

M. Lane Open Forum Box #113/14

AFFIDAVIT/DECLARATION OF TRUTH

To: Sheriff John D'Agostini
El Dorado County Sheriff's Office
300 Fair Lane
Placerville, CA 95667

I, **Melody Lane**, the undersigned, hereinafter: Affiant/Declarant, make this Affidavit/Declaration of Truth of my own free will, and I hereby affirm, declare and solemnly swear, under oath, before a certified California Notary Public, that I am of legal age and of sound mind and hereby attest that all the information contained in this Affidavit/Declaration is true, correct and admissible as evidence.

This Affidavit/Declaration of Truth is lawful notification to you, Sheriff John D'Agostini, and is hereby made and sent to you pursuant to the Federal Constitution, specifically, the Bill of Rights, in particular, Amendments I, II, IV, V, VI, VII, IX and X, and The Declaration of Rights of the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3 Section 1, which requires your written rebuttal to me, specific to each and every point of the subject matter stated herein, within 30 days, via your own sworn and notarized affidavit, using true fact(s), valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond, as stipulated, and rebut, with particularity and specificity, anything with which you disagree in this Affidavit/Declaration, is your lawful, legal and binding tacit agreement with and admission to the fact that everything in this Affidavit/Declaration is true, correct, legal, lawful, and fully binding upon you in any court in America, without your protest or objection and that of those who represent you. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *U.S. v. Tweel*, 550 F. 2d. 297. "*Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading.*"

Affiant/Declarant hereby affirms that the following actions and events took place:

On August 31, 2018, I sent you, Sheriff John D'Agostini, via USPS certified mail, a letter which you received on September 4, 2018. That letter, attached hereto and marked **Exhibit A**, was sent to inform you of specific events and statements made by you, and also as an inquiry to ascertain whether you support and uphold them or would rebut them. Pursuant to the lawful notification contained in that letter, as I originally stated therein, and as cited and included by reference herein, you were required to respond to and rebut anything contained in the attached letter with which you disagreed, within thirty (30) days of receipt thereof.

You failed to respond to that letter and thereby failed to rebut anything stated therein. Therefore, pursuant to the referenced lawful notification, you tacitly admit to all of the statements, charges and claims contained therein, fully binding upon you in any court, without your protest, objection or that of those who represent you.

Some of the things to which you admit include, but are not limited to, the following:

- 1) All actions by public officers conducted in the performance of their official duties either support and defend the national and state Constitutions, pursuant to their Constitutional oaths of office, or oppose and violate them. Beginning with your election in 2011, we commenced quarterly meetings held in your office along with EDC and CA State Parks personnel for the specific purpose of establishing the facts and resolving on-going public safety concerns and the lack of code and law enforcement. In the course of those audio recorded meetings you affirmed your public duty to abide by your Constitutional oaths of office and further stating, ***“You need a new Board [of Supervisors]. All of them. Hold their feet to the fire. Mine too; I work for you.”***
- 2) Under the Political Reform Act, federal anticorruption law broadly guarantees the public “honest services” from public officials. Depriving the public of honest services is a federal crime. During one of our audio-recorded meetings, it became apparent that you had collaborated with EDC and CA State Parks personnel to discredit and discourage me from whistleblowing via submission of Citizen Complaints of Officer Misconduct. *“Personal involvement in deprivation of constitutional rights is prerequisite to award of damages, but defendant may be personally involved in constitutional deprivation by direct participation, failure to remedy wrongs after learning about it, creation of a policy or custom under which unconstitutional practices occur or gross negligence in managing subordinates who cause violation.”* (*Gallegos v. Haggerty, N.D. of New York, 689 F. Supp. 93 (1988)*). Your collusion and failure to lawfully respond to constituents, in this case, me, or to take remedial action, aids and abets the perpetuation of El Dorado County corruption. The First Amendment guarantees the Right of free speech and the Right to petition government for redress of grievances, which, the oath taker, pursuant to his oath, is mandated to uphold. You failed this requirement, thus you violated two provisions of the First Amendment, the Public Trust and perjured your oaths of office.
- 3) On several occasions I have publicly brought to your attention evidence of retaliation, threats, harassment, trespassing and bully tactics by the “River Mafia Mob” which entailed collusion with EDSO staff working under your direction and control. Not only has your staff deliberately falsified case file reports and refused to accept Citizen Complaints of Officer Misconduct, you have done absolutely nothing to address and rectify the issues that I have formally documented. Sheriff, you are not above the law. When a public officer, such as you, fails to act and correct the matter reported to him, then he condones, aids, and abets criminal actions, and further, colludes and conspires to deprive me and other Citizens of their inherent rights guaranteed in

the Constitutions, as a custom, practice and usual business operation of his office and the jurisdiction for which he works. This constitutes treason by the entire jurisdiction against me, and based upon the actions taken and what exists on the public record, it is impossible for any public officer to defend himself against treason committed. *See: 18 USC § 241 - Conspiracy Against Rights, and 242 – Deprivation of Rights Under Color of Law. See also: U.S. v. Guest, Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.*

- 4) Since October 2013, you've demonstrated an overt hostility towards me for holding your feet to the fire and challenging your unconstitutional actions. I've publicly requested that you restore my ability to communicate electronically with EDSO, but you've failed to respond. By not responding and/or not rebutting, such as you have demonstrated on numerous occasions, you, the oath taker, denies me, the Citizen, remedy. It is thus you have denied my constitutional due process of law as set forth within the Bill of Rights. Additionally, your actions and/or inaction demonstrate lack of government transparency, Good Governance Policy, and the mandates set forth within the Constitutional Sheriffs and Peace Officers Association. In so doing, you've exacerbated the attacks made against me. There is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to correspondence or other public inquiries, which in this case act as petitions for redress of grievances, stating complaints, charges and claims made against them by Citizens injured by their actions. *See: U.S. v. Tweel, cited above.* All American Citizens can expect, and have the Right and duty to demand that you and other government officers uphold their oaths to the Constitution(s) and abide by all constitutionally imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise.
- 5) When public officers take oaths, yet are ignorant of the constitutional positions to which they are bound by their oaths, and then fail to abide by them in the performance of their official duties, this suggests that they may have had no intention of ever honoring their oaths, and their signatures upon the oath documents constitute fraud. **Fraud vitiates any action.** Any enterprise, undertaken by any public official, such as you have conducted, tends to weaken public confidence, undermines the sense of security for individual rights, and is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. You failed to provide honest public services pursuant to your oaths, and in so doing, you perjured your oath by violating my Constitutionally guaranteed Rights, in particular those secured in the Bill of Rights, including but not limited to my First Amendment Rights.
- 6) It is the duty of every Citizen to demand that government employees, such as you, specifically perform pursuant to the constitutional mandates contained within their oaths, thereby uphold and protect the rights of the people, as opposed to upholding and promoting the profits of a rapacious, destructive government agency that perniciously violates the rights of the people as

its apparent routine custom, practice and policy. Not only did you refuse to continue our quarterly meetings, you also gave IT the specific directive to block my ability to communicate electronically with any EDSO staff, then you maliciously impugned my character and blacklisted me in apparent retaliation for exercising my Rights and “holding your feet to the fire.” See U.S.G.C. Title 18, Sections 241 & 242.

- 7) The First Amendment guarantees the Right of free speech and the Right to petition government for redress of grievances, which, the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then, he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. One of the purposes of the oath is that it is given in exchange for the Public Trust. You are not above the law and have no constitutional authority whatsoever, or any other form of valid, lawful authority, to oppose, contradict, deny and violate the very documents to which you have sworn your oath. By your own actions, you have violated these First Amendment guarantees, betrayed the Public Trust and perjured your oaths of office.
- 8) A major platform of your 2010 political campaign was the authorization of Carry Concealed Weapon permits. You have engaged in misleading, deceptive, or otherwise contrived actions and schemes in the course of denying my ample qualifications for a CCW permit. It is a matter of public record that my CCW was approved, but three days before I was scheduled to pick it up from EDSO Records, I received a certified letter stating my CCW permit was rescinded, without any justification whatsoever. Both of my subsequent appeals were categorically denied, without plausible explanation, which strongly indicates you had no intention of issuing my CCW permit in the first place, and that you were again retaliating for exposing EDSO corruption. Such schemes and unethical actions are designed to mask the illegal and improper denials of CCWs. See *Riddell v. Riddell Washington Corp.*, 866 F.2d 1480, 1491, (D.C. Cir. 1989). In so doing you’ve put my personal safety at risk from chronic malefactors with histories of assault and brazen threats to do me harm.
- 9) Law enforcement has failed to stop crime; therefore, I have a natural right of self-preservation as recognized in the Second, Ninth and Fourteenth Amendments. The right to self-preservation includes the right to possess the tools to defend myself, and this right pre-existed my enumerated Second Amendment rights. If I were to exercise my right to self-defense, self-preservation, self and family protection, and the right to keep and bear arms without obtaining a CCW, I would be unconstitutionally, thus, unlawfully, arrested, prosecuted, and incarcerated. Thus, my unalienable right to keep and bear arms has been infringed under the Second Amendment.
- 10) The Supreme Court has ruled that the right to keep and bear arms is an individual right for purposes of self-defense. The Ninth Amendment of the national Constitution specifically

provides that the rights of the people are entitled to protection. The Ninth Amendment is directly applicable since "The State of California is an inseparable part of the United States of America, and the United States Constitution is the supreme law of the land." Article III, Section 1 of the California Constitution states this country has a long and established history of "the people" keeping and bearing arms. Keeping and bearing arms is a natural right which pre-existed the rights enumerated in the Constitutions. This right can never lawfully be restricted or taken away by Government. The Ninth Amendment right means nothing unless I am allowed to possess the tools to exercise such a right which includes obtaining a CCW permit.

