

Good afternoon. The amendments we're presenting to you today should be important to all of us. People deserve to exercise their rights without being harassed and intimidated. San Diego's Municipal Code protects those rights to some extent, but they don't go far enough.

Increasingly, our right to safely access health care facilities, places of worship, and school grounds is being challenged by forces of intimidation – and in the interest of public safety, something must be done.

The City of San Diego has not updated its laws regarding access to health care facilities, places of worship, and school grounds – which we refer to as “Covered Facilities” – since 1997. At that time, the City adopted a 100-foot buffer zone around entrances and exits to Covered Facilities to balance competing rights:

- The right to medical privacy
- The right to freely access health care and educational services
- The right to freely practice one's religion
- And the right to freely exercise constitutionally protected speech

Here's where our current laws fall short.

They impose an unreasonable burden on the person seeking access to health care, education, and religious services. Under existing law, the person exercising these rights must actively request that the person or persons seeking to harass or intimidate them step away. The proposed updates would shift that burden. Harassing and intimidating behavior would be prohibited unless consent to that interaction is first obtained.

Our current laws also fail to adequately protect employees, patients, students, parents, and worshippers from the safety risks presented by demonstrators who harass or intimidate to block entrances, exits, parking lots, and driveways of covered facilities. Today's proposal would extend protections to these areas in the interest of public safety.

Finally, our current laws allow only individuals to seek relief in court. This private right of action would now extend to health care facilities, places of worship, and schools or school districts. This will allow us to respond to harassment as a community rather than placing the burden on individuals.

More and more, the places people go to exercise their rights to access reproductive care, gender-affirming care, education, or to worship have become places of harassment and intimidation. No one should feel afraid to see their doctor, learn, pray, or attend a school meeting. These are fundamental parts of our civil society.

Now is the time to update our laws to protect everyone's rights, including freedom of expression, so that all communities in San Diego feel safe.

I want to thank Senior Chief Deputy City Attorney Heather Ferbert and Deputy City Attorney Julie Rau for their work on these updates. Both represent me on the California Attorney General's Reproductive Health Working Group. I will now turn the presentation over to Heather to walk us through our proposal.