

MOTION

SPECIAL

Over the course of the last year, demonstrators have increasingly protested at the homes of elected officials, including at the homes of members of the Los Angeles City Council, members of the Los Angeles County Board of Supervisors, and City Attorney. Demonstrators have also protested at the homes of non-elected government officials and employees, including at the home of the Director of the County Department of Public Health, Barbara Ferrer, and even of City staff. Targeting personal residences is a coercive tactic designed to intimidate officials and their staff. Everyone—including public officials, City staff, their families, and their neighbors—should be protected from intimidation and intentional disruption in their personal residences.

Since the posting of the agenda, the threat of intimidation and violence has suddenly become more concrete and imminent. At a Santa Monica rally on Sunday, August 29, 2021, an anti-vaccine activist shared with his crowd of supporters the home addresses of Councilmembers. Holding up a list of the home addresses of every Councilmember, he said, "Whoever votes yes [on an ordinance to mandate vaccinations, with limited exceptions, to enter indoor public spaces], we're coming to your doors. We're coming to your homes. You want to feel intimidated? You want to intimidate us? We're coming for you now. . . . You're on this list? You're going to see our faces, for a week until you do the right thing. You understand what I'm saying to you? You fucking better." At another point, he shouted to his cheering supporters: "So after this vote, if it's unanimous God help us. But it's not going to be, OK, because some people have souls. So the whole entire next week, we find out who voted yes, and you show up at their house[s]. We need to intimidate these people. Yes, I'm saying that!" Asked what would happen if the contemplated vaccination ordinance passed, he replied "Civil war," and exhorted people to get their guns and sharpen their knives. There is, therefore, an urgent need to protect elected officials and their staff from threatened intimidation at their residences.

The City of Los Angeles, similar to many municipalities, has an existing law intended to protect people in their homes from targeted protests. Los Angeles Municipal Code section 56.45(e) generally prohibits protests that are focused on and within 100 feet of a private residence. However, this law has proven less effective than more recently adopted laws by other municipalities. Over the last year we've seen people shout derogatory statements at Councilmembers and their family members, homes have been vandalized, and neighborhoods have been disrespected. In particular, the City of San Jose has a law with more precise language that prohibits anyone from protesting within 300 feet of the target's home. Importantly, the San Jose law has survived a court challenge.

I THEREFORE MOVE that the Council determine, as provided in Government Code section 54954.2 and pursuant to City Council Rule 23, that there is a need to take immediate action on this matter and that the need for action came to the attention of the City subsequent to the posting of the agenda for today's Council meeting.

I FURTHER MOVE that the City Attorney be requested to prepare and present an ordinance, modeled on the City of San Jose's law, prohibiting within the City of Los Angeles protesting within 300 feet of a target's home; and to include an urgency clause in the draft ordinance.

PRESENTED BY:

NURY MARTINEZ

Councilwoman, 6th District

PRESENTED BY:

SECONDED BY:

AUG 31 2021

ORIGINAL