

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: August 22, 2024

PREPARED BY: Anthony J. Mejia, City Clerk

SUBJECT: STUDY SESSION: DRAFT POLICY CLRK-002: THREATS OF VIOLENCE DIRECTED TOWARDS COUNCIL MEMBERS AND CANDIDATES, AND CONSIDERATION OF FIREARMS RESTRICTIONS ON CITY PROPERTY

RECOMMENDATION:

1. Provide feedback on the draft Policy CLRK-002: Threats of Violence directed towards Council Members and Candidates.
2. Provide feedback on whether staff should explore the development of an ordinance that prohibits all firearms, including those held by Concealed Weapon Permit holders, on City property.

BACKGROUND/ANALYSIS:

The proposed Policy CLRK-002 was developed to establish formal protocols for handling and responding to threats of violence directed toward Council Members and Candidates. This policy includes procedures for reporting threats, involving law enforcement, and ensuring confidentiality. The policy comes in response to recent threats directed at a Council Member. While these threats have gained public attention, the City is committed to handling them discreetly, in compliance with legal guidelines and best practices for public safety.

The key provisions of Policy CLRK-002 include:

1. **Immediate Reporting:** Council Members, Candidates, and staff must immediately report any threats to the City Manager and law enforcement.
2. **Law Enforcement Involvement:** Law enforcement will assess the risk and determine the necessary actions, including potential investigations and protective measures.
3. **Confidentiality:** All details of the threats will be kept confidential and shared only with necessary personnel to ensure the safety of those involved.
4. **Facility Access Control:** Guidelines are established to limit unauthorized access to City Hall during off-hours to minimize vulnerabilities.
5. **Training:** Regular training will be conducted for relevant staff and officials to ensure preparedness for handling threats.
6. **Public Communication:** The City Manager or designee, in coordination with law enforcement, will handle any necessary public communication regarding threats, ensuring that investigations and individual safety are not compromised.

The policy is aligned with the City's Workplace Violence Prevention Plan (WVPP) and complies with state regulations, including SB 553, which mandates proactive measures for preventing workplace violence.

In response to recent events, City staff researched California laws and found that California Penal Code Section 171b prohibits individuals from bringing or possessing firearms and other specified weapons into state or local public buildings. Additionally, Palm Desert Municipal Code Chapter 2.52 (Workplace Policies) prohibits City employees from possessing firearms or other weapons on City property. However, these provisions do not explicitly prohibit holders of Concealed Weapon Permits from carrying concealed firearms on City property. Due to the heightened security concerns from recent events, staff is seeking direction on whether to further research the possibility of enacting an ordinance that would prohibit all firearms, including those carried by CWP holders, on City property.

Legal Review:

This report has been reviewed by the City Attorney's Office.

FINANCIAL IMPACT:

There is no financial impact associated with this action.

ATTACHMENT:

1. Policy CLRK-002, Threats of Violence Directed Towards Council Members and Candidates