



Town of Colma
Centennial Anniversary
1924 - 2024

Town of Colma
1198 El Camino Real
Colma, California 94014-3212

Main 650.997.8300
Fax 650.997.8308
www.colma.ca.gov

Statement on Recent Hate Speech at City Council Meetings

Read at the June 12, 2024 City Council Meeting

Over the course of the past few meetings, there has been public comment regarding Jewish Americans and others that some may find distasteful. Recently, a member of the public asked some City Councilmembers to stop this kind of hate speech from occurring at future City Council meetings.

As background, the Town is subject to the Ralph M. Brown Act, California's open meeting law. Under the Brown Act, the City Council is required to provide an opportunity for members of the public to provide public comment to the City Council on any matter within the subject matter jurisdiction of the City Council. This occurs at all City Council meetings when the Town allows for public comment on each item of business and allows for general public comment on any matter within the subject matter jurisdiction of the City Council.

By mandating that we allow public comment, the requirements of the Brown Act have created a "limited public forum" under First Amendment analysis. In a "limited public forum," the Town can impose time, place, and manner regulations and those regulations must be content or viewpoint neutral with regard to First Amendment protected speech.

Under the First Amendment, certain types of speech are protected and other types of speech are not protected. Unfortunately, hate speech is protected speech under the First Amendment. Because hate speech is a protected category of speech under the First Amendment, the Town must ensure that any regulations or restrictions imposed on that speech are consistent with First Amendment's principles. This means that the Town can impose time, place, and manner requirements (i.e.: when someone can speak, for how long, and in what manner), but the Town cannot otherwise limit hate speech solely because of its content. To do so would violate the First Amendment and could lead to liability against the Town.

John Irish Goodwin, Mayor
Ken Gonzalez, Vice Mayor

Carrie Slaughter, Council Member • Helen Fiscaro, Council Member • Joanne F. del Rosario, Council Member
Daniel Barros, City Manager