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June 21, 2024

BPC #24-112

The Honorable City Council
City of Los Angeles, Room 395
c/o City Clerk's Office
Los Angeles, CA 90012

Dear Honorable Members:

RE: REVIEWING EXISTING LAWS DESIGNED TO CONTROL STREET RACING AND
TAKEOVERS AND DETERMINE THEIR EFFICACY.

At the regular meeting of the Board of Police Commissioners held Tuesday, June 18, 2024, the Board APPROVED the Department's report relative to the above matter.

Respectfully,

BOARD OF POLICE COMMISSIONERS

A blue ink signature of Rebecca Munoz, written in a cursive style.

REBECCA MUNOZ
Commission Executive Assistant

Attachment

c: Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

Reviewed: 29-162

Executive Director

Date 6/12/24

June 12, 2024
8.1.3

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: REVIEWING EXISTING LAWS DESIGNED TO CONTROL STREET RACING AND TAKEOVERS AND DETERMINE THEIR EFFICACY

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE the Los Angeles Police Department's (LAPD) response to the City Council.
2. That the Board TRANSMIT to the Los Angeles City Council the attached response.

DISCUSSION

On April 19, 2024, the Los Angeles City Council adopted a Public Safety Committee Report (CF File 24-0390) relative to street racing. As a result, the City Council directed the LAPD, with the assistance of the Los Angeles City Attorney's Office, to:

- Report on existing State and local laws pertaining to street racing, takeovers, and sideshows, and conduct an analysis of their efficacy and the metrics that will be used to evaluate these laws; and,
- Report on any potential modifications to these laws, which may assist in remedying and mitigating street racing, takeovers, and sideshows.

If you have any questions or need further assistance, please contact Deputy Chief Donald R. Graham, Jr., Department Traffic Coordinator, at (213) 922-3614.

Respectfully,


DOMINIC H. CHOI
Chief of Police

BOARD OF
POLICE COMMISSIONERS
Approved June 18, 2024
Secretary Rebecca Munoz

Attachment

FACT SHEET

Reviewing Existing Laws Designed to Control Street Racing and Takeovers and Determine Their Efficacy June 12, 2024

BACKGROUND

On April 17, 2024, the Honorable Mayor Karen Bass approved a resolution relative to the City's 2024 to 2025 State Legislative Program to support California State Assembly Bill 3085 (Gipson, Muratsuchi), which would seek to update existing State laws pertaining to criminal street takeover activities in order to effectively deter illegal street takeovers, protect public safety, and save human lives (Council File No. 24-0002-S3).

On April 19, 2024, the Los Angeles City Council adopted a Public Safety Committee Report that was approved on April 9, 2024, relative to existing laws designed to control street racing and takeovers, and sideshows, and determine their efficacy. As a result, the City Council directed the Los Angeles Police Department (Department), with the assistance of the City Attorney's Office, to:

- a. Report on existing State and local laws pertaining to street racing, takeovers, and sideshows and conduct an analysis of their efficacy and the metrics that will be used to evaluate these laws.
- b. Report on any potential modifications to these laws, which may assist in remedying and mitigating street racing, takeovers, and sideshows.

On May 7, 2024, Traffic Group was advised of the recent City Council activities and was directed to provide a response.

SUMMARY OF FINDINGS

In consultation with the City Attorney's Office, various existing State and local laws pertaining to street racing, takeovers, and sideshows were compiled.

Street takeovers and vehicle sideshows are dangerous, unsanctioned events where unruly crowds and vehicles maliciously block and "take over" public streets and intersections in order to engage in reckless vehicular stunts and other disorderly behavior, causing noise pollution, traffic obstructions, property damage, physical injuries, and even death.

These serious public safety hazards promote a reckless culture of lawlessness and invite other ancillary criminal activities, including vandalism, violence, looting, firearm possession, and public use of alcohol and illicit drugs. These events create a climate of fear and intimidation in the community, while overwhelming public safety resources that are already stretched thin. While street takeovers occur anywhere, the victims that are harmed the most tend to be those constituents who predominantly reside in low-income neighborhoods.

