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For Immediate Release

Friends of the Children's Pool regretfully announce the cancellation of the annual celebration at Children's Pool honoring Ellen Browning Scripps on the 82nd anniversary of the dedication of Children's Pool scheduled for May 31, 2013.

Recent policy changes ordered by Mayor Bob Filner have made attendance at this annual event too great of a risk to the community members wishing to honor this generous gift to the children of San Diego. By the mayor's order, attendees would be subject to citation for possibly disturbing wildlife.

Friends of the Children's Pool and the San Diego Council of Divers [www.sddivers.com] felt it would be too perilous to organize a volunteer beach clean-up at the pool in preparation for this annual recognition of the anniversary of the Children's Pool. The SD Council of Divers has done monthly beach clean ups at the Children's Pool for the past six years without a problem.

[Children's Pool 80th Anniversary, May 31, 2011, www.youtube.com/watch?v=2q9hStm0RXo](http://www.youtube.com/watch?v=2q9hStm0RXo)
[Children's Pool Beach Clean-Up, www.youtube.com/watch?v=urtc8VMzSxg](http://www.youtube.com/watch?v=urtc8VMzSxg)

The oppressive nature of the mayor's policy combined with the continuing misuse of a private surveillance camera forces us to cancel the annual celebration to honor Ellen Browning Scripps and her seawall that created the Children's Pool. Official City policy is for shared use of this beach. This year may be the first year where volunteers will not be allowed to clean the beach. The Children's Pool may be relegated to a stinking cesspool of animal waste where children and their families are no longer welcome.

In an internal memorandum, Mayor Filner has ordered all law enforcement department heads to strictly enforce an obscure municipal code intended to prevent the intentional mistreatment of animals. All City law enforcement personnel are directed to issue citations and to possibly arrest anyone thought to be disturbing seals at Children's Pool. The illogical extension of the pupping season rope barrier was accompanied by this order to prevent the intended use of the pool. The rope barrier has now become the final "line in the sand" to impose an absolute barrier to ocean access at Children's Pool. This order breaches the terms of the permit authorizing the placement of the "advisory" rope. The mayor has exceeded his authority to prevent people and families from using the pool by using law enforcement agents under his control. Mayor Filner is known to encourage "animal rights" organizations to discourage legal passage to the ocean beyond the rope barrier.

Federal law in the Marine Mammal Protection Act [MMPA section 109(a)] bans states and local municipalities from enforcing the "taking" (intentional disturbance) of marine mammals. The responsibility to enforce the "taking" of marine mammals is the responsibility of the Federal government through the National Marine Fisheries Service. This Federal law is intended to protect marine mammals through consistent enforcement policies by preventing the irregular and capricious enforcement by less qualified employees under the direction of a transient politician. Mayor Filner's order is directing City law enforcement personnel to violate Federal law contained in the Marine Mammal Protection Act.



The specific purpose of this corporation is to educate the public as to the use of the Children's Pool in accord with Miss Ellen Scripps' charitable intent in 1931 in order to protect La Jolla Children's Pool surroundings as a public park, a bathing pool for children, and public recreational usage in accordance with chapter 937 of the deed of trust between Miss Ellen Browning Scripps, the State of California, and the City of San Diego, county of San Diego. Publicize the return of Children's Pool to public recreational use. Promote water quality and safety. Facilitate cleaning the beach and adjacent areas to make it attractive and convenient for public use.