



MARK RIDLEY-THOMAS

LOS ANGELES CITY COUNCILMEMBER

— DISTRICT 10 —

June 30, 2021

The Honorable Michael N. Feuer
Los Angeles City Attorney
City Hall East, Suite 800
Los Angeles, CA 90012

Re: CF-20-1376-S1 – Draft Ordinance Amending L.A.M.C. Sections 41.18 & 56.11

Dear Mr. Feuer:

My office is in receipt of the letter from your office dated today, June 30, 2021, containing a report and corresponding draft ordinance (collectively, the “Report”) in response to the motion that I made, along with Councilmembers Krekorian, Martinez, O’Farrell, Blumenfield, de Leon, and Price (“Motion”), to amend L.A.M.C. Sections 41.18 and 56.11, respectively. I write this letter to address a concern raised by your office relative to a supposed “discrepancy” between the treatment of personal property stored in the public right-of-way under Section 41.18 relative to its treatment in Section 56.11; namely, the nature of the punishment that should attach to violations of these code sections.

As one of its authors, I would like to make clear that, in drafting this Motion, it was not my intention to *increase* criminal penalties on the unhoused. Higher criminal penalties will not solve the City’s homelessness crisis. On the contrary, as you will note from its first two paragraphs, the Motion explains that it is the City’s responsibility to address the homelessness crisis, and “our approach should be compassionate and proactive” and “[i]n an effort to develop more suitable outcomes for people experiencing homelessness”

For this reason, I do not support what your office has framed in its Report as “Option B” to allow for the imposition of a misdemeanor—to which imprisonment may attach—for unlawfully storing personal property within the public right-of-way. We must meet this crisis with a trauma-informed approach and move away from the practice of criminalizing the poor and unhoused. Criminalization is not only ineffective to combat homelessness, as evidenced by the failed policies and practices to date, but it will also likely come at an unnecessary cost borne by Los Angeles City taxpayers.

Consistent with this, as it relates to the concern expressed by your office that this position purportedly gives rise to a “discrepancy” in the nature of punishment for storing property under section 56.11 relative to section 41.18, I would kindly request that your office draft, for the consideration of the full Council tomorrow, an amendment to the draft ordinance contained in the Report, establishing that, in the absence of a person’s willful resistance, violations of section 41.18 are punishable by, at most, an infraction—to which imprisonment cannot attach.

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As reflected in the record at the Council meetings both yesterday and today, several of my colleagues echoed my sentiment that this crisis requires compassion and compliance, and I believe that if we proceed as outlined above, we can strike that much needed balance as we endeavor to uphold our obligation to keep public rights-of-way clean for the public at-large, while addressing the homelessness crisis in a way that preserves the dignity of our unhoused residents.

With hope,



MARK RIDLEY-THOMAS

Councilmember, Tenth District

c: Mayor Eric Garcetti
Council President Nury Martinez, Sixth District
Councilmember Gilbert A. Cedillo, First District
Councilmember Paul Krekorian, Second District
Councilmember Bob Blumenfield, Third District
Councilmember Nithya Raman, Fourth District
Councilmember Paul Koretz, Fifth District
Councilmember Monica Rodriguez, Seventh District
Councilmember Marqueece Harris-Dawson, Eighth District
Councilmember Curren D. Price, Jr., Ninth District
Councilmember Mike Bonin, Eleventh District
Councilmember John S. Lee, Twelfth District
Councilmember Mitch O'Farrell, Thirteenth District
Councilmember Kevin de Leon, Fourteenth District
Councilmember Joe Buscaino, Fifteenth District