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These current legal remedies have had minimal deterrent effect and are not sufficient to adequately combat these crimes, based on the Street Racing and Takeovers statistics not having been efficient in deterring these illegal activities from still occurring that gravely endanger the communities of Los Angeles. The following data was obtained from the Los Angeles Police Department's Street Racing section from the COMPSTAT Profile Citywide Traffic, dated April 28, 2024 to May 25, 2024. An analysis of the data revealed the following:

Street Races (49%), Takeovers (2%), Speed Contests (49%), and Reckless Driving (138%) have all increased in 2024, compared with the same period in 2023. The Department has also proactively increased its enforcement in the areas of Joint Task Forces with outside agencies (200%), ACE Citations (625%), Miscellaneous Misdemeanor Arrests (1%), and Spectator Citations (10%) at the scenes involving street racing, to stop these dangerous incidents.

	2024	2023	Percent	2024	2023	Percent
	DPs 3, 2, 1	DPs 3, 2, 1	Change	DPs 13 to 3	DPs 13 to 3	Change
Joint Task Force; Outside Agencies	6	2	200%	6	2	200%
Street Races	176	118	49%	299	135	121%
Takeovers	190	187	2%	316	213	48%
Traffic Stops	1055	1153	-8%	1467	1357	8%
23109 CVC - Speed Contest	103	69	49%	116	83	40%
23103 CVC - Reckless Driving	31	13	138%	34	20	70%
ACE Citations	203	28	625%	210	32	556%
Misc. Arrests: Misdemeanor	102	101	1%	156	129	21%
Impounds	69	214	-68%	92	266	-65%
Vehicles Seized by Task Force	38	71	-46%	208	28	643%
Spectator Citations	203	185	10%	9	259	-97%

Existing laws only prosecute exhibitions of speed and reckless driving as low-level misdemeanors with a negligible fine. It should be noted that they do not provide enhancements when these offenses are committed as part of a street takeover. Furthermore, existing laws allow these offenses to be eligible for pre-conviction diversion, completely circumventing any meaningful deterrent effect.

Lastly, the lack of deterrence and accountability to recognize the seriousness of these maliciously-reckless gatherings only embolden the street takeover culture through the use of social media, while constituents, victims, and grieving families are left frustrated over the lack of justice and actions.

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Primary Enforcement Laws

The following are the primary California Vehicle Code (CVC) sections utilized by the Department's Street Racing Task Force to combat street takeovers:

- 23103(a) Reckless Driving;
- 23109(a) Speed Contests;
- 23109.1 Speed Contests, Causing Great Bodily Injury;
- 23109(c) Exhibition of Speed or Aiding and Abetting;
- 23104 Reckless Driving, Causing Bodily Injury;
- 23105 Reckless Driving, Causing Great Bodily Injury;
- 23109(b) Aiding and Abetting Speed Contest; and,
- 23109(d) Creating Barricades or Obstructions for Speed Contest or Exhibition of Speed

During enforcement stops, the following State law and City law violations are often committed at street takeovers:

Penal Codes (PC)

- 148(a)(1) Resisting, Obstructing, or Delaying an Official Peace Officer;
- 182 Conspiracy;
- 240 Assault;
- 242 Assault and Battery;
- 245 Assault with Deadly Weapon or by Force, Causing Great Bodily Injury;
- 407, 408, Unlawful Assembly or Refusal to Disperse;
- 409, 416
- 417 Brandishing a Firearm;
- 451 Arson;
- 594 Vandalism;
- 25400 Concealed Firearm; and,
- 25850 Loaded Firearm

Vehicle Codes

- 2800(a) Refusing to Comply with a Lawful Order;
- 2800.1 Evading;
- 2800.2 Reckless Evading;
- 12500(a) Invalid Driver's License;
- 14601 Suspended License;
- 23152 Misdemeanor Driving Under the Influence (DUI); and,
- 23153 Felony DUI, Causing Great Bodily Injury

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Health & Safety Code

- 11350 Controlled Substance

Los Angeles Municipal Code

- 41.58.1 Loud or Unruly Gatherings;
- 47.15 Spectator at Speed Contests and Exhibition of Speed; and,
- 80.31, Engaging or Aiding and Abetting Speed Contests or Exhibition of Speeds
86.02(f) on Private Property without Owner Consent, or Upon Property Owned or
Managed by the Los Angeles Department of Recreation and Parks.

