



OFFICE OF THE CITY ATTORNEY
Long Beach, California

C-11

ROBERT E. SHANNON
City Attorney

HEATHER A. MAHOOD
Chief Assistant City Attorney

MICHAEL J. MAIS
Assistant City Attorney

March 20, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt Resolution of the City Council of the City of Long Beach In Support of Assembly Bill (AB) 790 Introduced by Assembly Member Karnette Making Witness Intimidation by a Member of a Street Gang a Felony.

DISCUSSION

Pursuant to your request of March 14, 2007 this office has prepared and submits the above-described resolution for your consideration.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

ROBERT E. SHANNON, City Attorney

By 
J. CHARLES PARKIN, Principal Deputy

PRINCIPAL DEPUTIES

Barbara D. de Jong
Dominic Holzhaus
Belinda R. Mayes
J. Charles Parkin

DEPUTIES

Gary J. Anderson
Richard F. Anthony
Christina L. Checel
Alysha P. Choi
Lori A. Conway
Randall C. Fudge
Charles M. Gale
Monte H. Machit
Anne C. Lattime
Lisa Peskay Molmsten
Barry M. Meyers
Cristyl Meyers
Howard D. Russell
Tiffani L. Shin

Enclosure

JCP:abc 07-01279
L:\APPS\CtyLaw32\WPDOCS\ID015\IP005\00101333.WPD

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH IN SUPPORT OF ASSEMBLY BILL (AB) 790 INTRODUCED BY ASSEMBLY MEMBER KARNETTE MAKING WITNESS INTIMIDATION BY A MEMBER OF A STREET GANG A FELONY

WHEREAS, as a fundamental part of our justice system, those who decide to step up and testify in criminal cases deserve protection; and

WHEREAS, it is vital that witnesses to a crime must be able to testify free of threat or fear of harm or retribution; and

WHEREAS, witness intimidation is a serious issue that can threaten the work of prosecutors and district attorneys and may lead to fewer potential witnesses willing to step forward, and

WHEREAS, under current law witness intimidation can be considered either a misdemeanor or a felony, and

WHEREAS, Assembly Member Betty Karnette has introduced Assembly Bill 790, which would make witness intimidation only a felony, and

WHEREAS, Assembly Bill 790 would further seek to deter gang members from intimidating witnesses by adding a penalty enhancement to provide an additional four year term of imprisonment for witness intimidation associated with a criminal street gang activity.

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. The City of Long Beach hereby declares its full support of Assembly Bill 790.

Sec. 2. The City Clerk is directed to transmit a copy of this resolution to

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 the City's elected representatives in the State Legislature and other elected officials as
2 determined by the City Manager.

3 Sec. 3 This resolution shall take effect immediately upon its adoption by
4 the City Council, and the City Clerk shall certify the vote adopting this resolution.

5 I hereby certify that the foregoing resolution was adopted by the City
6 Council of the City of Long Beach at its meeting of _____, 2007,
7 by the following vote:

8 Ayes: Councilmembers: _____

9 _____

10 _____

11 _____

12 Noes: Councilmembers: _____

13 _____

14 Absent: Councilmembers: _____

15 _____

16 _____

17 _____

18 City Clerk

19
20
21
22
23
24
25 JCP:abc (3/15/07) 07-01279
26 L:\APPS\CtyLaw32\WPDOCS\ID015\I005\00101332.WPD

27
28