

**REPORT OF THE  
CHIEF LEGISLATIVE ANALYST**

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DATE: January 18, 2018

TO: Honorable Members of the City Council

FROM: Sharon M. Tso *SM Tso*  
Chief Legislative Analyst

Council File No: 17-0973  
Assignment No: 17-11-1052

**Illegal Firearm Recovery Reward Program and Anonymous Tip Line**

SUMMARY

On November 1, 2017 the Council adopted a Motion (Krekorian – Koretz), as amended by the Public Safety Committee, instructing our office, with the assistance of the City Administrative Officer and the Police Department (LAPD), to report in 30 days on creating an anonymous tip line and reward system for Los Angeles residents to report on individuals who illegally possess firearms, modeled after Oxnard Police Department’s “Break the Silence! Stop Gun Violence!” Program.

This report provides recommendations for the Council’s consideration to establish an Illegal Firearm Recovery Reward Program, which would offer residents of the City of Los Angeles a \$100 reward for information that leads to the recovery of an illegally possessed firearm within the City. Unlike other reward programs administered by the City, rewards under this program would be paid out anonymously upon the recovery of an illegal firearm, and not upon the final adjudication of a court case for a crime. If the City decides to establish an Illegal Firearm Recovery Reward Program, this office recommends that the City enter into a Memorandum of Agreement (MOA) with Los Angeles Regional Crime Stoppers (LARCS), a non-profit organization that works with the community and local law enforcement agencies to solve crimes, to administer the collection of tips and payment of rewards.

RECOMMENDATIONS

1. REQUEST the City Attorney, with the assistance of the Police Department, Chief Legislative Analyst and City Administrative Officer, to prepare an ordinance to establish an Illegal Firearm Recovery Reward Program to offer a \$100 reward for information that leads to the recovery of an illegal firearm.
2. AUTHORIZE the Police Chief, or his designee, to enter into a Memorandum of Agreement with Los Angeles Regional Crime Stoppers to collect tips on individuals in possession of an illegal firearm, and to anonymously pay out rewards for those tips that lead to the recovery of an illegal firearm within the City of Los Angeles.
3. AUTHORIZE the Controller to transfer/appropriate \$1,000 from Fund 100-58, the Unappropriated Balance, Reserve for Mid-Year Adjustments line item to a new appropriation within Fund 100-56, General City Purposes (GCP), entitled “The Illegal Firearm Recovery Reward Program,” as seed money for the payment of rewards to persons

who provide information to the Police Department that leads to the recovery of an illegally possessed firearm.

4. DIRECT the City Administrative Officer to address any future interim funding needs for the “Illegal Firearm Recovery Reward Program” appropriation through its regular Financial Status Reports (FSR).
5. REQUEST the Mayor to include an appropriation for this purpose in future budget proposals.
6. AUTHORIZE the City Administrative Officer to make any technical amendments or corrections to the above instructions needed to implement this program.

## BACKGROUND

### *Current State and Federal Laws*

Under Federal law, certain people are prohibited from possessing firearms, including convicted felons, domestic abusers, and people with specific kinds of mental health histories. California law is more expansive, and prohibits the purchase or possession of a firearm by any individual who:

- Has been convicted of a felony, or is addicted to narcotic drugs;
- Has been convicted of specified crimes, both felonies and misdemeanors, involving violence, hate crime offenses, or the unlawful use of firearms (people convicted of these specified misdemeanor offenses are generally prohibited from purchasing or possessing firearms for 10 years after conviction);
- Is subject to an outstanding arrest warrant for a firearm-prohibiting offense;
- As an express condition of probation, is prohibited or restricted from owning, possessing, controlling, receiving, or purchasing a firearm;
- Is adjudged a ward of the juvenile court because the person committed an offense involving violence, drugs or firearms (including the carrying of a concealed firearm, the carrying of a loaded firearm in public or the possession of a firearm in a vehicle, regardless of whether the firearm was concealed or loaded). The prohibition stays in effect only until the person reaches age 30;
- Is subject to a protective order, restraining order, temporary restraining order or injunction issued by a court pursuant to state law; or
- Has a history of severe mental illness or chronic alcoholism.

When a person is placed into the prohibited person category, they are required to relinquish any firearms they own, or transfer them to a third party who is not prohibited. Under California law, any person who has been convicted of, or has an outstanding warrant for, a felony, or who is addicted to the use of any narcotic drug, and who owns, purchases, receives, or has in possession or under custody or control any firearm is guilty of a felony.

Despite the strength of California law related to firearms possession, gun crimes by prohibited persons are still a major problem. In the City of Los Angeles, there were over 7,000 Part 1 Crimes committed with a firearm in 2016, and, while it is difficult to identify statistics on this issue, it is likely that a significant number of those crimes were committed by persons prohibited from possessing a firearm. A major impediment to disarming people who should not have a weapon is

information. In many cases, law enforcement is not aware that an individual who has committed a gun crime was prohibited from owning a firearm until it is too late.

*Illegal Firearm Recovery Reward and Anonymous Tip Line*

In an effort to address this problem, cities across the United States have begun offering rewards for information leading to the recovery of illegal firearms from individuals who are illegally in possession of a firearm. In California, the Oxnard Police Department, in partnership with the Ventura County Crime Stoppers, created the “Break the Silence! Stop Gun Violence! Tip reward program to enable residents to anonymously report illegal possession of firearms. A similar program could be put into place in the City of Los Angeles.