Department of Motor Vehicles

Participants in street racing and street takeovers often customize their vehicles in violation of the laws. These vehicles, which are often cited for unlawful exhausts or emission modifications, are referred to the State of California Bureau of Automotive Repairs for inspection. If a participant is convicted of reckless driving, exhibition of speed or speed contest, the Department of Motor Vehicles will assess points to the individual's driver's license record. Once an individual amasses a certain number of points, their driving privileges are suspended or revoked and the cost of automobile insurance is often negatively impacted.

Impoundment of Vehicles

Currently, the Department utilizes various CVC sections to impound vehicles associated with this activity. The seizures of these vehicles are one of the most effective tools available to law enforcement to thwart these activities. The following is a list of these sections that enable law enforcement to impound vehicles:

Section 23109.2 30-Day Impound Without a Warrant

This section allows vehicles engaged in reckless driving (Section 23103) or speed contest or exhibition of speed (Section 23109) to be impounded and held for 30 days. However, continuous, fixed-hold warrantless impounds have come under legal scrutiny and its constitutional validity.

Section 14602.7 30-Day Impound With a Warrant

This section authorizes a pre-conviction judicial seizure of a vehicle for up to 30 days for a violation of reckless driving (Section 23103) and evading (Sections 2800.1, 2800.2, and 2800.3). This section has withstood constitutional challenges.

Alternative Impound Provisions

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The CVCs also provide alternative impoundment provisions that do not provide for a fixed-period hold, as follows:

Section 22651(b)	Traffic Hazard;
Section 22651(h)	Driver Arrested;
Section 22655.5	Vehicle Used in a Crime; and,
Section 22651.6	Vehicle Used in a Speed Contest

Los Angeles Municipal Code

Section 41.70.2 Vehicle Forfeiture – Los Angeles Municipal Code

This section provides for the abatement and forfeiture of nuisance vehicles engaged in illegal speed contests and exhibitions of speed. Forfeiture allows a municipality to confiscate a nuisance vehicle and either put it up for public auction, convey it to a dismantler for destruction or donate it to a non-profit organization. This dismantling or crushing these vehicles have been sought by prior City Councilmembers but have never come to fruition. Due to constitutional concerns, the City suspended enforcement of several of its nuisance vehicle forfeiture provisions.

Potential Modifications to Laws to Mitigate Street Racing, Takeovers, and Sideshows

It should be noted that the Department, in collaboration with the City Attorney's Office, provided correspondence regarding introducing legislation to combat street racing to the City Council in 2022. At that time, the following recommendations were submitted. It is requested that City Council reconsider these previous submissions:

- Section 22659.5 of the CVC is amended to read:

Notwithstanding any other provision of law, a city or county may adopt an ordinance declaring a motor vehicle to be a public nuisance subject to seizure and an impoundment period of up to 30 days when the motor vehicle is used in the commission or attempted commission of an act that violates Section 226h or 226i of, subdivision (h) of Section 374.3 of, or subdivision (b) of Section 674 of, the Penal Code, ***and Section 23109 of the Vehicle Code*** if the owner or operator of the vehicle has had a prior conviction for the same offense within the past three years. An ordinance adopted pursuant to this section may incorporate any combination or all of these offenses. The vehicle may only be impounded pursuant to a valid arrest of the driver for a violation of one of these provisions.

The aforementioned italicized proposed section has not been amended.

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- Section 23109(h) of the CVC is amended to read:

If a person is convicted of a violation of subdivision (a), ~~and the vehicle used is registered to that person, the vehicle may~~ ***shall*** be impounded at the registered owner's expense for ~~not less than one day nor more than 30 days.~~ ***If a person is convicted for subsequent violation of subdivision (a), the vehicle used shall be deemed a public nuisance and be seized subject to vehicle forfeiture.***

The aforementioned italicized proposed section has not been amended, nor the strike-throughs have been deleted.

- Section 23109.2(a) of the CVC is revised to read:

23109.2(a)(1). Whenever a peace officer determines that a person was engaged in any of the activities set for in paragraph (2), the peace officer ~~may~~ ***shall*** immediately arrest and take into custody that person and ~~may~~ ***shall*** cause the removal and seizure of the motor vehicle used in that offense in accordance with Chapter 10 (commencing with Section 22650). A motor vehicle so seized ~~may~~ ***shall*** be impounded for ~~not more than~~ 30 days.

