

**SAN DIEGO POLICE DEPARTMENT
ORDER**

DATE/TIME: OCTOBER 17, 2024 1615 HOURS
NUMBER: OR 24-37
SUBJECT: MORATORIUM ON ENFORCEMENT OF SDMC 56.27
SCOPE: ALL SWORN MEMBERS OF THE DEPARTMENT
DEPARTMENT PROCEDURE AFFECTED: N/A

San Diego Municipal Code section 56.27, Disorderly or Offensive Conduct in Public Places – Prohibited was recently challenged on constitutional grounds in *Dorsett v. City of San Diego*, 24-cv-01172-BTM-SBC, in United States District Court. The section states:

“That is shall be and is hereby declared to be unlawful for any person to be guilty of any offensive or disorderly conduct in or upon any of the streets, alleys, sidewalks, squares, parks, or in any store, or other public place in said City, and it shall be unlawful for any person to make any loud noise, or disturbance, or use any loud, noisy, boisterous, vulgar, or indecent language on any of the streets, alleys, sidewalks, square, park, or in any store or other public place in said City.”

On September 23, 2024, the Court granted a preliminary injunction prohibiting enforcement of the ordinance. In response to the injunction, **effective immediately**, a moratorium shall be in effect on the enforcement of SDMC 56.27.

All sworn personnel shall refrain from any enforcement of this section of the San Diego Municipal Code until further notice by the repeal of this order or other written order from the Office of the Chief of Police.

Please read at squad conferences and give a copy to all personnel.