

**Office of  
The City Attorney  
City of San Diego**

**MEMORANDUM  
MS 59**

**(619) 236-6220**

**DATE:** August 10, 2020

**TO:** Brandon Hilpert, Chair, Community Review Board on Police Practices  
Sharmaine Moseley, Executive Director, Community Review Board on  
Police Practices

**FROM:** City Attorney Mara W. Elliott

**SUBJECT:** Ordinance to Remove Section 56.30 of the Municipal Code (Seditious  
Language)

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Dear Chair Hilpert and Executive Director Moseley,

Thank you for contacting my Office regarding the CRB's concerns about section 56.30 of the San Diego Municipal Code (Prohibited -- Seditious Language). As noted in your memorandum, our Office does not prosecute under this antiquated Code section.

Following news accounts that the San Diego Police Department continues to use section 56.30, our Office initiated the process to repeal that section from the Municipal Code. To that end, we intend to present an ordinance to the Public Safety and Livable Neighborhoods Committee when it returns from Legislative Recess.

Every San Diegan and every American has a constitutional right to free speech to criticize government. These rights have never been more important than they are today.

We welcome your continued engagement as we move through the process of removing this outdated Code section.

Sincerely,

MARA W. ELLIOTT, CITY ATTORNEY

By           /s/ Mara W. Elliott          

Mara W. Elliott  
City Attorney

Chair Brandon Hilpert and Executive Director Sharmaine Moseley

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cc: Honorable Mayor Kevin L. Faulconer  
David Nisleit, Chief, San Diego Police Department  
Honorable Council President Georgette Gómez  
Honorable Members of the City Council