CITY OF LOS ANGELES

ANTONIO R. VILLARAIGOSA

MAYOR

CALIFORNIA

Office of the CITY CLERK

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SHANNON HOPPES Council and Public Services Division

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JUNE LAGMAY City Clerk

HOLLY L. WOLCOTT Executive Officer

When making inquiries relative to this matter, please refer to the

Council File No.

June 14, 2013

To All Interested Parties:

Chief Legislative Analyst

I HEREBY CERTIFY that the City Council adopted the action(s), as attached, under Council File No. 13-0002-S39, at its meeting held May 28, 2013. The Mayor failed to act by June 10, 2013, DEEMED APPROVED and EFFECTIVE June 11, 2013.

cc: 8 Certified copies sent to Sacramento Representatives



OFFICE OF THE MAYOR ANTONIO R. VILLARAIGOSA

MEMORANDUM

To: City Clerk

From: Matt Szabo, Deputy Chief of Staff

Date: June 11, 2013

RE: CF 13-0002-S39

The City's position to oppose Senate Bill (SB) 649 (Leno) which would grant prosecutors the ability to file misdemeanor rather than felony charges in drug possession cases

MEMO TO FILE

Council File 13-0002-S39 relative to Council action of May 28, 2013 regarding the above-entitled matter, is herewith returned without Mayor's signature, with the understanding that this item will be considered deemed approved.

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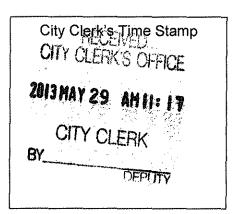
Mayor's Time Stamp

OFFICE OF THE MAYOR

2013 MAY 29 AM 11:21

CITY OF LOS AHEERS

FORTHWITH



SUBJECT TO THE CONCURRENCE OF THE MAYOR

COUNCIL FILE NO13-0002-S39	COUNCIL DISTRICT
COUNCIL APPROVAL DATE MAY 28, 2013	
RE: THE CITY'S POSITION TO OPPOSE SENATE I PROSECUTORS THE ABILITY TO FILE MISDEN DRUG POSSESSION CASES	BILL (SB) 649 (LENO) WHICH WOULD GRANT MEANOR RATHER THAN FELONY CHARGES IN
JUN 1 0 2013 LAST DAY FOR MAYOR TO ACT [10 Day Charter requirement as per Charter Section 231(h)] DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY	
APPROVED	*DISAPPROVED
DATE OF MAYOR APPROVAL OR DISAPPROVAL MAYOR	*Transmit objections in writing pursuant to Charter Section 231 (h)
kw	





TO THE COUNCIL OF THE CITY OF LOS ANGELES

Your RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS Committee

reports as follows:

RULES. ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT and RESOLUTION relative to the City's position to oppose Senate Bill (SB) 649 (Leno) which would grant prosecutors the ability to file misdemeanor rather than felony charges in drug possession cases.

Recommendation for Council action, pursuant to Resolution (Parks - Perry), SUBJECT TO THE CONCURRENCE OF THE MAYOR:

ADOPT the accompanying RESOLUTION to include in the City's 2013-14 State Legislative Program, OPPOSITION to SB 649 (Leno), which would grant prosecutors the ability to file. misdemeanor rather than felony charges in drug possession cases where an individual is charged with the possession of certain narcotics.

Fiscal Impact Statement: None submitted by the Chief Legislative Analyst (CLA). The City Administrative Officer has not completed a financial analysis of this report.

Community Impact Statement: None submitted.

Summary:

At its regular meeting of May 17, 2013, the Rules, Elections and Intergovernmental Relations Committee considered a CLA report dated May 15, 2013 and Resolution (Parks - Perry) relative to the City's position to oppose SB 649 (Leno), which would grant prosecutors the ability to file misdemeanor rather than felony charges in drug possession cases where an individual is charged with the possession of certain narcotics, such as cocaine or heroin. The CLA report, attached to Council File No. 13-0002-S39, provides a summary of the Resolution and additional background information.

After providing an opportunity for public comment, the Committee recommended that Council adopt the accompanying Resolution. This matter is now forwarded to Council for its consideration.

Respectfully submitted,

RULES, ELECTIONS AND INTERGOVERNMENTAL RELATIONS COMMITTEE

MEMBER WESSON:

VOTE YES LABONGE: ABSENT HUIZAR: YES

REW

13-0002-S39_rpt_reir_5-17-13

ADOPTED

MAY 2 8 2013

LOS ANGELES CITY COUNCIL

Not Official Until Council Acts

TO THE MAYOR PORTHWITH

13-0002-539

RULES, ELECTERS & EXTERGOVERNMENTAL RELATIONS

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, illegal drugs and drug use continue to be a significant problem in the community, and pose a significant threat to public safety; and

WHEREAS, current law dictates that possession of a hard drug such as heroin or cocaine be charged as a felony, in order to preserve and protect the safety of the public; and

WHEREAS, these hard drugs are particularly dangerous, and efforts to split so-called "non-violent" drug possession cases from other drug possession cases enables users to purchase these hard drugs without serious repercussions; and

WHEREAS, SB 649 (Leno) would grant prosecutors the ability to charge individuals arrested for non-violent drug possession with a misdemeanor instead of a felony, thereby limiting the number of individuals charged with the possession of a hard drug that end up in jail; and

WHEREAS, counties burdened with overcrowded jails may abuse this leniency, and may adopt policies to charge these types of drug possession cases as misdemeanors in an effort to reduce jail populations; and

WHEREAS, this type of leniency would only serve to reinforce drug usage, which continues to be a scourge in communities throughout Los Angeles;

NOW, THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Resolution, the City of Los Angeles hereby includes in its 2013 - 2014 State Legislative Program OPPOSITION to SB 649, which would grant prosecutors the ability to file misdemeanor rather than felony charges in drug possession cases where an individual is charged with possession of a hard drug.

PRESENTED BY

BERNARD C. PARKS Councilmember, 8th District

MAR 19 2013

ADOPTED

MAY 2 8 2013

LOS ANGELES CITY COUNCIL

SECONDED BY

jwd

Sept