The aforementioned italicized proposed section has not been amended.

Update: The Los Angeles City Attorney's Office had provided an Advice Letter No. PSGEN 2023-005, dated October 30, 2023, in which their Office indicated that CVC Section 23109.2 does not require the custodial arrest of the driver for the listed violations within this section to effectuate an impound of the violator's vehicle; and, rather that the officer may immediately arrest the driver for this section, as a discretionary arrest.

Therefore, based on the City Attorney's Advice Letter as aforementioned, the Office of Constitutional Policing and Policy has been reviewing and in the consideration of revising this Dept Manual section as a new Special Order to update Department Manual Section 4/222.05, titled *Community Caretaking Doctrine and the Vehicle Impound Procedures*, since this current Department Manual section indicates that officers shall arrest the driver.

- Section 23109.2(a)(2) of the CVC is added and reads:

After the second conviction for Section 23109 of the Vehicle Code, the vehicle will be seized subject to vehicle forfeiture.

The aforementioned italicized proposed section has not been added.

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- 23109.2(c)(1) of the CVC is revised to read:

Notwithstanding Chapter 10 (commencing with Section 22650) or any other provision of law, an impounding agency shall release a motor vehicle to the registered owner or his or her agent prior to the conclusion of the impoundment period described in subdivision (a) under any of the following circumstances:

~~(C). If the registered owner of the vehicle was neither the driver nor a passenger of the vehicle at the time of the alleged violation pursuant to subdivision (a) or was unaware that the driver was using the vehicle to engage in any activities described in subdivision (a).~~

The aforementioned strike-through proposed section has not been amended.

- 23109.2(g) of the CVC is added and read:

If a vehicle engaged in activities under (2)(A-D) and impounded, upon the second impound the vehicle will be deemed a public nuisance and seized subject to vehicle forfeiture.

The aforementioned italicized proposed section has not been added.

- 23109.2(h) of the CVC is added and read:

It shall be unlawful for any person to:

(1) Aiding and abetting a street race or street takeover by knowingly being present as a spectator at any illegal motor vehicle speed contest or exhibition of speed conducted on a public street or highway; or

(2) Be knowingly present as a spectator where preparations are being made for any illegal motor vehicle speed contest or exhibition of speed conducted on a public street or highway.

(3) "Spectator" shall mean any person who is present at an illegal motor vehicle speed contest or exhibition of speed for the purpose of viewing, observing, watching, or witnessing the event as it progresses. A "spectator" includes any person at the location of the event without regard to the means by which the person arrived.

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(4) A person is “present” at the illegal motor vehicle speed contest or exhibition of speed if that person is within 150 feet of the location of the event, or within 150 feet where preparations are being made for the event.

(5) “Preparations” means any of the following acts done for the purpose of a motor vehicle speed contest or exhibition of speed.

(a) A group of motor vehicles and persons has arrived at a predetermined location;

(b) A group of individuals has lined one or both sides of a public street or highway;

(c) One or more persons have impeded the free public use of a public street or highway by actions, words or physical barrier for the purpose of conducting the event;

(d) Two or more vehicles have lined up with motors running for an illegal motor vehicle speed contest or exhibition of speed;

(e) One or more drivers is racing the engine or spinning its tires in preparation for the event; or,

(f) An individual is stationed near one or more motor vehicles as a race starter.

(6) A violation of this ordinance shall constitute a misdemeanor, punishable by a fine not to exceed \$1,000.00, or by imprisonment not to exceed six months, or both.

The aforementioned italicized proposed section has not been added.

- Section 14601(a) of the CVC is amended to read:

No person shall drive a motor vehicle at any time when that person’s driving privilege is suspended or revoked for reckless driving in violation of Section 23103, 23104, or 23105, *or speed contests and exhibition of speed in violation of Section 23109*, any reason listed in subdivision (a) or (c) of Section 12806

The aforementioned italicized proposed section has not been added.

- Section 20001(e) of the CVC is added to read:

Any vehicle failing to comply with all the requirements of this section when engaged in a speed contest, exhibition of speed or reckless driving, shall be impounded for 30 days and seized subject to vehicle forfeiture.

