception of minor traffic offenses. The private patrol service shall also immediately report to the Police Department any weapon discharge or arrest made within the City, by any employee, officer member, or associate of the private patrol service.

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The Board of Police Commissioners shall have the authority to make rules and regulations not inconsistent with this chapter concerning private patrol services and special officers.

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Permits issued under this article are not transferable. This section shall not be construed to prohibit the owner of a private patrol service from selling, assigning or transferring such service, however any new owner, transferee, or assignee shall be required to qualify under this article before commencing operations or carrying on business as a private patrol service.

(h) Licenses and Fees Not Exclusive.

Fees and permits required by this article shall be in addition to any license, permit or fee required under any other chapter of this code.

SEC. 52.37.1. USE OF OFFICIAL POLICE TITLES BY PRIVATE AGENCIES - SIMILAR SUBTERFUGES - PROHIBITED.

(a) "Chief Detectives," "Chief of Detective Bureau."

No person shall use the title "Chief of Detectives" or "Chief of Detective Bureau" alone or in connection with any other term, phrase, symbol, initial or language, in carrying on any private business, employment or activity.

(b) Other Police Titles.

No person shall, in connection with any private business, employment or activity, use the title "Chief of Police," "Police Chief," "Detective" or any other title or designation whatever calculated to indicate an official connection with the Police Department of this city or with the police force of any other government or government agency, unless accompanied by additional language clearly displaying without the use of initials or symbols, the identity of the private agency or employer on whose behalf the user of the title or designation is acting or purporting to act.

(c) Police Operations.

No person, other than a regular police officer of the City of Los Angeles, shall, for any purpose whatsoever, represent himself, or falsely represent another, to be a member of the Police Department of this city, or use any sign, word, language or device calculated to induce a false or mistaken belief that he is acting or purporting to act on behalf of the Police Department of this city within the scope of any real or purported duty thereof.

(d) Collections, etc.

No person other than a regular police officer of this city, acting within the scope and course of his official duties, shall use any sign, badge, title or designation, or make any express or implied representation, calculated to induce the belief that he is a member of the police force of this city, or

RULES AND REGULATIONS GOVERNING PRIVATE PATROLS AND PRIVATE PATROL SPECIAL OFFICERS

(IN ADDITION TO STATE LAWS AND CITY ORDINANCES)

PRIVATE PATROL PERMIT: No person shall manage, conduct or carry on the business of a Private Patrol unless under and by authority by a written permit from the Board.

1. Each permittee shall have and maintain a business address and/or an emergency telephone number where a company representative is immediately available to members of the Los Angeles Police Department on a 24 hour per day basis.
2. No advertisement of any kind shall in any way imply that the patrol service is a part of the Los Angeles Police Department or any other law enforcement agency, or under contract or in any other way connected therewith.
3. A copy of any advertisement, notice, or card used by a permittee shall be submitted to the Board of Police Commissioners.
4. Unless prior exemption in writing is granted by the Board of Police Commissioners, all members of a Private Patrol shall be in full Private Patrol uniform at all times when performing any duty or service incidental to the operation of a Private Patrol.
5. The wearing or displaying of the badges and/or weapons and the carrying of loaded weapons by a private patrol operator, his employee, or self-employed Special Officer is prohibited except while performing services as a Private Patrol Special Officer.
6. Only assigned badges issued by the Board, shall be worn by the Private Patrol operator, his employees, and self-employed Special Officers, when performing services as a Special Officer.
7. Badges issued by the Board shall only be worn by the Special Officer to whom the badge was issued.
8. Any uniform worn by the permittee's employees shall be slate grey in color.
9. Hat emblems or pieces shall be uniform for each employee of a patrol service, and shall be silver in color and of a design approved by the Police Commission or its agent.
10. Employee address changes shall be maintained by the permittee and are subject to inspection by the Board or its agent.
11. Each vehicle used for the purpose of patrolling shall have the following: The Police Commission number issued to the permit holder, in no less than 3 inch letters and numerals, in at least three places; one on the lower outside portion of the driver's door; one on the lower outside portion of the passenger's door on the right side of the vehicle; and one on the outside rear section of the vehicle and these shall be clearly visible and readable from 50 feet. These letters and numerals shall be permanently attached.
Note: It shall be the responsibility of the permit holder to remove or cause to be removed said letters and numerals upon sale or transfer of said vehicle to a non-patrol function.
12. Each holder of a Private Patrol permit shall hold monthly inspections of all uniforms, required identification cards, badges, equipment, ammunition, and weapons. Records of inspections shall be maintained for a period of one year and be available to the Commission or their agent upon request thereof.
13. All Private Patrol operators and self-employed Special Officers shall prepare and deliver an employee list to the Board four (4) times per year. The employee list shall be received by the Board no later than January 10th, April 10th, July 10th, and October 10th of each calendar year. The employee list shall include the employee's name, Police Commission number, Police Commission Badge number, State Identification number and other State required certifications (i.e., Firearms, Baton, Chemical agents, etc.).
14. When a Special Officer has severed employment with any private patrol, or has ceased to perform the duties which require the issuance of a Special Officer's identification card and badge, the Special Officer's employer, or if self-employed, the Special Officer, shall, within ten (10) days of termination, return the Special Officers identification card and badge to the Police Commission. The identification card and badge remain the property of the Los Angeles Police Department.
Note: The private patrol company employing the Special Officer shall act as the authorized agent of the Board for the sole purpose of obtaining and returning the terminated employee's identification card and badge.
15. Upon request, in connection with his duties, a Special Officer shall identify himself as a Special Officer and give his name, badge number, and employer's name. At no time shall he so conduct himself by word or manner as to lead others to believe that he possesses the power to enforce Traffic Regulations or issue Traffic Citations, and he shall not interfere with or attempt to influence the lawful business of any person.
16. A Board Rule which is ruled to be invalid by a Court of competent jurisdiction shall not invalidate the remaining Board Rules.
17. The Private Patrol operator shall forward copies of all complaints regarding the activities of that Private Patrol permittee and or his agents. These shall be investigated by members of the Los Angeles Police Department, and are subject to review by the Board of Police Commissioners.
18. Each holder of a Private Patrol permit shall keep posted in a conspicuous location in his local place of business a copy of these rules and a copy of the rules and laws regulating Private Patrol Officers and shall keep copies thereof also available for review at the main place of business of said operator.
19. Violation of any of these rules, or the violation of any State and/or local law in connection with the operation of a Private Patrol, may be cause for suspension and/or revocation of the permit held by the Private Patrol operator or their employees.

Adopted by the Board of Police Commissioners at a regular meeting of December 11, 1975.
Amended April 29, 1980.

Warning Lights on Private Security Agency Vehicles

25279. (a) Vehicles owned and operated by private security agencies and utilized exclusively on privately owned and maintained roads to which this code is made applicable by local ordinance or resolution, may display flashing amber warning lights to the front, sides, or rear, while being operated in response to emergency calls for the immediate preservation of life or property.

(b) (1) Vehicles owned by a private security agency and operated by personnel who are registered with the Department of Consumer Affairs under Article 3 (commencing with Section 7582) of Chapter 11.5 of Division 3 of the Business and Professions Code may be equipped with a flashing amber warning light system while the vehicle is operated on a highway, if the vehicle is in compliance with Section 37605 and is distinctively marked with the words "PRIVATE SECURITY" or "SECURITY PATROL" on the rear and both sides of the vehicle in a size that is legible from a distance of not less than 50 feet.

(2) The flashing amber warning light system authorized under paragraph (1) shall not be actuated while the vehicle is on the highway, unless otherwise directed by a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.

(c) A peace officer may order that the flashing amber warning light system of a vehicle that is found to be in violation of this section be immediately removed at the place of business of the vehicle's owner or a garage.

(d) A flashing amber warning light system shall not be installed on a vehicle that has been found to be in violation of this section, unless written authorization is obtained from the Commissioner of the California Highway Patrol.

Amended Sec. 79, Ch. 1154, Stat. 1996, Effective September 30, 1996, by terms of an urgency clause.

The 1996 amendment added the italicized material.

MAR 05 1999

Business Improvement Districts (B.I.D.s) are an important public-private partnership being used throughout Los Angeles as an economic development tool to enhance business districts. B.I.D.s are established by an action of the City Council in order to assist businesses, or the property owners, to initiate improvements and activities that benefit the businesses, their employees, their customers and the community in the immediate area. Their efforts may include newsletters, street banners, maintenance services and private patrol services. Frequently, the B.I.D.s adopt color themes to provide a unique identity for their area.

As with any innovative effort, problems can arise when beginning implementing a program. For example, the Downtown Center Business Improvement District (B.I.D.) has established a private patrol service and provided it with uniforms in the B.I.D.s theme colors. Recently, the Police Commission, which regulates private patrols, has put the Downtown Center B.I.D. and other B.I.D.s on notice for failure to comply with its rules and regulations regarding private patrol services. Specifically, the Commission's rules require that private patrol service uniforms be grey in color. The notification also indicates that the Downtown Center B.I.D. needs to pay the City's permit fees.

State law also regulates private patrols and sets mandatory fees, including those for licenses, firearms, batons and insurance. Section 52.34 of the Los Angeles Municipal Code (L.A.M.C.), which regulates private security patrols and officers, is intended to set forth guidelines for the Police Commission in its oversight of these State-regulated entities. The ordinance requires a City private patrol service permit and levies a "per officer" fee based on the City's cost incurred to exercise such oversight. The ordinance also authorizes the Police Commission to specify the type of uniform, equipment (including vehicles), badges and insignia that are used by any private patrol service or its agents and employees. The Commission's rules allow for waivers of its regulations.

The Downtown Center B.I.D. states that the City's fees and requirements, in combination with those of the State's, are prohibitive given the B.I.D.'s limited financial resources. They also indicate that the regulation of uniform color conflicts with their operational philosophies. The Commission has notified this B.I.D. that it will commence enforcement of the citation effective April 1, 1999.

As more B.I.D.s are established, similar problems may arise between their initiatives and the specific details of the City's public safety rules and regulations. Those rules should be reviewed to see what modifications might be made to assist the B.I.D.s in the achievement of their goals, while still allowing the City to provide the necessary required public safety oversight. An initial effort in assisting B.I.D.s was a previous Council motion (Alatorre-Bernson, C.F. 97-2341) that proposed that B.I.D.s be exempted from police permit fees for supplemental security services provided by the B.I.D. This motion is in the committee process pending a report from the City Administrative Officer.

I THEREFORE MOVE that the City Council request the Police Commission, with the assistance of the City Attorney, to report within 15 days regarding their requirements and enforcement activities under L.A.M.C. Section 52.34 - Private Patrol Service - Regulations, and how the rules can be modified to better coincide with the Mayor and Council's goals and objectives in creating B.I.D.s citywide, while still maintaining guidelines that protect the public's and officer's safety.

I FURTHER MOVE that the City Council request the Police Commission to cease their enforcement against the City's Downtown Center B.I.D. and its private patrol service, and any other B.I.D.s, until this matter has been reviewed by the City Council.

John **I FURTHER MOVE** that the City Administrative Office report back within 15 days on the previous Council motion (Alatorre-Bernson, C.F. 97-2341) relative to the exemption of B.I.D.s from police permit fees for supplemental security services provided by the B.I.D.s.

Mo.
ADOPTED
MAR 16 1999

PRESENTED BY:

Laura Chick
LAURA CHICK
Councilmember, Third District

SECONDED BY:

Steve Blue



JAMES K. HAHN
CITY ATTORNEY

Office of the City Attorney
Los Angeles, California

WRITER'S DIRECT DIAL:

FAX:
TTY:

REPORT NO. **R00-0148**

MAR 31 2000

REPORT RE:

**DRAFT ORDINANCE AMENDING L.A.M.C. SECTION 52.34
RELATED TO PRIVATE PATROL SERVICES AND OFFICERS**

The Honorable City Council
Public Safety Committee
Room 415, City Hall East

Attn: Brian Walters
Legislative Assistant

(Council File No. 99-0355)

RECEIVED
CITY CLERK'S OFFICE
00 APR -3 AM 10:58
BY _____
CITY CLERK
DEPUTY

Honorable Members:

Transmitted herewith, approved as to form and legality, and pursuant to the request of the Chair of the Public Safety Committee, is a draft ordinance amending Los Angeles Municipal Code Section 52.34 by making deletions and additions to eliminate duplication and/or conflict with the California Business and Professions Code.

This draft ordinance is presently scheduled to be considered by the Board of Police Commissioners on April 4, 2000. However, it is my understanding that representatives of the private patrol industry are requesting the matter be continued so that discussions regarding further changes may occur. I will be at an Emergency Operations seminar in preparation for the Democratic National Convention during the week of April 10-14, 2000. Therefore, the next Police Commission meeting at which I could present the draft ordinance would be April 18, 2000.

PUBLIC SAFETY

APR 3 2000

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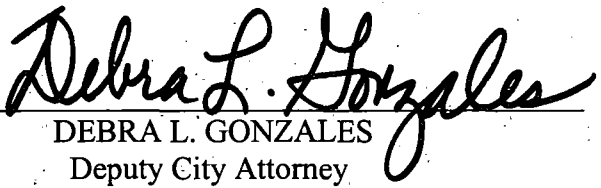


The Honorable City Council
City of Los Angeles
Page 2

If you have any questions, you may contact me at 213 485-5414.

Very truly yours,

JAMES K. HAHN, City Attorney
CECIL W. MARR, Senior Assistant City Attorney
DEBRA L. GONZALES, Deputy City Attorney

By 
DEBRA L. GONZALES
Deputy City Attorney

ORDINANCE NO. _____

An ordinance amending Section 52.34 of the Los Angeles Municipal Code related to regulation of private security services.

Sec. 52.34 PRIVATE PATROL SERVICE - REGULATIONS
(Amended by Ord. No. _____, Eff. _____.)

(a) Definitions:

For the purpose of this article, certain terms used herein are defined as follows:

(1) **Private Patrol Service.** The term “**private patrol service**” shall mean any person or association of persons, or partnership, or corporation which furnishes or purports to furnish to members, subscribers, or customers any uniformed or special street patrol officer for the purpose of affording additional security and protection of person and property or to perform any other service directly related to the “private protection of life and property”.

(2) **Special Officer. Street Patrol Officer.** The term “**special officer**” “**street patrol officer**” shall mean any person who performs for a private patrol service the duties of a uniformed guard, uniformed watchman or uniformed patrolman patrol officer or any of the duties described in subdivision (a)(1) whose primary function is patrolling from one location to another by City streets by street patrol service utilizing foot patrol, motor patrol, or other means of transportation in public areas, City streets, or public thoroughfares. This definition shall not apply to uniformed watchman watchmen, uniformed guards or uniformed caretakers employed by an entity other than a private patrol service, such as by industrial plants, department stores, community associations, or private clubs wherein said function does not require patrolling from one location to another by use of a City street, nor shall it apply to persons employed by such an entity solely in connection with the commercial, public, or professional business of such an entity.

(b) Private Patrol Services Permit.

(1) **Requirement. Permit.** It shall be unlawful to engage in the business of maintaining or operating any private patrol service in the City of Los Angeles without first obtaining a permit license as required by the State of California and a permit from the City.

(2) Applications Requirements for Permits. *The following requirements must be met to obtain a permit to operate, maintain and conduct a private patrol service in the City.*

A. Fee. Registration. An application for a permit to operate, maintain and conduct a private patrol service business in the City. A registration form shall be filed together with an application fee with the Permit Section of the City Clerk's Office on forms supplied by the City. In addition thereto, a separate application signed and verified by the applicant shall also be filed with the Police Commission, and said application The registration form shall be signed and verified by the registrant and shall state the name, address and organization of the private security service, its method of operation, the territory or location it proposes to serve, the names, addresses and physical description of its officers, members, associates and employees. , and such other identification and information including, but not limited to, fingerprints and recent photographs of the applicant, its officers, members, associates, and employees as may be deemed necessary by Board of Police Commissioners.

B. Surety Bond. The application for a permit for a private patrol service as required by this Article must be accompanied by a surety bond underwritten by a corporate surety admitted to do business in California, in a form approved by the City Attorney, in the sum of \$15,000 blanket coverage for each and all employees, officers, members or associates of the private patrol service. The bond shall be conditioned upon the faithful and honest conduct of the business of private patrol service by the permittee and also conditioned upon faithful compliance with this Code, each and all of the ordinances of the City and the laws of the State of California in force, or which may thereafter be adopted, relating to the business of private patrol service. The permittee and sureties named in the bond, and their successors and assigns, shall be jointly and severally liable to the City and to any person, firm or corporation for damages suffered by reason of the wrongful acts of the permittee, its officers, associates, members, or employees in breach of the conditions of the bond. The bond shall not be void upon any one or more recoveries thereunder, but may be sued and recovered upon from time to time by any person, firm or corporation aggrieved or damaged, to the extent thereof. The bond shall be reviewed to its original amount on each annual anniversary thereof. Notice of any proposed cancellation of the bond shall be sent by registered mail to the Insurance and Bonds section of the Office of the City Attorney and to the Board of Police Commissioners not less than 30 days in advance of the cancellation date.

