



44933 Fern Avenue, Lancaster, CA 93534

Chairman Jeff Little

Vice Chair Liza Rodriguez

Commissioner Mark Brown; Commissioner Tim Fuller;

Commissioner Howard Harris; Commissioner Jin Hur

Commissioner Drew Mercy

LANCASTER CRIMINAL JUSTICE COMMISSION AGENDA

Wednesday,

December 12, 2018

10:00 a.m.

Council Chambers – Lancaster City Hall

Posted by 5:00 p.m. on Friday, December 7, 2018

at the entrance to the Lancaster City Hall Council Chambers

CALL TO ORDER

ROLL CALL

Commission Members: Brown, Fuller, Harris, Hur, Mercy; Vice Chair Rodriguez; Chairman Little

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATIONS

PUBLIC BUSINESS FROM THE FLOOR - AGENDIZED ITEMS

Any person who would like to address the Lancaster Criminal Justice Commission on any agendized item is requested to complete a speaker card for the Commission Secretary and identify the agenda item you would like to discuss. Each person will be given an opportunity to address the Commission at the time such item is discussed. Speaker cards are available at the rear of the Council Chambers and your speaker card must be filled out *prior* to the agenda item being called. We respectfully request that you fill the cards out completely and print as clearly as possible. Following this procedure will allow for a smooth and timely process for the meeting and we appreciate your cooperation. *Individual speakers are limited to three (3) minutes each.*

**LANCASTER CRIMINAL JUSTICE COMMISSION AGENDA
WEDNESDAY, DECEMBER 12, 2018**

Consent Calendar items may be acted upon with one motion, a second and the vote. If you desire to speak on an item or items on the Consent Calendar, you may fill out one speaker card for the Consent Calendar. You will be given three (3) minutes to address your concerns before the Lancaster Criminal Justice Commission takes action on the Consent Calendar.

CONSENT CALENDAR

CC 1. Approval of Minutes – November 14, 2018

CONTINUED BUSINESS

CB 1. Continued Discussion of Human Trafficking and Nuisance Motels Ordinance and possible recommendation to City Council

COMMISSION/ STAFF PRESENTATIONS, UPDATES, REPORTS

1. Los Angeles County Sheriff's Department Crime Trends Report
Presenter: Los Angeles County Sheriff's Department
2. Los Angeles County Probation Department Update
Presenter: Los Angeles County Probation Department
3. California Highway Patrol Update
Presenter: California Highway Patrol
4. District Attorney Update
Presenter: District Attorney's Office
5. City Attorney Update
Presenter: Assistant City Attorney
6. Public Safety Update
Presenter: Public Safety Director
7. State Legislative Office Update
Presenters: Senator Wilk's Office and Assemblyman Lackey's Office

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDIZED ITEMS

This portion of the agenda allows an individual the opportunity to address the Lancaster Criminal Justice Commission on any item ***NOT ON THE AGENDA*** regarding Commission business and speaker cards must be submitted ***prior*** to the beginning of this portion of the Agenda. Please complete a speaker card for the Commission Secretary and identify the subject you would like to address. We respectfully request that you fill the cards out completely and print as clearly as possible. Following this procedure will allow for a smooth and timely process for the meeting and we appreciate your cooperation. ***Individual speakers are limited to three (3) minutes each.***

**LANCASTER CRIMINAL JUSTICE COMMISSION AGENDA
WEDNESDAY, DECEMBER 12, 2018**

COMMISSIONER COMMENTS

ADJOURNMENT

Next Regular Meeting:

Wednesday, January 9, 2019 – 10:00 a.m.

MEETING ASSISTANCE INFORMATION

In compliance with the Americans with Disabilities Act, this meeting will be held at a location accessible to persons with disabilities; if you need special assistance to participate in this meeting, please contact the City Clerk at (661)723-6020. Services such as American Sign Language interpreters, a reader during the meeting, and/or large print copies of the agenda are available. To ensure availability, you are advised to make your request at least 72 hours prior to the meeting/event you wish to attend. Due to difficulties in securing sign language interpreters, five or more business days notice is strongly recommended. For additional information, please contact the City Clerk at (661)723-6020.

AGENDA ADDENDUM INFORMATION

On occasion items may be added after the agenda has been mailed to subscribers. Copies of the agenda addendum item will be available at the City Clerk Department and are posted with the agenda on the windows of the City Council Chambers. For more information, please call the City Clerk Department at (661) 723-6020.

