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June 17, 2016

The Honorable City Council
City of Los Angeles, Room 395
c/o City Clerk's Office
Los Angeles, CA 90012

Dear Honorable Members:

RE: RESPONSE TO REQUEST FROM PUBLIC SAFETY COMMITTEE RELATIVE TO
HOLLYWOOD BOULEVARD ACTIVITY (COUNCIL FILE NO. 15-0798)

The Board of Police Commissioners (Commission) at the direction of the President is waiving review of the Department's response to the request from the Public Safety Committee re: Hollywood Boulevard Activity (CF No. 15-0798).

The waiver is to expedite the review of the report by the City Council Public Safety Committee with the recommendation that upon completion of the draft ordinance by the City Attorney the matter will be referred back to the Department and Commission.

This matter is being forwarded to you for approval.

Respectfully,

BOARD OF POLICE COMMISSIONERS

Handwritten signature of Maria Silva in cursive script.

MARIA SILVA
Commission Executive Assistant

Attachment

c: Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

June 16, 2016

1.1

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: LOS ANGELES POLICE DEPARTMENT RESPONSE TO LOS ANGELES CITY COUNCIL PUBLIC SAFETY COMMITTEE INQUIRIES RELATIVE TO HOLLYWOOD BOULEVARD (CITY COUNCIL FILE NO. 15-0798)

RECOMMENDED ACTION

1. That the Board of Police Commissioners **REVIEWS** and **APPROVES** the Los Angeles Police Department's response to Los Angeles City Council Public Safety Committee Inquiries and **TRANSMITS** the report to the City Council Public Safety Committee.
2. That the City Council requests the City Attorney to draft an ordinance establishing a Hollywood Entertainment Zone ("Zone"), defined as encompassing the public sidewalks on both sides of Hollywood Boulevard between Highland Avenue and Orange Drive, incorporating the regulation of first amendment expressive activity in the "Zone" as delineated in this written response.
3. That the draft ordinance be referred to the Department for review and comment to include an implementation plan which will be developed in coordination with Council District 13 and other City Departments to identify the necessary costs for staffing and administration of the ordinance.

DISCUSSION

On April 19, 2016, the Public Safety Committee of the Los Angeles City Council discussed Council File 15-0798, Motion (O'Farrell-LaBonge) relative to public safety challenges on Hollywood Boulevard between Highland Avenue and Orange Drive.

As a result of the discussion, the Public Safety Committee instructed the Los Angeles Police Department (Department), with the assistance of the City Attorney's Office, the Bureau of Street Services (BSS), and the Tourism and Convention Board, to produce a written report back. Per the instruction of the Committee, the content of this report includes written responses to the questions asked during the discussion as well as our recommendations on policies and procedures that could be adopted to address the public safety challenges on Hollywood Boulevard between Highland Avenue and Orange Drive.

The Los Angeles Tourism and Convention Bureau researched statistics and data relative to tourism over the past five years. Los Angeles has experienced record breaking visitation and visitor spending. In 2015 it was a leading economic driver in Los Angeles contributing over \$20.6 billion in direct visitor with a total economic impact of \$31.6 billion. A record breaking

45.6 million visitors including 38.8 million domestic visitors and 6.8 million international visitors were received, with international visitors accounting for nearly one-third of all visitor spending.

A visitor profile study was conducted in 2013 and estimated that Hollywood received over 6 million individual visitors who generated nearly 12 million annual visits to Hollywood. (Visitors averaged 1.9 visits.) It is important to note that 38 percent of these visitors were from international markets, a higher proportion than other areas experienced. This can be attributed to the numerous landmarks located in Hollywood, including the Hollywood Walk of Fame which is unquestionably one of Los Angeles' most popular attractions and is an enormous draw for international visitors. The experience of taking pictures on the Walk of Fame has become even more popular in this specific area of the TCL Chinese Theatre, Madame Tussauds Hollywood, and Hollywood & Highland.

Visitors are intrigued and entertained with the many activities and performances that can be found on Hollywood Boulevard; however 74 percent reported that they were approached by one or more solicitors. About half (51 percent) were approached by sightseeing operators or costumed character (49 percent) and 42 percent by a Compact Disc (CD) vendor.

Twenty percent of visitors approached by solicitors found the experience to be unsatisfactory with the greatest cause being the CD Vendors at 64 percent, costumed characters at 44 percent and pan handlers at 24 percent. "Aggressive and rude" was the most commonly reported cause of the unsatisfactory experience.

Bureau of Street Services (BSS) reported the most frequent violations cited for on Hollywood Boulevard between Highland Avenue and Orange Drive were as follows; general obstructions (kiosks, merchandise, signs) and vending violations: mostly illegal food and merchandise vendors such as balloons, water, glow sticks, etc. In the past five years 83 citations have been issued for various violations, notices to appear, hearings and first level notice of violation (vending obstructions).