- 11) You've been made aware that I've been the victim of multiple hate crimes, armed intrusions, threats, and acts of violence by individuals who are known to oppose my Christian values and conservative political affiliations with Capitol legislators. These crimes were extensively discussed and documented with your former political consultant, Deputy Bernard Brown. Accordingly, I have a personal individual right to keep and possess handguns for purposes of self-defense, and any licensing scheme must meet strict scrutiny standards. In addition, that in form, substance and application, it is applied in a discriminatory fashion, then it is in violation of the First, Second and Ninth Amendments. As such, I have been placed at unnecessary risk of prosecution due to deliberate EDSO discrimination and unconstitutional statutes and policies. Indeed, law enforcement is not responsible for protecting me, but will prosecute me, even if I were to carry the means to protect myself. In addition, the California Constitution, Article I, Section 1, specifically provides that "All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy." As a direct and proximate result, I have been irreparably harmed including, but not limited to the loss of use and enjoyment of my inherent constitutionally secured rights.

- 12) When public officers harm Citizens by their errant actions, and then refuse to respond to or rebut petitions from Citizens, as you have also done, then those public officers are domestic enemies acting in sedition and insurrection to the declared Law of the land and ***must be opposed, exposed and lawfully removed from office.*** As stated previously, actions by a public officer either uphold the Constitutions and rights secured therein, or oppose them. By stepping outside of your limited delegated authority, you lost any "perceived immunity" of your office and you can be sued for your wrongdoing against me, personally, privately, individually, and in your personal and professional capacities, as can all those in your jurisdiction, including any judges or prosecuting attorneys and public officers for that jurisdiction, if, once they are notified of your wrongdoing, they fail to take lawful actions to correct it pursuant to their oaths and their duties, thereto: *"Personal involvement in deprivation of constitutional rights is prerequisite to award of damages, but defendant may be personally involved in constitutional deprivation by direct participation, failure to remedy wrongs after learning about it, creation of a policy or custom under which unconstitutional practices occur or gross negligence in managing*

subordinates who cause violation." (*Gallegos v. Haggerty, N.D. of New York, 689 F. Supp. 93 (1988)*). Public officers who so act would commit malfeasance of office, dereliction of duties, collusion and conspiracy to deprive me of my constitutionally guaranteed inherent rights, and misprision of any and all crimes you have committed against me through your unconstitutional actions which I reported to those referenced public officers.

- 13) If those superiors, referenced above, fail to act and correct the matter, then, as stated above, they condone, aid and abet your criminal actions, and further collude and conspire to deprive me and other Citizens of their Rights guaranteed in the Constitutions as a custom, practice and usual business operation of their office and the jurisdiction for which they work. This constitutes treason by the entire jurisdiction against the Citizens of El Dorado County, in the instant case, me. Based upon the actions taken and what exists on the public record, it is impossible for any public officer to defend himself against treason committed. *See: 18 USC § 241 - Conspiracy Against Rights, and 18 USC § 242 – Deprivation of Rights Under Color of Law. See also: U.S. v. Guest; Ga. 1966, 86 S.Ct. 1170, 383 U.S. 745, 16 L.Ed 239.*
- 14) You have failed to lawfully respond to written inquiries, including but not limited to CA Public Record Act requests for information as required under US Government Code § 6250 - 6276.48. Multiple PRAs have been stalled, not even responded to at all, or treated as a “nuisance” by staff. Despite numerous inquiries which I’ve entered into the public record, it is evident you have something to hide since staff under your supervision and control have consistently failed to produce any appropriate responses. Additionally EDSO has denied me access to records and/or engaged in the practice of Unjust Enrichment by surcharging for reports. *See United States v. Dial, 757 R2d 163, 168 (7th Cir 1985) includes the deliberate concealment of material information in a setting of fiduciary obligation. See also USC Title 18, § 2071 – Concealment, removal, or mutilation generally.* By your unlawful actions, you acted in sedition and insurrection against the Constitutions, both federal and state, and in treason against the People, in the instant case, me.
- 15) Substantiating evidence which I’ve submitted for case files under investigation indicate that relevant documents have been destroyed, conveniently disappeared, or were deliberately falsified and/or withheld by EDSO staff under your direction and control. Furthermore, case file reports were closed without any investigation or due process whatsoever, thus undermining the public’s trust in law enforcement. Any time public officers such as you violate Rights guaranteed to Citizens in the Constitutions they act outside their limited delegated authority, thus perjure their oaths, and by their own actions, invoke the self-executing Sections 3 and 4 of the 14th Amendment; thereby vacate their offices and forfeit all benefits, as you have done. Accordingly I was again harmed by your unconstitutional actions and deprived of due process.

Lawful notification has been provided to you stating that if you do not truthfully and factually rebut the statements, charges and averments made in this Affidavit/Declaration, then, you agree with and

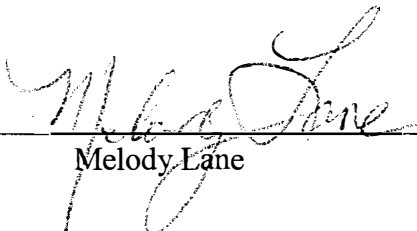
admit to them. Pursuant to that lawful notification, if you disagree with anything stated under oath in this Affidavit/Declaration of Truth, then rebut that with which you disagree, with particularity, within thirty (30) days of receipt thereof, by means of your own written, sworn, notarized affidavit of truth, based on true specific, relevant fact and valid law to support your disagreement, attesting to your rebuttal and supportive positions, as valid and lawful, under the pains and penalties of perjury under the national and state Constitutions, the laws of the United States of America and this state of California. An un-rebutted affidavit stands as truth and fact before any court.

Another fact is that any public officer, including, but not limited to you, who has egregiously violated the Constitutions and due process of law, as you have, has stepped outside of his limited delegated authority and acts as a renegade, thus, cannot be lawfully protected by the jurisdiction for which he works, unless that jurisdiction acts in direct violation and opposition to the state and federal Constitutions, as the ordinary, usual, routine custom, practice and unwritten policy of that jurisdiction. If the jurisdiction so acts, and protects you, then the jurisdiction admits that it is a treasonous body, acting in sedition and insurrection to the Constitutions and to the people, who are the de jure government.

Your failure to respond, as stipulated, is your agreement with and irrevocable admission to the fact that everything in this Affidavit/Declaration of Truth is true, correct, legal, lawful, fully binding upon you, John D'Agostini, in any court of law in America, without your protest, objection and that of those who represent you.

Further Affiant sayeth naught.

All Rights Reserved,

By: 
Melody Lane

Date: 10/17/18

Melody Lane
Compass2Truth
C/o P.O. Box 508
Coloma, California [95613]

(See attached California Notarization)

Attachment:

- Exhibit A – Presumptive letter

CC: District #1 Supervisor John Hidahl
District #2 Supervisor Shiva Frentzen
District #3 Supervisor Brian Veerkamp
District #4 Supervisor Mike Ranalli

District #5 Supervisor Sue Novasel
D.A. Vern Pierson
Sheriff Richard Mack, CSPOA
Todd Crawford, President EDC Deputy Sheriffs' Association
Congressman Tom McClintock
Senator Ted Gaines
Assemblyman Frank Bigelow
Director of CA Parks & Recreation, Lisa Mangat
Gold Fields District Superintendent, Jason DeWall
Marshall Gold Discovery State Historic Park Superintendent, Barry Smith
CA Attorney General, Xavier Becerra
CA DOJ Division of Law Enforcement, Chief Kevin Gardner
US Attorney General Eastern CA, McGregor Scott
Media and other interested parties

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

1 _____
 2 _____
 3 _____
 4 _____
 5 _____
 6 _____

Melody Lane

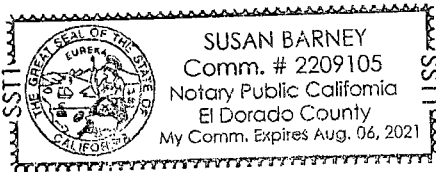
 Signature of Document Signer No. 1

 Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of El Dorado

Subscribed and sworn to (or affirmed) before me
 on this 17th day of October, 2018,
 by _____
Date Month Year



(1) Melody Lane

 (and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.

Signature Susan Barney, Notary Public

Signature of Notary Public

Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Affidavit/Declaration of Trust Document Date: Oct 17, 2018
 Number of Pages: 8 Signer(s) Other Than Named Above: _____

*Melody Lane
Compass2Truth
P.O. Box 598
Coloma, CA 95613*

August 29, 2018

Sheriff John D'Agostini
El Dorado County Sheriff's Office
300 Fair Lane
Placerville, CA 95667

Sheriff D'Agostini,

This letter is lawful notification to you, and is hereby made and sent to you pursuant to the national Constitution, specifically, the Bill of Rights, in particular, Amendments I, II, IV, V, VI, VII, IX and X, and the California Constitution, in particular, Article 1, Sections 1, 2, 3, 9, 10, 11, 21, 23, and Article 3, Section 1. This letter requires your written rebuttal to me, specific to each claim, statement and averment made herein, within 30 days of the date of this letter, using fact, valid law and evidence to support your rebuttal.