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The aforementioned italicized proposed section has not been added.

- Section 20002(d) of the CVC is added to read:

Any person failing to comply with all of the requirements of this section when engaged in a speed contest, exhibition of speed or reckless driving, is guilty of a misdemeanor and, upon conviction, thereof, shall be punished by imprisonment in the county jail not exceeding nine months, or by a fine not exceeding two thousand dollars (\$2,000), or by both that imprisonment and fine. Furthermore, the vehicle, when located, shall be impounded for 30 days and seized subject to vehicle forfeiture.

The aforementioned italicized proposed section has not been added.

- Section 22651(b)(3) of the CVC is added to read:

If an officer arrests a person for Sections 31 or 148 of the Penal Code at a speed contest, speed exhibition, or reckless driving.

The aforementioned italicized proposed section has not been added.

- Section 148(a)(2) of the PC is added to read:

Every person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician, as provided by subdivision (a)(1), during a street contest, exhibition of speed, or reckless driving as defined in Section 23109.2, shall be punished by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.

The aforementioned italicized proposed section has not been added.

- Section 12810 of the CVC is revised to read:

In determining the violation point count, the following shall apply:

(d)(1) A conviction of a violation of subdivision (b) of Section 191.5 or subdivision (c) of Section 192 of the Penal Code, or of Section 2800.2 or 2800.3, subdivision (b) of Section 21651, subdivision (b) of Section 22348, subdivision (a) or (c) of Section 23109, Section 23109.1, or Section 31602 of this code, shall be given a value of ~~two~~ **four** points.

The aforementioned strike-through and italicized proposed section have not been added.

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- Section 47.15 of the Los Angeles Municipal Code is amended to read:

47.15 C. Notwithstanding any other provision of law, to prove a violation of this section, admissible evidence may include, but is not limited to, any of the following:

1. That the person charged ~~has previously~~ participated in an illegal speed contest or speed exhibition, *street takeover, or sideshow*;

2. That the person charged ~~has previously~~ aided and abetted an illegal speed contest or speed exhibition, *street takeover, or sideshow*;

3. That the person charged ~~has previously~~ attended an illegal speed contest or speed exhibition, *street takeover, or sideshow*;

4. That the person charged was ~~previously~~ present at a location where preparations were being made for an illegal speed contest or exhibition of speed or where a speed exhibition or speed contest, *street takeover, or sideshow*, was in progress.

~~5. Evidence of these prior acts may be admissible to show the propensity of the defendant to be present or attend a speed contest or speed exhibition if the prior act or acts occurred within three years of the presently charged offense. These prior acts may always be admissible to show knowledge on the part of the defendant that a speed contest was taking place.~~

The aforementioned strike-throughs and italicized proposed section have not been added.

47.15 D. A violation of this ordinance shall constitute a misdemeanor, punishable by a *minimum fine of \$2,000.00* ~~fine not exceed \$1,000.00~~, or by imprisonment not to exceed six months, or both.

The aforementioned strike-through and italicized proposed section have not been added.

- Section 53153.6 California Government Code – is added to Article 8 “Costs of Emergency Response” (Sections 531350-53159) and reads:

Any person who engaged in a street racing contest or street sideshow, whose negligent operation of a motor vehicle causes any incident resulting in an appropriate emergency response, and any person whose intentionally-wrongful conduct proximately causes

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any incident resulting in an appropriate emergency response, is liable for the expense of any emergency response by a public agency to the incident.

The aforementioned italicized proposed section has not been added.

- Section 417.25 PC – is added as a subsection to the PC and reads:

Any person who aims or points a laser scope or a laser pointer at an emergency responder (law enforcement or fire personnel) in a threatening manner with the specific intent to cause a reasonable person fear of bodily injury is guilty of a felony, punishable by imprisonment in a county jail for up to 180 days. For the purpose of this section, the laser scope need not be attached to a firearm.

The aforementioned italicized proposed section has not been added.

