

THE LEAGUE OF WOMEN VOTERS OF SANTA MONICA



P.O. Box 1265 Santa Monica, CA 90406-1265
Phone: 310.564.6946 www.lwvsantamonica.org

#MakingDemocracyWork

April 13, 2021

OFFICERS

President

Natalya Zernitskaya

Vice President, Program

Barbara Inatsugu

Secretary

Sharon Hart

Treasurer

Karen Carrey

Re: City Council Agenda Item 7C

Dear Mayor Himmelrich, Mayor Pro Tem McCowan, and members of the City Council,

The League of Women Voters of Santa Monica believes in the individual liberties guaranteed by the Constitution of the United States. Individual rights protected by the Constitution should not be weakened or abridged.

DIRECTORS

Cathie Gentile

Camille Hannant

Ann Williams

In the last few years, the League of Women Voters has defended the First Amendment as the right to protest has become increasingly threatened. In 2020, the League condemned the use of tear gas and violence used on peaceful protesters gathering to decry police brutality and the killings of unarmed Black and brown people. The League recognized that the individual liberties of Black and brown individuals are not being equally protected and the League of Women Voters of the United States has signed on to letters by the Leadership Conference on Civil and Human Rights calling on the DOJ to investigate the police departments and officials that committed the horrific murders of Breonna Taylor and George Floyd for civil rights violations.

The proposed emergency ordinance in Agenda Item 7C relating to restrictions on carrying, using, or possessing certain specified items during community events or public assemblies may potentially result in negative unintended consequences. In addition to potential misuse due to the wide-ranging types of objects and potential situations in which it may be applied, it does not appear to address the challenges that our community has experienced. It is also important to consider whether the actions that the ordinance seeks to address may already be prohibited under existing law.

The ordinance language refers to violence at public events such as those in Washington D.C., Charlottesville, VA, St. Louis, MO, and others. The implication of the cited jurisdictions seems to indicate that the ordinance seeks to address the types of violence at public events related to organized White supremacist hate groups as well as situations where individuals or small groups within larger demonstrations escalated conflicts leading to violence and/or property damage. However, the last time Santa Monica was the site of demonstrations by an organized White supremacist hate group was in 2016.

If we did not need this type of ordinance after those demonstrations, why would now be the appropriate time? Additionally, it is important to consider whether the restrictions as proposed in the ordinance would address the concerns that arose out of the demonstrations for civil rights and contemporaneous destruction of private property in Santa Monica last year. The OIR Group has not yet submitted or

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published their final report on the events of May 31, 2020 so is there sufficient evidence that this ordinance would truly protect against potential future violence?

As an emergency ordinance, it would take effect immediately, without the contemplation, reflection, or robust public discussion necessary for proposed restrictions of civil liberties.

We recognize the City's efforts in addressing systemic inequities in our community, including in the area of public safety. The proposed emergency ordinance could set the City back in its efforts to build public trust and positive community relationships. Historically, many laws that place restrictions or limitations on actions such as protesting have resulted in disproportionate policing and incarceration of marginalized communities.

Decisions that would potentially impact constitutionally protected rights, such as the right of the people peaceably to assemble, should be carefully and thoughtfully examined to ensure that measures do not weaken or abridge these rights.

We urge the City Council to consider these concerns in connection with the proposed emergency ordinance in Agenda Item 7C.

Sincerely,
Natalya Zernitskaya
President
League of Women Voters of Santa Monica