INTRADEPARTMENTAL CORRESPONDENCE

October 4, 2023
1.1

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: LOS ANGELES POLICE DEPARTMENT'S RESPONSE TO THE CITY
CONTROLLER'S REPORT ON THE ENFORCEMENT OF LOS ANGELES
MUNICIPAL CODE SECTION 41.18

RECOMMENDED ACTION

1.   That the Board of Police Commissioners (Board) REVIEW and APPROVE the
Los Angeles Police Department's (Department) response to the City Controller's
Office.

2.   That the Board TRANSMIT to the Los Angeles City Council the attached
response.

DISCUSSION

In June of 2023, the City Controller's Office released a report evaluating the enforcement of Los
Angeles Municipal Code (LAMC) Section 41.18 based on a data collection period of January
2012 to May 2023.

The Los Angeles City Controller highlighted an analysis of eleven years of data, which
compared arrest demographics to the City of Los Angeles population demographics. The
findings were published on the City Controller's website, under Data Sites, 41.18 Arrests Map.

This report addresses the City Controller's findings. If you have any questions, please contact
Commander Billy Brockway, Department Homeless Coordinator, Office of Operations, at
(213) 486-8410.

Respectfully,

MICHEL R. MOORE
Chief of Police

Attachments

RESPONSE TO THE CITY CONTROLLER ON LAMC SECTION 41.18
October 4, 2023

Background

The City Controller's Office evaluated the enforcement of Los Angeles Municipal Code (LAMC) Section 41.18 based on a data collection period of January 2012 to May 2023. The Los Angeles City Controller highlighted an analysis of eleven years of data, which compared arrest demographics against the City of Los Angeles (City) population demographics. The findings were published on the City Controller's website under Data Sites, 41.18 Arrests Map.

The primary data points highlighted by the City Controller included the following breakdown of LAMC Section 41.18:

- The total number of arrests made year over year;
- The total number of arrests made by type;
- The total number of arrests made by race;
- The total number of arrests made by sex; and,
- The total number of arrests made by Council District.

This report addresses the findings of the City Controller's report and provides further insight into the background, impact, and progression of LAMC Section 41.18 and the Department's enforcement protocols.

Findings

Classification Error

A classification error was uncovered during the Department's evaluation of LAMC Section 41.18 and preparation for this response to the City Controller's Office. Enforcement of this section is commonly completed by officers citing violators on a Release from Custody (RFC) citation issued for a subsection of LAMC Section 41.18.

Depending on the previous history of the violator and the circumstances of the violation, the RFC citation can be issued as an infraction or misdemeanor. Once this process is complete, the RFC citations are submitted to a supervisor for review, and once reviewed by a supervisor, they are submitted to Department administrative personnel. The Department's administrative personnel enter the information into the Decentralized Arrest Booking Information System (DABIS), which is then used to pull reporting data for these specific citations and arrests.

The Department discovered that administrative personnel incorrectly classified many of the LAMC Section 41.18 citations as misdemeanors instead of infractions due to a system error.

This system error caused each LAMC Section 41.18 citation to be automatically classified as a misdemeanor unless an override code was entered.

The Department is evaluating each RFC to determine if it was correctly classified as a misdemeanor or infraction. The Department is also working to prevent the system from defaulting to the classification of LAMC Section 41.18 as a misdemeanor. This error has impacted the data provided to the City Controller's office that was used to determine the number of infractions and misdemeanors. Once rectified, the total number of citations issued will remain the same, however, the total number of infractions and misdemeanors will be inaccurate.

This error has no adverse effects on the violators who were issued infractions or misdemeanor citations. These classification errors did not adversely impact the violator's criminal history, nor did they impact their charge in court. This data classification error only impacted the Department's records, which the City Controller's Office also used in their report.

For the purposes of this report, the Department will respond to the data which the City Controller's Office used in their report.

Total Number of Arrests Made

The initial distinction that needs to be made when you look at the 36,807 arrests over the entire data period is the difference between an RFC for an infraction or misdemeanor and a custodial arrest made by officers.

