



City of Arts & Innovation

Human Relations Commission

TO: HONORABLE COMMISSIONERS **DATE: SEPTEMBER 26, 2019**

FROM: GENERAL SERVICES DEPARTMENT

SUBJECT: PRESENTATION ON CITY HALL LOBBY VISITOR MANAGEMENT PROCESS

ISSUE:

Receive a presentation from the General Services Department on the City Hall lobby visitor management process.

RECOMMENDATION:

That the Human Relations Commission receive a presentation on the City Hall lobby visitor management process.

BACKGROUND:

The Human Relations Commission (HRC) advises the Mayor and City Council on issues of discrimination as well as promotes diversity and equal opportunity in the City of Riverside. The HRC has requested a report on the legality of City Hall lobby visitor management process, including legality of the City's photo identification policy.

DISCUSSION:

The General Services Department is responsible for maintenance and security at all City facilities, including City Hall. In 2016, the City engaged a security consultant firm to provide recommendations on improving safety for visitors and employees at City Hall. One of the security consultant's recommendations was to implement a visitor sign in and badging process, which was implemented in July 2017.

One of the primary goals is to ensure that the City knows who is in the building at any given time. Ensuring that employees and visitors are accounted for in the event of a fire or other emergency is paramount. If the fire alarm is activated, City Hall must be evacuated and we need to be able to locate everyone in the building. In addition, City Hall lobby visitor management provides valuable metrics on high-demand City services, which is important for ensuring resources are allocated where most needed. The system also improves customer service by ensuring visitors get the assistance they need to quickly get to their destinations within City Hall.

Overview of City Hall Lobby Visitor Management Process

Below is a brief overview of how the City Hall lobby visitor management system works:

1. Security Guard greets City Hall visitors.
2. Security Guard requests a Photo ID from the visitor to register on the Lobby Guard Kiosk System.
3. Security Guard assists visitors, if necessary, to complete the Lobby Guard Kiosk Registration Process.
4. Visitor is instructed to apply the registration sticker to their person.
5. Security Guard calls either the One Stop Shop Elevator or one of the open elevators and activates the elevator so the visitor can proceed to their designated floor.

If the visitor does not have Photo ID:

1. Visitor manually inputs their information in the Lobby Guard Kiosk Registration Process.
2. Security Guard calls a representative from the floor the visitor has stated they wish to visit.
3. The floor representative either escorts the visitor to said floor or takes care of business with the visitor at City Hall while remaining on the first floor.

If the visitor refuses to register using the Lobby Guard Kiosk System:

1. Security Guard calls a representative from the floor the visitor has stated they wish to visit.
2. The floor representative either escorts the visitor to said floor or takes care of business with the visitor at City Hall while remaining on the first floor.

Exceptions

Anyone entering City Hall for the purpose of visiting the Café, paying a City bill at the Treasury/Cashier window, or attending a noticed public meeting is not required to register on the Lobby Guard Kiosk System.

Legality of the City's Photo ID Policy

While there are no cases directly on point that involve challenges to local government's ability to require photo identification to enter city facilities, there have been several cases in which courts have upheld photo identification policies that have been implemented as heightened security measures at federal courthouses. See *Foti v. McHugh*, 247 Fed. Appx. 899, 901 (9th Cir. 2007) (noting that government's identification policy did not violate appellants' constitutional rights because "[a]ppellants do not have a constitutional right to enter the federal building anonymously"; *United States v. Smith*, 426 F.3d 567(2nd Cir.2005) (concluding that defendant's constitutional rights were not violated by the imposition of photo identification requirement). Time, place and manner restrictions in public forums are permissible as long as they are "narrowly tailored to serve a significant governmental interest." In these cases, the courts had to balance an individual's Sixth Amendment right to have a public trial with the government's interest in maintaining building security. Even considering the constitutionally protected rights to have a public trial, these courts found that photo identification requirements were reasonable

limited measures to ensure that courthouse security was maintained and that regulations governing conduct in the courthouse were observed.

Because City Hall does not provide courtrooms to prosecute crimes, the Sixth Amendment is not implicated, so residents have less of a public interest in accessing City Hall when applying the balancing test. As a result, asking for a photo ID to access above the lobby level at City Hall is a minimal intrusion when compared to the City's interest in protecting the safety of the building and its occupants. The Court of Appeals in *Smith* admitted that "the government's ongoing promotion of security and prevention of terrorism certainly implicates a compelling state interest..." and the justification "someone who is forced to identify themselves is less likely to pose a threat than someone who is allowed to walk into the building without any at all" satisfies this undemanding inquiry. *Id.* At 573. In addition, because all unknown visitors at City Hall must comply with the identification policy, the policy does not raise concerns of arbitrary application. Moreover, the City's photo ID policy does not completely deny access to someone who refuses to show photo ID or who has no photo ID. Instead, the City provides access to City services through alternative means by calling a representative from the respective department to come to the lobby. Especially in light of this reasonable alternative, the City's photo ID policy is narrowly tailored to achieve the City's interest in efficiently operating the City and providing a safe place to conduct City business.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

Submitted by: Carl Carey, General Services Director
Approved by: Moises Lopez, Deputy City Manager
Approved as to form: Gary G. Geuss, City Attorney

Attachment: Presentation