All documents available for public review are on file with the City Clerk Department.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER AMENDING TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF THE LANCASTER MUNICIPAL CODE BY ADDING CHAPTER 9.50 (“HUMAN TRAFFICKING AND NUISANCE MOTELS”) RELATING TO HUMAN TRAFFICKING AND OTHER UNLAWFUL NUISANCE ACTIVITY AND CONDITIONS AT MOTELS AND HOTELS

WHEREAS, the City Council of the City of Lancaster finds and declares its commitment to sustain and protect the health, safety and welfare of the citizens of the City of Lancaster; and

WHEREAS, the City Council further finds and declares that motels and hotels are often used for human trafficking, including the sex trafficking of minors; and

WHEREAS, the City Council further finds and declares that motels and hotels are often also used for illegal drug activity and other criminal acts, which may require a response by numerous law enforcement personnel; and

WHEREAS, the City Council further finds and declares that motel and hotel owners and operators must be proactive in recognizing the possible indicators of human trafficking and other illegal activity; and

WHEREAS, the City Council further finds and declares that the City of Lancaster intends to utilize all available legal remedies under California law to hold motel and hotel owners and operators responsible for sex trafficking and other illegal activity that occurs at their premises; and

WHEREAS, it is further the intent of the City Council to authorize the City of Lancaster to deter motel and hotel owners and operators from directly or indirectly allowing their premises to be used for sex trafficking and other illegal activity by assessing administrative penalties against such persons;

THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Lancaster Municipal Code Title 9 is hereby amended by adding Chapter 9.50, as follows:

9.50.010 Title.

This chapter shall be known as the city of Lancaster’s Human Trafficking and Nuisance Motels ordinance.

9.50.020 Definitions.

For the purposes of this chapter, the following words shall have the meanings respectively ascribed to them in this section:

“City” means the city of Lancaster.

“Code” means the Lancaster Municipal Code.

“City Manager” means the City Manager of the City of Lancaster and his or her designee(s).

“Enforcing officer” means and includes any Los Angeles County Sheriff’s deputy, Lancaster public safety officer, Lancaster community services officer, Lancaster code enforcement officer, and any other public officer or employee designated by the City Manager who shall be authorized to enforce the provisions of this chapter and to issue administrative citations in accordance with this chapter.

“Guest room” means one or more habitable rooms with facilities for sleeping and sanitation and which may or may not contain a kitchen, kitchenette, cooking facilities or cooking appliances.

“Human trafficking” means the deprivation or violation of the personal liberty of another, as more particularly described in section 236.1(h)(3) of the California Penal Code, and includes the act of causing, inducing or persuading a minor to engage in a commercial sex act, as more particularly described in section 236.1(c) of the California Penal Code. For purposes of this chapter, “sex trafficking” and “human trafficking” may be used interchangeably.

“Motel” means and includes any structure, or any portion of a structure, containing one or more furnished guest rooms, as defined herein, which are rented, occupied, designed, intended to be used, or used as temporary sleeping or lodging accommodations for one or more persons. For purposes of this chapter, “motel” also includes a hotel, inn, motor lodge, hostel, bed and breakfast, and other similar structures.

“Operator” means a person who is proprietor of a motel, as defined herein, whether in the capacity of owner, lessee, sub-lessee, licensee, or any other capacity. Where the operator performs his or her functions through an on-site or off-site manager, the manager shall also be deemed an operator for the purposes of this chapter, and shall have the same duties and liabilities as his or her principal.

“Owner” means and includes any person, as defined herein, having legal title to a motel in the city, including all persons shown as owners on the last equalized assessment roll of the Los Angeles County Assessor’s Office. Owners include persons with powers of attorney, executors of estates, trustees, or who are court appointed administrators, conservators, guardians or receivers.

“Person” as used in this chapter, means and includes any individual, partnership of any kind, corporation, limited liability company, association, joint venture or other organization or entity, however formed, as well as trustees, heirs, executors, administrators, or assigns, or any combination of such persons.

“Responsible person” for purposes of this chapter, means any motel owner, operator and/or manager. The actions or inactions of a responsible person’s employee, agent, or representative may be attributed to that responsible person.