While an RFC is considered an arrest, the violator is typically released at the scene and not booked or processed at a jail facility. These are considered non-custodial arrests. For example, in 2022, there were 853 arrests for LAMC Section 41.18, according to the City Controller's report, with only 16 being custodial arrests.

The following chart illustrates a breakdown of all LAMC Section 41.18 custodial arrests from January 1, 2019, to May 31, 2023:

Race	2019	2020	2021	2022	2023*
Black	0	0	0	3	3
Hispanic	3	1	1	5	5
White	0	1	0	8	3
Total	3	2	1	16	11
*YTD 5/31/23					
*Due to a data system change, the custodial arrest data for specific LAMC codes are only					

The Department tracks misdemeanor and infraction RFCs as citation data, but for the purposes of responding to the City Controller's report, they will be referred to as arrests.

This distinction between a custodial arrest and an RFC arrest is important because the impact and severity on the unsheltered individual are greatly lessened by being issued an RFC infraction or misdemeanor.

The report recognizes the decline in arrests since the Martin v. Boise court case in September 2018, which led to the amendments to LAMC Section 41.18 and the Department's policy change based on the amendments in October 2018. However, the report fails to qualify the decline in arrests with the Department's evolution in its enforcement practices regarding LAMC Section 41.18 in the case's aftermath.

Beginning in 2018, the Department made a concerted effort to conduct enforcement of LAMC Section 41.18 only as a last resort. The Department enacted a policy emphasizing that the overarching objective is to obtain voluntary compliance with the restrictions set in LAMC Section 41.18. Before this shift in policy, the Department had still required a warning prior to enforcement, but that was the only prerequisite to a citation or arrest.

The Department developed a progressive enforcement model (outlined in the policy) that begins with education and warnings and only escalates to the point of enforcement for chronic offenders or blatant refusals to adhere to the restrictions for using the public right of way. This policy is designed to afford any unsheltered individual who finds themselves in violation of LAMC Section 41.18 the opportunity to correct the violation prior to enforcement action. The arrest data captured from 2018 to present day is solely violators of LAMC Section 41.18 who refused to correct the violation after education and warnings.

As City Council has revised LAMC Section 41.18, the Department has also revised its policies and procedures. These changes are identified in an Office of the Chief of Police Notice and distributed to all Department personnel. The latest Office of the Chief of Police Notice, *Enforcement Guidelines for Los Angeles Municipal Code Section 41.18 (As Amended) - Sitting, Lying, or Sleeping or Storing, Using, Maintaining, or Placing Personal Property in the Public Right-of-way,* dated September 26, 2022, outlines the current enforcement posture of the Department with regards to LAMC Section 41.18 and is included as an attachment.

Current State of Enforcement

The Department has continued to promote the stance of enforcement as a last resort in instances involving LAMC Section 41.18. The Department provided all officers with the previously mentioned Office of the Chief of Police Notice, outlining the enforcement protocol for this section, which emphasizes the importance of exhausting all efforts to obtain voluntary compliance before any enforcement action.

In addition, the Department Homeless Coordinator's Office conducts quarterly training for all Senior Lead Officers to keep them informed on the latest information regarding the enforcement of LAMC Section 41.18. The Department Homeless Coordinator's Office also conducts training at divisional roll calls, field training officer school, academy recruit training, supervisor school, and command development school.

Officers who encounter a violator of this section are instructed to first educate the individual on the behavior or conduct that violates the section and then encourage them to comply voluntarily. Officers are also instructed to allow the individual a reasonable amount of time to comply and to allow additional time to correct the violation if the violator is actively trying to comply.

Enforcement action is taken when officers encounter a violator who refuses to correct the violation after the violator has been educated, warned, and offered reasonable time to correct the violation. Enforcement action is also taken for chronic violators or a violator who continually refuses to comply with the section. aking this measured approach to enforcement allows cooperating individuals to avoid enforcement while still having the means to enforce LAMC Section 41.18, which protects the use of the public right of way for all residents of the City of Los Angeles.