You are hereby noticed that your failure to respond within 30 days as stipulated, and rebut with particularity everything in this letter with which you disagree is your lawful, legal and binding agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful and binding upon you, in any court, anywhere in America, without your protest or objection and/or that of those who represent you. Your silence is your acquiescence. See: *Connally v. General Construction Co.*, 269 U.S. 385, 391. Notification of legal responsibility is "the first essential of due process of law." Also, see: *U.S. v. Tweel*, 550 F. 2d. 297. "*Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading.*"

What I say in this letter is based in the supreme, superseding authority of the Constitution for the United States of America, circa 1787, as amended in 1791, with the Bill of Rights, and the California Constitution, to which all public officers, such as you, have sworn or affirmed oaths, under which they are bound by Law. It is impossible for an oath taker to *lawfully* defy and oppose the authority of the documents to which he or she swore or affirmed his or her oath.

Since America and California are both Constitutional Republics, not democracies, they are required to operate under the Rule of Law, and not the rule of man. The Supreme Law and superseding authority in this nation is the national Constitution, as declared in Article VI of that document. In Article IV, Section 4 of that

EXHIBIT A

Constitution, every state is guaranteed a republican form of government. Any "laws", rules, regulations, codes and policies which conflict with, contradict, oppose and violate the national and state Constitutions are null and void, *ab initio*. It is a fact that your oath requires you to support and uphold the national and state Constitutions and the rights of the people secured therein and all aspects of constitutional due process.

My claims, statements and averments pertain to violations of your oaths, particularly as they pertain to multiple Citizen Complaints of Officer Misconduct, falsification of records, refusal to investigate incident reports, blatant discrimination, lack of due process, and failure to comply with CA Public Record Act (CPRA) requests for information. Your directive to EDC IT Director Phil Dold and David Russell to block my access to any EDSO staff, and subsequent lack of your response to volumes of correspondence documenting aforementioned claims, demonstrates that you have consistently violated your oaths, thus, do not take your oaths seriously.

No public officer, including you, has the constitutional authority to oppose, deny, defy, violate and disparage the very documents to which he or she swore or affirmed his or her oath. All actions by public officers conducted in the performance of their official duties either support and defend the national and state Constitutions, or oppose and violate them.

"The Oath of Office is a quid pro quo contract in which clerks, officials, or officers of the government pledge to perform (Support and uphold the United States and State Constitutions) in return for substance (wages, perks, benefits). Proponents are subjected to the penalties and remedies for Breach of Contract, conspiracy under Title 28 U.S.C., Title 18 Sections 241 and 242, treason under the Constitution at Article 3, Section 3., and intrinsic fraud..."

Your staff is a reflection of your leadership, or lack thereof. Any enterprise, undertaken by any public official, such as you and all law enforcement staff, which tends to weaken public confidence and undermines the sense of security for individual rights, is against public policy. Fraud, in its elementary common-law sense of **deceit**, is the simplest and clearest definition of that word. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths.

Whenever constitutional violations are committed by public officers such as you, there are constitutional remedies available to the people. Such remedies make those who violate their oaths accountable and liable for their unconstitutional actions conducted in perjury of their oaths. When public officers take oaths, yet are ignorant of the constitutional positions to which they are bound by their oaths, and then fail to abide by them in the performance of their official duties, this suggests that they may have had no intention of ever honoring their oaths, and their signatures upon the oath documents constitute fraud. Fraud vitiates any action.

It is the duty of every Citizen to demand that government employees, such as you, specifically perform pursuant to the constitutional mandates contained within their oaths, thereby uphold and protect the rights of the people, as opposed to upholding and

promoting the profits of a rapacious, destructive association that perniciously violates the rights of the people as its apparent routine custom, practice and policy. This was the primary purpose of our initial audio recorded meeting held in your office on August 16, 2011 when you said, ***“You need a new Board [of Supervisors]. All of them. Hold their feet to the fire. Mine too; I work for you.”*** (See Exhibit A)

As a member of the Constitutional Sheriffs and Peace Officers Association (CSPOA), you’ve pledged to abide by your Constitutional Oaths in the course of your official duties as Sheriff of El Dorado County. You are also a member of Oath Keepers, our nation’s last line of defense:

“Oath Keepers is a non-partisan association of current and formerly serving military, reserves, National Guard, veterans, Peace Officers, and Fire Fighters who will fulfill the Oath we swore, with the support of like-minded citizens who take an Oath to stand with us, to support and defend the Constitution against all enemies, foreign and domestic, so help us God. Our Oath is to the Constitution. Our motto is “Not on our watch!”

Sheriff Richard Mack is the former Sheriff of Graham County, Arizona and he serves as a director and as one of the primary spokespersons for Oath Keepers and the CSPOA. **Compass2Truth** coordinated with Oath Keepers and the John Birch Society for the purpose of hosting keynote speaker William Jasper in a regional speaking tour regarding Agenda 21. You had agreed to participate as a representative of Oath Keepers in that speaking tour. However when concerns arose about you taking the initiative to change the publicity for the event, I was directed by my affiliates to contact Sheriff Mack. Sheriff Richard Mack responded to our concerns about your unconstitutional actions:

“We don't take responsibility for the sheriffs or other public officials conduct or the lack of it. We will remove them if they don't maintain a certain level of commitment to their oath, but other than that they answer only to you.”

Sheriff, you are not above the law, nor do you get to pick and choose which laws you’ll enforce and which ones you’ll ignore. Your actions or lack thereof, undermine the public’s confidence in law enforcement and appears to be retaliatory in nature for ‘holding your feet to the fire.’

CA PUBLIC RECORD ACT REQUESTS

Police officers are *not* attorneys. They are *not* trained in constitutional law. Not only do most officers demonstrate a serious lack of constitutional acumen, some officers even demonstrate a serious animus AGAINST the Constitution. These same officers consider people who believe in the Constitution to be “anti-police.” Such an attitude does nothing but insure increasing abusive behavior against the very people police officers are sworn to protect: the American citizenry.

During the August 6, 2018 Taxpayers Association meeting you commented about county counsel's interpretation of the law regarding new EDSO recruits. *"They know the law, but they have to learn how we do it in El Dorado County, how we do it here. There are two different readings of the law. Our county counsel reads it very, very strictly."*

Chief Counsel Mike Ciccozzi was never elected as judge, jury and executioner for El Dorado County. Too frequently counsel's interpretation does not meet either the spirit or the letter of the law, and has proven to be inconsistent with basic Constitutional principles. For this reason he has frequently been referred to as 'consigliere' to corrupt EDC politicians.

Following is the published opinion by former lawyer, Larry Weitzman, about Ciccozzi: *"Ciccozzi made some not so brilliant decisions and told some whoppers (in this case quarter truths) to the board. He's lucky his boss wasn't a Corleone. Ciccozzi's four-year contract is coming up for renewal. It is time for the board to look for a new county counsel. The one we have now is turning into their worst nightmare. If they don't the voters will know who to blame, Ciccozzi is appointed by the board, the board has to face the voters."*

You are aware that Mr. Weitzman has accompanied me to RMAC meetings held in the Marshall Gold Discovery Park Museum, in addition to twice accompanying me to EDSO to file Citizen Complaints for Officer Misconduct.

Sheriff, this sore subject has been addressed to you before, particularly as it applies to CA Public Record Act requests for information submitted to EDSO. At the beginning of the **August 6, 2018** Taxpayers meeting I handed you a CPRA concerning specific Case File reports involving crimes committed against me by known members of the River Mafia Mob, but I have been consistently denied access to that information. In so doing, you have abrogated your duty to support and defend the Constitution and my inherent sovereign rights. You were elected as Sheriff--not county counsel-- therefore you are held responsible and directly accountable for your unconstitutional actions, just as Sheriff Mack articulated. **(See Exhibit B)**

The subject of the fraudulent 9/14/15 RMAC meeting was addressed during our 8/3/16 meeting with Don Ashton, Supervisor Ranalli, and Planning/Development Director Roger Trout. You failed to show up for that meeting. The topic of the orchestrated fraud was again broached during our 10/4/16 meeting. You failed to show up for that meeting too. Although Don Ashton formerly worked as your Chief Fiscal Officer prior to his promotion to Chief Administrative Officer for El Dorado County, Don has continued to act as your spokesperson and mediator without any authority whatsoever to do so. A recurring concern discussed during our meetings was Don's reticence to track and lawfully respond to Public Record Act Requests (CPRAs), especially those relevant to the Sheriff's Office (EDSO), Planning, government grants, and the River Management Plan.