9.50.030 Human trafficking; drug activity; public nuisance.

A. The city council finds and declares that it constitutes an unlawful public nuisance for any person to:

1. Directly or indirectly maintain or permit the use of a motel for the purpose of human trafficking, sex trafficking, prostitution, lewdness or illegal gambling, as set forth in Cal. Penal Code sections 11225 et seq.;
2. Directly or indirectly maintain or permit the use of a motel for the purpose of selling, storing, serving, manufacturing, cultivating, or giving away any controlled substance, precursor, or analog, as set forth in Cal. Health and Safety Code sections 11570 et seq.;
3. Allow, cause, create, maintain or permit any other public nuisance, as set forth in Lancaster Municipal Code chapter 8.28.

B. Any motel at which a nuisance occurs or is present, as set forth in subsection A of this section, constitutes a nuisance motel, subject to abatement.

9.50.040 Prevention of use of motel for human trafficking, drug activity or other illegal activity.

A. Every owner, operator, manager and/or employee shall be responsible for preventing the use of the motel for human trafficking, drug activity or other illegal activities. Evidence of a person or persons using or intending to use the motel or motel room for human trafficking or drug activity depends on the totality of the circumstances, however, indicators of such illegal activity may include, but are not limited to, the following:

- i. Attempting to rent a room for less than twelve (12) hours, or leaving after only a few hours;
- ii. Paying with cash to avoid a paper trail;
- iii. Attempting to rent a room without presenting valid identification;
- iv. Reserving multiple rooms at once;
- v. Reserving a room for extended periods of time, but bringing few or no possessions;
- vi. A guest who appears malnourished or physically abused;
- vii. A guest who is dressed inappropriately for her age;
- viii. Frequent guests coming and going;
- ix. Frequent vehicles coming and going;
- x. The smell of marijuana, chemicals and/or other unusual odors coming from a room or rooms.

B. An owner, operator, manager and/or employee who suspects human trafficking, drug activity or other illegal activity may be intended or occurring shall notify the Los Angeles County Sheriff's Department, Lancaster Station, and the Lancaster Public Safety Department.

9.50.050 Prohibition against hourly room rental.

No person shall rent or permit to be rent any motel room on an hourly basis. A motel room shall not be rented more than once within a calendar day..

9.50.060 Registration requirements.

A. Every owner, operator, manager and/or employee of any motel shall keep a register containing the name and address of each guest. No owner, operator, manager and/or employee of any motel shall rent or assign a motel room to any person without verifying that the guest has valid photo identification and has accurately and legibly completed the register with the information that corresponds to the identification presented by the guest. The register shall also include the date and time of arrival of each guest and the number or other identifying symbol of the room assigned or rented, and the date and time the guest departs. All registers shall be maintained for a period of three (3) years from the date of entry. No person shall alter, deface or erase any entry in a register so as to make the information illegible or unintelligible.

B. No person shall provide any false information, register under a fictitious name, or show or use a forged, altered or counterfeit identification when procuring a motel room. The owner, operator, manager and/or employee shall be responsible for verifying the authenticity of the identification used by the person renting the motel room.

C. Inspection of motels and motel registers may be made at any reasonable hour by any enforcing officer for the purpose of confirming compliance with the provisions of this chapter. If permission to inspect is refused or cannot be obtained, the city manager or his/her designee shall have recourse to every remedy provided by law to secure lawful entry and inspect the premises and register, including but not limited to securing an inspection warrant pursuant to Cal. Code of Civil Procedure sections 1822.50 through 1822.57; provided, however, that if the city manager or his/her designee has reasonable cause to believe that a motel or any room or portion thereof is so hazardous, unsafe or dangerous as to require immediate inspection to safeguard the public health or safety, the city manager or his/her designee shall have the right to immediately enter and inspect said motel or room or portion thereof and may use any reasonable means required to effect the entry and make an inspection.

9.50.070 Violation; penalty.

It is unlawful for any responsible person, as defined in this chapter, to violate any provision of this chapter. Any responsible person violating a provision of this chapter shall be guilty of a misdemeanor.

9.50.080 Administrative Citations.

A. Any enforcing officer, as defined in this chapter, may issue an administrative citation to a person when the officer has determined, through personal observation or after undertaking standard law enforcement investigatory actions, that the person is a responsible person, as defined in this chapter, who directly or indirectly allowed or maintained a nuisance motel.

