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## **Ninth Circuit Sides With Redondo Beach Against Day Laborers**

Today in a landmark Federal Court decision, the United States Court of Appeals for the Ninth Circuit upheld the constitutionality of a Redondo Beach Ordinance which was enacted in response to traffic and safety problems related to persons soliciting employment on City streets.

The language of the Redondo Beach Ordinance was expressly based on a Phoenix anti-solicitation Ordinance upheld by the Ninth Circuit in *ACORN v. City of Phoenix*. The Ordinance made it unlawful for any person to stand on a street or highway and solicit employment, business, or contributions from an occupant of any motor vehicle. The City of Redondo Beach went to great lengths in 1987 to draft an ordinance which balanced individual free speech rights with the City's interests in maintaining a safe, clean environment for residents, business owners and visitors.

The Ninth Circuit stated they have previously upheld a virtually identical ordinance against a constitutional challenge filed by ACORN against the City of Phoenix. Redondo Beach City Attorney Mike Webb stated upon reading the decision, "this affirms that the rule of law applies to everyone".

This decision lifts the previous court order restraining the Redondo Beach Police Department from enforcing this ordinance.

The City was represented by City Attorney Mike Webb and Eugene P. Ramirez, David J. Wilson and Julie M. Fleming from the law firm of Manning & Marder, Kass, Ellrod, Ramirez. For further information contact City Attorney Mike Webb at (310) 318-0655. This press release was completed by Sgt. Phil Keenan, Redondo Beach Police Department.