

	CITY OF PALM DESERT ADMINISTRATIVE PROCEDURES	
	<i>Subject</i>	THREATS OF VIOLENCE DIRECTED TOWARD COUNCILMEMBERS AND CANDIDATES
	<i>Policy No.</i>	CLRK-002
	<i>Date</i>	Approved: Amended:
	<i>Approved by</i>	Resolution No. 2024-_____
	<i>Authored by</i>	Anthony J. Mejia, City Clerk

I. PURPOSE

To establish a protocol for responding to threats of violence received by or directed toward Council Members and Candidates.

II. SCOPE

This policy applies to all City staff and officials who may become aware of threats of violence directed at Council Members or Candidates. This policy supplements the Workplace Violence Prevention Plan which would otherwise exclude candidates.

III. DEFINITIONS

- A. Candidate:** An individual who has filed the necessary paperwork and is actively campaigning for election to the Palm Desert City Council, in compliance with applicable election laws and regulations.
- B. Confidentiality:** The obligation to keep all details related to threats, investigations, and protective measures private and to share such information only with authorized individuals as necessary for the safety and security of Council Members, Candidates, and City personnel.
- C. Council Member:** An individual currently serving in an elected capacity on the City Council of Palm Desert.
- D. Law Enforcement Authorities:** This refers to any local, state, or federal agency responsible for enforcing laws and protecting public safety. This may include the local police department, sheriff's office, or other agencies involved in investigating and responding to threats.
- E. Threat of Violence -** Any verbal or written statement, including, but not limited to, texts, electronic messages, social media messages, or other online posts, or any behavioral or physical conduct, that conveys an intent, or that is reasonably perceived to convey an intent, to cause physical harm or to place someone in fear of physical harm, and that serves no legitimate purpose.
- F. Workplace Violence Prevention Plan (WVPP):** A policy adopted by the City of Palm Desert designed to prevent and respond to incidents of violence in the workplace, ensuring the safety and well-being of employees. This plan is referenced in conjunction with this policy but excludes Candidates.

IV. POLICY

A. Responsibilities of Council Members and Candidates:

1. **Reporting Threats of Violence:** Any Council Member or Candidate who perceives, experiences, or believes there is a threat to their safety must immediately report the threat to the City Manager and law enforcement authorities. This includes threats made in person, through electronic communications, or via other means.
2. **Basic Due Diligence:** Council Members and Candidates are responsible for taking basic safety precautions in the event of a threat, such as:
 - a. Notifying law enforcement immediately if the threat appears imminent.
 - b. Avoiding public appearances or activities that may increase risk until guidance from law enforcement is received.
 - c. Keeping a record of any threatening communications or actions, including written or digital communications, recordings, or eyewitness statements, to assist in any investigation.
3. **Cooperation with Law Enforcement:** Council Members and Candidates must fully cooperate with law enforcement in the investigation and assessment of any threats of violence. This includes providing all relevant details and following any recommended safety measures.
4. **Confidentiality:** Council Members and Candidates must also maintain the confidentiality of the investigation and avoid sharing details about the threat with unauthorized individuals, unless advised otherwise by law enforcement.
5. **Facility Access Control:**
 - a. Council Members are prohibited from inviting members of the public into City Hall after hours or on weekends without a special exception from the City Manager. This restriction is intended to reduce vulnerabilities during times when staff and law enforcement presence may be limited.
 - b. Family members or guests of Council Members may be permitted to visit their offices or take brief tours of City Hall, but entry into employee-only areas is strictly prohibited unless authorized by the City Manager. Guests must remain under the direct supervision of the Council Member while on City premises.

B. Training:

The City shall provide regular training to relevant staff and officials on recognizing, reporting, and responding to threats of violence, specifically including those directed toward Council Members and Candidates. This training should include scenarios and best practices to ensure preparedness. The policy will also be provided during candidate orientations and new Council Member orientations to ensure all individuals are familiar with the procedures and protocols. This training is to be conducted in alignment with the City's Workplace Violence Prevention Plan (WVPP) to ensure comprehensive safety measures across all departments, as mandated by SB 553.

