



MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-  
Clerk of the Board of Supervisors  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

At its meeting held September 4, 2007, the Board took the following action:

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Supervisor Yaroslavsky made the following statement:

“In July of this year the California Supreme Court issued a ruling in the case of O’Connell v. City of Stockton which considered the issue of local ordinances that allow the forfeiture of vehicles used to commit certain criminal acts (in this case, acquisition of controlled substances or solicitation of prostitution). The Supreme Court held that State law pre-empts the Stockton ordinance.

“Los Angeles County has vehicle forfeiture ordinances for three types of criminal offenses: illegal dumping, water theft and speed contests. In addition, the County is considering similar ordinances to deal with graffiti and tagging activities. On July 31, 2007 this Board directed County Counsel to work with the District Attorney and the Sheriff and report back with a review of the Supreme Court’s ruling and recommendations on how to proceed. County Counsel’s report suggests that the Board consider seeking legislation to authorize local jurisdictions to enforce forfeiture ordinances related to crimes such as illegal dumping and street racing, because the recent ruling does imply that these existing ordinances may not be enforceable without amendments to State Codes. County Counsel also suggests that legislation could help clarify the authority of local jurisdictions to adopt forfeiture ordinances for other underlying activities, such as graffiti.”

Therefore, on motion of Supervisor Yaroslavsky, seconded by Supervisor Burke, unanimously carried (Supervisor Antonovich being absent), the Board took the following actions:

1. Instructed the Chief Executive Officer, working with County Counsel, the District Attorney and the Sheriff, to further evaluate the issues for enforcement of local vehicle forfeiture ordinances raised by the California Supreme Court’s recent decision in O’Connell v. City of Stockton; and

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2. Report back with recommendations for State legislation and/or revisions to existing County ordinances that would guarantee their compliance with existing State laws relating to preemption and due process.

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