C. B. State License Bond. Before a permit for a private patrol service is issued, the applicant shall furnish the Board of Police Commissioners with The registration form for a permit shall be accompanied by a photostatic or certified copy of his the private patrol service's State of California License and Bond evidencing that he has complied compliance with State laws relating to the business of private patrols.

D. Insurance. A private patrol service shall furnish evidence of the following insurance with the Board of Police Commissioners upon request: workers' compensation, general liability insurance, automobile insurance and false arrest insurance in the amounts to be determined by the Board, required by State law.

(c) Special Street Patrol Officers.

(1) **Registration.** Each special officer must be currently registered with the Bureau of Collection and Investigation Services of the State of California as required by Section 7514(f) of the Business and Professions Code of the State of California. The private patrol service will be responsible for each special officer to be registered and to carry proof thereof at all times while on duty. If at any time a special officer while on duty for such a private patrol service cannot produce a temporary or permanent State registration when requested by a City police officer, the private patrol service may be subject to suspension or revocation of its Police permit privilege to operate within the City.

*(1) **Permit.** It shall be unlawful for any person to perform the duties of a street patrol officer in the City of Los Angeles without first obtaining a Guard Registration card as required by the State of California and a permit from the City.*

(2) **Permit.** (Amended in Entirety, Ord. No. 158,407, Eff. 11/20/83.)

A. Any employee, or any officer or member or associate of a private patrol service who performs the service of a Guard, Watchman, Patrolman or other private patrol function whose duties involve patrolling from one location to another by City streets must possess a valid Special Officer's permit at all times as issued by the Police Commission.

*(2) **Requirements for Permit.** The following requirements must be met to obtain a permit to perform the duties of a street patrol officer in the City.*

*A. **Registration.** A registration form shall be filed with the Permit Section of the City Clerk's Office on forms supplied by the City. The registration form shall be signed and verified by the registrant and shall state his name, address and the name and address of the private patrol service by whom he is employed.*

*B. **State Registration Card.** The registration form for a street patrol officer permit must be accompanied by a photostatic or certified copy of his State of California Guard Registration card evidencing compliance with the State laws relating to the occupation of a street patrol officer.*

B. In addition to or in lieu of a Board-issued temporary permit authorized by Section 103.06(b), a temporary permit not to exceed 45 days may be issued to an applicant by the Secretary of the Board provided the following condition are met:

a. An application for permit is on file at the main office of the City Clerk and all permit fees have been paid; and

b. A preliminary investigation by Commission staff does not reveal information which would normally constitute grounds for denial; and

c. The applicant possesses a valid permanent or temporary California State Guard Registration Card, and State Firearms Permit, if the applicant intends to carry a firearm; and

d. The applicant possess a valid California Driver's License.

The Secretary of the Board may suspend such temporary permit at any time if the Secretary

has reason to believe that any of the above conditions have not been met. The Secretary shall notify the applicant in writing of the reasons for any such suspension, and the application for a permanent permit shall continue to be processed according to provisions of this code and any applicable rules and regulations of the Board.

(3)(d) Uniform, Equipment, Badges, Insignia.

A. (1) General. No Any badge, insignia, patch or uniform shall be used or worn by any employee, officer, member or associate of a private patrol service, while on duty for said patrol service, shall be in compliance with State law. Any such badge, insignia, patch or uniform shall not be which is of such a design as to be mistaken for an official badge, insignia or uniform worn by a law enforcement officer of the City of Los Angeles or any other law enforcement agency with jurisdiction in the city. any city, county, or state agency within its jurisdiction. The applicant or permittee shall submit to the Board of Police Commissioners a sample of the insignia intended to be used in the conduct of the private patrol service involved. The Board of Police Commissioners shall approve the color of the proposed uniform and shall issue upon payment therefore a form of badge, which shall not contain the word "police". While engaged in the performance of duties, a special officer shall wear and display the badge issued pursuant to this section and insignia on the outside of his or her uniform in a clearly visible manner. Badges issued pursuant to this section shall not be altered, modified or defaced or be used, worn, or displayed in such condition. Any badge issued hereunder which is in need of repair or replacement or otherwise not authorized for use shall be immediately returned and delivered to the Board of Police Commissioners or its representative. It shall be unlawful for anyone other than a permittee hereunder to use, wear or display a badge issued pursuant to this section. No insignia shall be worn if the sample thereof submitted to the Board of Police commissioners has been determined by the Board to be in violation of this section.

(2) Uniforms. The Private Patrol Service shall submit to the Board of Police Commissioners a sample or color photograph of the proposed uniform for approval by the Board to ensure that it does not resemble a uniform of any law enforcement agency with jurisdiction in the City. No uniform shall be worn if the sample thereof submitted to the Board has been determined to be in violation of subsection (d)(1).

B. The Board of Police Commissioners shall specify the police type equipment, including weapons and ammunition, which a special officer may carry while on duty, and it shall be unlawful for a special officer to carry, wear, or to use any such equipment, including weapons and ammunition, while on duty if such is of a type not previously approved by the Board of Police Commissioners for said officer.

The use of any firearm and ammunition, by a special officer, shall be of a brand name, model and caliber as approved by the Board of Police Commissioners or its agent.

No special officer shall carry any firearms in the performance of his or her duties unless he or she has completed the course of training specified in Section 7514.1 of the Business and Professions Code of the State of California.

(3) Equipment, Weapons, Ammunition. *The Board of Police Commissioners shall specify the police type equipment, including weapons and ammunition, which a street patrol officer may carry while on duty, and it shall be unlawful for a street patrol officer to carry, wear, or use any equipment, weapons or ammunition, while on duty if such is of a type not previously approved by the Board of Police Commissioners. Firearms and ammunition used by street patrol officers shall be of a brand name, model and caliber approved by the Board of Police of Police Commissioners. No street patrol officer shall carry any firearm in the performance of his duties unless he possesses a valid firearm qualification card issued by the State for said firearm.*

(d) (e) Motor Vehicles. The Board of Police Commissioners or its agent shall approve the type or character of identification markings or insignia required hereunder to be placed on any motor vehicle used in the operation of any private patrol service. *Each vehicle used for the purpose of patrolling shall have the State Private Patrol Operator license number in three inch letters and numerals in the following places: on the lower outside portion of the driver's door; on the lower outside portion of the passenger's door on the right side of the vehicle; and on the outside rear section of the vehicle. The letters and numerals shall be clearly visible and readable from a distance of fifty feet and shall be permanently affixed to the vehicle. A private patrol operator service shall not use or permit to be used for purposes of patrolling, any vehicle which is not marked and identifiable with approved markings or insignia in accordance herewith. and with rules and regulations adopted by the Board of Police Commissioners.* No vehicle used by a private patrol service shall be equipped with a red light, siren, or be painted in a manner similar to a police vehicle of the City of Los Angeles or other law enforcement agency with jurisdiction in the City. *The private patrol service shall submit to the Board of Police Commissioners a color photograph of the proposed vehicles showing compliance with this subsection.*

(e) (f) Reports to Police. Every private patrol service operator and every special street patrol officer shall immediately make a report to the Police Department and to the Board of Police Commissioners of any felonies, high-grade misdemeanors or violation of the Los Angeles Municipal Code, or State or federal law which comes to his attention. , with the exception of minor traffic offenses. The private patrol service shall also immediately report to the Police Department any weapon discharge or arrest made within the City, by any employee, officer member, or associate of the private patrol service.

(g) Employees. *The private patrol service will be responsible for each street patrol officer to be registered with the State and to carry proof thereof at all times while on duty. A Street Patrol Officer in connection with his duties, upon request by a law enforcement officer, shall identify himself as a Street Patrol Officer and shall give his name and employer's name. At no time shall a Street Patrol Officer conduct himself by word or manner as to lead others to believe that he possesses the power to enforce Traffic Regulations or to issue Traffic Citations, and he shall not interfere with or attempt to influence the lawful business of any person.*

(f) (h) Authority to Make Rules and Regulations. The Board of Police Commissioners shall have the authority to make rules and regulations not inconsistent with State law or this chapter concerning private patrol services and special private patrol officers.

(g) (i) Permits; Nontransferable. Permits issued under this article are not transferable. This section shall not be construed to prohibit the owner of a private patrol service from selling, assigning or transferring such service, however any new owner, transferee, or assignee shall be required to qualify under this article before commencing operations or carrying on business as a private patrol service.

(j) Suspension/Revocation. *Violation of any provision of this ordinance, any of the rules promulgated by the Board of Police Commissioners, or of any State or local law in connection with the operation of a Private Patrol Service, may be cause for suspension and/or revocation of the permit held by the Private Patrol Service.*

(h) (k) Licenses and Fees Permits Not Exclusive. Fees and Permits required by this article shall be in addition to any license, *or* permit or fee required under any other chapter of this code.

#110030

**RULES AND REGULATIONS GOVERNING
PRIVATE PATROL SERVICES**
(IN ADDITION TO STATE LAWS AND CITY ORDINANCES)

1. **Address/Telephone:** Each Private Patrol Service permittee shall have and maintain a business address and/or emergency telephone number where a company representative is immediately available to members of the Los Angeles Police Department on a 24-hour per day basis.
2. **Advertisements:** No advertisement of any kind shall in any way imply that the Private Patrol Service is a part of the Los Angeles Police Department or any other law enforcement agency, or under contract or in any other way connected therewith.
3. **Uniforms:** All members of a Private Patrol Service shall be in full uniform at all times when performing any duty or service incidental to the operation of the Private Patrol Service unless prior notification is given to the Los Angeles Police Department Area Watch Commander.
4. **Employee Addresses:** Employee address changes shall be maintained by the permittee and shall be subject to inspection by the Board or its agent.
5. **Inspections:** Each holder of a Private Patrol Service permit shall hold inspections at least monthly of all uniforms, required identification cards, badges, equipment, ammunition, and weapons. Records of inspections shall be maintained for a period of one year and shall be made available to the Commission or their agent upon request.
6. **Employee Lists:** All Private Patrol Services shall prepare and deliver an employee list to the Board twice a year. The employee list shall be received by the Board no later than January 10th and July 10th of each calendar year. The employee list shall include the employee's name, State Guard Registration card number and any other State required certifications (i.e., firearms, baton, chemical agents, etc.)
7. **Complaints:** The Private Patrol Service shall forward copies of all complaints regarding the activities of itself or his agents. These complaints shall be investigated by members of the Los Angeles Police Department and shall be subject to review by the Board of Police Commissioners.
8. **Rules:** Each holder of a Private Patrol Service permit shall keep a copy of these rules and a copy of the City ordinance regulating Private Patrol Services and Street Patrol Officers at the main place of business of said service and shall make the copies available for review upon request.
9. **Severability:** A Board rule which is ruled to be invalid by a Court of competent jurisdiction shall not invalidate the remaining Board Rules.

Adopted by the Board of Police Commissioners at a regular meeting of December 11, 1975. Amended _____ (date) _____, 2000.

(3)

Continued from meeting of 11-15-99
99-0355 City Attorney reports relative to draft ordinance amending the Los Angeles Municipal Code Section 52.34 for private patrol services and officers operating in Business Improvement Districts and permit fees, pursuant to Motion (Chick - Alatorre - Hernandez). (Approved by the Police Commission on 2-22-00)

Fiscal Impact Statement Submitted: No

DISPOSITION

CONT FOR 30 DAYS

(4)

00-0159 City Administrative Officer report and communication from the Mayor relative to FY 1999/00 Juvenile Justice Delinquency Prevention Program, Planning and Administration Program Reapplication for continuation funding. (Also referred to the Personnel and Budget and Finance Committees)

Fiscal Impact Statement Submitted: Yes, by CAO

DISPOSITION

(5)

00-0187 City Administrative Officer to report relative to the Police Department accepting a SMART Model I Trailer donated by Police and Community Together for use by the West Los Angeles Community Police Station.

Fiscal Impact Statement Submitted: No

DISPOSITION

(6)

99-2381 Police Department report relative to efforts to address the traffic problems at the "worst" intersections in the City, pursuant to Motion (Chick - Miscikowski). (Also referred to the Transportation Committee)

Fiscal Impact Statement Submitted: No

DISPOSITION

PUBLIC SAFETY COMMITTEE
*** Special Meeting ***
Monday - February 28, 2000

CITY LOS ANGELES SPEAKER RD

Date

2-28-00

item #3

Council File No., Agenda Item, or Case No.

99-0355

I wish to speak before the

Public Safety Committee

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

Name: Tracey Lovejoy, Executive Director

(✓) General comments

Business or Organization Affiliation:

Central City East Association

Address:

744 S. San Pedro St.

City

Los Angeles

State

CA

Zip

90014

Business phone:

(213) 228-8484

Representing:

Central City East Association

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name:

Phone #:

Client Address:

Street

City

State

Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

CITY OF LOS ANGELES SPEAKER CARD

Date

2-28-00

Council File No., Agenda Item, or Case No.

3

I wish to speak before the

Public Safety

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

☒ Against proposal

() General comments

Name:

Kenneth Aslan

Business or Organization Affiliation:

HCBID

Address:

522 So. Main LA

Street

City

State

Zip

CA 90013

Business phone: 213-688-2818

Representing:

Historic Core Dist

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name:

Phone #:

Client Address:

Street

City

State

Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

CITY OF LOS ANGELES SPEAKER BOARD

Date

2/28/00

Council File No., Agenda Item, or Case No.

1

ITEM # 3

I wish to speak before the

PUBLIC SAFETY COMMITTEE

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

☒ Against proposal

() General comments

Name: BARRY A. BRADLEY, ESQ

Business or Organization Affiliation: BRADLEY & GMEICHA / ^{FOR} BURNS INT'L SECURITY / ^{EM} CALSAGA

Address: 655 N. CENTRAL AVE, 17th FL, GLENDALE CA 91203
Street City State Zip

Business phone: 818-243-5200 Representing: BURNS INT'L SECURITY / CALSAGA

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name: _____ Phone #: _____

Client Address: _____
Street City State Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

CITY OF LOS ANGELES SPEAKER CARD

Date

March 2, 2000

Council File No., Agenda Item, or Case No.

#3

I wish to speak before the _____

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

Name: JOHN MANN ☒ Against proposal
☒ General comments

Business or Organization Affiliation: PINKERTON and CALIFORNIA CONTRACT SECURITY GUARD

Assoc.

Address: 4330 PARK TERRACE DRIVE, WESTLAKE VILLAGE, CA 91361
Street City State Zip

Business phone: (818) 706-6841 Representing: PINKERTON and CCSGA

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:



Client Name: PINKERTON (salaried employee) Phone #: See above

Client Address: See above
Street City State Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

CITY OF LOS ANGELES SPEAKER CARD

Date

2-28-00

Council File No., Agenda Item, or Case No.

#3

I wish to speak before the Public Safety

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

Name: RANDY K. ELY

(X) General comments

Business or Organization Affiliation: DOWNTOWN CTR BLD

Address: 606 So OLIVE ST # 100 LA

Street

City

90014

State

Zip

Business phone: 213-624-2146 Representing: BID

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name: _____ Phone #: _____

Client Address: _____

Street

City

State

Zip

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CITY LOS ANGELES SPEAKER RD

Date

2/28/00

Council File No., Agenda Item, or Case No.

3

PUBLIC SAFETY

I wish to speak before the

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

Name:

JOE GERMAIN

(X) General comments

Business or Organization Affiliation:

THE FASHION DISTRICT

Address:

110 E. 9TH ST.

STE C-625, L.A.,

CA 90079

Street

City

State

Zip

Business phone:

438-0599

Representing:

THE FASHION DISTRICT

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name:

Phone #:

Client Address:

Street

City

State

Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

CITY LOS ANGELES SPEAKER CARD

Date

2-28-00

Council File No., Agenda Item, or Case No.

#2 UNANIMOUS
#3 99-0355 SEC LC

I wish to speak before the Public Safety Commission
Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

Name: RANDALL K. ELY ☒ General comments

Business or Organization Affiliation: DOWNTOWN CENTER BID

Address: 606 So OLIVE ST LA 90014
Street City State Zip

Business phone: 213-624-2146 Representing: BID

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW: ☐

Client Name: _____ Phone #: _____

Client Address: _____
Street City State Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

LOS ANGELES POLICE COMMISSION

BOARD OF POLICE COMMISSIONERS

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PRESIDENT

T. WARREN JACKSON
VICE PRESIDENT

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EXECUTIVE OFFICE
SUITE 144-150, PARKER CENTER
150 N. LOS ANGELES STREET
LOS ANGELES, CA 90012

(213) 485-3531 PHONE
(213) 485-8861 FAX

February 22, 2000

Council Member Cindy Miscikowski, Chairman
Public Safety Committee
c/o City Clerk's Office
Room 615, City Hall East
200 North Main Street
Los Angeles, CA 90012

AMENDMENT TO LOS ANGELES MUNICIPAL CODE § 52.34 – PRIVATE PATROL SERVICE

At a regular meeting of the Board of Police Commissioners held February 22, 2000, this Board considered and approved the amendment to Los Angeles Municipal Code §52.34 regarding Private Patrol Service Regulations.