Currently many, if not most, state and local representatives are in breach of their fiduciary duty to the People by taking money from the federal government in the form of grants. In so doing, they create a massive conflict of interest, effectively becoming agents of the federal government, more concerned about the grant money than the People's rights. Many, if not most, county representatives are more concerned about what the local federal agent has to say than what the People say, for fear of retaliation from the federal government and/or losing the grant money. This was made evident during the 5/15/2012 Board of Supervisors meeting concerning the Agenda 21 Resolution fiasco. Supervisor Jack Sweeney spoke on behalf of the BOS indicating they were more concerned about receiving the federal *grant money* than they were about acknowledging and avoiding the devastating implications of Agenda 21.

In that regard I submitted a CPRA #P001406-081117 which entailed the total amount of grant money received by EDSO. You failed to indicate the total dollar amounts of grant funds *applied for and actually received by EDSO*. In addition to failing to provide specific CPRA information requested, only one of the seven government contracts was signed, rendering six of them **invalid**. Note the following regarding unsigned contracts pertaining to the Sheriff's Office:

X. Special Provision B. This contract shall have **no force or effect until signed** by the Department, Agency, and approved by the Department of General Services Legal Department, if required. .

EDSO has been uncompliant with California Public Record Act (CPRA) requests for information, and in many cases, EDSO has either unlawfully withheld information concerning case files I've reported to EDSO, or surcharged for case file reports which is prohibited by law. That is known as Unjust Enrichment. Just because something may be "legal", doesn't mean it is ethical. (Refer to AB1234 – Mandatory Ethics Training for Public Officials and Government Code Section 6250 et seq.)

Furthermore, a particular CPRA response revealed there is no evidence that you have never completed your Mandatory Ethics training as lawfully required per AB1234. Because of the breadth of federal anticorruption law, public officials are warned to **avoid any temptation to walk closely to the line** that divides legal from illegal conduct under state law. Even though a course of action may be legal under state law, it may not be legal under federal law and not lawful under the Constitutions. *Sheriff D'Agostini, you've crossed that line on too many occasions.*

During a past Tea Party Patriots of El Dorado Hills meeting, I challenged your ethics in this regard:

Unknown individual: Can you give us some crime statistics?

JD: When I came into office there was a rise on property crimes and it was my fault, and here's why. When I came into office the policy was you had a property crime and there was no evidence, there was no suspect info or anything like that. You were directed to file your report on line. I changed that policy. *You want a deputy you get a deputy, so the result was we took more*

reports. So now things have leveled off again. Actually nationwide and worldwide crime is dropping. Nobody knows why. I tried to explain it and figure it out because all of the indicators with the economy worldwide and the things that were going on you'd think that crime would be increasing, but it's not. It's decreasing worldwide. So there's no answer for it. I don't know why.

Uh, you're shaking your head Melody. You disagree?

Melody Lane: Yes, I do Sheriff John. And one of the reasons is I think that it's the statistics numbers, the uh, juggling of the statistics. I can tell you for a fact that in District #4 that there are a lot of people who are concerned about the INCREASE in crime and--this is a sensitive issue, Sheriff John--but the reason I was in your office on Monday had to do with the deputies that were SUPPOSED to be responding to code and law enforcement issues are NOT applying case numbers to actual calls that require law enforcement to come out and therefore, if there's no case number, there's no corresponding file...

JD: (interrupting) I remember that issue and what it was there was no crime committed, therefore, it was a call for service. So they're not going to draw a crime number. Melody, I've already looked into it...

ML: OK, but sorry, I...

JD: (interrupting again and appearing annoyed, diverts the question) Yes sir? (addressing a retired San Jose policeman from Coloma)...

Cop: A lot of these people who are going into Walmart in the bullet section and they realize we're not going to put up with it and...

JD: (interrupting) Yeah, it's hard to find ammo anywhere. It's starting to come back. The ammo contractors are starting to fill their orders. We, uh, we've been fortunate that none of our ammo orders have been backordered. We've always gotten our deliveries but some of my peers have been having issues, especially in smaller police departments that don't have an inventory or keep an inventory, or a close inventory. Um, they were having some problems getting ammo, even law enforcement. But we're starting to see, I don't know if you've ever heard of it, called gunbot.net, but if you go there you can see daily the list of available ammunition grows. It shows it's starting to come back. Everybody goes there first because it's the cheapest. Any other questions?

(Several questions ensued about crime, CCW's, Starbucks posting No Firearms, fees for processing CCWs, etc.)

John D'Agostini: (responding to unnamed individual)...My policy is for self-defense and protection. You don't have to go into a very long diatribe because actually that document is a public record. If somebody gives a **Public Record Act request** we have to release it and I don't think you want that information on there anyway. **Yes...Melody? (responding to my raised hand)**

Melody: In regard to the **CA Public Record Act requests for information**, I've submitted a couple of them publicly at the Board of Supervisors and some of them have included case file numbers specific to correspondence that I hand delivered to your office on Monday. In the response that I got back from the Clerk of the Board on Friday, which was two days delinquent according to the 10-day statute that's on the CPRA, there were two letters from the Sheriff's department that were never sent to me, and requesting \$10 for those reports that I had asked for via a CPRA. My question is--which I put to you in that correspondence--would you be willing to waive the fees for Public Record information?

JD: Uhhmmm, probably not Melody. Everybody has to pay for it. My staff's time costs money and that's one of the areas per the law that I can recoup some fees. So if I did it for you, I'd have to do it for everybody, so probably not.

ML: **So in other words, if you want justice you have to pay for it?**

JD: If you want public records, yes, you'll have to pay for it.

ML: And again, which is an abuse of the justice system, huh?

JD: Anybody else? Thank you very much for having me.

(The Sheriff adjourned the meeting then stormed out of the room visibly upset as several people gathered around me to ask questions and view my materials.)

Your former CFO, Don Ashton, is responsible for tracking and responding to all CA Public Record Act (CPRA) requests for information. On several occasions I have provided staff with copies of the **"Guide to CA Public Record Act Requests"** which is very clear in this regard: *"Copy costs are limited to "statutory fees" set by the Legislature (not by local ordinance) or the "direct cost of duplication", typically 10-25 cents per page. Charges for search, review or deletion are not allowed. (§ 6253(b)); North County Parents v. DOE, 23 Cal.App.4th 144 (1994)."* Sheriff, you have either been unresponsive or you've obfuscated and diverted any meaningful replies whatsoever, thus demonstrating your contempt for the law and the Citizens of El Dorado County.

On several occasions I've gone into EDSO Records Department to view case file reports and take photos of the documents. At other times I've requested a deputy witness the illicit exchange of money for a copy of a case file. For example Lt. Golmitz demanded \$40 for one case file report that should have only cost 10 to 20 cents per page for a total of less than one dollar as per § 6253(b). You refuse to acknowledge the law and continue in the unethical practice of Unjust Enrichment.

An explicit example of CPRA fraud took place on **October 1st** when I submitted a very specific CPRA to EDSO requesting an appointment to view two case files. A response was due by **October 15th**. The response I received from Lt. Golmitz was dated **September 23rd prior** to my CPRA submission on 10/1, yet it was postmarked the very day I submitted it to the BOS on October 1st. Additionally his letter included two other CFS numbers that I did NOT request via that CPRA. He categorically denied me the information that I was seeking via the CPRA.

Then on **October 8th** I received a second response to the same CPRA from Lt. Golmitz which was dated **October 4th**. In his letter he refers to Government Code Section 54985 and El Dorado County **Resolution 113-95, dated May 16, 1995**. That resolution no longer exists on the EDC government website because it was superseded by AB1234 which was signed by the Governor on **October 7, 2005**. AB1234 is the **Ethics Training bill** that stipulates agencies *may only charge the direct cost of producing a copy of a record*. The direct cost of duplication includes the pro-rata (proportionate cost) of copying equipment as well as the pro-rata cost of the person running the equipment. The direct costs of duplication do not include costs affiliated with the research, retrieval, or redaction of a record as you claimed when you addressed the Tea Party group in El Dorado Hills. ***The theory is that these costs must be borne by the agency as part of its duty to serve the public.*** In other words, charging \$10 for a two-page report requested via a CPRA that costs less than a dollar is referred to as an UNJUST ENRICHMENT.

I've exchanged several phone calls with Sgt. Bears regarding Public Record Act requests and specific case file reports to which I am entitled access but have been

denied under color of law. The following is an excerpt from a letter previously addressed to you, specifically Government Code 6254(f) which states in part:

“However state and local law enforcement agencies **shall disclose** the names and addresses of persons involved in, or witnesses other than confidential informants to, the incident, the description of any property involved, the date, time, and location of the incident, all diagrams, statements of the parties involved in the incident, the statements of all witnesses other than confidential informants, **to the victims of an incident, or an authorized representative thereof...**”

This same issue was again addressed during the 8/28/18 BOS Agenda Item #41 EDSO Fees which was presented by your CFO, John Deville. I drew the Board's attention to the EDSO fee schedule exhibit which stipulates the Public Record Act Government Code #6253 fee is only 12 cents per page. I then read excerpts from a letter I received from you on 8/17/18 in which you again attempted to charge me \$10 for a mostly blank three page report, explaining that your unethical practice of surcharging for case file reports is referred to as an Unjust Enrichment which is prohibited by law.

Your letter also falsely claimed the supplemental reports “*are not releasable pursuant to CA GC 6254(1), which protects investigative reports.*” As stated previously, *I'm a victim of multiple hate crimes, and as such I am the authorized representative in pro per.* Sheriff, you have routinely and fraudulently applied the law and/or denied me access to all records to which I'm lawfully entitled.

