



## **REPORT ON FIREWORKS COMPLAINT ACTIVITY**

Dated: August 14, 2020

- (1) Complaints since June 22, 2020. The City Prosecutor's Fireworks Complaint public portal ("Public Portal") went live around 6:00pm on Monday, June 22, 2020. Since that date, as of 1:00pm on August 14, 2020, a total of 545 complaints have been received, 53 of which include some photographic or video evidence.
  - (2) Portal-Generated Criminal Complaints. Two complaints received from the Public Portal have resulted in the filing of criminal complaints with the Los Angeles Superior Court. Those cases were presented with video evidence, the evidence was verified by investigators in the City Prosecutor's Office. Based on confirmed witness statements and video evidence we were able to file criminal charges. We are still investigating several others.
  - (3) Property Owners Notified. The City Prosecutor's Office has sent 260 letters to individuals who have been identified as owners or tenants of property where illegal fireworks are being discharged. The letters notify the recipients that the discharge of illegal fireworks constitutes a public nuisance and that prosecution under Cal. Penal Code section 373a (with up to one year in jail and a \$1,000 fine) may commence if the public nuisance persists. A few letters were sent in error because addresses were incorrect and those addresses have been updated. We received a number of responses from landlords, a majority of which responded favorably, telling us they appreciated being contacted and that they were taking immediate corrective action with their tenants.
  - (4) Criminal Cases Pending. As of the 1:00pm on August 14, 2020, the City Prosecutor's Office has received 62 cases from LBPD related to the sale, possession or discharge of illegal fireworks. Along with the 2 cases generated by the Public Portal, that means there is currently a total of 64 fireworks-related cases. All cases have been reviewed and filed in court, or are in process of being reviewed.
  - (5) Continuing Investigation. In addition to the cases presented by LBPD, information received from the Public Portal is reviewed closely to determine if criminal filings are appropriate. Investigators in the City Prosecutor's Office have followed up on all complaints received from the Public Portal are reviewing photographic and video evidence. In most instances, the photo or video are evidence that dangerous fireworks (in violation of California state law) were set off, but does not provide information about identity of the person responsible. The investigation will continue for those cases with evidence to determine if criminal cases can be filed.
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- (6) Public Portal Improvements. The City Prosecutor's Office continues to look for ways to improve the Public Portal reporting process. We have received an average of less than one complaint per day over the past 30 days. The Portal will continue to be monitored by the City Prosecutor's Office. The portal can be reached via the CP website or visit: <https://cityprosecutordoughaubert.com/fireworks-are-illegal/>.
- (7) Victim Impact Statements. In respond to a call from the City Prosecutor's Office for "Victim Impact Statements" from persons wishing to share how dangerous and illegal fireworks have impacted their lives, we received a total of 19 statements. The statements are primarily intended to help judges understand the serious nature of fireworks, but our office will share them with police and city policy makers. We have extended the time to submit a Victim Impact Statement to August 28, 2020. Statements should be sent to [prosecutor@longbeach.gov](mailto:prosecutor@longbeach.gov). [*We wish to especially thank those residents who took the time to send Victim Impact Statements, they were well-written, heartfelt, and powerful – they will make a difference in court. – Doug*]
- (8) Budget Cuts. Due to significant loss of revenue by the City resulting from COVID-19, most city departments are being cut. The City Prosecutor's Office will lose approximately 12% of its budget, which will impact all services, including, proactive firework enforcement. At this time the precise level of impact is unknown. The City Prosecutor's Office will endeavor to maintain as much of its current activity as possible despite the cuts.

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