The Board requested that subject to your approval, the City Council be petitioned to approve this matter.

Very truly yours,
BOARD OF POLICE COMMISSIONERS

Lupe Ortiz
LUPE ORTIZ
Commission Executive Assistant II

RECEIVED
CITY CLERK'S OFFICE
FEB 23 4:11:38 PM
PUBLIC SAFETY
FEB 23 2000

SEC. 52.34. PRIVATE PATROL SERVICE - REGULATIONS
(Amended by Ord. No. _____, Eff. _____)

(a) Definitions.

For the purpose of this article, certain terms used herein are defined as follows:

(1) **Private Patrol Service.** The term "private patrol service" shall mean any person or association of persons, or partnership, or corporation which furnishes or purports to furnish to members, subscribers, or customers any uniformed or street patrol officer for the purpose of affording additional security and protection of person and property or to perform any other service directly related to the "private protection of life and property".

(2) **Street Patrol Officer.** The term "street patrol officer" shall mean any person who performs for a private patrol service the duties of a uniformed guard, uniformed watchman or uniformed patrol officer whose primary function is patrolling from one location to another by City streets. This definition shall not apply to uniformed watchmen, uniformed guards or uniformed caretakers employed by an entity other than a private patrol operator, such as by industrial plants, department stores, community associations, or private clubs wherein said function does not require patrolling from one location to another by use of a City street, nor shall it apply to persons employed by such an entity solely in connection with the commercial, public, or professional business of such an entity.

(b) Private Patrol Services.

(1) **Permit.** It shall be unlawful to engage in the business of maintaining or operating any private patrol service in the City of Los Angeles without first obtaining a license as required by the State of California and a permit from the City.

(2) Applications for Permit.

A. Application. An application for a permit to operate, maintain and conduct a private patrol service in the City shall be filed with the Permit Section of the City Clerk's Office on forms supplied by the City. The application shall be signed and verified by the applicant and shall state the name, address and organization of the private patrol service, its method of operation, the territory or location it proposes to serve, the names, addresses and physical description of its officers, members, associates and employees, and such other identification and information including, but not limited to, fingerprints and recent photographs of the applicant, its officers, members, associates, and employees as may be deemed necessary by Board of

Police Commissioners.

B. Surety Bond. The application for a permit for a private patrol service as required by this Article must be accompanied by a surety bond underwritten by a corporate surety admitted to do business in California, in a form approved by the City Attorney, in the sum of \$15,000 blanket coverage for each and all employees, officers, members or associates of the private patrol service. The bond shall be conditioned upon the faithful and honest conduct of the business of private patrol service by the permittee and also conditioned upon faithful compliance with this Code, each and all of the ordinances of the City and the laws of the State of California in force, or which may thereafter be adopted, relating to the business of a private patrol service. The permittee and sureties named in the bond, and their successors and assigns, shall be jointly and severally liable to the City and to any person, firm or corporation for damages suffered by reason of the wrongful acts of the permittee, its officers, associates, members, or employees in breach of the conditions of the bond. The bond shall not be void upon any one or more recoveries thereunder, but may be sued and recovered upon from time to time by any person, firm or corporation aggrieved or damaged, to the extent thereof. The bond shall be renewed to its original amount on each annual anniversary thereof. Notice of any proposed cancellation of the bond shall be sent by registered mail to the Insurance and Bonds section of the Office of the City Attorney and to the Board of Police Commissioners not less than 30 days in advance of the cancellation date.

C. State License Bond. Before a permit for a private patrol service is issued, the applicant shall furnish the Board of Police Commissioners with a photostatic or certified copy of his State of California License and Bond evidencing that he has complied with State laws relating to the business of private patrols.

D. Insurance. A private patrol service shall furnish evidence of the following insurance with the Board of Police Commissioners upon request: workers' compensation, general liability insurance, automobile insurance and false arrest insurance in amounts to be determined by the Board.

(c) Street Patrol Officers.

(1) Registration. Each street patrol officer must be currently registered with the Bureau of Security and Investigative Services of the State of California as required by Section 7582 of the Business and Professions Code of the State of California. The private patrol service will be responsible for each street patrol officer to be licensed by the State and to carry proof thereof at all times while on duty. If at any time a street patrol officer while on duty for such a private patrol service cannot produce a temporary or permanent State license when requested by a City police officer, the private patrol service may be subject to suspension or revocation of its Police Commission permit privilege to operate within the City.

(2) Permit.

A. Any employee, or any officer or member or associate of a private patrol service who performs the service of a uniformed guard, uniformed watchman, uniformed patrol officer or other private patrol function whose duties involve patrolling from one location to another by City streets must possess at all times a valid Street Patrol Officer's permit issued by the Board of Police Commissioners.

B. In addition to or in lieu of a Board-issued temporary permit authorized by Section 103.06(b), a temporary permit not to exceed 45 days may be issued to an applicant by the Secretary of the Board provided the following conditions are met:

a. An application for permit is on file at the main office of the City Clerk; and

b. A preliminary investigation by Commission staff does not reveal information which would normally constitute grounds for denial; and

c. The applicant possesses a valid permanent or temporary California State Guard Registration Card, and State Firearms Permit, if the applicant intends to carry a firearm; and

d. The applicant possess a valid California Driver's License.

The Secretary of the Board may suspend such temporary permit at any time if the Secretary has reason to believe that any of the above conditions have not been met. The Secretary shall notify the applicant in writing of the reasons for any such suspension, and the application for a permanent permit shall continue to be processed according to provisions of this code and any applicable rules and regulations of the Board.

(d) Uniform, Equipment, Badges, Insignia.

(1) **General.** Any badge, insignia, patch or uniform used or worn by any employee, officer, member or associate of a private patrol service, while on duty for said patrol service, shall be in compliance with State law. Any such badge, insignia, patch or uniform shall not be of such a design as to be mistaken for an official badge, insignia, patch or uniform worn by a law enforcement officer of the City of Los Angeles or any other law enforcement agency with jurisdiction in the City.

(2) **Uniforms.** The applicant or permittee shall submit to the Board of Police Commissioners a sample of the proposed uniform for approval by the Board. No uniform shall be worn if the sample thereof submitted to the Board of Police Commissioners has been determined by the Board to be in violation of this section.

(3) **Equipment, Weapons, Ammunition.** The Board of Police Commissioners shall specify the police type equipment, including weapons and ammunition, which a street patrol officer may carry while on duty, and it shall be unlawful for a street patrol officer to carry, wear, or use any such equipment, weapons or ammunition, while on duty if such is of a type not previously approved by the Board of Police Commissioners. Firearms and ammunition used by street patrol officers shall be of a brand name, model and caliber approved by the Board of Police Commissioners or its agent. No street patrol officer shall carry any firearm in the performance of his or her duties unless he or she possesses a valid firearm qualification card issued by the State.

(e) **Motor Vehicles.** The Board of Police Commissioners or its agent shall approve the type or character of identification markings or insignia required hereunder to be placed on any motor vehicle used in the operation of any private patrol service. A private patrol operator shall not use or permit to be used for purposes of patrolling, any vehicle which is not marked and identifiable with approved markings or insignia in accordance with rules and regulations adopted by the Board of Police Commissioners. No vehicle used by a private patrol service shall be equipped with a red light, siren, or be painted in a manner similar to a police vehicle of the City of Los Angeles or other law enforcement agency with jurisdiction in the City.

(f) **Reports to Police.** Every private patrol service and every street patrol officer shall immediately make a report to the Los Angeles Police Department of any violation of the Los Angeles Municipal Code, or State, or federal law which comes to his or her attention, with the exception of minor traffic offenses. The private patrol service shall also immediately report to the Los Angeles Police Department any weapon discharge or arrest made within the City, by any employee, officer member, or associate of the private patrol service.

(g) **Authority to Make Rules and Regulations.** The Board of Police Commissioners shall have the authority to make rules and regulations not inconsistent with State law or this chapter concerning private patrol services and street patrol officers.

(h) **Permits; Nontransferable.** Permits issued under this article are not transferable. This section shall not be construed to prohibit the owner of a private patrol service from selling, assigning or transferring such service. However, any new owner, transferee, or assignee shall be required to qualify under this article before commencing operations or carrying on business as a private patrol service.

(i) **Licenses Not Exclusive.** Permits required by this article shall be in addition to any license or permit required under any other chapter of this code.



WRITER'S DIRECT DIAL:

FAX:

TTY: (213) 485-8898
(213) 485-6494

Office of the City Attorney
Los Angeles, California

JAMES K. HAHN
CITY ATTORNEY

REPORT NO. R99-0143 May 20, 1999
R99-0213 July 16, 1999

REPORT RE:

PRIVATE PATROL SERVICES AND OFFICERS

The Honorable City Council
City of Los Angeles
Room 615, City Hall East
Los Angeles, CA 90012

Honorable Members:

BY CITY CLERK
DEPUTY

99 NOV 15 AM 9:58

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CITY CLERK'S OFFICE

The City Attorney has been asked to prepare a report relating to the City's regulation of Private Patrol Services through enforcement of Los Angeles Municipal Code §52.34. This report supplements the previous reports made to this Committee on July 16, 1999 and May 20, 1999.

The City Attorney's Office and Police Commission staff met with representatives of the Bureau of Security and Investigative Services (BSIS) and received valuable information regarding the State's regulatory scheme. As a result of the meeting and further research, the following information and recommendations are presented:

Fees

The State's position is that the prohibition on the imposition of fees contained in Business and Professions Code §7582.5(c) applies to both fixed-post and street patrol security services. This position is not without merit since §7582.5(c) uses the language "private patrol operators and their employees" and a "street patrol person" is defined as a security guard or security officer employed by a private patrol operator. Additionally the legislative history of the Private Security Services Act (B&P §7580 et. seq.) indicates that one goal was to standardize fees charged for licensing security personnel and to

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avoid duplicative and costly licensing procedures. Therefore, it is recommended that the fee required in LAMC §52.34(b) be eliminated.

Permits

The fee prohibition in §7582.5(c) does not require the elimination of the permitting process altogether. Street patrol services and street patrol special officers may be required to: (1) register with the City, (2) provide full identifying information, (3) restrict their services to areas designated by the City, and (4) comply with any other "reasonable additional requirements" the City determines to be necessary to meet local needs, so long as they are not inconsistent with the Act. Therefore, it is recommended that the requirements of a permit contained in LAMC §52.34(b) remain intact.

Background

The State representatives explained the improvements in the State regulatory scheme as a result of advances in technology. Currently all security guards undergo State Department of Justice criminal history background checks before being given a State license. Beginning on January 1, 2000, all state-licensed security guards will also be subjected to an FBI criminal history check. Additionally, the State has a program called RAPBACK which ensures that BSIS is immediately notified when a security guard is arrested. Nonetheless, the City may continue to conduct background investigations since B & P §7582.5(a) allows the City to refuse registration to "any person of bad moral character" if it wishes to bear the expense. However the City may wish to rely on the State licensing scheme if it determines that the cost of continuing its investigative procedure outweighs its benefits.

Uniforms, Equipment, Badges, Insignia, Vehicles

The City may continue to regulate these areas through the ordinance and Police Commission rules so long as they are not inconsistent with the Act.

The Honorable City Council
City of Los Angeles
Page 3.

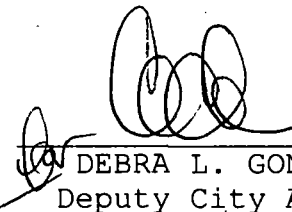
Conclusion

The City Attorney's Office remains prepared to assist the Public Safety Committee in amending LAMC §52.34 as desired by the committee.

Respectfully submitted,

JAMES K. HAHN, City Attorney
CECIL W. MARR, Senior Assistant
City Attorney
DEBRA L. GONZALES, Deputy
City Attorney

By


DEBRA L. GONZALES
Deputy City Attorney

DLG:jew

#97053



JAMES K. HAHN
CITY ATTORNEY

Office of the City Attorney
Los Angeles, California

WRITER'S DIRECT DIAL
CITY CLERK'S OFFICE
99 JUL 19 AM 10:41

REPORT NO. **R99-0213**
JUL 16 1999

BY CITY CLERK
DEPUTY

REPORT RE:

PRIVATE PATROL SERVICES AND OFFICERS

The Honorable City Council
Public Safety Committee
Room 415, City Hall East

RECEIVED

JUL 16 1999

J. MICHAEL CAREY

Honorable Members:

The City Attorney's Office has been asked to prepare a report relating to issues regarding the City's regulation of Private Patrol Services through enforcement of Los Angeles Municipal Code § 52.34. Specifically the Committee has requested that the City Attorney:

1. Address issues of overlap and areas of conflict between the City's Private Patrol Ordinance, the Police Commission Rules and State law.
2. Discuss why some if any duplicative areas should be retained.
3. Prepare recommendations and a draft ordinance for all necessary additions to or deletions from the LAMC, including the deletion of the Police Commission fee.

Attached is a table which sets forth the comparison of the State laws governing private patrol services (Business and Professions Code § 7580-88) with the provisions of the City's Ordinance (LAMC § 52.34) and the Police Commissions Rules and Regulations. The key provisions in the State law which relate to local regulation of private patrol services are contained in B&P §§ 7582.5(a) and (c). Unfortunately, the intent of these sections is anything but clear. In our previous report to the committee, it was our opinion that § 7582.5(c) only applied to "fixed-post" private patrol operators and that it did not prohibit the charging of fees to "street patrol services or street patrol special officers." However, on July 13, 1999, this office received a copy of a letter from the Bureau of Security and Investigative Services which states the Bureau's opinion that no fee may be charged to any private patrol operator regulated by the State. Although the State agency acknowledged the ability of municipalities to "impose reasonable additional requirements" as authorized by § 7582.5(a), it is unclear how such regulations may be imposed absent a permitting process. Due to this confusion regarding the manner and extent of municipal regulation which will not conflict with the State statutory scheme, specific recommendations and a draft ordinance have not been prepared.

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REPORT RE:
PRIVATE PATROL SERVICES AND OFFICERS
Page 2

Conclusion

It is requested that the City Attorney's Office and Police Commission staff be given additional time to meet with representatives of the State in order to clarify the issues raised by the Bureau of Security and Investigative Services letter. After clarification is obtained, the City Attorney's Office will prepare specific recommendations and a draft ordinance to amend LAMC § 52.34 and the Police Commission Rules and Regulations governing private patrol services and private patrol officers.

Respectfully submitted,

JAMES K. HAHN, City Attorney
CECIL MARR, Senior Assistant City Attorney
DEBRA L. GONZALES, Deputy City Attorney

By 
DEBRA L. GONZALES
Deputy City Attorney

BUSINESS & PROFESSIONS CODE	LOS ANGELES MUNICIPAL CODE	POLICE COMMISSION RULES
7582: Prohibits person from engaging in private security services business unless licensed.	52.34(b)(1): Unlawful to engage in business of maintaining or operating private patrol service in the City without first obtaining a State permit and a City permit.	
7582.1(a): A private patrol operator , or operator of a private patrol service, . . . is a person . . . who, for any consideration whatsoever: Agrees to furnish, or furnishes, a watchman, guard, patrolperson, or other person to protect persons or property or to prevent the theft, unlawful taking, . . . or performs the service of a watchman, guard, patrol person, or other person, for any of these purposes.	5234(a)(1): Private patrol service is any person . . . which furnishes or purports to furnish to members, subscribers, or customers any uniformed or special officer for the purpose of affording additional security and protection of person and property or to perform any other service directly related to the private protection of life and property.	
7582.1(e): A security guard or security officer . . . is an employee of a private patrol operator, . . . who performs the functions as described in subdivision (a) on or about the premises owned or controlled by the customer of the private patrol operator or by the guard's employer or in the company of persons being protected.		

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LAMC

COMMISSION

7582.1(f): A **street patrolperson** . . . is a security guard or security officer employed by a private patrol operator who performs the functions described in subdivision (1) by street patrol service utilizing foot patrol, motor patrol, or other means of transportation in public areas, streets or public thoroughfares in order to serve multiple customers.

52.34(a)(2): A **special officer** is any person who performs for a private patrol service the duties of a uniformed guard, uniformed watchman, or uniformed patrolman whose primary function is patrolling from one location to another by City streets. Does not apply to industrial plants, department stores, community associations, or private clubs.

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7582.5(a): Allows **local regulations upon street patrol services or street patrol special officers** requiring registration with an agency including full information as to the identification and employment and subject to the right of the city to allocate certain portions of the city within which the activities of any street patrol service or person shall be confined. Any city may refuse registration to any person of bad moral character and **may impose reasonable additional requirements** necessary to meet local needs and are not inconsistent with the provisions of this chapter.

LAMC

52.34(f): Police Commission shall have **authority to make rules and regulations** not inconsistent with this chapter concerning private patrol services and special officers.