B. Within five (5) days after issuance of a citation, an officer shall submit a copy of the citation and a written statement of facts to the City Manager. Alternatively, the officer may elect to submit the written statement of facts to the City Manager, who may then issue the citation.

C. An administrative citation may be personally given to the responsible person, or the responsible person may be served by first class mail to an address which is either: (i) indicated on any form of identification presented to the officer, or (ii) discovered by the officer during the course of his or her standard law enforcement investigatory actions. The date a citation is placed in a U.S. Postal Service mail receptacle shall be the date of service. A declaration of service shall be made by the person mailing the administrative citation showing the date and manner of service by mail and reciting the name and address of the citation addressee. Failure of any responsible person to receive an administrative citation by mail shall not invalidate any citation issued pursuant to this chapter.

D. The citation shall be in a City-approved format, and shall include the following information:

1. The date, location and approximate time of the activity or condition that caused the motel to be a nuisance motel;
2. A brief description of the activity, conduct, or condition at the location that constituted an unlawful nuisance as set forth in section 9.50.030 of this chapter;
3. A statement describing the right to appeal the citation;
4. A statement advising that the fine shall be paid to the City within thirty (30) days from the date of the administrative citation, procedure for payment, and the consequences of failure to pay.

E. The penalty amounts of administrative citations issued pursuant to this chapter shall be as follows:

1. For the first administrative citation, the penalty shall be one thousand dollars (\$1,000.00);
2. For the second and any subsequent administrative citation, the penalty shall be five thousand dollars (\$5,000.00).

F. The failure of any person to pay a penalty assessed by administrative citation within the time specified on the citation constitutes a debt to the city, which may be collected in accordance with Chapter 1.16 of this Code or in any other manner allowable by law.

9.50.090 Right of appeal from an administrative citation.

A. A person who has been issued an administrative citation pursuant to this chapter may contest the citation by filing a written appeal on a City-approved form with the City Manager within ten (10) calendar days from the date of the citation. The basis for the appeal must be specified in detail on the appeal form. There shall be no filing fee for the appeal, however, a deposit in the amount of the citation must be paid at the time the appeal is filed. If the citation is dismissed as a result of the appeal hearing, the deposit shall be returned to the appellant within thirty (30) days from the date of the written appeal decision.

B. Failure of the City Manager to receive a timely appeal constitutes a waiver of the right to contest a citation; in this event, the citation is final and binding.

C. As soon as practicable after a timely appeal is filed, the City Manager shall fix a date, time and place for a hearing. The hearing shall be conducted by an independent and impartial hearing officer. Written notice of the time and place for the hearing shall be served by first class mail, at the return address indicated on the appeal form, at least ten (10) calendar days prior to the date of the hearing.

D. An appellant may request, in writing, that the City Manager reschedule the hearing if the request is made at least twenty-four (24) hours prior to the hearing. The City Manager shall grant one continuance of the hearing date.

E. Failure of an appellant to appear at the scheduled hearing shall constitute the appellant's waiver of the right to appeal and a forfeiture of the citation amount deposited at the time the appeal was filed.

F. Appeal hearings are informal, and formal rules of evidence and discovery do not apply. The City bears the burden of proof to establish, by a preponderance of evidence, that the appellant allowed or maintained a nuisance motel. The officer issuing the administrative citation and/or submitting the written statement of facts shall not be required to appear at the hearing. The hearing officer shall accept testimony by declaration under penalty of perjury relating to the commission of the offense, as set forth in the issuing officer's statement of facts, and shall consider any other relevant evidence concerning the commission of the offense that the City Manager may present at the hearing. The hearing officer shall also take the testimony of the appellant, and/or his or her witnesses, and will consider any other credible relevant rebuttal evidence the appellant may wish to present. The appellant may represent himself or herself or be represented by anyone of his or her choice, including counsel, at his or her sole expense. The appellant may bring an interpreter to the hearing at his or her sole expense.

G. The hearing officer shall make findings based on the record of the hearing, and shall prepare a written decision, based on those findings, to either uphold or dismiss the citation. A copy of the written decision shall be served on the appellant by first class mail within ten (10) days after the hearing. If the citation is dismissed, the City shall refund the amount of the citation deposit to the appellant within thirty (30) days from the date of the decision.

H. The decision of the hearing officer is final and conclusive, subject only to review by the superior court in accordance with the time limits set forth in Government Code Section 53069.4 and/or Code of Civil Procedure Section 1094.6.