Impact on Public Safety

The Department strongly believes that LAMC Section 41.18 and its subsections have an overwhelmingly positive impact on public safety. The restrictions outlined in the section enable all residents of Los Angeles to have clear and concise guidelines on the use of public rights of way. Additionally, it allows the City to prohibit the unhoused community from residing in unhealthy or unsafe areas.

The section also affords the City a means to address chronic problem locations that often contribute to increased crime. In these instances, the City, under LAMC Section 41.18, is empowered to act and address these locations that pose a particular and ongoing threat to public health or safety. The application of LAMC Section 41.18 has allowed the City to reduce the number of encampments where chronic violence and crime occurred. This has led to a substantial decrease in the unhoused community being victims of violent crime.

The positive impact of LAMC Section 41.18 on the City is evidenced by the overall decrease in homeless-related Part I crime in 2022. This downward trend has continued in 2023, with homeless-related Part I crime down another eleven percent. This reduction in crime has correlated directly with the passing of LAMC Section 41.18 by the City Council. Therefore, it will continue to aid the City and the Department as a necessary tool to further improve public safety.

Attached with this report are Department Part I and Part II crime statistics for 2022 and 2023, which involved homeless suspects and victims.

Impact on Passage of Critical Corridors and Americans with Disabilities Act Access

In addition to utilizing LAMC Section 41.18 to decrease Part I and Part II crimes among the unhoused community, the section is also used to ensure that all community members of Los Angeles have fair and equal access to public rights of way.

The most common use of LAMC Section 41.18 by the Department involves the warning and citation of members of the public for section LAMC Section 41.18(a), which deals specifically with impeding public access or right of way.

The overtaking of public rights of way to the point of blocking access to sidewalks, roadways, alleys, and businesses remains one of the most prevalent complaints of community members to the Department.

This section functions as the Department's most viable option in the effort to maintain the use of the public right of way and keep the public space open and free for public travel. This section also allows the Department to ensure that the access mandated by the Americans with Disabilities Act is upheld throughout the City. Violation of LAMC Section 41.18 often causes a wheelchair user to be forced to enter the street due to the sidewalk being blocked.

The Total Number of Arrests Made by Type

While the total number of arrests is correct, due to the classification error, the data incorrectly classifies the number of misdemeanor and infraction RFCs that were issued to violators. For the purposes of this report, the Department will address the data that was provided to the City Controller's Office and used in their report. The following table illustrates the total number of misdemeanor and infraction arrests made year by year:

Total LAMC Section 41.18 RFC Arrests*													
Year	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023**	Total
Infraction	27	104	343	894	1,029	1,018	1,063	411	122	216	385	181	5,793
Misdemeanor	4,069	5,307	4,239	3,848	4,407	4,720	2,393	475	218	352	467	514	31,009
Other	0	0	1	0	2	0	0	1	0	0	1	0	5
Total	4,096	5,411	4,583	4,742	5,438	5,738	3,456	887	340	568	853	695	36,807
*Data is inacurrate due to the classification error.													
**Controller's data only captured up to May 13, 2023.													

Total Number of Arrests Made by Race

The report highlights a disproportionate number of arrests involving Black/African American individuals (43 percent) and compares it against the population of Black/African American people in the City (eight percent). This is a flawed comparison because the number of arrests involving any demographic should be measured against the demographic makeup of the City's homeless population, not the general population.

Measuring the number of arrests against the demographic makeup of the City's homeless population is a fair and equitable depiction because, generally, LAMC Section 41.18 arrests involve people experiencing homelessness.

The Los Angeles Homeless Services Authority (LAHSA) conducts an annual Point in Time (PIT) count, which includes data specific to the City's homeless population and identifies the demographic makeup of the homeless population. The City Controller's report uses data from the beginning of 2012 to May of 2023. The first report available in the data range used in the City Controller's Report is the 2013 LAHSA PIT count.

The LAHSA initially released a PIT count every other year but began conducting a PIT count annually in 2015. The one exception is the 2021 PIT count, which was canceled due to the Coronavirus Disease 2019 (COVID-19) pandemic. The following is a year-by-year comparison of the race demographic makeup of the homeless population against the race demographic makeup of all arrests made for that year.