COMMISSION

1. Maintain business address and/or emergency telephone number where a company representative is immediately available to LAPD on a 24 hour basis.
2. No advertisement shall imply that the patrol service is part of LAPD or any other law enforcement agency.
3. Copy of any advertisement, notice or card used shall be submitted to Commission.
12. Monthly inspections of uniforms, identification cards, badges, equipment, ammunition and weapons. Records of inspections shall be maintained for one year and be available to Commission upon request.
15. Special Officer shall identify himself as a S.O. and give his name, badge number, and employer's name upon request in connection with his duties. At no time shall he conduct himself by word or manner to lead others to believe that he possesses the power to enforce Traffic Regulations or issue Traffic Citations, and he shall not interfere with or attempt to influence the lawful business of any person.
17. Operator shall forward copies of all complaints regarding the activities of permittee and his agents. These shall be investigated by LAPD and are

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COMMISSION

		<p>18. Operator shall post in a conspicuous location in his local place of business a copy of these rules and laws and shall keep copies also available for review at the main place of business.</p> <p>19. Violation of any of Board rules, State or local law in connection with the operation of a Private Patrol may be cause for suspension/revocation of the permit held by the operator or its employees.</p>
<p>7582.5(b): Allows local regulations upon any employees of a private patrol operator who do not furnish evidence of State registration.</p>		

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COMMISSION

7582.5(c): Allows **local authorities** to **require** private patrol operators and their employees to **register their name and file a copy of their state identification card** with the city and **prohibits any fee or application for this registration.**

52.34(b)(2)A: **Application for permit** to operate a private patrol service business in the City shall be filed together with an **application fee** with the Permit Section of the City Clerk's Office. [Possible *conflict* with 7582.5(c)]

52.34(b)(2)C: Applicant shall furnish the Police Commission with a photostatic or certified copy of his State of California License and Bond evidencing compliance with State laws regulating private patrols.

52.34(h): **Fees and permits** required by this article shall be in addition to any license, permit or fee required under any other chapter of this code. [Possible *conflict* with 7582.5(c)]

103.12: **Fees.** The Clerk shall receive all police permit fees. Applications for permits shall not be accepted by the Clerk unless accompanied by the prescribed fee. [Possible *conflict* with 7582.5(c)]

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COMMISSION

7582.6: **Application for a license** shall be on a form prescribed by the director and accompanied by an application fee.

52.34(b)(2)A: **Application for a permit** to operate a private patrol service shall filed with the Permit Section of the City Clerk's Office on forms supplied by the City. A separate application signed and verified by the applicant shall be filed with the Police Commission. [Possible *conflict* with 7582.5(c)]

52.34(g): **Permits** issued under this article are not transferable. Prohibits the owner of private patrol service from selling, assigning or transferring such service. Any new owner, transferee, or assignee shall be required to qualify under this article before commencing operations or carrying on business as a private patrol service.

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COMMISSION

<p>7582.7: Application shall be verified and shall include (a) full name and business address, (b) name under which the applicant intends to do business, (c) statement of general nature of the business, (d) type of license applying for, (e) statement of experience qualifications, (f) a personal identification form with photograph taken within one year, two legible sets of fingerprints, a personal description of each person, including residence addresses and employment history for previous five years (g) for individual applicants, list all other names used during past 10 years.</p>	<p>52.34(b)(2)A: Application shall state the name, address and organization of the private patrol service, its method of operation, the territory or location it proposes to serve, the names, addresses and physical description of its officers, members, associates and employees, and fingerprints and recent photographs of applicant, its officers, members, associates, and employees as may be deemed necessary by the Board of Police Commissioners. [<i>Duplication of 7582.7 and possible conflict with 7582.5(c)</i>]</p>	
	<p>52.34(b)(2)B: Surety bond. Application must be accompanied by a surety bond in a form approved by the City Attorney for \$15,000 blanket coverage for each and all employees, officers, members or associates of the private patrol service.</p>	
<p>7582.8. Qualifications for license or registration. (a) be at least 18 years of age, (b) not have committed acts or crimes constituting grounds for denial, (c) comply with requirements specified for particular license or registration, (d) comply with other qualifications as the director may fix by rule, (e) comparable military training may be used to meet other training-related requirements.</p>		

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COMMISSION

<p>7582.16: Retention of employee records. Licensee shall maintain records containing information relative to his or her employees as prescribed by the director.</p>		<p>10. Employee address changes shall be maintained by the permittee and are subject to inspection by the Commission.</p> <p>13. Private patrol operators and self-employed Special Officers shall prepare and deliver an employee list to the Commission 4 times per year. The employee list shall include the employees's name, Commission number, Commission badge number, State identification number, and other State required certifications.</p>
<p>7582.26(i): No private patrol operator licensee or person required to be registered as a security guard shall use or wear a baton or exposed firearm unless he is wearing a uniform that complies with 7582.7.</p>	<p>52.34(c)(3)B: Police Commission shall specify the police-type equipment, including weapons and ammunition, which a special officer may carry while on duty. Unlawful for special officer to carry, wear, or use any equipment while on duty it not previously approved by the Commission for the officer. Use of any firearm and ammunition shall be of a brand name, model and caliber as approved by the Commission or its agent. Prohibits special officer from carrying firearm unless he has completed the training course required by the State.</p>	

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LAMC

COMMISSION

<p>7582.27: Identifying patches. Requires person who uses or wears a baton or exposed firearm to wear a patch on each arm that reads "private security" and includes the name of the employing company. Patches must be clearly visible at all times and must be of a standard design approved by the director.</p>		
<p>7582.28: Any badge or cap insignia worn by a person who is a licensee . . . or employee of a licensee, shall be of a design approved by the director, and shall bear on its face a distinctive word indicating the name of the licensee and an employee number by which the person may be identified by the licensee.</p>	<p>52.34(c)(3)A: No badge, insignia or uniform shall be used or worn which is of a design as to be mistaken for an official badge, insignia or uniform worn by a law officer of any city/county/state agency within its jurisdiction. Permittee shall submit to the Police Commission a sample of the insignia intended to be used. Police Commission shall issue upon payment therefor a form of badge not containing the word "police." Special officers shall wear and display the badge and insignia on the outside of their uniform in a clearly visible manner. Any badge which is in need of repair/replacement or otherwise not authorized for use shall be immediately returned to the Police Commission. Unlawful for anyone other than permittee to use/wear/display a badge issued pursuant to this section. No insignia shall be worn if the sample submitted to the Commission has been determined to be in violation of this section. [Possible conflict]</p>	<p>5. Wearing or displaying of badges is prohibited except while performing as a Special Officer.</p> <p>6. Only badges issued by the Commission shall be worn when performing as a Special Officer.</p> <p>7. Badges shall only be worn by the Special Officer to whom the badge was issued.</p> <p>9. Hat emblems or pieces shall be uniform for each employee of a patrol service and shall be silver in color and of a design approved by the Commission.</p> <p>14. When a Special Officer has severed employment, he shall within 10 days return the identification card and badge to the Commission which will remain the property of the LAPD.</p>

B + P

L A M C

COMMISSION

<p>7583.3: Security guards (a) required to carry on their person, while on duty, a valid and current security guard registration card or unexpired temporary registration card, and (b) required to carry on their person a valid and current firearms permit when carrying a firearm on duty, and (c) prohibited from carrying or using a firearm unless possess a valid and current firearms permit, (d) required to report to employer within 24 hours any incident involving the discharge of any firearm during course and scope of employment.</p>	<p>52.34(c)(1): The private patrol service is responsible for each special officer to be registered with State and to carry proof at all times while on duty. Private patrol service permit may be suspended/revoked if an on-duty special officer cannot produce a temporary or permanent State registration when requested by a City police officer.</p> <p>52.34(c)(2)A: Special officer must possess a permit issued by the Police Commission. [Possible <i>conflict</i> with 7582.5(c)]</p>	
<p>7583.4: Security guard or patrolperson required to deliver written report of any incident involving the discharge of firearm during course and scope of employment within 7 days after incident. Report shall be made on form prescribed by director. Copy of report shall also be delivered within 7 days of incident to the local police which has jurisdiction over the geographic area where the incident occurred.</p>	<p>52.34(e): Private patrol service shall immediately report to the Police Department any weapon discharge made within the City, by any employee, office or associate. [Possible <i>conflict</i> with 7583.4]</p>	

B + P

LAMC

COMMISSION

	52.34(e): Reports to police. Private patrol service operator and special officer shall immediately make a report to the Police Department and the Police Commission any violation of the LAMC, State or federal law, which comes to his attention with the exception of minor traffic offenses.	
7583.9(a): Any employee who performs the function of a security guard or security patrolperson shall submit an application for registration and fingerprints along with the appropriate registration fee.	52.34(c)(1): Special officers must be currently registered with the State.	
7583.11: Temporary registration cards for employees of a licensee not valid for more than 120 days. Employee who has been convicted of a crime prior to applying for security guard position is not eligible for temporary registration card.	52.34(c)(2)B: A temporary permit not to exceed 45 days may be issued by Secretary of the Police Commission if application on file, permit fees paid, preliminary investigation does not reveal grounds for denial, has valid permanent or temporary State Guard Registration Card, has a State Firearms Permit if applicable, and has a valid California Driver's License. 103.06(b): A temporary permit not to exceed 60 days may be issued by Police Commission.	

BTP

LAMC

COMMISSION

<p>7583.12: Requirements to carry/use firearms. (1) valid guard registration card and (2) valid firearm qualification card. Exception for peace officer who meets specified requirements.</p>		<p>5. The wearing or displaying of weapons and the carrying of loaded weapons is prohibited except while performing as Special Officer.</p>
<p>7583.38: A city may regulate the uniforms and insignias worn by uniformed employees of a private patrol operator and vehicles used by a private patrol operator to make them clearly distinguishable from those used by local regular law enforcement officers.</p>	<p>52.34(c)(3): No badge, insignia or uniform shall be used or worn which is of a design as to be mistaken for an official badge, insignia or uniform worn by a law officer of any city/county/state agency within its jurisdiction. Permittee shall submit to the Police Commission a sample of the insignia intended to be used. Police Commission shall approve the color of the proposed uniform and shall issue upon payment therefor a form of badge not containing the word "police."</p> <p>52.34(d): Police Commission shall approve the type or character of identification markings or insignia required to be place on motor vehicles. Private patrol operator shall not use or permit to be used for patrolling any vehicle which does not have approved markings/insignia. No vehicle used by private patrol service shall be equipped with a red light, siren, or be painted in a manner similar to a police vehicle of the City or other law enforcement agency within jurisdiction.</p>	<p>4. Unless exempted, all members of a private patrol shall be in a full uniform at all times when performing any duty.</p> <p>8. Any uniform worn by permittee's employees shall be slate grey in color.</p> <p>11. Each vehicle used shall have a Police Commission number.</p>

BHP

LAMC

COMMISSION

7583.39: Insurance for security guards carrying firearms. Requires private patrol operator who employs a security guard who carries a firearm as part of his duties to maintain an insurance policy as required in 7583.40.		
7583.40: Requires insurance policy with minimum limits of bodily injury insurance of \$500,000 and property damage insurance of \$500,000.	52.34(b)(2)D: Requires following insurance : workers' compensation, general liability insurance, automobile insurance and false arrest insurance in amounts to be determined by Police Commission. [Possible <i>duplication</i> of 7583.40]	
7583.41: Proof of insurance policy as required shall be provided by licensee to the bureau upon demand.	52.34(b)(2)D: Evidence of required insurance must be furnished to Police Commission upon request.	
7583.42: Failure to maintain required insurance coverage is grounds for suspension of private patrol operator's license.		
7586: A private patrol operator license , branch office certificate, and pocket card expires two years following the date of issuance or on the assigned renewal date. Provides for process to establish cyclical renewal of license and firearms qualifications card.	103.07(a): Annual police permit fees for existing police permits shall become due and payable each year during January and February.	

BAP

LAMC

COMMISSION

7588: Fees. (a) private patrol operator application and examination fee for original license (\$200), (b) private patrol operator application fee for branch office certificate (\$75), (c) private patrol operator original license fee (\$500).	103.12: Fees. The Clerk shall receive all police permit fees. Applications for permits shall not be accepted by the Clerk unless accompanied by the prescribed fee. Private patrol: original fee (\$300), annual police permit fee (\$149), change of location fee (\$43). [Possible <i>conflict</i> with 7582.5(c)]	
7588(d): Renewal Fees. (1) private patrol operator license fee (\$500), (2) combination private investigator/private patrol operator (\$600), (3) branch office certificate for combination private investigator/private patrol operator (\$40) and private patrol operator (\$75).		
7588(h): Registration Fees. (1) security guard registration (\$25), (2) security guard registration renewal (\$25).	103.12: Fees. Special officer: Original fee (\$59), annual police permit fee (\$26), change of location fee (\$42). [Possible <i>conflict</i> with 7582.59(c)]	
7588(i): Other Fees. (1) firearms qualification fee (\$80), (2) firearms requalification fee (\$60), (3) initial baton certification fee (\$50).		

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

0220-03494-0000

Date: *July 19, 1999*

To: The Public Safety Committee

From: Paul K. Cauley, Acting City Administrative Officer Subject: **STATUS OF REQUEST FOR INFORMATION REGARDING PRIVATE PATROL SERVICES AND OFFICERS OPERATING IN BUSINESS IMPROVEMENT DISTRICTS**RECEIVED
CITY CLERK'S OFFICE
99 JUL 19 AM 9:11
BY
CITY CLERK
ORIGINAL

At the Public Safety Committee meeting of May 24, 1999, the Chair of the Public Safety Committee requested this Office and the City Attorney to report on various aspects pertaining to private patrol services and officers operating in Business Improvement Districts (BID's). Specifically, this Office was requested to: 1) identify all services provided by the City in the context of evaluating and approving applications for Police Commission permits for private patrol service companies; 2) identify services provided by the City that are already provided by the State as part of its licensing process; and, 3) determine the appropriate fee to be charged by the City for Police Commission private patrol service permits.

The City has established permit fees for the operators of private patrol companies as well as their officers. The permit fee is \$300 for an original permit for an operator and \$59 for patrol officers. Renewal fees are \$149 and \$26 respectively. The fees are based on the amount of work done by the Police Department in connection with the application. But, the work largely consists of background investigations by the Department's Commission Investigation Division's Enforcement Section. The Police Department will be supplying more detailed information about the specific duties associated with the permit process.

Regarding services provided by the State, we have made efforts to contact the State Bureau of Security and Investigative Services, which regulates and licenses private security services, to determine the scope of its regulatory fees and activities, but have not yet received a response. The State's fees are spelled out in Section 7588 of the State Business and Professions Code. However, this section is not specific about the scope of the services provided as part of the licensing process. We are continuing our efforts to establish communications with that bureau.

On July 15, we received a copy of a letter from the Chief of the California State Bureau of Security and Investigative Services (BSIS) to the Downtown Center LA Business Improvement District that states:

"The City of Los Angeles does not have authority to charge you or any private patrol operator a fee to register officers within their City." It further states that "no city or county or city and county may require additional fees to regulate our licensees. BSIS is the regulatory agency for the security guard industry."

According to the City Attorney, this opinion appears to be inconsistent with the State Business and Professions Code. Section 7582.5 of this Code does not prevent local governments from:

- (a) Imposing local regulations on street patrol services and officers requiring registration with the local government;
- (b) Imposing local regulations on street patrol services and officers who are unable to furnish evidence of current registration; and
- (c) Requiring private patrol operators and officers to register their name and file a copy of the state identification card with the local government; however, no fee may be charged and no application may be required.

The City Attorney has advised that additional study of this issue is needed to determine whether our fees are prohibited by law. In addition the City Attorney was directed by Public Safety Committee to: 1) address issues of overlap and conflict between City's private patrol ordinance and Police Commission rules and the State codes; 2) discuss whether and why duplicative areas should be retained; and, 3) prepare recommendations and draft ordinances to add or delete applicable Municipal Code sections including the deletion of fees for private security services. The City Attorney will report under separate cover. Until many of these issues are resolved, it is premature to recommend a fee at this time.

PKC:JAY:jhl

J. MICHAEL CAREY
City Clerk

When making inquiries
relative to this matter
refer to File No.

CITY OF LOS ANGELES
CALIFORNIA



RICHARD J. RIORDAN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 615, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

Council File No. 99-0355
(file not transmitted)

June 9, 1999

Paul K. Cauley, City Administrative Officer (CAO)

Honorable James K. Hahn, City Attorney

**REQUEST FOR REPORT: PRIVATE PATROL SERVICES AND OFFICERS OPERATING IN
BUSINESS IMPROVEMENT DISTRICTS (BIDS)**

At the special Public Safety Committee meeting held May 24, 1999, the Committee Chair, Councilmember Laura Chick the attached report from the City Attorney dated May 20, 1999, relative to Private Patrol Services and Officers operating in BIDs. At that time, Ms. Chick requested that you prepare a report relative to the following:

CAO:

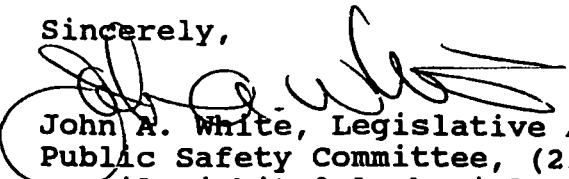
1. Identify all services provided by City in the context of evaluating and approving applications for Police Commission permits for private patrol service companies.
2. What services does the City provide that are already provided by the State as part of its licensing process?
3. Determine the appropriate fee to be charged by the City for Police Commission private patrol service permit fee.

