

OFFICE OF OPERATIONS

**NOTICE**

1.11

January 12, 2017

**TO:** All Office of Operations Personnel

**FROM:** Director, Office of Operations


**SUBJECT:** SEIZURE OF PERSONAL PROPERTY BY BUSINESS IMPROVEMENT DISTRICT PERSONNEL

This Notice provides guidance to Department personnel regarding interactions with Business Improvement Districts ("BIDs") because of recent litigation involving BID security officers seizing the personal property of homeless persons. A BID is a geographically defined area within the City of Los Angeles in which supplemental services and activities are provided to business or property owners within the BID area. The BIDS perform such services as tree trimming, trash collection, power washing of sidewalks, graffiti removal, and other upkeep and maintenance activities. Some BIDs provide security or safety services on the public rights of way within the district (see OCOP Notice, *Developing Partnerships with Business Improvement Districts*, dated November 5, 2003).

The BIDS are separate and distinct from the City. The BID officers, employees, and representatives are not employees or agents of the City. Importantly, BID employees have no more authority than private citizens to enforce the law.

Department personnel shall not request, direct nor authorize any BID officer or employee to seize or remove attended or unattended personal property of homeless persons, or property that the Department itself is prevented from seizing and removing (see, e.g., Risk Management Legal Affairs Group Notice, *Preliminary Injunction Prohibiting Improper Seizure, Storage, and/or Destruction of Property Belonging to Homeless Persons in Skid Row or Its Surrounding Areas Within Central Area*, dated June 3, 2016). If a person claims that a BID officer or employee has improperly taken or confiscated his or her personal belongings, Department personnel should treat that claim the same as any other report consistent with LAPD policy and procedure.

Should you have questions regarding this matter, please contact the Evaluation and Administration Section, Office of Operations, at (213) 486-6050.



MICHEL R. MOORE, First Assistant Chief  
Director, Office of Operations

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