The Constitution provides the remedy for an elected official who commits “high crimes and misdemeanors.” To be clear, high crimes and misdemeanors are not necessarily ordinary criminal offenses. Our Framers used the term to signify a dereliction of duty, and the first duty of the Sheriff is to ethically enforce our laws and preserve, protect, and defend our Constitution(s).

Alexander Hamilton described offenses as those “which proceed from the misconduct of public men, or, in other words, from the *abuse or violation of some public trust.*” He explained that they are “political” offenses “as they relate chiefly to injuries done immediately to the society itself.” To wit:

PUBLIC OFFICIAL TRUSTEE DUTIES AND AUTHORIZATION

**63C Am. Jur.2d, Public Officers and Employees §247* “As expressed otherwise, the powers delegated to a public officer are held in trust for the people and are to be exercised on behalf of the government or of all citizens who may need the intervention of the officer.

[1] Furthermore the view has been expressed that all public officers within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts.

[2] That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves

[3] and owes a fiduciary duty to the public.

[4] It has been said that the fiduciary responsibilities of a public officer cannot be less than those of a private individual.

[5] Furthermore, it has been stated that any enterprise undertaken by the public official who tends to weaken public confidence and undermine the sense of security for individual rights is against public policy. Fraud is its elementary common law sense of deceit and this is one of the meanings that fraud bears [483 U.S. 372] in the statute.

See *United States v. Dial*, 757 R2d 163, 168 (7th Cir 1985) includes the deliberate concealment of material information in a setting of fiduciary obligation. A public official is a fiduciary toward the public, including, in the case of a judge.

CITIZEN COMPLAINTS OF OFFICER MISCONDUCT

The following published excerpts contain quotes by Sheriff D'Agostini during a televised interview relevant to the Public Records Act request made by CBS13:

El Dorado County sheriff's Capt. Craig Therkildsen's supporters struck first, brandishing an audio recording of a campaign meet-and-greet opponent John D'Agostini held at PJ's Roadhouse in Placerville before an audience made up primarily of members of the Modified Motorcycle Association. Asked how he would handle **dishonest or corrupt officers in his administration**, D'Agostini, a district attorney investigator in Amador County, used a strongly worded metaphor, saying... "I don't want to rest on my laurels because we're ahead, but I want to win by a lot," said D'Agostini during a speech to the Hells Angels biker gang at PJ Saloon in Placerville.

He also said, "I have it, and I'll say it. I know there is ladies in the room, but I have the balls to step up and tell it like it is."

Those statements are mild in comparison to what came next. D'Agostini told the group how he and his undersheriff would handle a deputy who violated someone's civil rights.

"I guarantee within 72 hours of me taking office on January 11, 2011, someone is going to step up and test the waters. How I handle that is going to set the tone for the next eight, 12, 16 years of my administration. Me and this person don't have any problem with cutting somebody's head off, holding it up on a pole and parading it around and say this will not be tolerated."

The leak prompted a sharp rebuke from El Dorado County District Attorney Vern Pierson, who joined county supervisors Ron Briggs and John Knight in endorsing Therkildsen, a veteran sheriff's captain. D'Agostini has won support from county Supervisor Ray Nutting, state Assemblyman Dan Logue and Yolo County Sheriff Ed Prieto, among others. At the Sept. 28 Board of Supervisors meeting, more than a dozen outraged MMA members defended their motorcycle rights group against aspersions that it was tied to organized motorcycle gang activities. In a harshly worded letter to the Telegraph, Briggs seized on the public comments and said D'Agostini's own "reckless statement will cost the county money each and every time a disciplinary action is taken by him."

D'Agostini claimed "a fundamental difference in my approach," **stressing a customer service style of law enforcement that has officers interacting with residents and knowing the community. "We'll be breaking down those walls that have been built up over the years," he added.**

Sheriff, despite your campaign promises, it is evident you have chosen to deliberately ignore the law and continue to do "business as usual." You're aware that artists, politicians, evangelists and missionaries from all over the world have held conferences in my home in Coloma. Catering to Hells Angels, meanwhile discriminating against a woman, senior citizen, respected evangelist and former staff support to Capitol legislators is indicative of your discrimination and political persecution.

Concerning public safety and law enforcement, EDSO has sent out press releases stating, *"The Sheriff's Office asks that you maintain your vigilance and if you see something, say something."* To wit, on numerous occasions it has been necessary to call Dispatch requesting law enforcement assist me in making a Citizen's Arrest. But instead of assisting me, EDSO staff has aided and abetted unlawful activities, failed to conduct a thorough investigation, unlawfully entered my property without proper notification or authorization, withheld information, and frequently falsified case file reports that falsely painted me as the problem.

Your "new" approach and policies appear to conflict with laws that officers have been long-trained to follow, but now lawbreakers are allowed to act as they wish, without fear of the consequences. At first you were only "excusing" misdemeanors, but now it appears you are also excusing felonies, including violent crimes like assault, armed robberies, and worse. Apparently your staff is being instructed to hide or ignore ever-worsening criminal conduct. "Copaganda" is any news story that uncritically advances law enforcement's image or helps undermine reform efforts. Such are the effects of your nationally syndicated program, *"Sheriffs of El Dorado County."*

Since our initial meetings that commenced shortly after you were elected I have regularly apprised you of numerous problems involving EDSO staff, including but not limited to falsification of records, violations of their Oaths of Office, and failure to accept or properly investigate all the facts surrounding Citizen Complaints of Officer Misconduct. Each Citizen Complaint personally addressed to you for due process has been extensively documented, including verbatim transcripts and photographs, as per the EDSO form which states as follows:

"All investigations will be thorough, objective, and focused on maintaining public confidence and departmental integrity. The goal of every investigation will be to identify and evaluate all the facts surrounding the incident in question. It may be necessary for you to present your stated complaint in person before a Hearing Board in the event this complaint results in any disciplinary proceedings against the employee."

With each submitted Citizen Complaint for Officer Misconduct I've reserved my right, as stated on the EDSO website and form, to present my testimony in person

before a Disciplinary Hearing Board. In most cases I've not even been contacted to provide supplemental evidence of misconduct, nor have any of my witnesses been contacted to verify the facts stated in the complaints. In every instance I've been denied the right to due process before a disciplinary hearing for officer misconduct.

Through both criminal and civil statutes, federal law specifically targets police misconduct. Federal law is applicable to all state, county, and local officers, including those who work in correctional facilities. The key federal criminal statute makes it unlawful for anyone acting with police authority to *deprive or conspire to deprive another person of any right protected by the Constitution or laws of the United States* (Refer to U.S.G.C. Title 18 § 241 – Conspiracy Against Rights). Another statute, commonly referred to as the police misconduct provision, makes it unlawful for state or local police to engage in a pattern or practice of conduct that deprives persons of their rights (42 U.S.C.A. 14141 re-codified at 34 U.S.C. § 12601). See also U.S.G.C. Title 18 § 242 – Deprivation of Rights Under Color of Law.

In its ruling in *Millbrook v. United States*, a unanimous U.S. Supreme Court concluded that the U.S. government may be held liable for abuses intentionally carried out by law enforcement officers in the course of their employment. The Court's ruling was intended to send a strong message to the government's various law enforcement agencies that they need to do a better job of policing their employees and holding them accountable to respecting citizens' rights, especially while on the job.

The Human Resources Director has an obligation to investigate matters concerning any public employee who is in breach of their oath of office or has committed ethics violations described in the County of El Dorado Personnel Rules as follows (edited as applicable for brevity):

COUNTY OF EDC PERSONNEL RULES - 1203. DISCIPLINE:

- (c) On-duty or off-duty conduct, including without limitation crimes that do not fall within subsection (b) above, that (i) tends to bring the County service into disrepute, or (ii) is a direct hindrance to the effective performance of County functions;
- (q) Violation of the County's Code of Ethics;
- (x) Unlawful harassment or unlawful discrimination or retaliation against another employee, an applicant for employment, or anyone using County services;

Multiple Citizen Complaints of Officer Misconduct read more like an episode of the Keystone Cops. Your refusal to meet every three months as you initially agreed for the purpose of resolving long-standing public safety and accountability concerns is indicative of the problem this county is facing on all levels, namely, nobody wants to be accountable to the citizens who've elected them to office.

Police officers who have been dishonest are sometimes referred to as "Brady cops." Because of the Brady ruling, a statutory scheme was developed, in part, because law enforcement departments had developed a practice of purging their files concerning misconduct claims made against their officers. Law enforcement disciplinary actions

have a unique risk-exposure profile. This is because disciplinary actions based on defective internal affairs investigations can have the ripple effects of:

- Damaging public confidence
- Damaging agency morale
- Facilitating improper prosecutions of officers
- Victimizing innocent officers or allowing culpable officers to remain employed
- Creating significant financial losses in the forms of legal fees, arbitration fees, and large back-pay awards
- Increasing settlements and jury awards in civil suits
- Embarrassing the chief executive (Sheriff D'Agostini).