C. Immediate Reporting:

Any City employee, official, or individual who becomes aware of a threat of violence directed at a Council Member or Candidate must report the threat as soon as reasonably possible to the City Manager and local law enforcement authorities.

The report should include all available details of the threat, including the nature of the threat, how it was received, and any identifying information about the person making the threat. Refer to **Exhibit A** for a step-by-step checklist on the immediate reporting procedures and necessary actions following the receipt of a threat.

D. Law Enforcement Involvement:

The City Manager or designee will ensure that the threat is communicated to law enforcement and/or appropriate personnel for assessment and appropriate action.

Law enforcement will determine the level of risk and take necessary steps to protect the Council Member or Candidate, which may include monitoring, investigation, or providing protective services.

E. Confidentiality:

The identity of the Council Member or Candidate and the details of the threat shall be kept confidential, shared only on a need-to-know basis with law enforcement and key City officials.

F. Communication:

The City Manager or designee, in consultation with law enforcement, will guide the Council Member or Candidate on appropriate steps to take, including any changes to their public schedule or activities.

Any public communication about the threat will be handled by the City Manager or designee in coordination with law enforcement, ensuring that the information released does not compromise the investigation or the safety of the individual involved.

G. Policy Updates and Amendments:

This policy may be amended or updated as needed to reflect changes in the law, organizational structure, or operational needs. It shall be reviewed periodically to ensure alignment with the City's WVPP and compliance with applicable state laws, including SB 553. All amendments shall be approved by the City Manager and communicated to relevant staff.

H. Effective Date:

This policy is effective immediately and shall remain in effect until amended or rescinded by the City Manager or City Council.

EXHIBIT A**INCIDENT RESPONSE CHECKLIST: THREATS OF VIOLENCE****Immediate Reporting (Reporting Party)**

- Report any threat (verbal, written, electronic, etc.) to the City Manager and law enforcement authorities immediately.
- Include all available details in the report (e.g., nature of the threat, how it was received, and any information about the person making the threat).

Responsibilities of Council Members and Candidates

- Take basic safety precautions (e.g., avoiding public appearances or high-risk activities until guidance is received from law enforcement).
- Document any threatening communications or actions to assist investigations.
- Do not share details of the threat with unauthorized individuals unless directed otherwise by law enforcement.

Risk Assessment and Mitigation (City Manager's Office)

- Ensure law enforcement is requested to conduct a risk assessment.
- Review security procedures and any vulnerabilities exposed by the incident.
- Conduct a security audit of facilities and adjust access controls, surveillance, or other measures as necessary.

Guidance from City Manager and Law Enforcement

- The City Manager or designee, in consultation with law enforcement, will advise the Council Member or Candidate on any immediate steps to take, including changes to their public schedule or activities.
- Ensure that the Council Member or Candidate is advised on safe transportation options, including escorts if necessary.
- Determine whether the Council Member or Candidate should temporarily work remotely or limit exposure at public facilities such as City Hall.
- Advise on any necessary changes to communications, such as limiting public access to contact information or social media accounts.
- Establish a direct line of communication between the Council Member or Candidate and designated law enforcement personnel for real-time updates and support.

Coordination with Legal and Communications Teams (City Manager's Office)

- Coordinate with the legal team to ensure compliance with relevant laws and any potential legal ramifications.
- Review any necessary legal filings, restraining orders, or other legal actions that should be taken following the threat.
- Collaborate with the City's Communications Team for a controlled public response, ensuring that messaging aligns with safety and confidentiality protocols.

Post-Incident Review and Documentation (City Manager's Office)

- Conduct a debriefing with law enforcement, the City Manager, and relevant personnel to review the incident.
- Update the City's threat database or incident log with pertinent information to track recurring issues or patterns.
- Identify any areas for policy improvement or further training based on the incident.