The following homeless population ethnicity summaries are taken directly from the LAHSA PIT count reports for the City of Los Angeles, and the arrest data illustrated in the following tables are sourced using the Crime Analysis Mapping System.

2013 LAMC Section 41.18 Arrest Data Ethnicity Summary

The 2013 LAHSA PIT count revealed that Black/African American individuals comprised approximately 43 percent of the homeless population. The following table illustrates the correlation between the Black/African American homeless population and Black/African American LAMC Section 41.18 arrests:

2013 Homeless Population and 41.18 Arrests					
Ethnicity	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for LAMC 41.18
Hispanic/Latino	6,233	21%	872	16.1%	14%
White	9,795	33%	1,738	32.1%	18%
Black/African-American	12,763	43%	2,649	49.0%	21%
Asian	297	1%	32	0.6%	11%
Other	594	2%	120	2.2%	20%
Total	29,682	100%	5,411	100%	18%

Utilizing the 2013 PIT count data, the Department also compared the number of arrests to each ethnicity's total homeless population for that year. This provided further insight into the percentage of each ethnicity arrested under LAMC Section 41.18.

All ethnicities included in the PIT count but not incorporated into the five Department arrest data categories were included in the "Other" category.

<u>2015 LAMC Section 41.18 Arrest Data Ethnicity Summary</u>

The 2015 LAHSA PIT count table illustrates that Black/African American individuals comprised approximately 47 percent of the homeless population. The following table illustrates the correlation between the Black/African American homeless population and Black/African American LAMC Section 41.18 arrests:

2015 Homeless Population and 41.18 Arrests					
Ethnicity	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for LAMC 41.18
Hispanic/Latino	5,411	21%	887	18.7%	16%
White	5,567	22%	1,580	33.3%	28%
Black/African-American	12,188	47%	2,093	44.1%	17%
Asian	496	2%	28	0.6%	6%
Other	2,024	8%	154	3.2%	8%
Total	25,686	100%	4,742	100%	18%

<u>2016 LAMC Section 41.18 Arrest Data Ethnicity Summary</u>

The 2016 LAHSA PIT count table illustrates that Black/African American individuals comprised approximately 43 percent of the homeless population. The following table illustrates the correlation between the Black/African American homeless population and Black/African American LAMC Section 41.18 arrests:

2016 Homeless Population and 41.18 Arrests					
Ethnicity	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for LAMC 41.18
Hispanic/Latino	7,369	26%	1,197	22.0%	16%
White	6,849	24%	1,781	32.8%	26%
Black/African-American	12,164	43%	2,276	41.9%	19%
Asian	346	1%	33	0.6%	10%
Other	1,736	6%	151	2.8%	9%
Total	28,464	100%	5,438	100%	19%

2017 LAMC Section 41.18 Arrest Data Ethnicity Summary

In 2017, LAHSA began distinguishing between sheltered and unsheltered homeless populations. To establish a more accurate representation of the homeless population as it relates to LAMC Section 41.18 enforcement, the Department also considered the ethnicity summary of the unsheltered population compared to the arrest data.

The 2017 LAHSA PIT count table illustrates that Black/African American individuals comprised approximately 47 percent of the total homeless population and approximately 46.5 percent of the unsheltered homeless population.

The following table illustrates the correlation between the Black/African American homeless population and Black/African American LAMC Section 41.18 arrests:

2017 Homeless Population and 41.18 Arrests					
Ethnicity	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for LAMC 41.18
Hispanic/Latino	10,177	31%	1,306	22.8%	13%
White	6,029	18%	1,680	29.3%	28%
Black/African-American	15,607	47%	2,554	44.5%	16%
Asian	283	1%	41	0.7%	14%
Other	1,040	3%	157	2.7%	15%
Total	33,136	100%	5,738	100%	17%

2018 LAMC Section 41.18 Arrest Data Ethnicity Summary

The 2018 LAHSA PIT count revealed that Black/African American individuals comprised approximately 39 percent of the total homeless population and approximately 35.5 percent of the unsheltered homeless population.

