

GENERAL OFFICE MEMORANDUM 20-079

TO: ALL DEPUTY DISTRICT ATTORNEYS

FROM: JACKIE LACEY 
District Attorney

SUBJECT: CURFEW AND FAILING TO DISPERSE VIOLATIONS

DATE: JUNE 8, 2020

During recent protests, law enforcement agencies throughout the County of Los Angeles have arrested in excess of a thousand people for the *misdemeanor* offenses of violating city and/or county curfew ordinances and failure to disperse after an unlawful assembly has been declared (PC § 409). Some cities within Los Angeles County retain their own city attorney or city prosecutor to pursue violations of these ordinances and misdemeanor statutes. Others and the unincorporated areas, however, rely on the Office to prosecute violations of these offenses on behalf of the city or unincorporated county areas.

For cases presented to the Office to prosecute violations of curfew or failure to disperse, the Office will *decline* to prosecute in the interest of justice because doing so may defeat a duty to foster and maintain a just and lawful society and could be considered punishment for people exercising their First Amendment constitutional rights to speech, to assemble, and to petition the government for a redress of grievances.

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