The Sheriff's Department has always urged residents to call 911 or Dispatch to mitigate what could potentially turn into a very dangerous situation. However disturbance of the peace has always been a low priority and EDSO has a history of being reticent to respond. Such incidents have the potential of quickly escalating into something far more confrontational and dangerous. Resident's complaints and signed petitions going back as far as 1988 have been treated as a nuisance by the county. If a request is made to have the responding deputy return a call, it is very likely the phone call may be returned at 4 AM, a notoriously passive-aggressive method of dissuading citizens from calling in the first place. When I've inspected EDSO case files, I was appalled, but not surprised, by how I was falsely portrayed as the troublemaker for requesting a deputy respond to a call for assistance. Following are just a few examples:

Example #1 - A typical example of EDSO misconduct was when I made a trip to EDSO for the purpose of filing yet another formal Citizen's Complaint of Officer Misconduct involving detectives Gallagher and Densmore. They were assigned to investigate the third complaint of officer misconduct by Deputy Terry Cissna, her refusal to assist me in making a Citizen's Arrest, and falsification of her case file report. The armed detectives showed up at my home unannounced, crawled through the gate, and demanded that I immediately produce the audio CD of the Deputy Terry Cissna incident. Meanwhile the detectives insulted a guest who was present necessitating that I ask the detectives to leave my property. Prior to exiting I informed the detectives they could obtain the audio CD from District Attorney Vern Pierson.

While waiting 80 minutes in the EDSO lobby for a Sergeant to accept my Citizen Complaint against the two detectives, a cameraman for "**The Sheriffs of El Dorado County**" sat next to me. The cameraman was given VIP treatment by EDSO staff, but what happened next was most disturbing when the Sergeant assigned to take my complaint discriminated against me like a "second-class citizen".

Sergeant Culver met me in the lobby to take my complaint. With a rudely overbearing attitude, Sergeant Culver ushered me into a room adjacent to the lobby and arrogantly refused to accept the factual documentation containing photographs identifying the trespassers as EDSO detectives Gallagher and Densmore. The following three-minute dialog with Sergeant Culver was abruptly terminated when I

stood up, walked out of the room and handed the lobby clerk the complaint materials addressed to Sheriff D'Agostini:

Melody: I'm asking you to accept that. (indicating the letter & evidence)

Sgt. Culver: I'll, I'll be honest, I'm going to throw it away. I'm not going to do anything with it. You've already sent a copy to Vern Peterson.

Melody: No, Vern Pierson...

Culver: (interrupting) Vern Pierson.

Melody: And this is for Sheriff D'Agostini. I'm asking that you deliver this to Sheriff D'Agostini...

Culver: (interrupting) No. No I will not. And I'll tell you why. Because then I act as your agent in a civil matter.

Melody: No, no you are not. You are here as a civil servant and I'm asking that this be delivered...

Culver: (interrupting) No, no. You can mail it to the Sheriff.

Melody:...to Sheriff D'Agostini.

Culver: (interrupting) No. No I will not.

Melody: I'm asking that you accept this into the record.

Culver: No I will not. I will not. No.

Melody: You're depriving me of my rights?

Culver: First of all there is no record.

Melody: I'm making a record of it right here with this (indicating the documents).

Culver: First of all, m'am... First of all there's no crime. There's a Sheriff's office here.

Melody: I'm not...

Culver: OK. You're gonna continue to talk over me and I'm not gonna talk to you.

Melody: OK. Fine. (Getting up to leave)

Culver: OK. OK. Good luck to you. (Culver follows me out the door)

Melody: But I will submit this to the Sheriff.

Culver: (following me to lobby clerk) You're more than welcome to.

Melody: (Addressing EDSO clerk). Would you please see to it that Sheriff D'Agostini gets this?

Clerk: I can. Uh-huh. (Clerk & Culver exchange looks)

Melody: And would you please date stamp it as well?

Clerk: I can do that. (He stamps letter)

Melody: Thank you. Thank you very much.



Armed Detectives Gallagher and Densmore

It is an invasion of privacy (trespassing) for EDSO to enter PRIVATE PROPERTY without **probable cause, a signed warrant, or prior notification**. The pictured individuals were indeed trespassing, and if I can identify them, then it is my right to press charges for unlawful entry especially when they did not immediately leave after being requested to do so. The Fourth Amendment to the Constitution states:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

Violations of Citizens' rights, particularly the 1st, 2nd & 4th Amendments, are happening regularly in EDC with your knowledge and consent, yet these abuses are going unreported by the media. The public has a right to know this information, particularly if the need arises to challenge out-of-control officers known to abuse their power. The impression is officers don't know the law and standard operating procedures, they're incompetent, or they've been permitted by upper management to abuse their authority.

Deputy Terri Cissna has received numerous Citizen Complaints of Misconduct submitted by residents throughout the Georgetown Divide. Most local residents are aware of her hostile reputation and need for an attitude adjustment. To emphasize the gravity of the problem I have publicly submitted formal EDSO complaints into the public record during the Board of Supervisors meetings relevant to Deputy Cissna's misconduct and her deliberate falsification of EDSO records. On three occasions Deputy Cissna has abused my trust, and for that reason she is not authorized to enter my property unless it is a dire emergency.

It is my understanding from Chief Investigator Bob Cosley that the audio CD of the incident involving Deputy Terry Cissna was never picked up from the office of D.A. Vern Pierson. Pierson and Cosley had met with us before and agreed to do an investigation into illicit EDSO operations. Substantial evidence, including the Cissna incidents, was also submitted to the Grand Jury and DOJ. A complete transcript of one Cissna incident involving the Coloma Resort was later submitted into the public record during a BOS meeting. It was glaringly evident no investigations into Citizen Complaints ever took place, nor does it appear that you have any intention of doing so.

It is a matter of public record that numerous EDC residents have filed verbal and written complaints against Deputy Cissna and several other EDSO staff. To the best of my knowledge investigations into EDSO misconduct are rarely, if ever, conducted at all. I have yet to meet anyone who has been contacted by Internal Affairs or permitted to present their complaint before a Hearing Board. After waiting for as long as 12 months a typical form letter is sent to the complainant indicating, *"The investigation has been completed and it has been determined that there was no misconduct on the part of the Officer and no further action will be taken."* **It is thus you have deprived Citizens of due process. (See Exhibit C)**

Citizens should not have to fear EDSO retaliation for reporting crimes or filing complaints for officer misconduct. EDSO has publicly encouraged citizens to call EDSO for assistance by stating, "If you don't call, we won't come." The reality is evident in the fact that the Sheriff's Office continues to do "business as usual" primarily due to long-established pattern of turning a blind eye to corruption and a deaf ear to the Citizens whom you profess to serve and protect. Such an arrangement encourages crime and other unlawful activities to continue unabated, and in many cases, to escalate. The end result is the Citizens are then re-victimized. This is a form of administrative violence committed by EDSO upon the Citizens. I will not yield my sovereignty to you, or any other government representative, who employ bully tactics as a means of maintaining their unlawful political power and control over law abiding citizens.

Despite frequent testimony and evidence submitted into the public record during Board of Supervisors meetings, you've failed to take any corrective or remedial action concerning fraudulent EDSO reports submitted by the aforementioned staff within your supervision and control. ***In the case of Deputy Terry Cissna, rather than being disciplined, she was promoted as announced by Cissna during an audio recorded Rural Communities Coalition meeting held at the Garden Valley Fire Department.***

Example #2 - Another significant example of misconduct pertained to **EG18-0098** when it was necessary to meet with Lt. Faulkenstein to file yet another Citizen Complaint of Officer Misconduct. The case involved the discovery of a freshly sharpened 2-foot machete on my property and associated emails sent by two members of the River Mafia Mob, one of whom is a neighbor with a history of violence for assaulting me and another woman several years ago. When the assailant began stalking me, he was served with a TRO but he refused to relinquish his guns as required by law. The TRO expired but despite warnings not to contact me, his retaliation, threats and harassment resumed just a few months ago. Not only did EDSO refuse to pick up the weapon and other evidence, the deputy falsified his report and framed me as the problem, claiming he discerned "no nexus to the emails and the weapon." Compounding the issues, Sergeant Lewis hung up on me twice when I inquired into staffs' unethical and un-constitutional conduct. **(See Exhibit D)**

The public's objections to fraudulent data and the recurring pattern of staff misconduct have demonstrated that public input and Citizen Complaints are nothing more than Bureaucratic Shenanigans (BS) to fraudulently convince Citizens that their input makes a difference. All evidence strongly suggests that legitimate calls for EDSO assistance or formal Citizen complaints have been treated as a mere nuisance by county staff.

Example #3 - Case file **EG18-6720** was reported on 7/31/18 to Sergeant Rich Marshall relevant to the **CPRA in Exhibit B**. While waiting in the lobby for Sgt. Marshall, I struck up a conversation with a professionally clad black woman. She was seeking case file reports to substantiate harassment and threats made by her husband

that were necessary to obtain a TRO against him. I had suggested that she obtain an audio device to record the threats made by her husband to prove her claims weren't just hearsay.

When Sgt. Marshall summoned me into the nearby open room adjacent to the lobby, he quickly glanced at the evidence which was addressed specifically to you. He immediately determined no crime had been committed: therefore there was nothing to investigate. I insisted that there was a definite pattern of crime and harassment taking place by known members of the River Mafia Mob, and there was plenty of evidence supporting my claims. Although I'd never met or spoken with him before, it was abundantly clear that Sgt. Marshall had preconceived disparaging notions about me and had absolutely no intention of following up.

