

CITY OF LOS ANGELES  
CALIFORNIA

JUNE LAGMAY  
City Clerk

HOLLY L. WOLCOTT  
Executive Officer



ANTONIO R. VILLARAIGOSA  
MAYOR

Office of the  
CITY CLERK

Council and Public Services  
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SHANNON HOPPES  
Council and Public Services  
Division

[www.cityclerk.lacity.org](http://www.cityclerk.lacity.org)

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.

  
City Clerk  
KW

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.

BY \_\_\_\_\_  
CITY CLERK  
DEPUTY

RECEIVED  
CITY CLERK'S OFFICE  
2013 JUN 13 AM 9:40

Mayor's Time Stamp  
OFFICE OF THE MAYOR  
RECEIVED  
2013 MAY 29 AM 11:21  
CITY OF LOS ANGELES

FORTHWITH

City Clerk's Time Stamp  
RECEIVED  
CITY CLERK'S OFFICE  
2013 MAY 29 AM 11:17  
CITY CLERK  
BY \_\_\_\_\_  
DEPUTY

SUBJECT TO THE CONCURRENCE OF THE MAYOR

COUNCIL FILE NO. 13-0002-S39

COUNCIL DISTRICT \_\_\_\_\_

COUNCIL APPROVAL DATE MAY 28, 2013

RE: 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

JUN 10 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

\_\_\_\_\_

\_\_\_\_\_

\*Transmit objections in writing pursuant to Charter Section 231 (h)

DATE OF MAYOR APPROVAL OR DISAPPROVAL \_\_\_\_\_

\_\_\_\_\_  
MAYOR

RECEIVED  
CITY CLERK'S OFFICE  
2013 JUN 13 AM 9:40  
BY \_\_\_\_\_  
CITY CLERK  
DEPUTY

9

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            VOTE  
WESSON:        YES  
LABONGE:      ABSENT  
HUIZAR:        YES

REW  
5/22/13  
13-0002-S39\_rpt\_reir\_5-17-13

**ADOPTED**

MAY 28 2013

LOS ANGELES CITY COUNCIL

Not Official Until Council Acts

TO THE MAYOR FORTHWITH

MAR 19 2013

13-0002-539

RULES, ELECTIONS & INTERGOVERNMENTAL 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  
BERNARD C. PARKS  
Councilmember, 8<sup>th</sup> District

MAR 19 2013

**ADOPTED**

MAY 28 2013

LOS ANGELES CITY COUNCIL

SECONDED BY [Signature]

jwd

*Signature*

ORIGINAL