The table on the following page illustrates the correlation between the Black/African American homeless population and Black/African American LAMC Section 41.18 arrests:

2018 Homeless Population and 41.18 Arrests					
Ethnicity	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for LAMC 41.18
Hispanic/Latino	10,813	35%	748	21.6%	7%
White	6,978	22%	1,403	40.6%	20%
Black/African-American	12,235	39%	1,200	34.7%	10%
Asian	352	1%	13	0.4%	4%
Other	907	4%	92	2.7%	10%
Total	**31,285**	**100%**	**3,456**	**100%**	**11%**

2019 LAMC Section 41.18 Arrest Data Ethnicity Summary

The 2019 LAHSA PIT count revealed that Black/African American individuals comprised approximately 38 percent of the total homeless population and approximately 32.8 percent of the unsheltered homeless population. The following table illustrates the correlation between the Black/African American homeless population and Black/African American LAMC Section 41.18 arrests:

2019 Homeless Population and 41.18 Arrests					
Ethnicity	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for LAMC 41.18
Hispanic/Latino	12,178	34%	209	23.6%	2%
White	8,058	23%	378	42.7%	5%
Black/African-American	13,456	38%	269	30.4%	2.0%
Asian	291	1%	2	0.2%	>1%
Other	1,557	4%	28	3.1%	2%
Total	**35,540**	**100%**	**886**	**100%**	**2%**

2020 LAMC Section 41.18 Arrest Data Ethnicity Summary

The 2020 LAHSA PIT count revealed that Black/African American individuals comprised approximately 38 percent of the total homeless population and approximately 32.4 percent of the unsheltered homeless population.

The following table illustrates the correlation between the Black/African American homeless population and Black/African LAMC Section 41.18 arrests:

2020 Homeless Population and 41.18 Arrests					
Ethnicity	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for LAMC 41.18
Hispanic/Latino	13,424	33%	98	28.8%	>1%
White	10,293	25%	143	42.1%	1%
Black/African-American	15,622	38%	81	23.8%	>1%
Asian	502	1%	2	0.6%	>1%
Other	1,449	3%	16	4.7%	1%
Total	**41,290**	**100%**	**340**	**100%**	**>1%**

2021 LAMC Section 41.18 Arrest Data Ethnicity Summary

The 2021 PIT count was canceled due to the COVID-19 pandemic. Due to the lack of an accurate data sample, the Department compared the 2021 arrest data to the 2020 and 2022 Black/African American homeless population data averages.

The 2020 LAHSA PIT count table illustrates that Black/African American individuals comprised approximately 38 percent of the total homeless population and approximately 32.4 percent of the unsheltered homeless population.

The 2022 LAHSA PIT count table illustrates that Black/African American individuals comprised approximately 33 percent of the total homeless population and 27.7 percent of the unsheltered homeless population.

Taking the average unsheltered population of Black/African American individuals between the two years equates to an average of approximately 30 percent of the unsheltered homeless population and an average total homeless population of 35 percent.

The following table illustrates the correlation between the Black/African American homeless population and Black/African American LAMC Section 41.18 arrests made in 2021:

2020 + 2022 Average Homeless Population and 2021 41.18 Arrests					
Ethnicity	Average Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for LAMC 41.18
Hispanic/Latino	15,447	37.1%	179	31.5%	1%
White	9,310	22.4%	228	40.1%	2%
Black/African-American	14,718	35.4%	145	25.5%	>1%
Asian	463	1.0%	1	0.2%	>1%
Other	1,692	4.1%	15	2.7%	>1%
Total	**41,630**	**100%**	**568**	**100%**	**1%**

2022 LAMC Section 41.18 Arrest Data Ethnicity Summary

The 2022 LAHSA PIT revealed that Black/African American individuals comprised approximately 33 percent of the total homeless population and approximately 27.7 percent of the unsheltered homeless population.

