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REPORT NO. R21-0278
SEP 20, 2021

REPORT RE:

FINDINGS SUPPORTING THE DRAFT ORDINANCE AMENDING SUBSECTIONS (a) AND (e) OF SECTION 56.45 OF ARTICLE 6.1, CHAPTER V, OF THE LOS ANGELES MUNICIPAL CODE TO PROHIBIT TARGETED PICKETING AT A RESIDENCE

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 21-0970

Honorable Members:

Pursuant to your request, this Office previously transmitted a draft ordinance amending subsections (a) and (e) of Section 56.45 of Article 6.1, Chapter V, of the Los Angeles Municipal Code (LAMC) to prohibit targeted picketing, including parading back and forth, within 300 feet of a private residence. On September 14, 2021, the City Council voted to adopt the ordinance. Because the vote was not unanimous, the Council will take a second vote on September 21, 2021.

The draft ordinance addresses concerns raised by elected officials and others who have been the subject of increasing picketing targeted at their personal residences. Those who have been the subject of picketing at their homes have expressed how they and their family members, and at times their immediate neighbors, feel harassed and

intimated by the picketers. They have explained how the privacy that they would normally feel inside their homes has been shattered by picketers parading outside their homes often at hours on end and at times using loud speakers, honking car horns, and hurling profanities at the people living in the home. People who have been targeted express feelings of captivity, fear, and intimidation, and it becomes difficult for the residents in the home and even neighbors to access or leave their homes without having to run a gauntlet and confront angry picketers. Some people who have been targeted at their homes report incidents of vandalism of their property including personal vehicles damaged in their driveway. Other targeted residents have installed gates in their front yards and replaced front doors with stronger material, hoping to better protect themselves and their families from the activities of some picketers.

The City of San Jose reports that its municipal law that creates a 300 foot buffer zone around a targeted home has proven helpful at curbing the offensive intrusions of residential privacy caused by targeted residential picketing activities. The preamble to the San Jose law states that "...picketing activity that is targeted at a particular residence or household whose occupants do not welcome such activity may harass and intimidate such occupants, is inherently and unreasonably offensive to and intrusive upon the right to privacy in the home and may cause the occupants of such home to experience great emotional distress....such unwelcome and targeted picketing activity creates a 'captive audience' situation because the occupants of a residence or household cannot readily move to another residence or household in order to avoid the unwelcome picketing activity being directed at them."

The City's existing law attempts to provide a 100 foot buffer to protect residents from target picketing activities, but the language in the City's law is somewhat out of step with more effective laws in other municipalities, including the City of San Jose's law that survived judicial scrutiny in the California Court of Appeal. The draft ordinance being considered by the City Council is modeled after the City of San Jose's law. The City Council aims to employ the same protections used in San Jose to address the significant concerns of targeted residential picketing in Los Angeles – namely to prevent any targeted picketing activities within 300 feet of the home of the person being targeted.

Numerous articles and stories in the press and media capture some of the concerns faced by people who have experienced targeted picketing at their homes. Some of those articles and stores are below:

LA Times: Activists Bring Protests to Officials Homes

<https://www.latimes.com/california/story/2020-07-09/protests-la-officials-homes>

CNS: City Council President Says Home Visited by Demonstrators Again

<https://mynewsla.com/hollywood/2021/09/01/los-angeles-city-council-president-says-home-visited-by-demonstrators-again/>

LA Times: LAPD Investigating Vandalism at Home of City Council President
<https://www.latimes.com/california/story/2021-06-04/lapd-investigating-vandalism-at-home-of-city-council-president>

LA Times: If You Don't Say What They Like, Protesters Show Up at Your Door
<https://www.latimes.com/opinion/story/2021-09-09/free-speech-intimidation-protest-private-property>

LA Times: The Protest on My Street
<https://www.latimes.com/opinion/story/2020-12-03/the-protest-on-my-street>