9.50.100 Remedies not exclusive.

A. Any administrative citation pursuant to this chapter shall not prejudice or adversely affect any other civil, administrative or criminal action that may be brought to abate a nuisance motel or to seek compensation for damages suffered. A criminal or civil action may be brought concurrently with any other process regarding the same violation.

B. A nuisance motel may be abated in accordance with the provisions set forth in Cal. Penal Code sections 11225 et seq., Cal. Health and Safety Code sections 11570 et seq., or utilizing any other civil, judicial or equitable remedy available to the city.

C. A nuisance motel may be abated through the revocation or suspension of the owner's or operator's business license, in accordance with the provisions set forth in sections 5.04.070 through 5.04.110 of this Code.

9.50.110 Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this chapter is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this chapter. The City Council declares that it would have adopted this chapter, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases, or portions be declared invalid or unconstitutional.

SECTION 2. That the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

I, Britt Avrit, MMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the ____ day of _____, 2019, and placed upon its second reading and adoption at a regular meeting of the City Council on the ____ day of _____, 2019 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

BRITT AVRIT, MMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

DRAFT

LEAPS PROGRESS REPORT



AERO VIEW LLC

SCSI Spiral Commercial Services, Inc



LAW ENFORCEMENT AERIAL PLATFORM SYSTEM (LEAPS) PROVIDES AERIAL OBSERVATION SURVEILLANCE FOR THE CITY OF LANCASTER AND THE LASD

During October 2018, LASD formally logged 103 LEAPS service calls supporting tactical field operations. LEAPS was dispatched 142 times totaling 27 hours and was airborne providing strategic surveillance for 316 hours.

LEAPS provided airborne observation and support in the arrest of 9 suspects. Notable incidents during the month of October included the support of Lancaster deputies responding to possible active shooter calls at several Palmdale area schools. The calls were later determined to be false. LEAPS also provided overhead observation for station detectives during the service of felony search warrants.

LASD sworn deputies are utilized as LEAPS ground system operators. Operators are able to easily search for and obtain recorded video from the LEAPS system to aid in criminal prosecutions. For more information regarding LEAPS, please visit www.aeroviewllc.com.



9

Arrests



24

Fights and Assaults



6

Burglary
Robbery



7

Traffic Stops



27

Other Offenses,
Suspicious
Circumstances



2

Persons
with Gun

November
2018

Vol 4-11

Dispatch Summary



AERO VIEW LLC

SCSI Spiral Commercial Services, Inc



35%

PEOPLE

Includes Emergency Medical Service responses, assaults, robberies, threats, missing persons, person with gun, domestic violence and murder



8%

PROPERTY

Including burglary, stolen property, vandalism, grand theft, petty theft and others



18%

ARRESTS AND DETENTIONS

Includes suspicious persons or circumstances, detentions, assists in patrol arrests



12%

VEHICLES

Includes abandoned vehicles, traffic stops and accidents, auto theft, drunk driving, hit and run



27%

OBSERVATIONS

General over flights, virtual patrol and non-specific calls



AeroView specializes in aerial surveillance solutions and operations at a competitive price point.

AeroView operates the LEAPS aircraft seven days a week 365 days a year for the City of Lancaster.

AeroView provides via SCSI all training, maintenance, and technical support for the City of Lancaster's LEAPS aircraft, camera and ground equipment.

CONTACT LEAPS: Tim O'Quinn
661.723.3148
tim.oquinn@spiraltechinc.com
www.aeroviewllc.com

In addition to providing a force multiplier to the LASD in support of criminal activity suppression and deterrence, and search and rescue support, the LEAPS activity returns 99% of its revenue to the Lancaster community in the form of (1) salaries for pilots and systems support staff, (2) ongoing support from businesses at Fox Field for airframe maintenance and FAA compliance, avionics support and fuel, (3) ongoing support from local Lancaster businesses for purchasing and fabrication of LEAPS components and subsystems, and (4) local taxes and fees. This is further underpinned by Aero View LLC's commitment to remain headquartered in Lancaster for ten years. Taxes and fees account for less than 1% of costs. The LEAPS also provides the City of Lancaster with tactical and strategic reconnaissance support for (1) civic functions and activities, (2) emergency first responder support and (3) Department of Public Safety activities.