The following table illustrates the correlation between the Black/African American homeless population and Black/African American individuals accounting for approximately 19 percent of the total LAMC Section 41.18 arrests:

2022 Homeless Population and 41.18 Arrests					
Ethnicity	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for LAMC 41.18
Hispanic/Latino	17,470	42%	322	38.0%	2%
White	8,327	20%	339	40.0%	4%
Black/African-American	13,814	33%	164	19.3%	1%
Asian	434	1%	3	0.4%	>1%
Other	1,935	4%	20	2.3%	1%
Total	**41,980**	**100%**	**848**	**100%**	**2%**

Year to Date 2023 LAMC Section 41.18 Arrest Data Ethnicity Summary

The ethnicity data for the unsheltered and total homeless population for 2023 will not be available until the next PIT count.

However, based on the 2022 unhoused Black/African American population, the arrest data would still reflect a correlation between the Black/African American homeless population and Black/African American LAMC Section 41.18 arrests.

The following table illustrates the total arrests by ethnicity for 2023:

	Asian	Black	Hispanic	Other	White	Total
YTD 2023*	8	123	369	24	488	1,012
% of Total	1%	12%	37%	2%	48%	100%
*YTD 5/31/23						

Total Number of Arrests Made by Race Conclusion

For each year that the LAHSA PIT count was able to provide an ethnicity summary of the homeless population, the Department compared the arrest data against that year's homeless ethnicity summary.

In nearly every case, the arrest data involving Black/African American individuals correlated to the rise and fall of the homeless population of Black/African American individuals.

Additionally, for each year the data was available, 2013 was the only year where the percentage of arrests involving Black/African American individuals exceeded the total percentage of Black/African American individuals in the homeless population.

The Total Number of Arrests Made by Gender

The report again draws a flawed comparison between the number of male arrestees and the number of males in the City of Los Angeles population. When the correct comparison is made, which involves comparing the arrest data against the homeless population, a direct correlation between the number of arrests by gender and the gender makeup of the homeless population is revealed.

As the Department only categorizes arrest data as male or female, other genders recorded by the PIT count were not factored into the total male and female population for the purposes of this report. When analyzing the arrest data based on the arrestee's gender, the Department also considered the percentage of unsheltered men and women.

The LAHSA PIT count data compared to the LAMC Section 41.18 arrest data year over year is illustrated in the following tables.

2013

The 2013 PIT does not distinguish between sheltered and unsheltered homeless individuals. It also makes a distinction between adults and children which decreases the total number of adult males and females by five percent each. The total population was considered when comparing the LAMC Section 41.18 arrest data.

The following table illustrates the correlation between the male and female homeless population percentage and the percentage of male and female arrestees:

2013 Homeless Population and 41.18 Arrests Gender Breakdown					
Gender	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for 41.18
Male	21,393	72%	4090	76.0%	19.12%
Female	8,288	28%	1,321	24.0%	15.94%
Total	29,681	100%	5,411	100%	18.23%
*LAHSA point in count survey only included male and female counts for 2013					

2015

The 2015 PIT does not distinguish between sheltered and unsheltered homeless individuals. The table on the following page illustrates the correlation between the male and female homeless population percentage and the percentage of male and female arrestees:

2015 Homeless Population and 41.18 Arrests Gender Breakdown					
Gender	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for 41.18
Male	17,458	68%	3302	70.0%	18.91%
Female	8,108	31%	1,440	30.0%	17.76%
Other	120	1%	N/A	N/A	N/A
Total	25,686	100%	4,742	100%	18.46%

2016

The 2016 PIT does not distinguish between sheltered and unsheltered homeless individuals. The following table illustrates the correlation between the male and female homeless population percentage and the percentage of male and female arrestees:

2016 Homeless Population and 41.18 Arrests Gender Breakdown					
Gender	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for 41.18
Male	18,870	66%	3895	72.0%	20.64%
Female	9,271	33%	1,543	28.0%	16.64%
Other	323	1%	N/A	N/A	N/A
Total	28,464	100%	5,438	100%	19.10%

2017

The 2017 PIT does distinguish between sheltered and unsheltered homeless individuals. The following table illustrates the correlation between the total male and female homeless population percentage and the percentage of male and female arrestees:

2017 Homeless Population and 41.18 Arrests Gender Breakdown					
Gender	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for 41.18
Male	22,297	67%	4061	71.0%	18.21%
Female	10,387	31%	1,677	29.0%	16.15%
Other	453	2%	N/A	N/A	N/A
Total	33,137	100%	5,738	100%	17.32%

When only the unsheltered homeless population is considered, there is an even greater correlation between the approximate 71.2 percent male and 27.2 percent female unsheltered population and the percentage of male and female arrestees. The remaining 1.6 percent identified as other.

