


TRANSMITTAL

To: **THE COUNCIL**

Date: **AUG 09 2010**

From: **THE MAYOR**

TRANSMITTED FOR YOUR CONSIDERATION. PLEASE SEE ATTACHED.

 (Janelle Erickson)
for

ANTONIO R. VILLARAIGOSA
Mayor

**BOARD OF
ANIMAL SERVICES
COMMISSIONERS**

MELANIE RAMSAYER
PRESIDENT

RUTHANNE SECUNDA
VICE PRESIDENT

TARIQ KHERO

TERRI MACELLARO

KATHLEEN RIORDAN

City of Los Angeles
CALIFORNIA



ANTONIO R. VILLARAIGOSA
MAYOR

DEPARTMENT OF
ANIMAL SERVICES
221 North Figueroa Street
5th Floor
Los Angeles, CA 90012
(888) 452-7381
FAX (213) 482-9511

BRENDA BARNETTE
GENERAL MANAGER

KATHLEEN J. DAVIS
INTERIM GENERAL MANAGER

June 16, 2011

Honorable Antonio R. Villaraigosa
Mayor, City of Los Angeles
Room 303, City Hall
200 North Spring Street
Los Angeles, California 90012

Subject: Resolution on Increasing Bail for Illegal Animal Sales Misdemeanors

Dear Mayor Villaraigosa:

At its meeting of June 14, 2011, the Board of Animal Services Commission (Board) voted to recommend to approve a resolution calling upon the "bail committee" of the Los Angeles County Superior Court to increase the bail for arrestees in cases involving the illegal sales of animals to as much as \$5,000, and in no case less than \$500, in order to improve the prosecution of such cases in the court system. Furthermore, the Board requested that the Mayor, along with the Office of the City Attorney approve the resolution and forward a copy to the Los Angeles Superior Court.

On May 10, 2011, the Board devoted a substantial portion of its meeting to the exploration of issues relating to the proliferation of illegal sales of animals in Los Angeles. The state of the law, enforcement, animal health and welfare and related issues were extensively discussed.

Representatives of the Los Angeles Police Department and the City Attorney reported that one of the main impediments to the effective prosecution of perpetrators of illegal sales was the extremely low bail amount currently assigned to these types of cases (often as low as \$25). As one of its action items, the Board determined to ask the Los Angeles County Superior Court to consider increasing the bail amount for arrestees in misdemeanor cases resulting from illegal animal sales in the City of Los Angeles.

In consultation with the City Attorney and District Attorney's animal protection units, the Department has prepared a resolution for consideration by the Board in keeping with its intent as set forth on May 10. This resolution is suitable for transmittal to the Superior Court's bail committee, to be accompanied by a letter from the Board president.

AN EQUAL OPPORTUNITY EMPLOYER

Visit our website at www.LAAnimalServices.com

OFFICE OF THE MAYOR
RECEIVED
2011 AUG -5 AM 11:40
CITY OF LOS ANGELES

Resolution on Increasing Bail
June 16, 2011
Page 2 of 3

The resolution's action element reads as follows:

"NOW, BE IT RESOLVED that the Los Angeles City Board of Animal Services Commissioners hereby requests that the bail committee of the Superior Court of Los Angeles County be petitioned to raise the bail amount for illegal animal sales-related misdemeanors to as much as \$5,000.00, and in no case less than \$500.00, at the earliest opportunity, in order to facilitate more effective law enforcement and prosecution of these cases."

The full text of the resolution is attached.

If you require additional information regarding this action of the Board, please have your staff contact me, at (213) 482-9558 or Ross Pool, Management Analyst II, at (213) 482-9501.

Sincerely,



Brenda F. Barnette
General Manager

BFB:RP

Attachment

cc: Dov Lesel, Assistant City Attorney
Ross Pool
File

RESOLUTION

WHEREAS, it is illegal to display, sell, offer for sale, barter or give away most kinds of animals upon any street or sidewalk, or other public place in the City of Los Angeles; and

WHEREAS, it soon will also be illegal to purchase animals on any street or sidewalk, or other public place; and

WHEREAS, these crimes have been designated misdemeanors in the Los Angeles Municipal Code, carrying with them the possibility of fines and jail sentences; and

WHEREAS, the Superior Court has established a bail amount of \$20.00 for individuals accused of illegal animal sales; and

WHEREAS, with exotic birds, purebred puppies and other animals sometimes being illegally sold for hundreds of dollars apiece and a constant supply of such animals available to the sellers; and

WHEREAS, \$20.00 is not a bail amount sufficient to deter the activities or to constitute more than a small portion of the "cost of doing business;" and

WHEREAS, the high incidence of accused sellers not being incarcerated and subsequently failing to appear in court impedes efforts to prosecute the perpetrators; and

WHEREAS, the public is being defrauded while thousands of innocent, illegally sold animals consequently are subjected to neglect or cruelty and often to premature death as a result of our collective inability to effectively apprehend and prosecute these cases.

NOW, BE IT RESOLVED that the Los Angeles City Board of Animal Services Commissioners hereby requests that the bail committee of the Superior Court of Los Angeles County be petitioned to raise the bail amount for illegal animal sales-related misdemeanors to as much as \$5,000.00, and in no case less than \$500.00, at the earliest opportunity, in order to facilitate more effective law enforcement and prosecution of these cases.