- Los Angeles City Ordinance is added and reads:

The Los Angeles City Council will create an ordinance that bans the sale of laser pointers. This ordinance would ensure public and personnel safety for first responders. This Ordinance is consistent with the Council's long history prohibiting various activities such as: the sale of menthol tobacco (Section 46.90.1), carrying or possessing certain items at public demonstrations (Section 55.07), homeless encampments near schools, gas powered lead blowers (Section 112.04), fur products (Section 53.75) and the soon-to-be passed ordinance regulating horse rodeos (Section 53.39.2). The ordinance will include an "Urgency Clause," to ensure the preservation of the public peace, health, and safety.

The aforementioned proposed section relative to the ban of sales of laser pointers has not been added. There is mention of not possessing a laser pointer in Section 55.07.

Despite the public's demands for action, minor recent legislation has been enacted from the State of California legislative front to strengthen enforcement. Recent passed legislation does little to update existing laws or provide a sufficiently punitive deterrent to curb these events. Thus, questioning the legislative resolve to solve this ongoing problem. The following are lists of recent bills enacted related to street racing and street takeovers:

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Assembly Bill 3 (2021) Suspension of Driving Privilege for Engaging in a Speed Contest or Exhibition of Speed at a Vehicle Sideshow or Street Takeover

This Bill authorizes the suspension of driving privileges for up to 6 months for persons convicted of speed contests [23109(a)] or exhibition of speed [23109(c)] if the violation occurred as a part of a sideshow.

While suspending a person's driving privilege is an additional enforcement tool, it has minimal punitive and deterrent effect. The Department issues countless unlicensed and suspended/revoked citations to community members on a daily basis, yet the problem persists. Unfortunately, this Bill omits the suspension of driving privileges for a violation of reckless driving at a sideshow.

This Bill will not become effective until July 1, 2025.

Assembly Bill 2000 (2022) Prohibition Against Speed Contests and Exhibition of Speeds to Off-Street Parking Facilities

This Bill amends CVC Section 23109 to extend the prohibition against speed contests and exhibitions of speed to off-street parking facilities. This legislation does little to stop the street takeovers that primarily occur on City streets.

Senate Bill 1472 (2022) Re-Defining Gross Negligence for Manslaughter to Include Participation in a Sideshow and Exhibition of Speed

This Bill enables a driver to be charged with a felony for participating in excessive speeding, sideshows, or exhibitions of speed that result in a fatality. For the purpose of manslaughter, this bill redefines "gross negligence" to include participating in a sideshow and exhibitions of speed.

It should further be noted that in 2023, the Department and the Los Angeles Department of Transportation were requested to prepare a report to the City Council seeking information with recommendations to address street racing and street takeovers. The Department requested that the City Council seek legislative changes, install cameras at all problematic intersections, and be provided additional funding to increase the number of Judicial Warrant Seizure Details.

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Recommendation for California State Legislature and Los Angeles City Attorney's Office

It is recommended that the City Council adopt a resolution to strengthen state laws and declare that vehicle sideshows and street takeovers are public nuisances, as a matter of laws subject to abatements.

It is recommended that the City Council request the City Attorney's Office to revisit its 2007 opinion regarding the suspension of enforcement of vehicle forfeiture for exhibition of speed and speed contests, since other municipalities have recently passed their own vehicle forfeiture statutes. It is recommended that the City Council request the City Attorney's Office to provide what options they can consider to bolster prosecutions or otherwise increase accountability and deterrence through alternative means.

CONCLUSION

The ability of law enforcement to respond and restore order at street racing and sideshows, which often is comprised of hundreds of spectators and countless vehicles, requires laws to be meaningful with consequences. Participants and spectators engage in these activities knowing that law enforcement and the judicial system will avoid punishing their reckless and illegal activities. As a result, spectators utilize laser pointers to blind officers, launch fireworks at officers, physically resist and engage officers, vandalize police vehicles, swarm around police vehicles to prevent officers from advancing, and do not comply with lawful orders to disperse. The complete disregard by the spectators towards first responders has become a significant public safety concern that exposes the City to unnecessary liabilities and endangers the lives of innocent community members and those who require medical and other emergency services.

