



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R 23 - 0396
OCT 19 2023

REPORT RE:

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

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

Honorable Members:

On June 21, 2013, your Council adopted the Administrative Citation Enforcement (ACE) Program Ordinance (Council File 10-0085). This report provides the most recent update for the program.

Recommendation

1. RECEIVE AND FILE this Annual 2022-2023 ACE Program Status Report.
2. Recruitment of additional Adm Hearing Officers: The ACE Program continues to need volunteer Administrative Hearing Officers to assist in adjudicating the administrative hearings requested by citizens. The ACE Unit met with Dr. Brian Jarrett, JD., LL.M., Ph.D., Director of Negotiation, Conflict Resolution, & Peacebuilding Program (NCRP) at California State University Dominguez Hills to discuss a collaboration between the two institutions in our efforts to recruit more Administrative Hearing Officers. Four new administrative hearing officers were recruited to assist with the hearing of cases and adjudication.

3. Program Participation

The ACE Program is currently utilized by LAPD, Department of Animal Services (DAS), Department of Parks and Recreation's Park Rangers (Park Rangers), and the Bureau of Street Services (BOSS). The Los Angeles Housing Department (LAHD) and Los Angeles Department of Building and Safety (LADBS) issue citations for advertising home-sharing without a City registration number. Los Angeles Sanitation and Environment Bureau (LASAN) was approved and authorized to participate in the ACE program this past year. LASAN commenced drafting policies and procedures for ACE issuance including citation forms.

The ACE Unit continues to review every citation issued and submitted for processing. To date, the Supervising Assistant City Attorney has reviewed approximately 77,132 citations.

LAPD Statistics:

Division	Citations Received
77th	29
Central	10
Central Traffic	50
Devonshire	218
Foothill	170
Harbor	52
Hollenbeck	177
Hollywood	561
Mission	503
Newton	60
North Hollywood	52
Northeast	46
Olympic	80
Pacific	145
Rampart	9
Southeast	74
Southwest	401
South Traffic	67
Topanga	235
Valley Traffic	0
Van Nuys	157
West Los Angeles	65
West Traffic	27
West Valley	236

Wilshire	78
Commission Investigations Division	73
Security Services	3
Commercial Crimes Division	0
Detective Support and Vice Division	0
Metropolitan Division	0
Emergency Operations Division	0
Metropolitan Transit Authority	0
Major Crimes Division	0
Office of Operations/Film Unit	14
Transit Services Division	1

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

- Drinking in public 31.91%
- Possession of open container on or adjacent to ABC location 4.75%
- Required police commission permits 7.78%
- Street vending .49%
- Violation of City park ordinances 2.01%
- Spectator, speed contest 4.71%
- Loud parties .45%
- Noise 3.28%
- Fireworks .08%
- Gambling related offenses 4.71%
- Marijuana enforcement citations 11.88%
- Miscellaneous offenses 1.23%
- Massage related offenses 24.74%
- Urinating/Defecating in Public .70%
- Deposit of Garbage Street/L.A. River .49%
- Vending of Merchandise/Beach .78%

LAPD Statistics:

The following represents the status of citations received between July 1, 2022 and June 30, 2023:

- ACE citations received 3,868
- Initial review requests 284
- Administrative hearings conducted 19
- HEART referrals 127
- Referred to Neighborhood Justice Program 4
- Officers trained 756

Park Rangers Statistics:

The following represents the status of citations received between July 1, 2022 and June 30, 2023:

● ACE citations received	224
● Initial review requests	57
● Administrative hearings conducted	6
● HEART referrals	4
● Referred to Neighborhood Justice Program	1
● Officers trained	26

BOSS Statistics:

The following represents the status of citations received between July 1, 2022 and June 30, 2023:

● ACE citations received	2,488
● Initial review requests	220
● Administrative hearings conducted	7
● Referrals to Neighborhood Justice Program	0
● Officers trained	15

DAS Statistics:

The following represents the status of the citations submitted by DAS personnel between July 1, 2022 and June 30, 2023:

● ACE citations received	1,074
● Initial review requests	226
● Administrative hearings conducted	2
● Officers trained	31

LADBS Statistics for Home Sharing Violation:

The following represents the status of citations submitted by LADBS personnel between July 1, 2022 and June 30, 2023:

● ACE citations received	25
● Initial review requests	29
● Administrative hearing requests	6

LAHD Statistics for Home Sharing:

The following represents the status of citations submitted by HCID personnel between July 1, 2022 and June 30, 2023.

- ACE citations received 5
- Initial review requests 6
- Administrative hearing requests 0

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. The 2022-2023 fiscal year total of collections was \$896,503.25. The fines and penalties collected by Data Ticket are electronically transferred to the Office of Finance monthly for deposit to the Code Compliance Fund. Thus far, \$29,207.93 has been collected through our 3rd Party Collection agency, Sequoia Financial Services.

Data Ticket invoices the City Attorney's Office monthly for its citation processing services, in accordance with its contract. During the 2022-2023 fiscal year, a total of \$162,293.88 was paid by the City to the contractor for processing, noticing, and collection services.

Unpaid Citations Referred to Franchise Tax Board

Unpaid citations are referred to the Franchise Tax Board's Intercept Program. From July 1, 2022 through June 30, 2023, a total of \$379,985.41 has been deposited to the Code Compliance Fund from income tax refund intercepts by the Franchise Tax Board.

Unpaid Fines and Penalties:

The total of unpaid fines from July 1, 2022 through June 30, 2023 was \$937,994.05.

The breakdown by each of the participating departments is as follows:

- Los Angeles Police Department: \$370,594.24
- Department of Animal Services: \$291,845.32
- Department of Recreation and Parks: \$24,462.87
- Bureau of Street Services: \$190,711.00
- Los Angeles Department of Building and Safety (Home Sharing): \$43,889.59
- Housing and Community Investment Department (Home Sharing): \$16,491.03

Expansion/Discussion of the ACE Program

ACE continues to work on expansion of the program working with various departments. The Tobacco Enforcement unit will commence issuance of citations for no retail sale of flavored tobacco in the first quarter of 2023.

The Housing Department will expand its enforcement from short-term rentals to also include the Tenant Anti-Harassment Ordinance and citations related to permit violations including mechanical and electrical code violations.

LASAN (Los Angeles Sanitation and Environment Department) will begin issuing citations on the LASAN Comprehensive Plastics Reduction Program as well as enforcement and writing of citations under the recyclLA program.

The City Council has instructed the Department of Disability to report on the feasibility of drafting an ordinance to require businesses in the City to activate closed captioning on all of their televisions in public spaces with ACE as an enforcement mechanism.

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

Sincerely,

HYDEE FELDSTEIN SOTO, City Attorney

By


RITA HERNANDEZ-VENEGAS
Assistant City Attorney

RHV: jv
Attachments (1)

cc: Honorable Karen Bass, Mayor
Honorable Kenneth Mejia, Controller
Sharon Tso, Chief Legislative Analyst
Matt Szabo, City Administrative Officer
Michel Moore, Chief of Police
Staycee Dains, General Manager, Animal Services
Jimmy Kim, General Manager, Recreation and Parks
Aura Garcia, President, Board of Public Works
Ann Sewill, General Manager, HCID
Osama Younan, General Manager LADBS
Barbara Romero, Director/General Manager, LASAN