

ORDINANCE NO. _____

An ordinance adding Article 2.3 to Chapter 12 of Division 19 of the Los Angeles Administrative Code to establish a Hit-and-Run Reward Program.

WHEREAS, hit-and-run crimes have dramatically increased in recent years;

WHEREAS, the hit-and-run crime problem represents a significant traffic and public safety challenge with approximately 20,000 hit-and-run crimes occurring each year in the City of Los Angeles; and

WHEREAS, successful hit-and-run criminal investigations depend greatly on the cooperation of citizens supplying information to assist in the identification of offenders;

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Article 2.3 of Chapter 12 of Division 19 of the Los Angeles Administrative Code is added to read as follows:

ARTICLE 2.3

HIT-AND-RUN REWARD PROGRAM

Sec. 19.129.14. Creation of Fund.

1. A trust fund entitled "**Hit-and-Run Reward Program Trust Fund**", to be administered by the City Clerk, is hereby established in the City Treasury. The Fund shall be for the deposit of money for the payment of rewards to persons who have provided information leading to the offender's: (1) identification; (2) apprehension; and (3) conviction or resolution by civil compromise under California Penal Code Section 1378, final adjudication by the Juvenile Court, or placement on a supervised program by the probation officer under the provisions of the Welfare and Institution Code of the State of California.

2. The City may provide an appropriation to the Fund in the budget each year as a part of the appropriations to the Special Purpose Funds, and the City Council, subject to the approval of the Mayor, may appropriate other money from time to time during the year, as needed, to accomplish the payment of rewards provided for in this article.

3. All monetary gifts, contributions or bequests accepted by the City for the purposes set forth herein shall be placed in the Fund. All gifts, contributions or bequests to the Fund which exceed \$5,000 shall be submitted to the City Council for

acceptance or rejection. All gifts, contribution or bequests of \$5,000 or less may be accepted or rejected by the City Clerk.

Sec. 19.129.15. Procedure to Establish Eligibility to Receive Reward.

1. For the purposes of this article, “**hit-and-run**” means a traffic accident where the driver of a vehicle causes death or injury to another person or damage to any property, including a vehicle, and where the driver knows that he or she was involved in the accident and failed to perform the requirements of California Vehicle Code Sections 20003 and 20004 if the accident resulted in death or injury to another person, or failed to perform the requirements of California Vehicle Code Sections 20002 when the accident resulted in property damage.

2. The City of Los Angeles may offer and pay a reward in the following circumstances:

(a) Not to exceed \$50,000 in response to a hit-and-run that results in a death;

(b) Not to exceed \$25,000 in response to a hit-and-run that results in permanent, serious injury as defined in California Vehicle Code Section 20001(d);

(c) Not to exceed \$5,000 in response to a hit-and-run that results in an injury other than a permanent, serious injury; and

(d) Not to exceed \$1,000 in response to a hit-and-run that results only in property damage.

3. Any person interested in seeking a reward under this article shall complete an “Information and Application for Reward” form prepared by and available from the Office of the City Clerk. In the event the applicant is under 18 years of age, the applicant’s parent or legal guardian must also sign the form indicating his or her consent to the submission of the application. The applicant shall mail the completed form to the Los Angeles Police Department (Department) at the address indicated on the form.

4. The Department shall review the completed form and if it believes the applicant has met the criteria of this article for receiving an award, shall transmit a report to the City Council recommending payment of a reward. In the event the information resulted in a final adjudication by the Juvenile Court or placement on a supervised program by the probation officer, the name of the juvenile shall not appear in the report. The Department shall comply with the confidentiality provisions of the Welfare and Institutions Code of the State of California. If the Department determines that the applicant has not meet the criteria to receive a reward, then the Department shall, in writing, notify the applicant. If the applicant disagrees with the determination of the

Department, he or she may submit a written appeal to the Police Commission. The appeal shall set forth in writing the reasons why the person disagrees with the Department's determination. Police Commission decision on the appeal shall be final.

5. Upon the Clerk's receipt of the Department's report recommending payment of a reward, the City Council may, by adoption of a motion, resolution or committee report, approve the payment of a reward to the applicant and instruct the City Clerk to file the necessary report with the City Controller to cause the reward to be paid from the Hit-and-Run Reward Program Trust Fund.

Sec. 19.129.16. Payment Limitations.

1. The determination of whether a reward shall be paid by the City shall be at the sole discretion of the City Council, and neither the provisions of this article or the furnishing of information in response thereto shall create any legal right or claim to the payment of a reward.

2. The City Council shall have sole discretion in determining whether a reward shall be apportioned among two or more persons. In the event more than one person is entitled to share in the reward money, it shall be apportioned equally among claimants unless the City Council determines otherwise.

3. A reward shall be paid only to a natural person or persons and no reward or portion thereof shall be paid to any corporation, business, club or other organization either directly or by virtue of any waiver or assignment on the part of a natural person who is the recipient of a reward.

4. No reward shall be paid to a public officer or employee whose employment includes law enforcement duties. Verification of eligibility shall be provided by the Department.

5. No reward shall be paid to any person who has already been or will be compensated by his or her employer or paid in any manner for engaging in the actions which form the basis for claiming the reward. Verification of eligibility shall be provided by the Department.

6. No reward shall be paid to any person who committed or was involved in the hit-and-run. Verification of eligibility shall be provided by the Department.

7. No reward provided for in this article shall be paid without the provisions of the article having been first satisfied and the City Council having first adopted a motion, resolution or committee report providing for payment of the reward.

Sec. 19.129.17. Interest.

Interest accruing on money deposited into the Hit-and-Run Reward Program Trust Fund shall be distributed by the City Treasurer to the General Fund.

Sec. 19.129.18. Annual Activity Report.

The City Clerk shall report to the City Council regarding and identifying all receipts into, and all expenditures out of, the Hit-and-Run Reward Program Trust Fund, as well as the purposes for which the expenditures were made. Each report shall cover a fiscal year and shall be submitted within 60 days after the close of each fiscal year.

Sec. 2. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

HOLLY L. WOLCOTT, City Clerk

By _____
Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By  _____
BRIAN SOTTILE
Deputy City Attorney

Date 3/6/15

File No. CF 13-0025-S1