

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney in order to effect settlement in the case entitled Christian Rodriguez, et al. v. City of Los Angeles, et al., United States District Court Case No. CV11-01135 DMG (JEMx) (this matter arises from incidents involving members of the Los Angeles Police Department and the Los Angeles City Attorney's Office between October 2007 and March 2013, in Los Angeles, California), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. APPROVE the settlement of the above-entitled matter on the terms set forth herein:
 - a. The City agrees not to enforce the unconstitutional curfew provisions (as well as other provisions that have been invalidated in subsequent appellate decisions) for the City's gang injunctions. The City also agrees that when serving gang injunctions on new subjects, the City will attach three cover sheets. One sheet will state that the City will not enforce the unconstitutional provisions. Another will state how the subject can petition the City Attorney's Office or the federal court via the assigned Magistrate Judge (Judge Patrick J. Walsh) to be removed from the injunction if he or she believes the injunction was served in error. A third sheet will offer referrals for services that help individuals leave gang life.
 - b. The City will make payments in the amount of \$1.125 million to \$7.5 million per year, for four years (totaling between \$4,500,000 and \$30,000,000 over the four-year period), to non-profit organizations that will enable gang members in the plaintiff class to take advantage of job readiness programs to prepare them to enter the workforce, apprenticeship programs for jobs in today's economy, vocational counseling to connect them with available employment and ongoing mentoring to keep them on track. Class members who are unable to participate in the program due to incarceration or who do not have use for the program because they are gainfully employed, may transfer the benefit to a first degree relative.

(Regardless of the volume of service requested, the annual funding obligation will never exceed \$7.5 million for any of the four years that the program will exist, and no matter how low the level of demand, the City will be obligated to contribute \$1.125 million to the non-profits in each of the four years that the program will exist. No direct payment of money damages will be paid to any class member.)
 - c. The City will provide \$150,000 per year, for four years, to programs that remove gang tattoos (this amount will not increase the City's maximum annual exposure of \$7.5 million). Members of the plaintiff class will be able to take advantage of these services without charge.
 - d. The City will pay attorney's fees to be determined by the Court, and payments of \$20,000 each into a dedicated annuity toward the education of the minor daughters of the two class representatives.
2. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary payments and technical adjustments, subject to the approval of the City Administrative Officer; and, AUTHORIZE the Controller to implement the instructions.

This matter was recommended for approval by the Budget and Finance Committee (Krekorian – Koretz – Blumenfield – Bonin: “Yes”) at its meeting on February 22, 2016, in Closed Session as permitted by Government Code Section 54956.9(d)(1).

PRESENTED BY _____
PAUL KREKORIAN
Councilmember, 2nd District

SECONDED BY _____
MITCHELL ENGLANDER
Councilmember, 12th District

REW
CF 16-0081
February 22, 2016

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