Prepared by:
Traffic Coordination Section
Traffic Group

16 A

BB

MOTION

I MOVE that the matter of the PUBLIC SAFETY COMMITTEE REPORT relative to reviewing existing laws designed to control street racing and takeovers and determine their efficacy, Item No.16 on today's Council Agenda (C.F. 24-0390), BE AMENDED to include the language identified in bold to the instruction:

INSTRUCT the Los Angeles Police Department (LAPD), with the assistance of the City Attorney, to:

- a. Report on existing laws- both state laws and local laws- pertaining to street racing, takeovers, and sideshows and **conduct an analysis of their efficacy and the metrics that will be used to evaluate these laws.**
- b. Report on any potential modifications to these laws which may assist in **remediating controlling** and mitigating street racing, takeovers, and sideshows.

PRESENTED BY:


EUNISSES HERNANDEZ

Councilmember, 1st District

SECONDED BY:



ORIGINAL

APR 19 2024

PUBLIC SAFETY COMMITTEE REPORT relative to reviewing existing laws designed to control street racing and takeovers and determine their efficacy.

Recommendation for Council action, pursuant to Motion (Rodriguez – De Leon):

INSTRUCT the Los Angeles Police Department (LAPD) to:

- a. Report on existing laws- both state laws and local laws- pertaining to street racing, takeovers, and sideshows and their efficacy.
- b. Report on any potential modifications to these laws which may assist in controlling and mitigating street racing, takeovers, and sideshows.

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, your Committee considered a Motion (Rodriguez - De Leon) relative to reviewing existing laws designed to control street racing and takeovers and determine their efficacy. According to the Motion, the issue of "sideshows" has plagued California and the City of Los Angeles for years. Sideshows-or street takeovers, as the City calls them, originated in the Bay Area of Northern California, and got their name by being the literal side show to drag races. A takeover usually consists of people meeting up at vacant lots, intersections, or roadways, typically in the middle of night, to perform car stunts in front of an audience.

The LAPD's Street Racing Task Force consists of specially trained officers who are tasked with combatting illegal racing, sideshows, and spectating that has been creating chaos in numerous communities around the City. It is extremely dangerous for law enforcement to try and stop a street takeover because the cars are often traveling at excessive speeds that endanger the public. Officers are met on scene with rocks, fireworks, bottles, and even firearms. According to the LAPD, street racing and takeovers peaked in 2020 with 912 incidents; and there were 319 incidents in 2019, 794 incidents in 2021, 822 incidents in 2022, and 482 incidents in 2023. There is clearly a need for the City to review existing laws designed to control street racing and takeovers and determine their efficacy. In this manner, law enforcement can take effective action against those who engage in these activities and ensure public safety. After consideration and having provided an opportunity for public comment, the Committee moved to recommend approval of the Motion. 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

-NOT OFFICIAL UNTIL COUNCIL ACTS-

HOLLY L. WOLCOTT
CITY CLERK

City of Los Angeles
CALIFORNIA

OFFICE OF THE
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OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

Council File No.: 24-0002-S3
Council Meeting Date: April 5, 2024
Agenda Item No.: 16
Agenda Description: CONSIDERATION OF RESOLUTION (BLUMENFIELD - PRICE) relative to including in the City's 2024-25 State Legislative Program support for Assembly Bill 3085 (Gipson, Muratsuchi) which would seek to update existing State laws pertaining to criminal street takeover activity in order to effectively deter illegal street takeovers, protect public safety and save human lives.

Council Action: SUBSTITUTE RESOLUTION (BLUMENFIELD – LEE) - ADOPTED

Council Vote:

YES	Blumenfield	YES	de León	YES	Harris-Dawson
NO	Hernandez	YES	Hutt	YES	Krekorian
YES	Lee	YES	McOsker	YES	Padilla
YES	Park	YES	Price Jr.	ABSENT	Raman
ABSENT	Rodriguez	NO	Soto-Martínez	ABSENT	Yaroslavsky

HOLLY L. WOLCOTT
CITY CLERK

Pursuant to Charter/Los Angeles Administrative Code Section(s): 231(h)

FILE SENT TO MAYOR
LAST DAY FOR MAYOR TO ACT

04-09-2024

04-19-2024

APPROVED

4/17/2024

DATE SIGNED

AN EQUAL EMPLOYMENT OPPORTUNITY

Adopted Report(s) Title
Substitute Resolution 16 (Blumenfield - Lee) dated 4-5-24