Upon exiting the interview, Sgt. Marshall admonished me for audio recording our exchange. His comments were made in the presence of the black woman who had been within earshot the entirety of our 10 minute exchange. That's when I stated to Sgt. Marshall that the 9th circuit court of appeals determined that the First Amendment grants Citizens the right to audio record any public official, including law enforcement, whether or not they consent, as a means to hold them accountable. As I proceeded to exit the building Marshall expressed his doubts about the validity of my statement, and seemed especially annoyed when I wished the woman luck in obtaining the reports for her TRO.

Over the next three days I delivered a CD and other substantial evidence to EDSO addressed to your attention. Then on August 8, 2018 at 9:26 AM, Sgt. Marshall left me a voice mail message indicating that he had reviewed my materials and determined that *no crime was committed, therefore he closed the case*. I had several questions, but when I called Dispatch would NOT provide me with his voice mail extension number and repeatedly dumped me into the Patrol Sergeants' general voice mail system. After five futile tries I finally contacted your administrator, Laura Lyons, and she provided me with the appropriate number to leave Sgt. Marshall a phone message.

When Sgt. Marshall eventually returned my phone call, he suddenly became very defensive and refused to answer my probing questions. *How could the case be closed if he hadn't even yet written his report?* He was informed that I had handed you the CPRA (Exhibit B) and related evidence during the 8/6/18 Taxpayers Association meeting, however I never received a confirmation from the Clerk of the Board that it had been entered into the CPRA tracking system. When I asserted myself by pressing Sgt. Marshall for the names of his superiors and to reveal when his report would be ready to view, he accused me of being "argumentative" and threatened to hang up. Clearly my questions hit a sensitive nerve. It wasn't until 8/21/18 when I went to EDSO Records that I discovered Sgt. Marshall had lied to me, falsified his report, and then had it approved by Sgt. Lewis. Once again your staff demonstrated the typical EDSO modus operandi that is undermining the public trust in law enforcement.

Example #4 - On October 7, 2017 there was another exceptionally loud event held at the American River Resort in violation of their SUP and the River Management Plan necessitating I again request assistance in making a Citizen Arrest (**EG17-9059**). Deputy Jencks appeared to be annoyed when she arrived with a document that appeared to be a **fake Citizen Arrest** form. It did not look anything like the form used years ago when it was necessary I make a Citizen Arrest at 3 AM which culminated in a jury trial of the arrested individual.

Deputy Jencks had me fill in the mostly blank one-page form and said she'd deliver it to District Attorney Pierson, but I was not provided a copy, nor would she issue a citation and get a headcount as required by RMP Element 4. A short while later that same evening there was another rowdy disturbance of the peace from the same location necessitating that I again call Dispatch, but Deputy Jencks again demonstrated her reluctance to take pertinent information or to enforce the law. It wasn't until I submitted a CPRA that it was discovered that no action at all was taken by Deputy Jencks, nor would EDSO provide me a finalized copy of the Citizen Arrest form.

Note the River Management Plan specifically states in Element 4 – Monitoring and Reporting Programs:

4.3 Public Comments/Complaints

4.3.1 Landowners, residents and river users will be provided with standardized comment/complaint forms. These forms will be distributed in annual landowner/resident informational mailings and made available at river-area kiosks. **The forms will include checklists for comment/complaint type, occurrence date and time, location and descriptions of follow-up actions(s).**

4.3.2 The County Department of General Services will continue to operate a telephone line and voicemail system dedicated to receiving comments and complaints related to river management issues. **Reported traffic and trespass issues will be forwarded to the Sheriff's Department for action. The County Department of General Services is tasked with coordinating responses to calls and ensuring responses to all messages left on the dedicated answering machine.**

4.3.3 Public comments/complaints will be distributed by the County Department of General Services to the County Planning Department (Planning Department) and Sheriff's Department. **This information also will be tabulated in the County Parks data base, spatially recorded in the County GIS, and reported in the post-season report.**

4.8 Noise Monitoring – The County will develop and implement a system for conducting noise monitoring and reporting for noise sensitive areas near project area campgrounds and at other sensitive locations along the river, with focus on areas within the Quiet Zone.

4.8.1 **Observed or reported violations of Quiet Zone regulations or County noise standards will be reported to the County Code Enforcement Officer or the Sheriff's Department, as appropriate, within 2 working days of the occurrence.**

4.8.2 More than two noise exceedance citations per year issued to SUP holders may result in a **formal hearing considering the noise exceedances and the possible imposition of fines and other disciplinary measures on violators.**

4.8.3 **More than two noise exceedance citations in two consecutive years may result in a formal recommendation for limitation or revocation of an SUP to the County Code Enforcement Officer and Planning Director.**

On numerous occasions you have been regularly apprised of your staff's failure to comply with the law and the deliberate strategy employed to either delay or obfuscate

financial and other pertinent data, particularly as it concerns the River Management Plan, Parks & Recreation, Planning, Code and Law Enforcement. By your actions, you follow neither the letter of the law, nor the spirit of the law, and consistently violate the Supreme Law of the Land and the California Constitution to which you have sworn or affirmed your oath.

The distinct impression conveyed is that culpable EDSO staff is being shielded from Citizens requesting an investigation into complaints of officer misconduct. *The unspoken message is a double standard which ensures there is no EDSO accountability to the Citizens who've elected the Sheriff to office.* Discriminatory bias further undermines the public trust and adds fuel to the perception that law enforcement has little intention to "protect and serve" constituents with the integrity required by their oath of office. Such misconduct and deliberate omissions by you and staff directly under your supervision clearly demonstrate the policy, practice, and custom of deliberate indifference on the part of EDSO to the liberty, will, consent and inherent rights of Citizens.

AUDIO RECORDING LAW ENFORCEMENT

I've been subjected to and offended by multiple EDSO unethical attempts to intimidate and criminalize me for audio recording EDSO staff. Contrary to their claims, audio or video recording of law enforcement or any other public official is the right of every Citizen; there's no exemption for EDSO. Please note the following:

"The Ninth Circuit U.S. Courts of Appeals have recognized the First Amendment right to record the police and/or other public officials. **The First Amendment protects the right to record audio and video regardless of whether the police/officials consent. This constitutional right would override any state or federal laws that would otherwise prohibit such recording. The rationale is public officials need to be held accountable for their actions."**

[A] citizen's right to film government officials, including law enforcement officers, in the discharge of their duties in a public space is a basic, vital, and well-established liberty safeguarded by the First Amendment." Gathering information about government officials in a form that can readily be disseminated to others serves a cardinal First Amendment interest in protecting and promoting 'the free discussion of governmental affairs.'"

Following are just a few explicit examples concerning deprivation of my right to audio record law enforcement.

On May 31, 2014 Deputy Gennai and Deputy Hangebrauck responded to another report of unreasonably loud noise at the Coloma Resort. Note Deputy Gennai's remarks: ***"Lane had a hand held voice recorder and refused to turn it off as long as I was on her property....I digitally recorded my contact with Lane which was later attached to this report...I request this report be forwarded to El Dorado County Code Enforcement Officer, Jim Wazner for review."***

Relevant to my Citizen Complaints of Officer Misconduct is the fact that I had *lawfully audio recorded and submitted a transcript of an April 4, 2014 incident in a formal Citizen's Complaint involving Deputy Terri Cissna and the Coloma Resort.* When two plainclothes detectives showed up unannounced, crawled through my gate and demanded I produce an audio CD of that incident, I ordered them off my property and informed them the audio would be available at the District Attorney's office. I was informed by the DA that EDSO Internal Affairs never picked up the CD for their investigation, nor was I ever contacted to come into the Sheriff's Office to discuss the matter. It is apparent through this unlawful attempt to intimidate me into giving up my private property that EDSO and Code Enforcement is perpetually kicking the can down the road and unjustly portraying me as the problem.

On Wednesday 8/3/16 @ 2:32 PM I received a phone message from Lt. Danny Bears re: **Case Files EG15-5698 & 5793:**

*"Hello Miss Lane. This is Sergeant Danny Bears at the Sheriff's Office returning your phone call. I have reviewed the report that deputy Stockeland completed and he did include in there that he is forwarding the information through the chain of command to the Sheriff. **And just FYI it is against the law to record people, especially law enforcement officers. It's under Code 632 PC. It's just FYI for you. I'm not going to, I'm not looking to going out there and prosecuting you. I'm just giving you a heads up about that.** Alright. I hope you have a great day. Bye."*

On October 14, 2015, we met with Sgt. Pebley concerning the Citizen Complaint of Officer Misconduct that I filed against Deputy Gennai for refusing to investigate the yearly illegal fireworks at the Coloma Resort. I found it deeply disturbing that every time I answered his questions I was interrupted and told to stay on topic. Recognizing his tactic as a manipulative diversion to bias the interview, my witness, a retired San Diego Deputy Sheriff, voiced her objection to his interrogation. She reminded Pebley that *EDSO conduct and issues could not be separated from the incident we were discussing.* Pebley then claimed that it wasn't lawful for me to audio record Gennai. His remark prompted me to reply that he was not qualified to give legal advice, and contrary to his claim, audio/video recording of law enforcement or any other public official is indeed a First Amendment right of every citizen--NO DOUBLE STANDARD for EDSO.