City Attorney:

1. Address issues of overlap and areas of conflict between the City's Private Patrol Ordinance and Police Commission Rules and the State code.
2. Discuss why some if any duplicative areas should be retained.
3. Prepare recommendations and a draft ordinance for all necessary Los Angeles Municipal additions or deletions from the Municipal Code including the deletion of the Police Commission fee for private security services.

This matter is tentatively scheduled for further consideration by the Public Safety Committee at their meeting to be held June 21, 1999. Please direct your written report, and electronic copies, no later than June 16, to the Public Safety Committee, in care of the City Clerk's Office, Room 615, City Hall East.

Sincerely,



John A. White, Legislative Assistant
Public Safety Committee, (213) 485-5707
e-mail: jwhite@clerk.ci.la.ca.us

attachment

cc: Councilmember Laura Chick
Attn: Eric Middleton

Ronald F. Deaton, Chief Legislative Analyst
Attn: Judy Steele

Bernard C. Parks, Chief of Police
Police Department

BIDscrty.cao



 **JAMES K. HAHN**
CITY ATTORNEY

Office of the City Attorney

Los Angeles, California

REPORT NO. **99.0143**

MAY 20 1999

WRITER'S DIRECT DIAL:

FAX:

TTY:

 **13**

CF 99-0355

REPORT RE:

PRIVATE PATROL SERVICES AND OFFICERS

The Honorable City Council
Public Safety Committee
Room 415, City Hall East

Honorable Members:

The City Attorney's Office has been asked to address various issues regarding the City's regulation of Private Patrol Services through enforcement of Los Angeles Municipal Code § 52.34.

RECEIVED
CITY CLERK'S OFFICE
99 MAY 24 AM 8:47
BY CITY CLERK

1. Whether Lamc § 52.34 Is Preempted by Preexisting State Law?

If a matter is of statewide concern (as opposed to a purely municipal affair), home rule charter cities (such as the City of Los Angeles) remain subject to and are controlled by applicable general state laws regardless of the provisions of their charters, if it is the intent and purpose of such general laws to occupy the field and exclude municipal regulation (i.e. - the preemption doctrine).¹ Accordingly, we must first determine whether § 52.34 regulates purely municipal affairs.

Section 52.34 regulates private patrol services and their patrol officers. Simply, private patrol services and their officers protect persons and property. "[A] private patrol officer is impressed with the badge of reliability and trustworthiness because of his community responsibility in supplying protection to persons and property."² Generally, a "municipal action which affects persons outside of the municipality" is not a purely municipal affair and

¹ Cal. Const., art. XI, section 7 personifies the general police power provision applicable to all cities: "A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws."

² Stewart v. County of San Mateo, 246 Cal.App.2d 273, 288 (1966); citing People v. Melchor, 237 Cal.App.2d 685, 692 (1965).



thus “becomes to that extent a matter which the state is empowered to prohibit or regulate...”³ Since, the regulation of private patrol services is primarily for the purpose of ensuring public safety and public safety is of statewide concern, it would appear that § 52.34 does not regulate a purely municipal subject.

Therefore, the next inquiry is whether § 52.34 is preempted by general state laws (specifically Business & Professions Code §§ 7580-7588). The California Constitution provides that a city may make and enforce within its limits all local and other ordinances and regulations that do not conflict with general laws. (See footnote 1.) “If otherwise valid local legislation conflicts with state law, it is preempted by such law and is void.”⁴ A conflict is said to exist if the local legislation either, “duplicates, contradicts, or enters an area fully occupied by general law, either expressly or by legislative implication.”⁵

Duplication: Local legislation is duplicative of general law when it is coextensive with it. In comparing § 52.34 with B&P §§ 7580-7588, it appears that the ordinance is broader in scope than the state statute. Although both the ordinance and the state statute provide a comprehensive scheme for licensing, registering, regulating and disciplining private patrol operators, the ordinance goes a little further. For example, the ordinance covers surety bonds, a general insurance policy requirement, etc. Thus, it can be said that the statute and ordinance are not coextensive with each other. Rather, the requirements provided for in the ordinance are supplementary to the state law.⁶ Therefore, it appears there is not a conflict which would result in § 52.34 being preempted by the state statutes.

Contradiction: “An ordinance contradicts state law if it is inimical to state law; i.e., it penalizes conduct that state law expressly authorizes or permits conduct which state law

³ Domar Electric Inc. v. City of Los Angeles, 41 Cal.App.4th 810, 828 (1995).

⁴ Sherwin-Williams Co. v. City of Los Angeles, 4 Cal.4th 893, 897 (1993) quoting from Candid Enterprises Inc. v. Grossmont Union High School Dist., 39 Cal.3d 878, 885 (1985).

⁵ California Rifle and Pistol Association, Inc. v. City of West Hollywood, 66 Cal.App.4th 1302, 1310 (1998) quoting from Sherwin-Williams Co., *supra*, 4 Cal.4th at p. 897.

⁶ See Pipoly v. Benson, 20 Cal.2d 366, 370-371 (1942), where the California Supreme Court held that when local law is *identical* to state law, there is an “inevitable conflict of jurisdiction” and because of this conflict the local law is not valid “supplementary legislation” but conflicts with state law and is invalid.

forbids.”⁷ It appears that in certain provisions the ordinance does contradict the state statutes. Therefore, the ordinance would be preempted in those areas where it contradicts the statutes. Consequently, it is recommended that the ordinance be amended to eliminate any provisions that contradict state law.

Entry into an area fully occupied by the statute: “[L]ocal legislation enters an area that is fully occupied by general law when the Legislature has expressly manifested its intent to fully occupy the area, ... or when it has impliedly done so in light of one of the following indicia of intent: ‘(1) the subject matter has been so fully and completely covered by general law as to clearly indicate that it has become exclusively a matter of state concern; (2) the subject matter has been partially covered by general law couched in such terms as to indicate clearly that a paramount concern will not tolerate further or additional local action; or (3) the subject matter has been partially covered by general law, and the subject is of such a nature that the adverse effect of a local ordinance on the transient citizens of the state outweighs the possible benefit to the locality.’”⁸

Express Intent: The Legislature did not expressly manifest an intent to fully occupy the area of private security services when it passed B & P §§ 7580-7588. This is evidenced by language found in the statute itself. Sections 7582.5 and 7583.38 of the statute allow local regulations to be imposed. Section 7582.5 deals with local regulations regarding registration of any street patrol service or street patrol special officer. Section 7583.38 pertains to local regulations for uniforms, insignias and vehicles. Since the state statute does allow for local regulations, express legislative intent to preempt is absent.

Implied Intent: There is a general rule that implied preemption can properly be found only when the circumstances clearly indicate a legislative intent to preempt. “To determine whether the Legislature has preempted a certain field, one must question whether the Legislature ‘intended to occupy a particular field to the exclusion of all local regulation.’” This intent is determined by analyzing “the state legislation in terms of its language, purpose,

⁷ Suter v. City of Lafayette, 57 Cal.App.4th 1109, 1123 (1997) quoting from Bravo Vending v. City of Los Angeles, 16 Cal.App.4th 383, 396-397 (1993).

⁸ Sherwin-Williams Co., *supra*, 4 Cal.4th at p. 898 quoting from In re Hubbard, 62 Cal.2d 119, 128 (1964), overruled on another point in Bishop v. City of San Jose, 1 Cal.3d 56, 63, fn. 6 (1969).

and scope, and the facts and circumstances upon which it was intended to operate.”⁹

The purpose of the state statutes, according to an analysis prepared by the Senate Rules Committee on August 23, 1994, was to “repeal the existing Private Investigator Act and recast it to re-enact, reorganize and revise those provisions into two separate acts: (1) the Private Investigator Act for the licensing and regulation of private investigators, and (2) the Private Security Services Act for the licensing of and regulation of private patrol operators and security guards, armored contract carriers, and firearms and baton training facilities.”¹⁰ Furthermore, the state statutes provides that “... the primary purpose of regulating and licensing armed security guards in this state is to protect the public from the unnecessary and improper use of force.” Therefore, it appears that the goal for enacting the state statute was to provide an adequate means to protect the public health, safety and welfare. A careful reading of the state statute’s purpose and scope indicates that the Legislature did not intend to preempt local regulation.

Moreover, a review of the three basic indicators of implied preemption demonstrates that there is no implied preemption here. The state statute does give a fairly comprehensive scheme for regulating private security services; however it also specifically allows for local regulation, as evidenced by Sections 7582.5 and 7583.38. This in itself “shows that, rather than intending to deprive municipalities of their police power to regulate [private security services], the Legislature [was] cautious about depriving [the] local municipalit[y] of aspects of [its] constitutional police power to deal with local conditions.”¹¹ The power of local government to regulate private patrol officers is clearly within the scope of police power delegated to local government (California Constitution, Art. XI, § 7) and was further recognized by the Legislature when it provided in Section 7582.5 that local government may impose such regulations upon private patrol operators, within the exercise of its police power. Therefore, while California has enacted a comprehensive scheme of legislation relating to the licensing, registration, regulation and disciplining of private patrol operators, § 7582.5(a) expressly provides that the regulatory provisions of the statute are not intended to be exclusive

⁹ Miller v. Murphy, 143 Cal.App.3d 337, 341 (1983), citing Stewart, supra, 246 Cal.App.2d at p. 282.

¹⁰ In comparison, the purpose of § 52.34 was twofold: (1) To defranchise private patrols, and (2) To safeguard the community with a comprehensive law to prevent unscrupulous operators from entering that field.

¹¹ California Rifle and Pistol Association, Inc., supra, 66 Cal.App.4th at p. 1318.

in their application to street patrol special officers.¹² Moreover, there are additional aspects of private security services (such as the requirement of a surety bond, a general insurance policy requirement; etc.) that are not addressed by the state statute.¹³ As the California Supreme Court has aptly noted: “The state in its laws deals with all of its territory and all of its people. The exactions which it prescribes operate (except in municipal affairs) upon the people of the state, urban and rural, but it may often, and does often happen that the requirements which the state sees fit to impose may not be adequate to meet the demands of densely populated municipalities; so that it becomes proper and even necessary for municipalities to add to state regulations provisions adapted to their special requirements.”¹⁴

As the above analysis indicates, it is the Legislature’s intent to preempt that is controlling. In the instant matter, there is nothing to suggest that the Legislature intended to preempt the field of private patrol services. Therefore, it is our conclusion that the Legislature did not expressly or impliedly intend to preempt the field of private security services when it enacted B&P §§ 7580-7588.

2. Whether the requirement that private patrol services pay a permit fee can be eliminated and if so, what action would need to be taken to do so?

The requirement that private patrol services obtain a permit from the City is found in LAMC § 52.34. Subsection b(2)A of § 52.34 provides that “[a]n application for a permit to operate, maintain and conduct a private patrol service business in the City shall be filed together with an application fee with the Permit Section of the City Clerk’s Office on forms supplied by the City.” The amount of the application fee is set forth in LAMC § 103.12. If the Council, for whatever reason, wished to eliminate the permit application fee for private

¹² Stewart, supra, 246 Cal.App.2d at p. 281- 282.

¹³ “The general fact that state legislation concentrates on specific areas, and leaves related areas untouched ..., shows a legislative intent to permit local governments to continue to apply their police power according to the particular needs of their communities in areas not specifically preempted.” (California Rifle and Pistol Association, Inc., supra, 66 Cal.App.4th at p. 1318).

¹⁴ Galvan v. The Superior Court of the City and County of San Francisco, 70 Cal.2d 851, 864 (1969)); citing to In re Hoffman, supra, 155 Cal. at p. 118. Also see Bell v. City of Mountain View, supra, 66 Cal.App.3d at p. 339 [“Where the statute contains language indicating that the Legislature did not intend its regulations to be exclusive, the general rule permitting additional supplementary local regulations has been applied.”]

Report Re: Private Patrol Services and Officers
Page 6

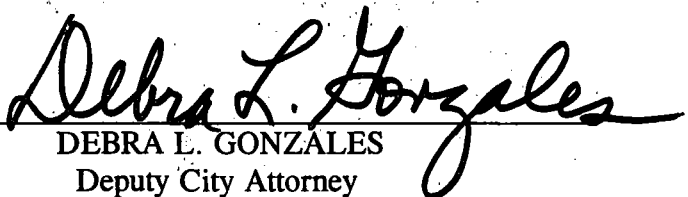
patrol services, the Council would need to amend LAMC §§ 52.34(b)(2)A and 103.12.

Conclusion

In conclusion, the City Attorney's Office remains prepared to assist the Public Safety Committee in reviewing LAMC § 52.34 and the Police Commission Rules and Regulations governing private patrol services and private patrol officers.

Respectfully submitted,

JAMES K. HAHN, City Attorney
CECIL MARR, Senior Assistant City Attorney
DEBRA L. GONZALES, Deputy City Attorney

By 
DEBRA L. GONZALES
Deputy City Attorney

#84921

5

LOS ANGELES POLICE COMMISSION

BOARD OF
POLICE COMMISSIONERS

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EXECUTIVE OFFICE
SUITE 144-150, PARKER CENTER
150 N. LOS ANGELES STREET
LOS ANGELES, CA 90012

(213) 485-3531 PHONE
(213) 485-8861 FAX
commsnrs@pdcomm.ci.la.ca.us

May 19, 1999

Honorable Council members
Council of the City of Los Angeles
c/o City Clerk's Office
Room 615, City Hall East
200 N. Main Street
Los Angeles, CA 90012

MODIFICATION OF EXISTING PRIVATE PATROL ORDINANCE

At a regular meeting of the Board of Police Commissioners held May 18, 1999, this Board considered and approved the enclosed recommendation relative to modifying and/or exempting Business Improvement Districts from existing City Ordinance LAMC 52.34. The Board also requested that the City Attorney draft the proposed Ordinance changes.

The Board requested that this matter be transmitted to your office for further processing.

Very truly yours,
BOARD OF POLICE COMMISSIONERS

A handwritten signature in cursive script, appearing to read "Lupe Ortiz".

LUPE ORTIZ
Commission Executive Assistant

Encl.

cc: Mayor's Office
Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

May 12, 1999

BOARD OF
POLICE COMMISSIONERS
Approved 5-18-99
Secretary *[Signature]*

TO: Board of Police Commissioners

FROM: Executive Director Police Commission

SUBJECT: **BUSINESS IMPROVEMENT DISTRICTS - MODIFICATION OF EXISTING PRIVATE PATROL ORDINANCE/POLICE COMMISSION RULES**

It is recommended that the Board of Police Commissioners approve the following proposed amendments to the Private Patrol Ordinance/Police Commission Board Rules.

Background:

On May 4, 1999, the Board of Police Commissioners requested that the Executive Director and staff meet again with representatives from the Business Improvement Districts (BID) to attempt to gain consensus on modification and/or exemption of BIDs from existing City Ordinance LAMC 52.34 and Police Commission Board Rules. The meeting was held on May 12, 1999, and an agreement was reached, except for the BIDs' standing objection in two areas. The BIDs maintain that State law exempts them from regulation and that the Police Commission should not have the right to approve uniforms. The City Attorney is due to report on the former in the near future. In the event the City Attorney does not agree with the BIDs, there is agreement on the following recommendations unless noted otherwise.

Discussion:

It was agreed to by all parties that the easiest way to accommodate the BIDs' innovative approach to private patrol security is to add a new section under LAMC 52.34 which would address the BIDs security forces as a separate entity. This would leave the existing ordinance intact for private patrol services which are not part of a BID.

The new section should read as follows:

52.34(a)(3) Business Improvement District Street Patrol Person (BIDSPP)

As defined in State Law 7532.1(f) "A street patrol person, within the meaning of this chapter, is a security guard or security officer employed by a private patrol operator who performs the functions described in subdivision (a) by street patrol service utilizing foot patrol, motor patrol, or other means of transportation in public areas, streets or public thoroughfares in order to serve multiple customers."

52.34(d)

(1) Permits

In addition to the required State regulations, BIDSPP are required to obtain a Police Commission Permit.

Note: The BIDs do not feel they must obtain a Commission Permit and the waiver of fees is within the purview of the City Council.

(2) Uniforms, Equipment, Etc.

Uniforms, equipment, badges, insignia must comply with State law. No badge, insignia or uniform shall be used or worn while on duty as a BID Street Patrol Person, which is of such a design as to be mistaken for an official badge, insignia or uniform worn by a law officer of any city, county or state agency. BIDSPP uniforms will be distinct in nature and will clearly distinguish the officer as a Business Improvement Street Patrol Person with the District name and/or logo clearly displayed. The uniform shall be approved by the Police Commission.

