

## Communication from Public

**Name:** adam smith

**Date Submitted:** 06/12/2024 12:13 PM

**Council File No:** 21-0329-S5

**Comments for Public Posting:** RE: 41.18 Reportback and the urgent need for an independent hearing Dear Council President Krekorian and Councilmembers, After months of community pressure, the City finally released its 60-day reportback on the "cost and efficacy" of LA Municipal Code 41.18 Friday, May 31st—351 days past due. At the subsequent Council meeting on Tuesday, June 4th, Councilmember Katy Yaroslavsky introduced a motion ostensibly aimed at improving LAMC 41.18. LA Community Action Network (LA CAN), advocating for months for the reportback's release, has also been pushing for an independent public hearing upon its release. This hearing would request the full City Council to hear all department findings that informed the reportback in a public setting. Additionally, all City departments and other entities tasked with informing this report should release and present their findings at this hearing. LA CAN and other community groups and stakeholders should also have the opportunity to present their findings, reflections, and recommendations on LAMC 41.18. The City's reportback demonstrates a lack of commitment to honestly examining 41.18. It appears to have been a means to tee up new "reforms" rather than genuinely assessing the ordinance it's role in making homelessness worse. This long-awaited but hastily prepared reportback is missing crucial information from City departments, including the LAPD. Therefore, it should not serve as a basis for suggesting reforms or updates to this cruel, anti-Black law. LAMC 41.18, officially codified in 1936, stems from state laws like PC 647(e), aiming to criminalize those deemed undesirable by the City. Over the years, amendments to this ordinance expanded the LAPD's power to regulate public space, disproportionately affecting Black people and other communities of color. In 2006, the United States Court of Appeals for the Ninth Circuit ruled that the City of Los Angeles's enforcement of LAMC 41.18 violated the Eighth Amendment of the U.S. Constitution. Subsequent years saw multiple court rulings against the City, highlighting its violation of unhoused people's constitutional rights. The City responded with strategies prioritizing enforcement over addressing the root causes of homelessness. Any attempt to sanitize or reform the current iteration of 41.18 will be a continuation of this strategy. We

demand that Paul Krekorian urgently schedule an independent hearing on LAMC 41.18 before the entire City Council. This hearing should require all “relevant departments” purported to have informed the Chief Legislative Analyst’s reportback to present their findings. Furthermore, it should invite community members impacted by 41.18, as well as organizations like LA CAN, to present theirs as well.



# Los Angeles Community Action Network

June 12, 2024

Council President Paul Krekorian  
President pro-Tempore Marqueece Harris-Dawson  
Assistant President pro-Tempore Bob  
Blumenfield  
Councilmember Eunisses Hernandez

Councilmember Nithya Raman  
Councilmember Katy Yaroslavsky  
Councilmember Monica Rodriguez  
Councilmember Imelda Padilla  
Councilmember Curren Price, Jr.

Councilmember Heather Hutt  
Councilmember Traci Park  
Councilmember John Lee  
Councilmember Hugo Soto-Martinez  
"Councilmember" Kevin de León

200 N. Main St.  
Los Angeles, CA 90012

## **RE: 41.18 Reportback and the urgent need for an independent hearing**

Dear Council President Krekorian and Councilmembers,

After months of community pressure, the City finally released its 60-day reportback on the "cost and efficacy" of LA Municipal Code 41.18 Friday, May 31st—351 days past due. At the subsequent Council meeting on Tuesday, June 4th, Councilmember Katy Yaroslavsky introduced a motion ostensibly aimed at improving LAMC 41.18.

LA Community Action Network (LA CAN), advocating for months for the reportback's release, has also been pushing for an independent public hearing upon its release. This hearing would request the full City Council to hear all department findings that informed the reportback in a public setting. Additionally, all City departments and other entities tasked with informing this report should release and present their findings at this hearing. LA CAN and other community groups and stakeholders should also have the opportunity to present their findings, reflections, and recommendations on LAMC 41.18.

The City's reportback demonstrates a lack of commitment to honestly examining 41.18. It appears to have been a means to tee up new "reforms" rather than genuinely assessing the ordinance it's role in making homelessness worse. This long-awaited but hastily prepared reportback is missing crucial information from City departments, including the LAPD. Therefore, it should not serve as a basis for suggesting reforms or updates to this cruel, anti-Black law.

LAMC 41.18, officially codified in 1936, stems from state laws like PC 647(e), aiming to criminalize those deemed undesirable by the City. Over the years, amendments to this ordinance expanded the LAPD's power to regulate public space, disproportionately affecting Black people and other communities of color.

In 2006, the United States Court of Appeals for the Ninth Circuit ruled that the City of Los Angeles's enforcement of LAMC 41.18 violated the Eighth Amendment of the U.S. Constitution. Subsequent years saw multiple court rulings against the City, highlighting its violation of unhoused people's constitutional rights. The City responded with strategies prioritizing enforcement over addressing the root causes of homelessness. Any attempt to sanitize or reform the current iteration of 41.18 will be a continuation of this strategy.

We demand that Paul Krekorian urgently schedule an independent hearing on LAMC 41.18 before the entire City Council. This hearing should require all "relevant departments" purported to have informed the Chief Legislative Analyst's reportback to present their findings. Furthermore, it should invite community members impacted by 41.18, as well as organizations like LA CAN, to present theirs as well.

Sincerely,

Pete White, Executive Director