



**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 17 - 0 1 9 1  
JUN 0 1 2017

**REPORT RE:**

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

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

Honorable Members:

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

Program Implementation

The ACE Pilot Program has been enthusiastically embraced by LAPD, DAS, and the Department of Parks and Recreation's Park Rangers (Park Rangers) enforcement personnel. The City Attorney's Office continues to review every citation issued and submitted for processing. This practice will continue with each agency until the City Attorney's Office is confident that the agencies are correctly implementing ACE and to maintain quality control. To date the Supervising Deputy City Attorney has reviewed 11,802 citations. The City Attorney's Office also continues to participate in regularly scheduled LAPD, DAS, and Park Rangers trainings to strengthen the program and the collaboration between our offices.

Last fall, the City Council approved the expansion of the ACE program to include the Bureau of Street Services (BOSS) thereby authorizing BOSS to participate in the ACE Program. BOSS's citation books have been printed. All BOSS enforcement officers have been trained and began issuing citations in February.

ACE is working with the Los Angeles Fire Department to develop and implement a list of offenses and enforcement strategy that is suitable for the department.

LAPD Statistics:

From July 1, 2016 through December 31, 2016, LAPD issued 3,515 citations. Over 79% of those citations were processed – the remaining citations were either referred to another program for handling or rejected after being reviewed.

The following is a summary of the citations received by each LAPD division between June 12, 2016 and December 24, 2016.

Division	Citations Received
77th	60
Central	141
Central Traffic	401
Devonshire	236
Foothill	250
Harbor	23
Hollenbeck	241
Hollywood	411
Mission	228
Newton	127
North Hollywood	230
Northeast	111
Olympic	104
Pacific	72
Rampart	110
Southeast	7
Southwest	26
South Traffic	
Topanga	99
Valley Traffic	1
Van Nuys	113
West Los Angeles	14
West Traffic	
West Valley	144
Wilshire	114
Commission Investigations Division	255
Security Services	54
Commercial Crimes Division	7
Detective Support and Vice Division	13
Metropolitan Division	29

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

• Drinking in public	38.80%
• Required Police Commission Permits	22.72%
• Illegal vending	2.50%
• Violation of City Park ordinances	10.22%
• Spectator, Speed Contest	12.57%
• Possession of open container on or adjacent to ABC location	6.27%
• Skateboarding in posted zones	0.18%
• Noise	3.88%
• Illegal ticket sales	0.36%
• Illegal Fireworks	0.25%
• Urinating or defecating in public	1.56%
• Trash Handling/ Depositing of Trash	0.14%
• Gambling	0.12%
• All other miscellaneous offenses	0.43%

During this reporting period, 187 violators cited by LAPD requested an initial review out of a total of 3,515 violations written. Of that number, ten of the citations were dismissed at the initial review phase for reasons of insufficiency of information. One hundred and sixty-five (165) of the citations were upheld. Violators immediately paid the fines in 115 of the upheld citations.

The City's ACE Ordinance allows violators an additional appeal by requesting an independent hearing which is conducted by an Administrative Hearing Officer. During this reporting period, 26 hearings were held for LAPD citations. Of the hearings conducted, 15 of the violators were found to be responsible and fined, and nine were dismissed. One of the violators was referred to the City Attorney's Homeless Engagement and Response Team (HEART). The referred violator's fine has been held in abeyance pending the successful completion of the HEART community service requirements.

#### Park Rangers Statistics:

Park Rangers began issuing citations in May 2015. Below represents the status of citations received between July 1, 2016 and December 31, 2016:

• ACE Citations received	114
• Initial review requests	6
• Referred to the Neighborhood Justice Program	1
• Administrative hearing requests	1

DAS Statistics:

The following represents the status of the citations submitted by DAS personnel between July 1, 2016 and December 31, 2016:

- ACE citations issued by DAS enforcement personnel issued 6,604
- ACE citations submitted to the City Attorney for fines to be imposed due to non-compliance 1,374
- Initial review requests 164
- Administrative hearing requests 18
- Administrative hearings 15

Payment of Fines and Transfer of Fines to Code Compliance Fund

The City's citation processing company, Data Ticket, collects fines and late penalties from persons who have been cited through the ACE Program and whose citations have been screened and referred for processing by the City Attorney's Office. As of December 31, 2016, a total of \$746,399.23 has been collected in the form of checks and credit card payments from LAPD citations, \$89,804.56 from DAS citations and \$5,165.00 from Park Ranger citations. The fines and penalties collected by Data Ticket are electronically transferred to the Office of Finance for deposit to the Code Compliance Fund, which was established in the ACE Ordinance. Fines and penalties collected since the inception of the ACE Pilot Program amount to \$841,368.79, as of December 31, 2016.

Data Ticket has invoiced the City Attorney's Office monthly for program services, in accordance with its contract. Upon approval of the invoices by the City Attorney and processing by Office of Finance, the contractor is paid by warrants issued under the authority of the Controller from the monies deposited in the Code Compliance Fund. To date, Data Ticket has been paid \$212,615.27 since the program began in December 2014.

Unpaid Fines and Penalties

The total of unpaid fines since the beginning of the ACE Pilot Program until December 31, 2016, is \$1,999,242.70. The breakdown by each of the participating Departments is as follows: LAPD \$1,173,815.81; Department of Animal Services \$811,276.89; Recreation and Park Rangers \$14,150.

Unpaid citations are referred to the income tax return intercept program of the State's Franchise Tax Board. As of the end of December 2016, a total of \$6,945.55 has been received from the Franchise Tax Board. As more cited persons become eligible for State Income tax refunds, additional payments to the City are likely to be received.

Expansion of the ACE Pilot Program

The City's ACE Ordinance allows for the expansion of the ACE Pilot Program to include additional City departments upon City Council approval.

The City Attorney's Office continues to engage in discussions with the Housing and Community Investment Department as to its inclusion in the ACE Program. The City Attorney's Office and the LAPD are also exploring the possibility of expanding ACE enforcement to the University of Southern California, Department of Public Safety (USC DPS), and Los Angeles Unified School District (LAUSD) School Police through cooperation agreements between the LAPD, USC DPS and LAUSD School Police. The City's ACE Ordinance authorizes inclusion of non-city entities where the entity has a cooperation agreement with the City. We will provide a status update in our next quarterly report.

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

Very truly yours,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON  
Chief Assistant City Attorney

DM:RHV:pj

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