Note: The BIDs do not want the Commission to approve their uniforms.

(3) Weapons and Ammunition

All BIDSPPs who carry weapons shall be trained and qualified in the carrying and use of firearms in accordance with applicable State laws.

(4) Motor Vehicle

Vehicles utilized in patrol by BIDs shall not be mistaken for an official vehicle of any city, county or law enforcement agency and shall be approved by the Police Commission. A list of all vehicles, vehicle license numbers and State identification numbers shall be furnished to the Police Commission.

Note: The BIDs do not want the Commission to approve their vehicles.

(5) Reports to the Police

All incidents of felonies, high grade misdemeanors and any arrests shall be reported to the Police in a timely manner, as determined by the Area Commanding Officer. BIDs will provide timely statistical information on minor misdemeanors, traffic offenses and infractions handled by BIDSPPs to their local Police Area.

(6) Undercover Assignments

BIDSPP may be exempt from wearing the uniform while on an undercover assignment provided that they have in their possession official identification.

(7) Inspections

As required by State law, BIDs shall hold periodic inspections of uniforms and equipment. A record of these inspections may be reviewed by the Police Commission.

(8) Employee List

Employers of BIDSPP officers will submit an officer employee list to the Commission twice a year.

(9) Complaints

BIDs shall forward to the Police Department complaints involving violations of codified laws and Police Commission Board Rules, and they are subject to review by the Police Commission.

(10) Posting of 52.34(d) LAMC

Copies of 52.34(d) shall be conspicuously posted at the BIDs place of business.

Arguments For:


The BIDs play a vital role in promoting public safety and revitalizing an area. It is recommended that the Board approve new LAMC Sections 52.34(a)(3) and 52.34(d).

Arguments Against:

Other private patrol operations and special officers who are not in a BID may perceive the new regulation as being unfair and demand equity.

Recommendation:

It is recommended that the Board of Police Commissioners approve the proposed LAMC Sections 52.34(a)(3) and 52.34(d), to be drafted by the City Attorney, forward this report to the City Council and reaffirm that until the City Council takes action, the Police Commission will continue to cease enforcement efforts against the BIDs.


JOSEPH A. GUNN
Executive Director

LOS ANGELES POLICE COMMISSION

**BOARD OF
POLICE COMMISSIONERS**

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PRESIDENT

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VICE PRESIDENT

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150 N. LOS ANGELES STREET
LOS ANGELES, CA 90012

(213) 485-3531 PHONE
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commsnrs@pdcomm.ci.la.ca.us

March 24, 1999

Honorable Council members
Council of the City of Los Angeles
c/o City Clerk's Office
Room 615, City Hall East
200 N. Main Street
Los Angeles, CA 90012

BUSINESS IMPROVEMENT DISTRICTS

At a regular meeting of the Board of Police Commissioners held March 23, 1999, this Board considered and approved the enclosed DRAFT report relative to modifying LAMC Section 52.34 - Private Patrol Service.

The Board requested an additional 21-days to discuss additional concerns with the BIDs and finalize the report.

Very truly yours,
BOARD OF POLICE COMMISSIONERS

A handwritten signature in black ink, appearing to read "Lupe Ortiz".

LUPE ORTIZ
Commission Executive Assistant

DRAFT

7E

INTRADEPARTMENTAL CORRESPONDENCE

March 18, 1999

BOARD OF
POLICE COMMISSIONERS
Approved **3.23.99**
Secretary *[Signature]*

TO: Board of Police Commissioners

FROM: Executive Director Police Commission

SUBJECT: **BUSINESS IMPROVEMENT DISTRICTS**

It is **recommended** that the Board of Police Commissioners approve the following report and forward it to the City Council.

BACKGROUND

On March 16, 1999, the City Council adopted a motion by Councilmember Laura Chick which requested that the Police Commission report back within 15 days on how the requirements under LAMC Section 52.34 - Private Patrol Service - can be modified to coincide with the Mayor and Council's goals and objectives in creating Business Improvement Districts (BID); and, the Police Commission cease any enforcement efforts against the Downtown BID and its private patrol service until the matter has been reviewed by the City Council; and, the City Administrative Officer report back relative to the exemption of BIDs from Police Permit fees.

LAMC Section 52.34 makes it unlawful to engage in the business of maintaining or operating any private patrol service in the City of Los Angeles without first obtaining a permit as required by the State of California and a permit from the City. The Ordinance, amended on March 22, 1976, also gives the Police Commission the power to charge fees, require a surety bond and determine the appropriate uniform, equipment, badges, insignia, weapons, ammunition and motor vehicle. The Board also has the authority to make additional rules. In fact, on December 11, 1975, and amended on April 29, 1980, the Board adopted additional rules and regulations governing private patrols and private special officers which detail and enhance the requirements of LAMC Section 52.34

Business Improvement Districts came into existence subsequent to the enactment of the Ordinance and Board Rules. The most common method of financing these Districts is for the concerned property owners and/or businesses to levy a charge on each other which is then utilized to supplement City services, i.e., safety, sanitation, etc. With the exception of the Hollywood BID, which has applied for and received a Police Permit, the Downtown BID and other BIDs have not complied with LAMC Section 52.34. They maintain that their state license is all that is required. However, LAMC Section 52.34 requires an additional Police Commission Permit.

DISCUSSION

It is obvious that BIDs are an unqualified success. Every area where BIDs operate has experienced a decrease in crime and a decrease in the perception of crime. On March 8, 1999, the Board President and Executive Director had a productive meeting with Carol Schatz, CEO of the Downtown Center District BID, in which we agreed to explore methods to give BIDs flexibility while ensuring that public and officer safety is maintained. The following represents our attempt to satisfy that agreement:

Fees

The Police Commission does not have the authority to waive fees. Although the fees collected are cost neutral, which reflect the actual dollars spent for investigation and administration, only the City Council can authorize a waiver of fees.

Permits

Even if the City Council waives fees, the Ordinance obligates the Police Commission to require the private guard companies and individual private guards to obtain a permit. The Downtown Center District BID made over 4,000 police related contacts in 1998. For the safety of the public, it is **recommended** that Commission Investigation Division (CID) continue to do a background check on private guards. We have had instances in the past where applicants received a clean record check when applying for their state license but showed criminal activity when applying for their Police Commission Permit.

Uniforms

It is **recommended** that the Police Commission maintain authority over private guard uniforms while practicing great flexibility. The issue should always be, "Will the public confuse a private patrol guard with a regular police officer?" In the case of the Downtown BID's purple t-shirts and pith helmets, the obvious answer is "no." It is **recommended** that a variance be granted.

Vehicles

It is **recommended** that the Police Commission maintain authority over private guard vehicles so that there is no confusion by the public as to whether it is an official police vehicle. In the case of the Downtown BID's purple and white security patrol vehicle, there would not be a problem providing that the Police Permit number is applied to the vehicle, as per Rule 11. Therefore, it is **recommended** that the vehicle utilized by the Downtown BID be approved. However, the Police Commission does not have the authority to waive Vehicle Code Section 25279, which prohibits the activation of a flashing amber warning light while the vehicle is on the highway unless directed by a peace officer.

Equipment, Weapons and Ammunition

All equipment must be of a type previously approved by the Board of Police Commissioners.

Reports to Police

It is **recommended** that the Police Commission waive the responsibility of the BIDs to report all violations of the law to them, providing the BIDs continue to report the violations directly to the Police Department.

Submittal of Employee Lists

Currently, the private guard operators are required to submit an employee list to the Board four times a year. It is **recommended** that the Board reduce this requirement to twice a year for the BIDs.

Complaints against Private Guard Operators and Employees

It is **recommended** that these complaints continue to be forwarded and the investigation be conducted by members of the Department and be subject to review by the Board of Police Commissioners.

ARGUMENTS FOR

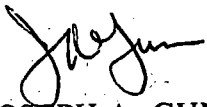
The BIDs play a vital role in promoting public safety and revitalizing an area. It is **recommended** that the Board approve the foregoing modifications of its rules for all BIDs.

ARGUMENTS AGAINST

The Board should take into account that guard companies operating outside a BID may object to more stringent rules. Granting BIDs modifications or exemptions to the Board's rules may be perceived as unfair.

RECOMMENDATION

It is **recommended** that the Board of Police Commissioners approve the items listed under "Discussion", forward this report to the City Council, and reaffirm to the Downtown Center District BID that, until the City Council takes action, the Police Commission will continue to cease enforcement efforts against that Downtown BID.


JOSEPH A. GUNN
Executive Director

Attachments

(Amended by Ord. No. 148,077, Eff. 3/22/76.)

52.34

(a) Definitions:

For the purpose of this article, certain terms used herein are defined as follows:

(1) Private Patrol Service.

The term "**private patrol service**" shall mean any person or association of persons, or, partnership, or corporation which furnishes or purports to furnish to members, subscribers, or customers any uniformed or special officer for the purpose of affording additional security and protection of person and property or to perform any other service directly related to the "**private protection of life and property**".

(2) Special Officer.

The term "**special officer**" shall mean any person who performs for a private patrol service the duties of a uniformed guard, uniformed watchman or uniformed patrolman whose primary function is patrolling from one location to another by City streets. This definition shall not apply to uniformed watchman, uniformed guards or uniformed caretakers employed by an entity other than a private patrol service, such as by industrial plants, department stores, community associations, or private clubs wherein said function does not require patrolling from one location to another by use of a City street, nor shall it apply to persons employed by such an entity solely in connection with the commercial, public, or professional business of such an entity.

(b) Private Patrol Service Permit.

(1) Requirement.

It shall be unlawful to engage in the business of maintaining or operating any private patrol service in the City of Los Angeles without first obtaining a permit as required by the State of California and a permit from the City.

(2) Applications for Permits.

A. Fees. An application for a permit to operate, maintain and conduct a private patrol service business in the City shall be filed together with an application fee with the Permit Section of the City Clerk's Office on forms supplied by the City. In addition thereto, a separate application signed and verified by the applicant shall also be filed with the Police Commission, and said application shall state the name, address and organization of the private patrol service, its method of operation, the territory or location it proposes to serve, the names, addresses and physical description of its officers, members, associates and employees, and such other identification and information including, but not limited to, fingerprints and recent photographs of the applicant, its officers, members, associates, and employees as may be deemed necessary by Board of Police Commissioners.

B. Surety Bond. The application for a permit for a private patrol service as required by this Article must be accompanied by a surety bond underwritten by a corporate surety admitted to do business in California, in a form approved by the City Attorney, in the sum of \$15,000 blanket coverage for each and all employees, officers, members or associates of the private patrol service. The bond shall be conditioned upon the faithful and honest conduct of the business of private patrol service by the permittee and also conditioned upon faithful compliance with this Code, each and all of the ordinances of the City and the laws of the State of California in force, or which may thereafter be adopted, relating to the business of private patrol service. The permittee and sureties named in the bond, and their successors and assigns, shall be jointly and severally liable to the City and to any person, firm or corporation for damages suffered by reason of the wrongful acts of the permittee, its officers, associates,

members, or employees in breach of the conditions of the bond. The bond shall not be void upon any one or more recoveries thereunder, but may be sued and recovered upon from time to time by any person, firm or corporation aggrieved or damaged, to the extent thereof. The bond shall be renewed to its original amount on each annual anniversary thereof. Notice of any proposed cancellation of the bond shall be sent by registered mail to the Insurance and Bonds section of the Office of the City Attorney and to the Board of Police Commissioners not less than 30 days in advance of the cancellation date.

C. State License Bond. Before a permit for a private patrol service is issued, the applicant shall furnish the Board of Police Commissioners with a photostatic or certified copy of his State of California License and Bond evidencing that he has complied with State laws relating to the business of private patrols.

D. Insurance. A private patrol service shall furnish evidence of the following insurance with the Board of Police Commissioners upon request: workers' compensation, general liability insurance, automobile insurance and false arrest insurance in amounts to be determined by the Board.

(c) Special Officers.

(1) Registration.

Each special officer must be currently registered with the Bureau of Collection and Investigation Services of the State of California as required by Section 7514(f) of the Business and Professions Code of the State of California. The private patrol service will be responsible for each special officer to be registered and to carry proof thereof at all times while on duty. If at any time a special officer while on duty for such a private patrol service cannot produce a temporary or permanent State registration when requested by a City police officer, the private patrol service may be subject to suspension or revocation of its Police permit privilege to operate within the City.

(2) Permit. (Amended in Entirety, Ord. No. 158,407, Eff. 11/20/83.)

A. Any employee, or any officer or member or associate of a private patrol service who performs the service of a Guard, Watchman, Patrolman or other private patrol function whose duties involve patrolling from one location to another by City streets must possess a valid Special Officer's permit at all times as issued by the Police Commission.



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B. In addition to or in lieu of a Board-issued temporary permit authorized by Section 103.06(b), a temporary permit not to exceed 45 days may be issued to an applicant by the Secretary of the Board provided the following conditions are met:

a. An application for permit is on file at the main office of the City Clerk and all permit fees have been paid; and

b. A preliminary investigation by Commission staff does not reveal information which would normally constitute grounds for denial; and

c. The applicant possesses a valid permanent or temporary California State Guard Registration Card, and State Firearms Permit, if the applicant intends to carry a firearm; and

d. The applicant possesses a valid California Driver's License.

The Secretary of the Board may suspend such temporary permit at any time if the Secretary has reason to believe that any of the above conditions have not been met. The Secretary shall notify the applicant in writing of the reasons for any such suspension, and the application for a permanent permit shall continue to be processed according to provisions of this code and any applicable rules and regulations of the Board.

(3) Uniform, Equipment, Badges, Insignia.

A. No badge, insignia or uniform shall be used or worn by any employee, officer, member or associate of a private patrol service, while on duty for said patrol service, which is of such a design as to be mistaken for an official badge, insignia or uniform worn by a law officer of any city, county, or state agency within its jurisdiction. The applicant or permittee shall submit to the Board of Police Commissioners a sample of the insignia intended to be used in the conduct of the private patrol service involved. The Board of Police Commissioners shall approve the color of the proposed uniform and shall issue upon payment therefor a form of badge, which shall not contain the word "police". While engaged in the performance of duties, a special officer shall wear and display the badge issued pursuant to this section and insignia on the outside of his or her uniform in a clearly visible manner. Badges issued pursuant to this section shall not be altered, modified or defaced or be used, worn or displayed in such condition. Any badge issued hereunder which is in need of repair or replacement or otherwise not authorized for use shall be immediately returned and delivered to the Board of Police Commissioners or its representative. It shall be unlawful for anyone other than a permittee hereunder to use, wear or display a badge issued pursuant to this section. No insignia shall be worn if the sample thereof submitted to the Board of Police commissioners has been determined by the Board to be in violation of this section.

B. The Board of Police Commissioners shall specify the police-type equipment, including weapons and ammunition, which a special officer may carry while on duty, and it shall be unlawful for a special officer to carry, wear, or to use any such equipment, including weapons and ammunition, while on duty if such is of a type not previously approved by the Board of Police Commissioners for said officer.

The use of any firearm and ammunition, by a special officer, shall be of a brand name, model and caliber as approved by the Board of Police Commissioners or its agent.

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temporarily removed material (e.g., email messages, attachments, etc.)
No special officer shall carry any firearms in the performance of his or her duties unless he or she has completed the course of training specified in Section 7514.1 of the Business and Professions Code of the State of California.

(d) Motor Vehicle.

The Board of Police Commissioners or its agent shall approve the type or character of identification markings or insignia required hereunder to be placed on any motor vehicle used in the operation of any private patrol service. A private patrol operator shall not use or permit to be used for purposes of patrolling, any vehicle which is not marked and identifiable with approved markings or insignia in accordance herewith and with rules and regulations adopted by the Board of Police Commissioners. No vehicle used by a private patrol service shall be equipped with a red light, siren, or be painted in a manner similar to a police vehicle of the City of Los Angeles or other law enforcement agency with jurisdiction in the City.

(e) Reports to Police.

Every private patrol service operator and every special officer shall immediately make a report to the Police Department and to the Board of Police Commissioners of any violation of the Los Angeles Municipal Code, or State, or federal law which comes to his or her attention, with the exception of minor traffic offenses. The private patrol service shall also immediately report to the Police Department any weapon discharge or arrest made within the City, by any employee, officer member, or associate of the private patrol service.

(f) Authority to Make Rules and Regulations.

The Board of Police Commissioners shall have the authority to make rules and regulations not inconsistent with this chapter concerning private patrol services and special officers.

(g) Permits; Nontransferable.



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Every private patrol service operator and every special officer shall immediately make a report to the Police Department and to the Board of Police Commissioners of any violation of the Los Angeles Municipal Code, or State, or federal law which comes to his or her attention, with the exception of minor traffic offenses. The private patrol service shall also immediately report to the Police Department any weapon discharge or arrest made within the City, by any employee, officer member, or associate of the private patrol service.

(f) Authority to Make Rules and Regulations.

