



Roll Call Training Bulletin

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Katherine Lester, Chief of Police
Volume 110

Access to Health Care Facilities 6-17-2022

On June 14, 2022, the Sacramento City Council adopted an ordinance as an “emergency measure” to confirm that every person in the City of Sacramento has “the right to seek and obtain all health care services permitted under the laws of this state.”

Sacramento City Code (SCC) 12.96.020 aims to protect individuals seeking to enter or exit health care facilities, as defined, from harassment, intimidation, and/or obstruction. In general terms, within 100’ of the entrance door to a healthcare facility, the conduct of persons and gatherings is restricted to consensual interactions. If an interaction within this space is not consensual, and done for the purposes of “harassing or intimidating,” it must be done at a distance greater than 8’ away. The City Code prohibits persons or gatherings from approaching an individual or vehicle occupant within 8’ when the individual or vehicle occupant is seeking to enter or exit the facility and are within 100’ of it. Additionally, SCC 12.96.020 prohibits a person or gathering from obstructing, as defined in the ordinance, access to or departure from any entrance door to, or any driveway of, a facility.

Any enforcement of this code shall follow the guidelines below.

Enforcement Guidelines

- Peace officers should consider enforcing any other applicable laws (Penal Code, City Code, etc.) before enforcing SCC 12.96.020.
- Prior to taking any enforcement action related to SCC 12.96.020, peace officers shall make contact with the district sergeant.
- Enforcement of this law shall only be made pursuant to a signed citizens’ arrest.
- If the opportunity presents itself, officers should provide warnings and education information to community members about this ordinance.

Prohibition Against Harassment or Intimidation

- Within 100’ of the entrance door to a health care facility;
- No person shall willfully and knowingly approach within 8’ an individual seeking to enter or exit;
- Without the consent of the individual;
- For the purpose of harassing or intimidating the individual;
- This restriction also applies if the individual is the occupant of a vehicle entering or exiting the parking lot of such a facility, if within the 100’ distance above;
- The 8’ distances shall be measured;
- From any extension of the body of the individual seeking to enter or exit the facility;
- Or the exterior of the occupied vehicle seeking to enter or exit the parking lot of the facility;
- To any extension of the body, or any sign or object held by the person otherwise subject to enforcement.



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Definitions

“Harass” means to engage in a course of conduct directed at a specific person or persons that alarms, seriously distresses, torments, or terrorizes the person. Harassment does not include, among other things, quiet, consensual conversation conducted from a stationary position. “Harass” includes, but is not limited to:

1. Approaching a person once that person has indicated they do not want to be approached or engage in conversation, except as necessary to enter or exit the health care facility.
2. Following a person if that conduct is intended or is likely to cause a reasonable person to fear bodily harm to oneself or to another, or damage to or loss of property.
3. Intentionally touching or causing physical contact with a person; and
4. Using violent or threatening gestures toward a person.

“Follow” means to physically pursue a person once that person has indicated verbally or non-verbally that they do not wish to be approached or engage in conversation.

“Intimidate” means making a true threat directed to a person or group of persons with the intent of placing that person or group of persons in fear of bodily harm or death.

“True threat” means a statement in which the speaker means to communicate a serious expression of an intent to commit an act of unlawful violence to a particular person or group of persons regardless of whether the person actually intends to act on the threat.

“Health care facility” means any facility licensed pursuant to Chapter 1 (commencing with Section 1200) of Division 2 of the California Health and Safety Code, any health facility licensed pursuant to Chapter 2 (commencing with Section 1250) of Division 2 of the California Health and Safety Code, or any facility where health care services are regularly provided by persons licensed under Division 2 (commencing with Section 500) of the California Business and Professions Code, the Osteopathic Initiative Act, or Chiropractic Initiative Act.

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Prohibition Against Obstruction

No person shall obstruct access to or departure from any entrance door to, or any driveway of, a health care facility.

“Obstruct” means rendering ingress to or egress from a health care facility or rendering passage to or from a health care facility, unreasonably difficult or hazardous. Obstruct includes, but is not limited to, intentionally blocking, or interfering with the safe or free passage of a pedestrian or occupied vehicle by any means, such as (1) intentionally causing a pedestrian to take evasive action to avoid physical contact, or (2) placing signs, tables, or chairs on the sidewalk such that the flow of pedestrian traffic is restricted or obstructed.

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Dispersal Order

In the event that a peace officer encounters two or more persons continuing to violate SCC 12.96.020(A) after a verbal warning, the officer may give a dispersal order as specified in SCC 12.96.020(C). A peace officer shall not give a dispersal order unless directed to do so by the Watch Commander.