Daily News: Garcetti Home Vandalized During Protest of Anti-Camping Law
<https://www.dailynews.com/2021/07/30/la-mayor-eric-garcettis-home-vandalized-during-protest-of-anti-camping-law/>

LA Times: BLM and Other Activist Protest Possible Garcetti Appointment by Biden
<https://www.latimes.com/california/story/2020-11-30/black-lives-matter-los-angeles-garcetti-biden-protests>

LAist: LAPD Treatment of Protests at Getty House Criticized
<https://laist.com/news/protest-getty-house-garcetti-lapd-arrest-batons>

LA Times: LA Mayors Residence Vandalized Following Protest
<https://www.latimes.com/california/story/2021-07-30/getty-house-toilet-paper-after-housing-protest>

NBC: Protesters Descend on Garcetti's House for Sixth Straight Day
<https://www.nbclosangeles.com/news/local/protesters-descend-on-garcettis-house-for-sixth-consecutive-day/2472942/>

Sundial: Protesters Gather to Oppose Garcetti Appointment
<https://sundial.csun.edu/162201/news/activists-protest-against-garcetti-as-potential-candidate-for-bidens-cabinet/>

Daily News: Daily Protests Endure at Mayor Garcetti's Home
<https://www.dailynews.com/2020/11/27/daily-protests-endure-at-la-mayor-garcettis-home/>

NBC: Conservative Group Plans Another Protest Outside Mayor's Official Residence
<https://www.nbclosangeles.com/news/local/conservative-group-plans-another-protest-outside-mayors-official-residence/2468253/>

Angeleno: Protesters Demonstrate Against Possible Garcetti Appointment
<https://losangeleno.com/features/protest-eric-garcetti-transportation-secretary/>

Guardian: LA Protests Against Mayors Police Budget Increase

<https://www.theguardian.com/us-news/2021/apr/22/los-angeles-protest-mayor-police-budget-increase>

LA Times: Arrests Made Following Protest Outside Mayors Home Demanding Rent Cancellation

<https://www.latimes.com/california/story/2020-08-01/arrests-protest-demanding-rent-cancellation-outside-mayor-garcettis-home>

LA Magazine: A Car Caravan of Protest

<https://www.lamag.com/citythinkblog/car-caravan-protest/>

LA Times: Protesters Gather Outside of Garcetti Residence Against Health Restrictions

<https://www.latimes.com/california/story/2020-05-09/protesters-gather-outside-mayor-garcettis-hancock-park-residence-to-protest-health-restrictions>

Daily News: Activists Protest Encampment Sweeps Outside LA Mayor's Home

<https://www.dailynews.com/2020/10/03/activists-protest-homeless-encampment-sweeps-outside-la-mayors-home/>

Daily Mail: Protesters March to Home of LA County Health Director

<https://www.dailymail.co.uk/news/article-9001819/Protesters-march-home-Los-Angeles-Countys-public-health-director-insist-open-LA.html>

LA Times: Dozens Protest Outside Health Directors Echo Park Home

<https://www.latimes.com/california/story/2020-11-29/dozens-protest-outside-of-la-health-director-barbara-ferrers-echo-park-home>

CBS: Protesters Target Barbara Ferrers Restrictions

<https://losangeles.cbslocal.com/2020/12/04/protesters-covid-barbara-ferrer-restrictions-restaurants-nail-salons-hair-salons/>

Newsweek: Anti-Lockdown Protesters Shine Lights in Health Directors Home

<https://www.newsweek.com/anti-lockdown-protesters-shine-strobe-lights-home-la-county-health-director-1555213>

LA Times: LAPD Responds to Reports of Vandalism at Recall Backers Home

<https://www.latimes.com/california/story/2021-09-20/lapd-investigating-vandalism-reported-at-home-of-mike-bonin-recall-proponent>

LA Times: Threats against members of Congress are skyrocketing. It's changing the job.

<https://www.latimes.com/politics/story/2021-09-20/threats-members-of-congress>

Sincerely,

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