

**CITY OF HUNTINGTON BEACH  
LEGAL NOTICE**

**ORDINANCE NO. 4105  
Adopted by the City Council on SEPTEMBER 19, 2016**

“AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH AMENDING THE HUNTINGTON BEACH MUNICIPAL CODE BY AMENDING SECTION 2.76.010 THEREOF RELATED TO EXCLUSIONS FROM COMPETITIVE SERVICE”

SYNOPSIS:

One of the most effective ways to increase public safety, without placing additional burdens on the police department, is for the City to prosecute the City's crimes. The police are on the front lines of effecting public safety – working to prevent crime and making arrests when crimes are committed.

However, presently after arrests are made, when misdemeanors are referred to the County, the District Attorney is not able to prosecute every one of those referrals. In fact, since the District Attorney is charged with prosecuting *all* of the County's misdemeanors and felonies (except for Anaheim's), the District Attorney is required to prioritize those to be prosecuted. The District Attorney simply does not have the resources to prosecute *all* of the crimes referred to its Office.

Employing a Community Prosecutor would allow the City of Huntington Beach to ensure that certain misdemeanors are prosecuted through to the end, and prosecuted effectively. The City had 5,675 arrests last year (both misdemeanor and felony); approximately 80% were misdemeanors.

A Community Prosecutor would significantly help identify types of criminal offenses and solutions for issues that are of priority for our local residents. For example, if the City is having a particular problem with alcohol downtown, a Community Prosecutor would be part of meeting with stakeholders in the community, along with the police department, to help develop comprehensive strategies to increase public safety.

Hiring one prosecutor, the City Attorney's Office, in conjunction with the review of the Police Chief (or his designee), would be able to retain certain misdemeanors for prosecution, while the other misdemeanors are referred to the District Attorney's Office as usual.

This selective retention would allow the City to focus on the arrest and prosecution of certain crimes that have surged, such as property crimes, crimes committed by homeless, intoxication related crimes, etc., which would send a signal to the community in Huntington Beach of law enforcement's zero tolerance and increased public safety efforts to reduce certain crimes that have surged.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting held September 19, 2016 by the following roll call vote:

**AYES:** Posey, O'Connell, Katapodis, Hardy, Delgleize, Peterson

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Sullivan

**THE FULL TEXT OF THE ORDINANCE IS AVAILABLE IN THE CITY CLERK'S OFFICE.**

**This ordinance is effective 30 days after adoption.**

**CITY OF HUNTINGTON BEACH  
2000 MAIN STREET  
HUNTINGTON BEACH, CA 92648  
714-536-5227  
ROBIN ESTANISLAU, CITY CLERK**