2018

The 2018 PIT does distinguish between sheltered and unsheltered homeless individuals.

The following table illustrates the correlation between the total male and female homeless population percentage and the percentage of male and female arrestees:

2018 Homeless Population and 41.18 Arrests Gender Breakdown					
Gender	Total Population	% of Total Homeless population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for 41.18
Male	20,907	67%	2600	75.0%	12.44%
Female	9,577	31%	856	25.0%	8.94%
Other	801	2%	N/A	N/A	N/A
Total	31,285	100%	3,456	100%	11.05%

When only the unsheltered homeless population is considered, there is an even greater correlation between the approximate 72.2 percent male and 24.7 percent female unsheltered population and the percentage of male and female arrestees. The remaining 3.1 percent identified as other.

2019

The 2019 PIT does distinguish between sheltered and unsheltered homeless individuals.

The following table illustrates the correlation between the total male and female homeless population percentage and the percentage of male and female arrestees:

2019 Homeless Population and 41.18 Arrests Gender Breakdown					
Gender	Total Population	% of Total Homeless population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for 41.18
Male	23,980	67%	653	74.0%	2.72%
Female	10,617	30%	233	26.0%	2.19%
Other	953	3%	N/A	N/A	N/A
Total	35,550	100%	886	100%	2.49%

When only the unsheltered homeless population is considered, there is an even greater correlation between the approximate 72.4 percent male and 24.4 percent female unsheltered population and the percentage of male and female arrestees. The remaining 3.2 percent identified as other.

2020

The following table illustrates the correlation between the total male and female homeless population percentage and the percentage of male and female arrestees:

2020 Homeless Population and 41.18 Arrests Gender Breakdown					
Gender	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for 41.18
Male	27,790	66%	244	72.0%	0.88%
Female	13,330	32%	96	28.0%	0.72%
Other	836	2%	N/A	N/A	N/A
Total	**41,956**	**100%**	**340**	**100%**	**0.81%**

When only the unsheltered homeless population is considered, there is an even greater correlation between the approximate 72.9 percent male and 24.7 percent female unsheltered population and the percentage of male and female arrestees. The remaining 2.4 percent identified as other.

2022

The following table illustrates the correlation between the total male and female homeless population percentage and the percentage of male and female arrestees:

2022 Homeless Population and 41.18 Arrests Gender Breakdown					
Gender	Total Population	% of Total Homeless Population	Total LAMC 41.18 Arrests	% of Total 41.18 Arrests	% of the Total Population Arrested for 41.18
Male	27,629	65%	628	74.0%	2.27%
Female	13,817	32%	220	26.0%	1.59%
Other	1,237	3%	N/A	N/A	N/A
Total	**42,683**	**100%**	**848**	**100%**	**1.99%**

When only the unsheltered homeless population is considered, there is an even greater correlation between the approximate 70.9 percent male and 25.5 percent female unsheltered population and the percentage of male and female arrestees. The remaining 3.6 percent identified as other.

<u>YTD 2023</u>

The gender data for the unsheltered and total homeless population for 2023 will not be available until the next PIT count. However, based on the 2022 unhoused homeless population, the arrest data would still reflect a correlation between the percentage of male and female homeless individuals and the percentage of male and female LAMC Section 41.18 arrestees.

The following table illustrates the total arrests by gender for 2023:

	Male Arrests	Female Arrests	Total
YTD 2023	693	319	1,012
% of Total	68%	32%	100%
YTD 5/31/23			

<u>Total Number of Arrests Made by Sex Conclusion</u>

For each year that the LAHSA PIT count was able to provide a gender summary of the homeless population, the Department compared the arrest data against that year's homeless population gender summary.

