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City Attorney Seeks to Repeal Prohibition of “Seditious Language” *Action would remove from Muni Code WWI-era law that hinders free speech*

San Diego City Attorney Mara W. Elliott today proposed to the San Diego City Council Committee on Public Safety and Livable Neighborhoods the repeal of San Diego Municipal Code section 56.30, labeled “Seditious Language - Prohibited,” which makes it unlawful to use seditious language, or any words, in the presence of other people having a tendency to create a breach of the public peace. The Committee unanimously approved the City Attorney’s recommendation and now the full City Council will vote on the removal of this Code section.

“Repealing this antiquated Code section will protect the free speech rights of San Diego residents and visitors,” San Diego City Attorney Mara W. Elliott said. **“These rights have never been more important than they are right now.”**

The law to prohibit seditious language was enacted in 1918 during World War I, reportedly to reassure patriotism by quieting dissenters of the war, according to an August 4, 2020 investigation by the Voice of San Diego. In the 102 years since the Municipal Code section was enacted, courts have found that such prohibitions on speech infringe on the First Amendment rights of Americans.

The City Attorney’s Office has not prosecuted any cases citing this antiquated section of the Municipal Code.

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