Under Division 19, Chapter 12 of the Los Angeles Administrative Code, the City offers rewards that lead to the identification, arrest and conviction or final adjudication in cases involving illegal dumping, vandalism, and hit-and-runs. The Council could also offer special rewards for information that leads to the identification, arrest and conviction or final adjudication of persons who have committed homicides or other serious crimes. The City could create by ordinance a new Illegal Firearm Recovery Reward Program to offer rewards for information that leads to the recovery of an illegal firearm through an ordinance. It must be noted that these rewards would be paid to claimants upon the recovery of a firearm, not the final adjudication of the criminal case.

The Motion also directs this Office to report on the creation of an anonymous tip line. Los Angeles Regional Crime Stoppers (LARCS) is a non-profit organization that is designed to prevent and reduce crime by forming partnerships between community, law enforcement and the media to offer anonymity and cash rewards to individuals providing information that leads to an arrest.

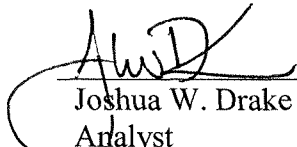
LARCS’ current system would be appropriate for collecting anonymous tips and paying individuals who provide information that results in the recovery of an illegal firearm. Under the anonymous system, individuals can contact LARCS online, over the phone, or through the P3 Tips Mobile app 24-hours a day, 7-days a week. The system creates an alpha-numeric tip credential for each tip, known only to the person who provided information. The tip is then sent to the LAPD’s Regional Crime Center, where intake is done for the entire county, and disseminated to the appropriate agency. Once a tip is investigated or reviewed, the investigator logs the disposition of the tip in a Tip Management System. The individual who provided the tip can check on the status of their tip online. Each month, tips that qualify for a reward are vetted by the LARCS Board. The Board must approve rewards, and can accept the suggested payout amount or amend it. Once a reward is approved, the individual who provided the information is notified, and given instructions on how to claim their reward. Funds are anonymously paid through Nix Financial, a check cashing company. Claimants are never asked for identification and rewards are paid in cash.

As LARCS already operates an anonymous tip line and payment system, and works closely with the LAPD, it would be beneficial for the City to partner with them to pay any anonymous rewards for illegal guns on the City’s behalf. The City would have to establish a mechanism to transfer any required funds to LARCS to pay rewards.

As this proposed reward program relies on LARCS to pay rewards on the City’s behalf and will not be administered through the City Clerk’s Office like other reward programs, this office recommends a new line item in the General City Purposes fund for the purpose of making funds available for eligible rewards.

FISCAL IMPACT

Adoption of an anonymous tip line and reward program for the recovery of illegal firearms will result in the issuance of \$100 reward payments to qualified claimants. The fiscal impact is unknown at this time and will vary on an ongoing basis dependent upon the number of qualified reward payments issued each year. This report recommends an initial \$1,000 transfer from the Unappropriated Balance to the General City Purposes Fund in order to provide funding for rewards as the program is established.

  
Joshua W. Drake  
Analyst

SMT:jwd

Attachments: Motion (Krekorian – Koretz)

MOTION

PUBLIC SAFETY

California law prohibits certain individuals from purchasing or possessing firearms, including those who have been convicted of a felony, are on probation, subject to a protective or restraining order or have a history of severe mental illness. While these individuals may have legally acquired a firearm at one point, once they become a prohibited person they are placed on the Armed Prohibited Persons System (APPS).

APPS is a statewide database, created by the California Department of Justice in 2007, that collects names from court records, lists of known or wanted criminals, domestic and gun violence restraining order and mental health history records, then cross-reference them with firearm sale records to identify those persons who have subsequently become prohibited from owning or possessing firearms. This list is updated daily and made available to law enforcement agencies across the state. The Los Angeles Police Department (LAPD) utilizes the APPS database to confiscate firearms from prohibited persons.

While APPS is a useful tool for LAPD, and other law enforcement agencies, it is nevertheless difficult to reach every prohibited person. After a series of homicides involving prohibited persons, the Oxnard Police Department, in partnership with Ventura County Crime Stoppers, launched a new program to assist the department with confiscating firearms from prohibited persons and combatting gun violence. 'Break the Silence! Stop Gun Violence,' is a reward program that offers residents up to \$100 for anonymous tips on individuals who illegally possess firearms. In addition to raising awareness about who is prohibited from owning or possessing firearms in California, this program assists in enforcing California laws and helps get guns out of the street and from the hands of known criminals.

I THEREFORE MOVE that the Los Angeles Police Department, with the assistance of the Chief Legislative Analyst and the Chief Administrative Officer, be instructed to report back on creating an anonymous tip line and reward system for Los Angeles residents to report on individuals who illegally possess firearms, modeled after Oxnard Police Department's 'Break the Silence! Stop Gun Violence' program.

ORIGINAL

Presented by:

*Paul Krekorian*

PAUL KREKORIAN  
Councilmember, 2nd District

Seconded by:

*Paul Kretz*

AUG 25 2017

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