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Your Community Impact Statement Submittal - Council File Number: 24-0910

1 message

LA City SNow <cityoflaprod@service-now.com>
 Reply-To: LA City SNow <cityoflaprod@service-now.com>
 To: Clerk.CIS@lacity.org
 Cc: jamiey@resedacouncil.org

Mon, Sep 30, 2024 at 1:45 PM

A Neighborhood Council Community Impact Statement (CIS) has been successfully submitted to your Commission or City Council. We provided information below about CISs and attached a copy of the CIS.

We encourage you to reach out to the Community Impact Statement Filer to acknowledge receipt and if this Community Impact Statement will be scheduled at a future meeting. Neighborhood Council board members are volunteers and it would be helpful if they received confirmation that you received their CIS.

The CIS process was enabled by the to Los Angeles Administrative Code §Section 22.819. It provides that, "a Neighborhood Council may take a formal position on a matter by way of a Community Impact Statement (CIS) or written resolution." NCs representatives also testify before City Boards and Commissions on the item related to their CIS. If the Neighborhood Council chooses to do so, the Neighborhood Council representative must provide the Commission with a copy of the CIS or rResolution sufficiently in advance for review, possible inclusion on the agenda, and posting on the Commission's website. Any information you can provide related to your agenda setting schedule is helpful to share with the NC.

If the CIS or resolution pertains to a matter *listed on the Commission's agenda*, during the time the matter is heard, the designated Neighborhood Council representative should be given an opportunity to present the Neighborhood Council's formal position. We encourage becoming familiar with the City Council's rules on the subject. At the Chair's discretion, the Neighborhood Council representative may be asked to have a seat at the table (or equivalent for a virtual meeting) typically reserved for City staff and may provide the Neighborhood Council representative more time than allotted to members of the general public. They are also permitted up to five (5) minutes of time to address the legislative body. If the CIS or resolution pertains to a matter *not listed on the agenda*, the designated Neighborhood Council representative may speak during General Public Comments.

We share this information to assist you with the docketing neighborhood council items before your board/commission. If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at empowerla@lacity.org.

***** This is an automated response, please DO NOT reply to this email. *****

Contact Information

Neighborhood Council: Reseda

Name: Jamie York

Email: jamiey@resedacouncil.org

The Board approved this CIS by a vote of: Yea(8) Nay(1) Abstain(1) Ineligible(0) Recusal(0)

Date of NC Board Action: 09/25/2024

Type of NC Board Action: Against

Impact Information

Date: 09/30/2024

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 24-0910

City Planning Number:

Agenda Date:

Item Number:

Summary: The Reseda Neighborhood Council opposes this council file due to our concerns over its affects on protected first amendment activity. Some examples of legitimate free speech activities that the ordinance could harm include: 1. Teachers' unions would be unable to picket outside schools during contract negotiations. 2. Healthcare workers would be barred from protesting unsafe working conditions outside hospitals or clinics. 3. City workers would be prevented from demonstrating outside public facilities like City Hall. 4. Service workers at stadiums, theaters, or other "public assembly"

locations would be restricted from engaging in labor actions at their workplaces even as Los Angeles prepares for World Cup Soccer in 2026 and the Olympics in 2028. 5. Victims of sexual abuse by the Catholic Church would be barred from protesting the crimes committed against them. 6. Students who had been sexually assaulted by their doctor would not be able to protest outside the medical center or on their campus. 7. Parents and students in Reseda would not have been able to protest at Shirley Elementary against a charter school co-location, which was taking much-needed resources for special education and enrichment programs away from the public elementary school. 8. Students who staged a walkout over the removal of their beloved principal would be unable to engage in protected protest at their school site, as happened in Boyle Heights. Please see attached pdf for our full statement.

Ref:MSG11184452



24-0910 right to protest final.pdf

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[Council File 24-0910](#)

**Entrance Obstruction / Buffer Zone / Religious Institution Entrance / Persons
Right to Protest
Opposed**

The First Amendment states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." Exercising freedom of speech through protesting has been a powerful tool to advocate for accountability and responsibility from our government, institutions, and individuals. It has a long history of winning better wages, better working conditions, and expanded civil rights for minority groups. Nonetheless, U.S. judicial history has also shown us that not all types of speech are protected by the First Amendment (for example fraud and child pornography). Some forms of speech impinge upon the rights of others. Motion 24-0910 attempts to sketch a solution for how to resolve some of the inter-rights tensions that have recently arisen in Los Angeles.

Motion 24-0910 proposes adding a potential criminal penalty to the Los Angeles Municipal Code Section 41.19. It is unclear what if any additional penalty the motion contemplates, as actions described under 41.19 are already misdemeanor disorderly conduct. "No person shall sit or stand on or at the entrance of any house of worship, hall, theater, or other place of public assemblage in any manner so as to obstruct the entrance to that place." We agree with this aspect of the current law. Recently, UCLA

students were prevented from entering their university library during finals. Enforcement of Code Section 41.19 may have been helpful in that situation.

100-foot buffer is problematic

But the motion goes too far in asking the City Attorney's office to draft and present an ordinance that includes a 100-foot radius protective area extending from the entrances to sensitive sites. Such a buffer zone would have made the recent Writers Guild Strike and picketing ineffective and irrelevant. Regardless, 100 feet is a non-starter.

The vagueness of "sensitive sites" multiplies the problem with the 100-foot buffer

Another key concern is the lack of a clear definition for the term "sensitive sites." The motion lists religious institutions, healthcare facilities, educational facilities, and community/public facilities, but provides no specific criteria for what qualifies under these broad categories. This vagueness, particularly in conjunction with the proposed 100-foot buffer could lead to overly expansive interpretation and application of the ordinance, potentially impacting a wide range of locations where free speech activities typically and legitimately occur. These activities often necessarily take place in front of locales considered "sensitive sites", well within 100 feet.

Some examples of legitimate free speech activities that the ordinance could harm include:

1. Teachers' unions would be unable to picket outside schools during contract negotiations.
2. Healthcare workers would be barred from protesting unsafe working conditions outside hospitals or clinics.
3. City workers would be prevented from demonstrating outside public facilities like City Hall.
4. Service workers at stadiums, theaters, or other "public assembly" locations would be restricted from engaging in labor actions at their workplaces even as Los Angeles prepares for World Cup Soccer in 2026 and the Olympics in 2028.
5. Victims of sexual abuse by the Catholic Church would be barred from protesting the crimes committed against them.¹
6. Students who had been sexually assaulted by their doctor would not be able to protest outside the medical center or on their campus.²
7. Parents and students in Reseda would not have been able to protest at Shirley Elementary against a charter school co-location, which was taking much-needed resources for special education and enrichment programs away from the public elementary school.³

8. Students who staged a walkout over the removal of their beloved principal would be unable to engage in protected protest at their school site, as happened in Boyle Heights.⁴

LIABILITY CONCERNS

Finally, if not amended to eliminate the 100-foot buffer zone, the motion may open the City to future liability. Any resulting ordinance would likely be challenged in court and subject the City to a long legal battle regarding protected First Amendment rights. The City has historically lost cases where it attempted to limit freedom of speech such as in 2000 when a federal judge reversed limitations around the Democratic National Convention that severely impacted the First Amendment right to protest including prohibiting large-scale speech “security zones”.⁵

THIS MOTION PASSED 8 Yes 1 No 1 Abstain 6 absent IN A BROWN ACTED MEETING ON 09/25/2024