The arrest data involving gender consistently fell within the range of the gender makeup of the homeless population. The arrest data was even more consistent when only the unsheltered population was considered, as this population is more likely to violate LAMC Section 41.18.

<u>The Total Number of Arrests Made by Los Angeles City Council District (Council District)</u>

The City Controller's report also highlights the disparity between the LAMC Section 41.18 arrests made in Council District 14, which had over 50 percent of all arrests over the data period, Council District 11, which had 16 percent of all arrests, and Council District 13, which had 14 percent of all arrests during the data period. Again, the report fails to recognize that not all Council Districts have the same homeless population.

According to the LAHSA PIT counts over the data period used by the City Controller, Council District 14 has averaged approximately 22 percent of the homeless population. It also contains Skid Row, which is so densely populated that it requires a specialized team, the Resources Enhancement Services Enforcement Team (RESET). This would also account for increased LAMC Section 41.18 arrests, as Central Area has dedicated resources to address these violations.

The Department's evaluation revealed that Council District 13 has averaged approximately nine percent of the total homeless population, and Council District 11 has averaged seven percent of the total homeless population.

Both Council Districts have high tourist areas, Hollywood Boulevard and Venice Beach. During many of the years of the data collection period, both Areas had dedicated resources to engage in outreach and proactive engagement with the unsheltered community.

Pacific Area has the dedicated Beach Detail, which often involves enforcement of LAMC Section 41.18, and Hollywood Area used to have the Community Outreach and Rapid Engagement (CORE) Team. West LA Area also had dedicated resources for engagement with the unsheltered community. This would account for the disparity in the number of arrests made in these Council Districts when compared to the rest of the City over the data period.

The following table illustrates the total population of each Council District for each PIT count during the City Controller's data set. The Council Districts are sorted from the highest average percentage of the homeless population to the lowest:

Council District	2013	2015	2016	2017	2018	2019	2020	2022	Average	AVG POP %
CD-14	5500	6292	5590	7157	7068	7638	7617	9204	7008	22%
CD-9	2564	2395	3458	3802	3224	4470	4891	5640	3806	12%
CD-13	2255	2270	3036	3322	2996	3190	3907	2992	2996	9%
CD-8	2307	1641	1497	2103	2131	2556	4386	3579	2525	8%
CD-1	1150	1958	1986	2562	2452	2937	2825	3395	2408	7%
CD-11	1389	2359	2529	2713	2033	2339	3273	2012	2331	7%
CD-6	1413	1517	1856	2037	2825	2327	3308	3228	2314	7%
CD-15	1226	1544	1773	2227	1791	2213	2257	2373	1926	6%
CD-10	1168	1348	1112	1475	1310	1609	1930	1671	1453	4%
CD-7	847	1062	1206	1188	1259	1315	1440	1746	1258	4%
CD-2	1024	607	1084	1072	1283	1664	1740	1364	1230	4%
CD-5	456	879	913	1201	883	1094	1205	1252	985	3%
CD-4	1090	625	628	781	777	935	1072	1203	889	3%
CD-3	352	620	890	629	607	676	704	1270	719	2%
CD-12	251	569	906	869	646	587	735	1051	702	2%
Total	22992	25686	28464	33138	31285	35550	41290	41980	32548	100%

Areas that have higher amounts of citations issued for LAMC Section 41.18 are due to increased training on the proper policy and procedure for enforcement of LAMC Section 41.18, responding to crime trends within their Area, and a commitment to addressing community concerns.

Conclusion

The Department considers LAMC Section 41.18 one of the most vital and effective instruments in maintaining the safety and integrity of the public rights of way throughout the City. The Department recognizes the positive effects that LAMC Section 41.18 has on both public safety and public access.

The Department will continue to support the use of LAMC Section 41.18 by educating the public on the section and utilizing a progressive enforcement model only after exhausting all attempts to achieve voluntary compliance.

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