



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

June 9, 2003

To: Supervisor Yvonne Brathwaite Burke, Chair
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

Board of Supervisors
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YVONNE BRATHWAITE BURKE
Second District

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Third District

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MOTION TO SUPPORT SB 919 (ORTIZ)—ASSAULT AND BATTERY OF CODE ENFORCEMENT OFFICERS (ITEM NO 88-B, AGENDA OF JUNE 10, 2003)

Item No. 88-B on the June 10, 2003 Agenda is a motion by Supervisor Antonovich to support SB 919, (Ortiz) relating to protection of Code Enforcement Officers.

As amended on April 22, 2003, SB 919 will add code enforcement officers to the list of occupations that receive enhanced protection for a misdemeanor assault and/or battery.

Current law defines an assault as an attempt to commit a violent injury on another, and a battery as any harmful or offensive touching of another. A simple assault, which is defined as an attempt where great bodily injury is not likely to occur, is a misdemeanor punishable by a county jail term of up to six months, or a fine of up to \$1,000, or both. A simple battery, which is defined as a battery not involving serious injury, is a misdemeanor punishable by a county jail term of up to six months, or a fine of up to \$1,000, or both. However, if a simple assault or a simple battery is committed against a peace officer, firefighter, emergency medical technician, mobile intensive care paramedic, lifeguard, process server, traffic officer, animal control officer, or a physician or nurse engaged in rendering emergency medical care outside a hospital, the punishment is one year in county jail, or a fine of up to \$2,000, or both.

SB 919 will add code enforcement officers to the above list of occupations and defines a code enforcement officer as any person who is employed by any governmental subdivision, public or quasi-public corporation, public agency, public service corporation, any town, city, county or municipal corporation, whether incorporated or chartered, that has enforcement authority for health, safety, and welfare requirements,

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and whose duties include enforcement of any statute, rules, regulations, or standards, and who is authorized to issue citations, or file formal complaints.

According to the author's office, code enforcement officers are responsible for enforcing building, health, food and other safety standards at state and local government levels. They are asked to go into a number of dangerous situations to ensure code compliance. The author says that newspaper articles cite examples of incidents where people have attempted to run them over, threatened them with knives, assaulted one code enforcement official and killed her husband and mother, and locked another officer in a meat locker.

The departments of Health Services and Public Works support SB 919 because it will provide enhanced protection for code enforcement officers, and we concur. **Because there is no existing policy on code enforcement officers or increasing penalties for misdemeanors, a position on SB 919 is a matter for Board policy determination.**

SB 919 was placed on the Senate consent calendar and passed on a vote of 39 to 0. It is scheduled to be heard on June 26, 2003 in the Assembly Public Safety Committee. SB 919 is sponsored by the California Association of Code Enforcement and is supported by the California Union of Safety Employees and the California Environmental Health Association. There is no opposition on record.

DEJ: GK
MAL:JL:ib

c: Executive Officer, Board of Supervisors
County Counsel
Public Works
Health Services