The Board of Police Commissioners shall have the authority to make rules and regulations not inconsistent with this chapter concerning private patrol services and special officers.

(g) Permits; Nontransferable.

Permits issued under this article are not transferable. This section shall not be construed to prohibit the owner of a private patrol service from selling, assigning or transferring such service, however any new owner, transferee, or assignee shall be required to qualify under this article before commencing operations or carrying on business as a private patrol service.

(h) Licenses and Fees Not Exclusive.

Fees and permits required by this article shall be in addition to any license, permit or fee required under any other chapter of this code.

SEC. 52.37.1. USE OF OFFICIAL POLICE TITLES BY PRIVATE AGENCIES - SIMILAR SUBTERFUGES - PROHIBITED.

(a) "Chief Detectives," "Chief of Detective Bureau."

No person shall use the title "Chief of Detectives" or "Chief of Detective Bureau" alone or in connection with any other term, phrase, symbol, initial or language, in carrying on any private business, employment or activity.

(b) Other Police Titles.

No person shall, in connection with any private business, employment or activity, use the title "Chief of Police," "Police Chief," "Detective" or any other title or designation whatever calculated to indicate an official connection with the Police Department of this city or with the police force of any other government or government agency, unless accompanied by additional language clearly displaying without the use of initials or symbols, the identity of the private agency or employer on whose behalf the user of the title or designation is acting or purporting to act.

(c) Police Operations.

No person, other than a regular police officer of the City of Los Angeles, shall, for any purpose whatsoever, represent himself, or falsely represent another, to be a member of the Police Department of this city, or use any sign, word, language or device calculated to induce a false or mistaken belief that he is acting or purporting to act on behalf of the Police Department of this city within the scope of any real or purported duty thereof.

(d) Collections, etc.

No person other than a regular police officer of this city, acting within the scope and course of his official duties, shall use any sign, badge, title or designation, or make any express or implied representation, calculated to induce the belief that he is a member of the police force of this city, or

RULES AND REGULATIONS GOVERNING PRIVATE PATROLS AND PRIVATE PATROL SPECIAL OFFICERS

(IN ADDITION TO STATE LAWS AND CITY ORDINANCES)

PRIVATE PATROL PERMIT: No person shall manage, conduct or carry on the business of a Private Patrol unless under and by authority by a written permit from the Board.

1. Each permittee shall have and maintain a business address and/or an emergency telephone number where a company representative is immediately available to members of the Los Angeles Police Department on a 24 hour per day basis.
2. No advertisement of any kind shall in any way imply that the patrol service is a part of the Los Angeles Police Department or any other law enforcement agency, or under contract or in any other way connected therewith.
3. A copy of any advertisement, notice, or card used by a permittee shall be submitted to the Board of Police Commissioners.
4. Unless prior exemption in writing is granted by the Board of Police Commissioners, all members of a Private Patrol shall be in full Private Patrol uniform at all times when performing any duty or service incidental to the operation of a Private Patrol.
5. The wearing or displaying of the badges and/or weapons and the carrying of loaded weapons by a private patrol operator, his employee, or self-employed Special Officer is prohibited except while performing services as a Private Patrol Special Officer.
6. Only assigned badges issued by the Board, shall be worn by the Private Patrol operator, his employees, and self-employed Special Officers, when performing services as a Special Officer.
7. Badges issued by the Board shall only be worn by the Special Officer to whom the badge was issued.
8. Any uniform worn by the permittee's employees shall be slate grey in color.
9. Hat emblems or pieces shall be uniform for each employee of a patrol service, and shall be silver in color and of a design approved by the Police Commission or its agent.
10. Employee address changes shall be maintained by the permittee and are subject to inspection by the Board or its agent.
11. Each vehicle used for the purpose of patrolling shall have the following: The Police Commission number issued to the permit holder, in no less than 3 inch letters and numerals, in at least three places; one on the lower outside portion of the driver's door; one on the lower outside portion of the passenger's door on the right side of the vehicle; and one on the outside rear section of the vehicle and these shall be clearly visible and readable from 50 feet. These letters and numerals shall be permanently attached.
Note: It shall be the responsibility of the permit holder to remove or cause to be removed said letters and numerals upon sale or transfer of said vehicle to a non-patrol function.
12. Each holder of a Private Patrol permit shall hold monthly inspections of all uniforms, required identification cards, badges, equipment, ammunition, and weapons. Records of inspections shall be maintained for a period of one year and be available to the Commission or their agent upon request thereof.
13. All Private Patrol operators and self-employed Special Officers shall prepare and deliver an employee list to the Board four (4) times per year. The employee list shall be received by the Board no later than January 10th, April 10th, July 10th, and October 10th of each calendar year. The employee list shall include the employee's name, Police Commission number, Police Commission Badge number, State Identification number and other State required certifications (i.e., Firearms, Baton, Chemical agents, etc.).
14. When a Special Officer has severed employment with any private patrol, or has ceased to perform the duties which require the issuance of a Special Officer's identification card and badge, the Special Officer's employer, or if self-employed, the Special Officer, shall, within ten (10) days of termination, return the Special Officers identification card and badge to the Police Commission. The identification card and badge remain the property of the Los Angeles Police Department.
Note: The private patrol company employing the Special Officer shall act as the authorized agent of the Board for the sole purpose of obtaining and returning the terminated employee's identification card and badge.
15. Upon request, in connection with his duties, a Special Officer shall identify himself as a Special Officer and give his name, badge number, and employer's name. At no time shall he so conduct himself by word or manner as to lead others to believe that he possesses the power to enforce Traffic Regulations or issue Traffic Citations, and he shall not interfere with or attempt to influence the lawful business of any person.
16. A Board Rule which is ruled to be invalid by a Court of competent jurisdiction shall not invalidate the remaining Board Rules.
17. The Private Patrol operator shall forward copies of all complaints regarding the activities of that Private Patrol permittee and/or his agents. These shall be investigated by members of the Los Angeles Police Department, and are subject to review by the Board of Police Commissioners.
18. Each holder of a Private Patrol permit shall keep posted in a conspicuous location in his local place of business a copy of these rules and a copy of the rules and laws regulating Private Patrol Officers and shall keep copies thereof also available for review at the main place of business of said operator.
19. Violation of any of these rules, or the violation of any State and/or local law in connection with the operation of a Private Patrol, may be cause for suspension and/or revocation of the permit held by the Private Patrol operator or their employees.

Adopted by the Board of Police Commissioners at a regular meeting of December 11, 1975.
Amended April 29, 1980.

Warning Lights on Private Security Agency Vehicles

25279. (a) Vehicles owned and operated by private security agencies and utilized exclusively on privately owned and maintained roads to which this code is made applicable by local ordinance or resolution, may display flashing amber warning lights to the front, sides, or rear, while being operated in response to emergency calls for the immediate preservation of life or property

(b) (1) *Vehicles owned by a private security agency and operated by personnel who are registered with the Department of Consumer Affairs under Article 3 (commencing with Section 7582) of Chapter 11.5 of Division 3 of the Business and Professions Code may be equipped with a flashing amber warning light system while the vehicle is operated on a highway, if the vehicle is in compliance with Section 27605 and is distinctively marked with the words "PRIVATE SECURITY" or "SECURITY PATROL" on the rear and both sides of the vehicle in a size that is legible from a distance of not less than 50 feet.*

(2) *The flashing amber warning light system authorized under paragraph (1) shall not be activated while the vehicle is on the highway, unless otherwise directed by a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.*

(c) *A peace officer may order that the flashing amber warning light system of a vehicle that is found to be in violation of this section*

be immediately removed at the place of business of the vehicle's owner or a garage.

(d) *A flashing amber warning light system shall not be installed on a vehicle that has been found to be in violation of this section, unless written authorization is obtained from the Commissioner of the California Highway Patrol.*

Amended Sec. 78, Ch. 1154, Stats. 1996. Effective September 30, 1996, by terms of an urgency clause.

The 1996 amendment added the italicized material.

Business Improvement Districts (B.I.D.s) are an important public-private partnership being used throughout Los Angeles as an economic development tool to enhance business districts. B.I.D.s are established by an action of the City Council in order to assist businesses, or the property owners, to initiate improvements and activities that benefit the businesses, their employees, their customers and the community in the immediate area. Their efforts may include newsletters, street banners, maintenance services and private patrol services. Frequently, the B.I.D.s adopt color themes to provide a unique identity for their area.

As with any innovative effort, problems can arise when beginning implementing a program. For example, the Downtown Center Business Improvement District (B.I.D.) has established a private patrol service and provided it with uniforms in the B.I.D.s theme colors. Recently, the Police Commission, which regulates private patrols, has put the Downtown Center B.I.D. and other B.I.D.s on notice for failure to comply with its rules and regulations regarding private patrol services. Specifically, the Commission's rules require that private patrol service uniforms be grey in color. The notification also indicates that the Downtown Center B.I.D. needs to pay the City's permit fees.

State law also regulates private patrols and sets mandatory fees, including those for licenses, firearms, batons and insurance. Section 52.34 of the Los Angeles Municipal Code (L.A.M.C.), which regulates private security patrols and officers, is intended to set forth guidelines for the Police Commission in its oversight of these State-regulated entities. The ordinance requires a City private patrol service permit and levies a "per officer" fee based on the City's cost incurred to exercise such oversight. The ordinance also authorizes the Police Commission to specify the type of uniform, equipment (including vehicles), badges and insignia that are used by any private patrol service or its agents and employees. The Commission's rules allow for waivers of its regulations.

The Downtown Center B.I.D. states that the City's fees and requirements, in combination with those of the State's, are prohibitive given the B.I.D.'s limited financial resources. They also indicate that the regulation of uniform color conflicts with their operational philosophies. The Commission has notified this B.I.D. that it will commence enforcement of the citation effective April 1, 1999.

As more B.I.D.s are established, similar problems may arise between their initiatives and the specific details of the City's public safety rules and regulations. Those rules should be reviewed to see what modifications might be made to assist the B.I.D.s in the achievement of their goals, while still allowing the City to provide the necessary required public safety oversight. An initial effort in assisting B.I.D.s was a previous Council motion (Alatorre-Bernson, C.F. 97-2341) that proposed that B.I.D.s be exempted from police permit fees for supplemental security services provided by the B.I.D. This motion is in the committee process pending a report from the City Administrative Officer.

I THEREFORE MOVE that the City Council request the Police Commission, with the assistance of the City Attorney, to report within 15 days regarding their requirements and enforcement activities under L.A.M.C. Section 52.34 - Private Patrol Service - Regulations, and how the rules can be modified to better coincide with the Mayor and Council's goals and objectives in creating B.I.D.s citywide, while still maintaining guidelines that protect the public's and officer's safety.

I FURTHER MOVE that the City Council request the Police Commission to cease their enforcement against the City's Downtown Center B.I.D. and its private patrol service, and any other B.I.D.s, until this matter has been reviewed by the City Council.

I FURTHER MOVE that the City Administrative Office report back within 15 days on the previous Council motion (Alatorre-Bernson, C.F. 97-2341) relative to the exemption of B.I.D.s from police permit fees for supplemental security services provided by the B.I.D.s.

Mo.
ADOPTED

MAR 16 1999

PRESENTED BY:

Laura Chick
LAURA CHICK
Councilmember, Third District

SECONDED BY:

Steve Blue

March 5, 1999 **LOS ANGELES CITY COUNCIL**

PUBLIC SAFETY COMMITTEE, SPECIAL MEETING

MONDAY, MARCH 29, 1999

**ROOM 315, CITY HALL - 1 PM
200 N. MAIN ST., LOS ANGELES, CA 90012**

**MEMBERS: COUNCIL MEMBER LAURA CHICK, CHAIR
COUNCIL MEMBER MICHAEL FEUER**

(Adrienne Bass - Legislative Assistant II - 213-237-0379)

Note: Assistive listening devices are available at the meeting; upon 72 hour advance notice, other accommodations, such as sign language interpretation, and translation services will be provided. Contact the Legislative Assistant listed above for the needed services. TDD available at (213) 485-4735.

FILE NO.

SUBJECT

(1)
95-1000- Police Department report back with policy statements,
S5 operation orders or any other disseminated information
instructing personnel regarding the role and authority
of the Inspector General and penalties for retaliations
against whistle blowers or persons reporting incidents
of mishandling of the administration of discipline to
the Inspector General. (Also referred to the Personnel
Committee)

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(2)
99-0312 Department of Animal Services report regarding the
Special Enforcement Unit (SEU) relative to stray and
packing dog problems, pursuant to Motion (Chick-
Walters).

Fiscal Impact Statement Submitted: No

DISPOSITION _____

**PUBLIC SAFETY COMMITTEE, SPECIAL MEETING
Monday - March 29, 1999**

99-0355

(3)

Motion (Chick-Alatorre-Hernandez) relative to the Police Commission to report regarding their requirements and enforcement activities relative to Private Patrol Services and how the rules can be modified to better coincide with the Mayor and Council's goals and objectives in creating BIDS citywide, the Police Commission to cease their enforcement against the Downtown Center BID and its private patrol service and and other BIDS until this matter has been reviewed and the CAO to report on the exemption of BIDS from police permit fees for supplemental security services provided by the BIDS.

Fiscal Impact Statement submitted: No

DISPOSITION cont special mtg 4-12

98-0560-
S5

(4)

Community Development Department and Police Department to report on the use of Federal Law Enforcement Block Grant savings for the LA Bridges program and a review of possible expenditure of remaining Block Grant savings.

Fiscal Impact Statement Submitted: No

DISPOSITION _____

95-1384

(5)

Police Department report back on the COPS Universal Hiring Grant deployment plan, money for supervisors, equipment and facilities needed for this program.

Fiscal Impact Statement Submitted: No

DISPOSITION _____

PUBLIC SAFETY COMMITTEE, SPECIAL MEETING
Monday - March 29, 1999

1
CITY OF LOS ANGELES SPEAKER CARD

30

Date

3/16/99

Council File No., Agenda Item, or Case No.

30

I wish to speak before the

City Council
Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

() General comments

Name:

LEONARD SHAPIRO

Business or Organization Affiliation:

Address:

8540 De Soto
Street

City

Canoga Park 91304
State Zip

Business phone:

700 0691

Representing:

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name:

Phone #:

Client Address:

Street

City

State

Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

MAR 16 1999

J. MICHAEL CAREY
City Clerk

When making inquiries
relative to this matter
refer to File No.

CITY OF LOS ANGELES
CALIFORNIA



RICHARD J. RIORDAN
MAYOR

Office of the
CITY CLERK
Council and Public Services
Room 615, City Hall
Los Angeles, CA 90012
Council File Information - (213) 485-5703
General Information - (213) 485-5705

99-0355

March 17, 1999

Council Member Chick
Council Member Hernandez
Police Department
City Attorney
Council Member Walters

Council Member Alatorre
City Administrative Officer
Police Commission (with file)

RE: REQUIREMENTS AND ENFORCEMENT ACTIVITIES UNDER THE LOS ANGELES
MUNICIPAL CODE (LAMC) SECTION 52.34 - PRIVATE PATROL SERVICE -
REGULATIONS

At the meeting of the Council held March 16, 1999, the following
action was taken:

Attached report adopted	_____
Attached motion (Chick - Alatorre - Hernandez) adopted.....	_____ X _____
Attached resolution adopted ().....	_____
Mayor concurred.....	_____
FORTHWITH.....	_____
Ordinance adopted.....	_____
Motion adopted to approve attached report.....	_____
Motion adopted to approve communication.....	_____
To the Mayor FORTHWITH.....	_____
Mayor vetoed.....	_____
Mayor approved.....	_____
Mayor failed to act - deemed approved.....	_____
Findings adopted.....	_____
Negative Declaration adopted.....	_____
Categorically exempt.....	_____
Generally exempt.....	_____

J. Michael Carey

City Clerk
af

steno\990355



CITY OF LOS ANGELES SPEAKER CARD

Date

3/29/99

Council File No., Agenda Item, or Case No.

#3

99-0355

PUBLIC SAFETY

I wish to speak before the

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

Name: JOE GERMAIN ☒ General comments

Business or Organization Affiliation:

THE FASHION DISTRICT

Address:

1100, 9TH ST., STB. C-625, L.A., CA 90079

Street

City

State

Zip

Business phone:

(213) 765-0665

Representing:

THE FASHION DISTRICT

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

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Client Address:

Street

City

State

Zip

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#3

CITY OF LOS ANGELES SPEAKER CARD

Date

3-29-99

Council File No., Agenda Item, or Case No.

99-0355 #3

I wish to speak before the

Public Safety Committee

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

Name:

RADDALL K. ELY

() Against proposal

(X) General comments

Business or Organization Affiliation:

DUNN CTR BDO

Address:

606 So OLIVE ST #1000 LA

Street

City

State

Zip

90014

Business phone:

273-624-2146

Representing:

DUNN CTR BDO

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

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Client Name:

Phone #:

Client Address:

Street

City

State

Zip

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CITY OF LOS ANGELES SPEAKER CARD

3

Date

3/29/99

Council File No., Agenda Item, or Case No.