In order to assist with enforcement of performance activity, additional inspectors would be needed for dedicated teams that would be on foot or on bikes. Currently there is only one investigator assigned to the district.

Additionally, the City Attorney has advised that there have been 51 stay away orders issued on Hollywood Boulevard between Highland Avenue and Orange Drive between July 2013 to May 2016.

The Department opines the heavy congestion of pedestrian traffic due to street performers attracts oversized crowds, resulting in a large portion of sidewalks being blocked forcing passersby to walk onto the street or wait. Various characters in costumes and street performers are often involved in incidents of theft and extortion. Tourists feel that they are being pressured to buy novelty items they don't want. Sidewalk street merchants seek donations from tourists with photo opportunities. Loud music or speakers are used for free style hip hop dancing, speeches or other First Amendment protected acts. These occurrences draw in a large crowd and are often complained about by restaurant patrons and neighboring apartment tenants.

In 2015, the Administrative Citation Enforcement (ACE) Program was introduced in the Hollywood Area as an enforcement strategy in addition to traffic citations and Release From Custody (RFC) procedures. Many of the patrol and Hollywood Entertainment District (HED) Officers were experimenting with its usage and effectiveness versus the traffic citations or RFC. The Area did not have a tracking system in place until this year.

For 2016 (January to May), HED foot beat officers had issued a total of 162 ACE citations. Approximately 10 percent of these were issued within the block of Hollywood Boulevard between Highland Avenue and Orange Drive. The most frequent citations were for skateboarding and urinating in public.

Over the past two years, several high profile arrests were made in relation to the street performers in this block. In 2015 characters “Mickey Mouse” and “Donald Duck” were involved in a mutual fist fight outside of the Dolby Theater while in their costumes. Both were arrested and filed on for battery. In the same year, “Mr. Incredible” was punching “Batgirl” in the face while standing in front of the Chinese Theater. The incident was captured on cellular phone video and posted on YouTube. The suspect was filed upon and convicted for the battery charge. Recently, a male Chinese tourist was taking a photo with a female character who dressed as a pirate for the agreed price of twenty dollars. When the tourist handed her a one-hundred dollar bill, the pirate took the money and refused to provide him with change back. As a result, police were summoned to the scene and the suspect was arrested for theft via Private Person Arrest method. This case is pending court hearing.

Often times, the CD vendors and various characters are involved in money disputes with patrons where incidents of theft and extortion allegations occur. Many suspects were identified through detective investigation, but due to the victims being out of town tourists, no filing could be sought.

It is the position of the Department, the City Attorney’s Office, the Bureau of Street Services, and the Tourism and Convention Board that if the limit of street performers could be regulated, there would be better control and flow of the pedestrian traffic.

The Department recommends the ordinance regulate first amendment expressive activity in the “Zone” as follows:

1. No expressive activity that constitutes permissible vending under Los Angeles Municipal Code Section 42.00, performing, soliciting donations, handing out free food, using amplified sound or requiring equipment to be set down on the sidewalk (collectively referred to as Regulated Activity) may occur in the Zone without a 24-hour pass.
2. The City will make available on a first come, first serve basis, twenty 24-hour passes, ten of which will enable ten individuals to engage in Regulated Activity on the north side of the Hollywood Boulevard in the Zone and ten of which will enable ten individuals to engage in Regulated Activity on the south side of the street.

3. Given the narrow width of the sidewalks, the large crowds and the safety concerns in the Zone, the ordinance also should prohibit the following:
 - a) blocking or obstructing the free and safe movement of pedestrians or compliance with the Americans With Disabilities Act;
 - b) generating a crowd that blocks or obstructs the free and safe movement of pedestrians or compliance with the Americans With Disabilities Act;
 - c) occupying more than five square feet of space on the sidewalk;
 - d) engaging in Regulated Activity within five feet from a crosswalk;
 - e) engaging in Regulated Activity within five feet from building entrances or exits;
 - f) using or displaying wild or exotic animals or birds in connection with Regulated Activity; and;
 - g) exceeding noise Levels of Lmax (maximum level of noise) by 75 decibels (dBA), when measured at a minimum distance of 25 feet from the source, or 96 dBA, when measured at a minimum distance of one foot from the source.

4. For any person convicted of a second violation of the ordinance, the ordinance should permit the City to revoke day pass privileges of the person convicted for a period of three months.

The Department requests that the draft ordinance upon completion be referred back to the Department for comment through the Board of Police Commissioners (Board) prior to being scheduled in Public Safety Committee. This will allow the Department to coordinate with Council District 13 and other City Departments to prepare the implementation plan for the ordinance to include the costs for staffing, housing, location and other routine administrative matters. This information along with any comments relative to the draft ordinance will be transmitted to the City Council for their consideration after review by the Board.

If you have any questions, please contact Deputy Chief Jon Peters at (213) 473-0277.

Respectfully,



CHARLIE BECK
Chief of Police