

PUBLIC SAFETY and PLANNING AND LAND USE MANAGEMENT COMMITTEES REPORT relative to limiting criminalization to the owners of unlicensed commercial cannabis activities and unlawful establishments.

Recommendation for Council action, pursuant to Motion (Soto-Martinez – Hernandez – McOsker):

REQUEST the City Attorney to prepare and present an amendment to Los Angeles Municipal Code (LAMC) Section 104.15 that limits criminalization to the owners of unlicensed commercial cannabis activities and unlawful establishments, and removes criminalization of employees, contractors, agents, and volunteers.

Fiscal Impact Statement: Neither the City Administrative Officer nor the Chief Legislative Analyst has completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

On April 9, 2024, the Public Safety (PS) Committee considered a Motion (Soto-Martinez – Hernandez – McOsker) relative to limiting criminalization to the owners of unlicensed commercial cannabis activities and unlawful establishments. According to the Motion, every month in Los Angeles, dozens of young mostly Black and Brown community members are arrested for working at unlicensed cannabis businesses. It does not matter whether or not they knew the establishment was unlicensed. LAMC Section 104.15 makes it unlawful to not only own an unlicensed cannabis business, but also to “participate as an Employee, contractor, agent or volunteer.” It is cruel and unfair to punish workers for the misconduct of their employers. According to members of the Los Angeles County Public Defender’s Union, the vast majority of those arrested under this code section are under the age of 30, and are people of color. Arrest data from 2023 confirms this: over 60% of the individuals arrested under LAMC Section 104.15 were under the age of 30, and over 80 percent were either Black or Brown. This also does not factor in the financial and emotional cost experienced by the true victims: the young, Black and Brown Angelenos who are being pushed into the criminal justice system and often left with several misdemeanors on their record and months of probation. Furthermore, depending on the circumstances, these charges can have devastating additional consequences, such as loss of housing, inability to find work, and even deportation.

After consideration and having provided an opportunity for public comment, the PS Committee moved to recommend approval of the Motion. Subsequently, on April 16, 2024, the Planning and Land Use Management (PLUM) Committee also considered this matter. After consideration and having provided an opportunity for public comment, the PLUM Committee moved to concur with the PS Committee. This matter is now submitted to Council for its consideration.

Respectfully Submitted,

Public Safety Committee

COUNCILMEMBER	VOTE
RODRIGUEZ:	ABSENT
LEE:	YES
McOSKER:	YES
PARK:	YES
SOTO-MARTINEZ:	YES

ARL
4/9/24

Planning and Land Use Management Committee

COUNCILMEMBER	VOTE
HARRIS-DAWSON:	YES
LEE:	YES
YAROSLAVSKY:	YES
PADILLA:	YES
HUTT:	YES

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4/16/24

-NOT OFFICIAL UNTIL COUNCIL ACTS-