99-0355

I wish to speak before the

PUBLIC SAFETY COMMITTEE.

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

Name: RONALD PASCHALL (X) General comments

Business or Organization Affiliation: CENTRAL CITY EAST ASSOC. TOY TOWN RADIO BIDS.

Address: 744 S. SAN PEDRO LOS ANGELES CA 90014
Street City State Zip

Business phone: 213-228-8484 Representing: TOY TOWN / RADIO BIDS.

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

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Client Name: Phone #:

Client Address: Street City State Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

FILE NO.

SUBJECT

(6)

94-0515-S2 City Attorney report relative to proposed ordinance amending various provisions of Chapter X of the L.A.M.C. to regulate the purchase of firearm ammunition, pursuant to Motion (Feuer - Walters - Ridley-Thomas - et al)

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(7)

95-0374 Continued from meeting of 9-20-99
Police Department report and City Administrative Officer to report relative to the Department's Revolving Training Fund (RTF) and two amendments to allow funds generated from the proposed college affiliation program to be received by the Fund and to increase the Fund's cap from \$1 million to \$1.5 million. (also referred to the Budget and Finance Committee.)

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(8)

99-0355 Continued from meeting of 9-27-99
City Administrative Officer and City Attorney to report relative to private patrol services and officers operating in Business Improvement Districts, permit fees, Los Angeles Municipal Code amendments and related matters, pursuant to Motion (Chick - Alatorre - Hernandez).

Fiscal Impact Statement Submitted: No

DISPOSITION City Atty to Draft Ord to
eliminate business fee

PUBLIC ETY COMMITTEE, SPECIAL M. ING

MONDAY, SEPTEMBER 27, 1999

ROOM 315, CITY HALL - 10:00 AM
200 N. MAIN ST., LOS ANGELES, CA 90012

MEMBERS: COUNCILMEMBER CINDY MISCIKOWSKI, CHAIR ✓
COUNCILMEMBER NICK PACHECO ✓
~~COUNCILMEMBER JOEL WACHS~~

(John A. White - Legislative Assistant - 213-485-5707)

Note: Assistive listening devices are available at the meeting; upon 72 hour advance notice, other accommodations, such as sign language interpretation, and translation services will be provided. Contact the Legislative Assistant listed above for the needed services. TDD available at (213) 485-4735.

FILE NO.

SUBJECT

(1)
99-1288-S1 City Administrative Officer (CAO) report relative to a transmittal from the Board Police Commissioners regarding the implementation of, and the contracting for, the Police Department's new toll-free non-emergency phone number 1-877-ASK-LAPD. (Also referred to the Budget and Finance Committee)

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(2)
95-2019-S5 CAO report relative to a communication from the Board of Police Commissioners approving a contract with Absolute Towing to provide Official Police Garage service in the Police Department's Hollenbeck Area.

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(3)
99-1596 Communication from the Board of Police Commissioners relative to the City's False Alarm Program and the status of the Police Department's Burglar Alarm Unit, the collection of alarm permit fees and false alarm fines, and recommendations for reducing false alarms.

Fiscal Impact Statement Submitted: No

DISPOSITION _____

PUBLIC SAFETY COMMITTEE
*** SPECIAL MEETING ***
Monday - September 27, 1999

- 99-1627 (4)
Communication from the Board of Fire Commissioners relative to the 1997 Brush Clearance Appeals Hearings report and recommendations of the Hearing Examiner.
Fiscal Impact Statement Submitted: No
DISPOSITION _____
- 99-0600-S5 (5)
CAO report relative to the nuisance abatement and revocation activities of the Code Enforcement Policy and Implementation Committee.
Fiscal Impact Statement Submitted: Yes, by the CAO
DISPOSITION _____
- 96-0150 (6)
Department of Building and Safety report relative to Inter-Agency Slum Housing Task Force Statistics for the period of January 1, 1999 through June 30, 1999.
Fiscal Impact Statement Submitted: No
DISPOSITION _____
- 94-1135-S1 (7)
CAO and Animal Regulation Department reports relative to increasing equine license fees from \$14 to \$20 to cover costs associated with program administration. (Waived by the Governmental Efficiency Committee. Also referred to the Budget and Finance Committee.)
Fiscal Impact Statement Submitted: Yes, by the CAO.
DISPOSITION _____
- 99-1642 (8)
Communication from the Emergency Operations Board relative to the 1999 Los Angeles Emergency Preparedness Fair.
Fiscal Impact Statement Submitted: No
DISPOSITION _____
- 99-1050 (9)
Communication from the Emergency Operations Board relative to the May 25, 1999 Y2K Contingency Planning Exercise After-Action Report.
Fiscal Impact Statement Submitted: No
DISPOSITION _____

Items 10, 11, and 12 are inactive files that may be considered for receive and file action.

(10)
97-1416 Animal Regulation Department report relative to prohibiting the ownership of snakes, except by snake-owners who seek a special permit, pursuant to attached Motion (Bernson-Chick).

Fiscal Impact Statement Submitted: Yes, by ARD

DISPOSITION _____

(11)
97-1476 Motion (Bernson-Chick) relative to upgrading the Police Department Air Support Division's Tactical Flight Officers to Police Officer III+2 positions due to the increasing technical complexity of their duties.

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(12)
97-0241- Motion (Ridley-Thomas - Miscikowski) relative to the
S1 expansion of the PACE program Citywide and related
CD 8 issues. (At their special meeting held September 13, 1999, the Community and Economic Development Committee recommended that Council receive and file this matter, inasmuch as this issue was addressed by the 1999-2000 Community Development Block Grant.)

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(13)
99-0355 Continued from meeting held 9-20-99
CAO and City Attorney to report relative to private patrol services and officers operating in Business Improvement Districts, permit fees, Los Angeles Municipal Code amendments, and related matters, pursuant to Motion (Chick-Alatorre-Hernandez).

Fiscal Impact Statement submitted: No

DISPOSITION _____

Cont'd for 30 days

(14)

Continued from meeting held 9-20-99

99-1442

City Attorney report, pursuant to Motion (Bernson-Chick), relative to the status of any legal provisions, if any, which, could be used to prohibit the practice of urinating in public, and if necessary to prepare any accompanying draft ordinances to authorize the Police Department to issue citations to persons who urinate in public.

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(15)

Continued from 9-20-99

99-0186

City Attorney, Fire Department, and CAO reports relative to the deployment, funding, and potential liability for the use of automated External Defibrillators by City personnel in emergency situations, pursuant to Motion (Svorinich-Chick).

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(16)

Continued from 9-20-99

99-1505

City Attorney, in cooperation with the Department of Building and Safety report, pursuant to Motion (Miscikowski-Feuer), relative to a moratorium ordinance with an urgency clause temporarily prohibit the issuance of permits for any full motion video signs within the City of Los Angeles for a period of one year and two 90-day extensions to be approved by Council resolution. (Also referred to the Planning and Land Use Management Committee)

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(17)

Continued from 9-20-99

95-0204

City Attorney reports relative to helicopter usage in the Cahuenga Pass and regulating private or commercial flights in City airspace, pursuant to Motion (Ferraro - Ridley-Thomas).

Fiscal Impact Statement Submitted: No

DISPOSITION _____

ps0927sp.agd

Did not speak

CITY OF LOS ANGELES SPEAKER CARD

Date

7-18-99

Council File No., Agenda Item, or Case No.

99-0355 #1

I wish to speak before the PUBLIC SAFETY COMMITTEE
Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

Name: RAWALL K. ELY

(X) General comments

Business or Organization Affiliation: DWYD CIR BDD

Address: 606 So OLIVE ST #1000 LA 90014
Street City State Zip

Business phone: 213-624-2146 Representing: BDD

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

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Client Name: _____ Phone #: _____

Client Address: _____
Street City State Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

NOTICE OF LOBBYING REGISTRATION

If you are receiving compensation to make this appearance, the City's municipal lobbying ordinance (L.A.M.C. Section 48.01 et seq., as amended) may require you to register and report your lobbying activity. For more information about the City's lobbying law, contact the City Ethics Commission at (213) 237-0310, by fax at (213) 485-1093 or at 201 N. Los Angeles St., L.A. Mall, Suite 2, Los Angeles, CA 90012.

Information about lobbying the City of Los Angeles may also be found on the Internet by accessing the Ethics Commission site on the City of Los Angeles "home page" located at <http://www.ci.la.ca.us>

CITY OF LOS ANGELES SPEAKER CARD

Did not speak
①

Date

7/19

Council File No., Agenda Item, or Case No.

99-0355

I wish to speak before the

PUBLIC SAFETY COMMITTEE.

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

Name:

RON PASCHALL

(x) General comments

Business or Organization Affiliation:

CCEA

Address:

7445 SAN PEDRO
Street

LA.
City

State

90014
Zip

Business phone:

213-228-8484

Representing:

LADID, Toy DISTRICT

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

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Phone #:

Client Address:

Street

City

State

Zip

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Did not speak

CITY OF LOS ANGELES SPEAKER CARD

Date

7/19

Council File No., Agenda Item, or Case No.

1

I wish to speak before the

FASHION DISTRICT BID

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

Name: JOE GORMAN ☒ General comments

Business or Organization Affiliation:

FASHION DISTRICT

Address:

110 E. 9TH ST., STE C-625 L.A., CA 90079

Business phone:

(213) 765-0665

Representing:

FASHION DISTRICT

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name:

Phone #:

Client Address:

Street

City

State

Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

CITY OF LOS ANGELES SPEAKER CARD

Did not speak

Date

7/19

Council File No., Agenda Item, or Case No.

①

I wish to speak before the

FASHION DISTRICT BID

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

Name: JOE GERMAIN ☒ General comments

Business or Organization Affiliation:

FASHION DISTRICT

Address:

110 E. 9TH ST., STE C-625 L.A., CA 90079
Street City State Zip

Business phone:

(213) 765-0665

Representing:

FASHION DISTRICT

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name:

Phone #:

Client Address:

Street

City

State

Zip

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CITY OF LOS ANGELES SPEAKER CARD

Did not speak

Date

7-19-99

Council File No., Agenda Item, or Case No.

99-0355

I wish to speak before the

Public Safety Committee
Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

Name: *Kenneth Aslan* ☒ General comments

Business or Organization Affiliation: *Historic Core BID*

Address: *522 So. Main Street* *LA* *CA* *90013*
Street City State Zip

Business phone: *213688-2818* Representing: *HC BID*

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

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Client Name: _____ Phone #: _____

Client Address: _____
Street City State Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.

Did not speak

CITY OF LOS ANGELES SPEAKER ()

Date

7-19-99

Council File No., Agenda Item, or Case No.

99-0355

I wish to speak before the

Public Safety Committee
Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

Name: Kenneth Aslan ☒ General comments

Business or Organization Affiliation: Historic Core BID

Address: 522 So. Main Street LA CA 90013
Street City State Zip

Business phone: 213688-2818 Representing: HCBID

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name: Phone #:

Client Address: Street City State Zip

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NOTICE OF LOBBYING REGISTRATION

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Information about lobbying the City of Los Angeles may also be found on the Internet by accessing the Ethics Commission site on the City of Los Angeles "home page" located at <http://www.ci.la.ca.us>

PUBLIC SAFETY COMMITTEE

MONDAY, JULY 19, 1999

ROOM 315, CITY HALL - 2:00 PM
200 N. MAIN ST., LOS ANGELES, CA 90012

MEMBERS: COUNCIL MEMBER LAURA CHICK, CHAIR
COUNCIL MEMBER MICHAEL FEUER
COUNCIL MEMBER ALEX PADILLA

(John A. White - Legislative Assistant II - 213-485-5707)

Note: Assistive listening devices are available at the meeting; upon 72 hour advance notice, other accommodations, such as sign language interpretation, and translation services will be provided. Contact the Legislative Assistant listed above for the needed services. TDD available at (213) 485-4735.

FILE NO.

SUBJECT

(1)
Continued from special meeting held 5-24-99
99-0355 City Administrative Officer (CAO) and City Attorney to report relative to private patrol services and officers operating in Business Improvement Districts, permit fees, Los Angeles Municipal Code amendments, and related matters, pursuant to Motion (Chick-Alatorre-Hernandez).

Fiscal Impact Statement submitted: No

DISPOSITION Cont'd 45 days

(2)
94-0571-S1 CAO to report relative to the Police Department's Alarm Unit staffing and performance.

Fiscal Impact Statement Submitted: No

DISPOSITION _____

(3)
99-1097 CAO report and Police Department to report relative to the Supplemental Police Account XIII Police Department expenditure plan for the period January 1, 1999 through December 31, 1999.

Fiscal Impact Statement Submitted: Yes, by the CAO

DISPOSITION _____

(4)
96-2387 Police Department report relative to the Department's role in nuisance abatement, use of the nuisance abatement problem property referral form, and the Conditional Use Permit process.
Fiscal Impact Statement Submitted: No
DISPOSITION _____

(5)
99-1074 Police Department report relative to new Department guidelines for minority, women, and other business enterprise subcontractors outreach programs. (Also referred to the Governmental Efficiency Committee.)
Fiscal Impact Statement submitted: No
DISPOSITION _____

(6)
95-0730-S1 Police Department report relative to the Safe Parks Program for the period January through March, 1999.
Fiscal Impact Statement submitted: No
DISPOSITION _____

(7)
96-0666 Fire Department report relative to a consultant phase-out schedule and work plan for the remaining tasks associated with the FCCS II.
Fiscal Impact Statement Submitted: No
DISPOSITION _____

(8)
99-0186 City Attorney and Fire Department reports, and the CAO to report relative to the deployment, funding, and potential liability for the use of automated External Defibrillators by City personnel in emergency situations, pursuant to Motion (Svorinich-Chick).
Fiscal Impact Statement Submitted: No
DISPOSITION _____

COUNCIL VOTE

16-Mar-99 11:30:57 AM, #12

ITEM NO. (30)

Voting on Item(s): 30

Roll Call

ALATORRE	Yes
BERNSON	Yes
CHICK	Yes
FEUER	Yes
GALANTER	Absent
GOLDBERG	Yes
HERNANDEZ	Yes
HOLDEN	Yes
MISCIKOWSKI	Yes
RIDLEY-THOMAS	Absent
SVORINICH	Yes
*WACHS	Yes
WALTERS	Yes
FERRARO	Absent
	Absent

Present: 11, Yes: 11 No: 0

Council File No. 99-0355

Council File No. 99-0355

- [illegible]

CITY OF LOS ANGELES SPEAKER CARD

Date

5-24-99

Council File No., Agenda Item, or Case No.

99-0355

I wish to speak before the Public Safety Committee
Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

Name: RANDALL K. ELY () Against proposal
☒ General comments

Business or Organization Affiliation: DUSTY CENTER BID (DCBID)

Address: 606 So. OLIVE ST #1000 LA 90014
Street City State Zip

Business phone: 213-624-2146 Representing: DCBID

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Client Name: _____ Phone #: _____

Client Address: _____
Street City State Zip

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CITY OF LOS ANGELES SPEAKER CARD

5

Date

5/24/99

Council File No., Agenda Item, or Case No.

99-0355

I wish to speak before the

PUBLIC SAFETY COMMITTEE

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? ☒ For proposal

☐ Against proposal

☐ General comments

Name:

JOE GERMAIN

Business or Organization Affiliation:

THE FASHION DISTRICT

Address:

110 E. 9TH ST., STE C-625, L.A., CA. 90079

Street

City

State

Zip

Business phone:

(213) 765-0665

Representing:

FASHION DISTRICT

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

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Client Name:

Phone #:

Client Address:

Street

City

State

Zip

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5

CITY OF LOS ANGELES SPEAKER CARD

Date

5/24/99

Council File No., Agenda Item, or Case No.

99-0355

I wish to speak before the

PUBLIC SAFETY COMMITTEE

Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal

() Against proposal

Name: ROY PASCHALL ☒ General comments

Business or Organization Affiliation: CENTRAL CITY EAST ASSOCIATION

Address: 744 S. SAN PEDRO ST. L.A. CA 90014
Street City State Zip

Business phone: 213-228-8484 Representing: TOY DISTRICT / LA DID BLD'G.

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

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Client Name: Phone #:

Client Address: Street City State Zip

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5

CITY OF LOS ANGELES SPEAKER CARD

Date

5/24/99

Council File No., Agenda Item, or Case No.

99-0355

I wish to speak before the Public Safety Comm. Htee
Name of City Agency, Department, Committee or Council

Do you wish to provide general public comment, or to speak for or against a proposal on the agenda? () For proposal
() Against proposal
Name: Steve Gibson (X) General comments

Business or Organization Affiliation: Fashion District

Address: 110 E Ninth St. C625 Los Angeles CA 90079
Street City State Zip

Business phone: ~~323~~ 488-1153 Representing: _____

CHECK HERE IF YOU ARE A PAID SPEAKER AND PROVIDE CLIENT INFORMATION BELOW:

☐

Client Name: _____ Phone #: _____

Client Address: _____
Street City State Zip

Please see reverse of card for important information and submit this entire card to the presiding officer or chairperson.