During the January 7, 2016 interview for my CCW permit Detective Fitzgerald also warned me against audio recording law enforcement. Clearly EDSO staff does not know the American Constitution or comprehend the significance of their oaths of office. This does not reflect well on your leadership as a "Constitutional Sheriff"! Since you claim to be a "Constitutional Sheriff", yet neither you nor your staff understand or uphold the Constitution(s), then your claim is fraudulent and immensely hypocritical. Any act by any officer of EDSO either supports and upholds the Constitution(s), or opposes and violates them. It is this simple. Trying to hide behind unconstitutional administrative statutes and codes does not absolve you of your constitutional duties, pursuant to your oaths.

**CENSORSHIP, REFUSAL TO MEET AND
DEPRIVATION OF RIGHT TO COMMUNICATE ELECTRONICALLY WITH EDSO**

First and foremost, I have been supportive of you since 2010. If elected as Sheriff you promised to do a clean sweep. When you made your cell phone number available to the public, many of us rallied behind you in the hope that EDC would elect our own version of Arizona's Sheriff Joe Arpaio. Not only did I actively campaign to get you elected to office, at your request, I supported you and your wife Janeen in a weekly prayer chain via my Capitol ministry connections where we vetted candidates for political office. You even requested we pray for you and your wife Janeen during the campaign battle among seven candidates for EDC Sheriff.

Since September 18, 2013, you've ordered IT personnel to block my ability to communicate electronically with all EDSO staff. I've addressed this issue in writing to you, and publicly during BOS meetings by requesting that you immediately correct the problem. All my correspondence, calls and material evidence delivered to EDSO have been legitimate, have lawful merit and contain lawful notice and need to be resolved. Your refusal to meet or respond to correspondence fosters a culture within EDSO that promotes disrespect for constituents. In order to resolve constituent concerns one must have access to public officials. Although I am not the only Citizen that has had their email access to EDSO cut off, it is apparent that EDSO staff, per your directive, has deliberately singled me out. If you did not issue a directive to block my access, then your staff is violating their oaths, violating the Constitutions, violating my rights guaranteed therein by so doing, and whoever is responsible for this should be removed from office, because that person or persons is/are domestic enemy(ies) and invoke the self-executing Sections 3 & 4 of the 14th Amendment. This was made evident during the 10/23/13 @ Garden Valley High School "**We Work For You**" community meeting. Transcript excerpt:

John D'Agostini: Hello Miss Lane (shaking hands)

Melody Lane: Hello Mr. D'Agostini. How are you? I have a question to ask you.

JD: Uh-huh?

ML: Why has my email been blocked from the Sheriff's Department?

JD: Because you're costing my staff too much time. If you have a law enforcement issue call the...

ML: I have law enforcement issues and I also have the issues with delivering stuff to your office and there's been no response from our public servants. If you watched yesterday's Board of Supervisors, the video is up now, and it involves the Sheriff's Department and some of the issues with the CPRAs. **The fact that you're assigning CFS numbers and not giving case file numbers to enter material evidence for investigation—the surveillance camera that was stolen from my property last week—again there are a couple of incidents in regard to that. These are serious issues. It's very apparent I've been targeted. I'd also like to know, uh, it seems it's very apparent my telephone has been tapped...**

JD: (interrupting) Pardon me?

ML: ...by the Sheriff's department and I think that's deserving of some answers.

JD: That's a lie, but thank you. OK...

ML: It's not a lie. I've got the evidence. You've got the report that I submitted.

JD: OK, if you have a law enforcement issue you call and we will respond.

ML: I have. You've gotten the material evidence that I've asked to be entered into the files. Sheriff...

JD: (interrupting and addressing someone passing by) Hi! How's it going?

ML: ...and you're reminded that you work for us. (D'Agostini turns and abruptly walks away from me.)

#

Upon your orders I have been deprived of the ability to communicate electronically with anybody in EDSO necessitating that I make multiple trips to EDSO in order to provide case file evidence of targeted hate crimes by the River Mafia Mob that have included weapons, assaults, threats, trespassing, casing, stalking, harassment, libel, theft, armed intrusions, identity theft, hacking and cyber-crime. The alternative is for two deputies that usually show up in separate squad cars at my home, in the middle of the night, to accept evidence into the case files being investigated. Ultimately the investigations are dropped and/or denied of any wrongdoing. Not only is that an abuse of your fiduciary duties, it is also an extremely poor use of taxpayers' resources creating an undue burden upon everyone involved:

9/12/17 Don Ashton wrote: *As we have discussed several times in the past, neither the CAO or the IT Director have the authority to tell the Sheriff how to manage his office, and **the Sheriff has his own IT Division who is following his orders to block your email.***

9/12/17 Melody Lane replied: *Per your own words, David Russell is now IT Director for EDC which formerly was the responsibility of District Attorney Vern Pierson. It is reasonable to presume that Dave Russell oversees **all** IT operations within EDC, including EDSO and the DA's office. If that is not the case, then please so state in writing in order that the public may be properly informed.*

Every citizen has the inherent and unalienable right to live in peace and safety. What's more, the duty of the Sheriff is to serve and protect. Don Ashton's communicate to me, cited above, clearly proves that it was you who ordered my communications to EDSO blocked. In so doing, as I said above, you perjured your oath, violated the Constitutions, violated my secured inherent rights guaranteed therein and, **LAWFULLY**, you have **VACATED** your office, pursuant to the referenced Sections 3 & 4 of the 14th Amendment to the American Constitution. If you do not rebut this, then you admit to what I have stated herein. If you rebut it, but fail to support your rebuttal in truth, fact, valid law and constitutional authority, then you admit to my statements. Your deliberate deprivation of my secured rights, coupled with discrimination against a female senior citizen and betrayal of the public's trust in law enforcement, has only served to reinforce the retaliatory assaults against a well-known conservative leader. It is a fact that you have denied my email access to EDSO and refuse to meet even if I'm accompanied by witnesses. I have found it necessary to question you on more than one occasion regarding your Constitutional Oath. Your motive appears to be retaliation for holding your feet to the fire.

9/22/16 incident while filing another Citizen Complaint for Officer Misconduct:

Melody: Hey John. When are we going to talk?

D'Agostini: We're not.

Melody: We're not going to talk?

D'Agostini: Not to you.

Melody: Oh really? I think you've got a little problem with the Constitution and who you work for. You too Mike.

Chief Counsel Mike Ciccozzi: I don't have a problem with the Constitution. (approaching me to shut the door)

Melody: Yeah you do...and your Oath of Office.

Another example entailed an incident where I was asked to accompany Tim Hardy as a witness to a meeting in your office. When Laura Lyons met us out in the lobby, she verbally and physically prohibited me from entering your office with Mr. Hardy who had already squeezed through the door for his scheduled appointment with you. I waited in the lobby with another individual who was also denied access to that meeting. Afterwards Mr. Hardy described in a notarized affidavit the objections you expressed to me accompanying him into that meeting. My understanding is that you and Mr. Hardy had a one-hour very heated exchange of words. **(See Exhibit E)**

Case files **EG15-5698** and **EG15-5793** particularly concern public safety issues and crimes committed against me as referred to in Exhibit B. Deputy Bernie Brown was assigned to investigate these two case files which reportedly had been turned over to the District Attorney and the IT forensic division. I have yet to receive an acknowledgement from your office or District Attorney Vern Pierson concerning these ongoing serious crimes involving fire, intrusions, harassment, libel, identity theft, hacking, prolific pornographic spam and offensive liberal messages by the River Mafia Mob and American River Conservancy. Following are a few excerpts of evidence submitted directly to you:

From: Melody Lane [mailto:melody.lane@reagan.com]

Sent: Tuesday, July 26, 2016 12:53 PM

To: 'Melissa@ARConservancy.org'

Cc: Sheriff DAgostini; Laura Lyons (lyonsl@edso.org); Smith, Barry@Parks

Subject: RE: [SPAM] Tickets for Trails and Tales fundraiser available until July 29th

Melissa,

I do not know you nor have I ever requested to be included in any ARC email distributions.

It is well known that the Bean's are active proponents of the American River Conservancy. Within minutes of Mike and Dawn Bean's libelous 7/8/15 postings to CLNews, I was subscribed to American River Conservancy, inundated with porn and extremely liberal websites resulting in the hacking of my computer, identity theft, SPAM, harassing phone calls and emails. **Reference EDSO Case Files #EG15-5698 & EG15-5793.**

Please immediately remove me from your email distribution list. **Do not contact me again.**

Below is a small snapshot of the evidence associated with **EG15-5698 & EG15-5793** referred to in the above email correspondence:

✉ Sara El-Ami... Thank you · now let's go:	Thu 7/9/2015... 24 KB	
✉ sleazyness... You have been registered on sleazyness.com	Thu 7/9/2015... 8 KB	←
✉ Ray H., OF... Welcome 2 Sorry I put the wrong date in the first one	Thu 7/9/2015... 15 KB	
✉ FireWire fr... Top Five Overnight Stories · News from TheBlaze.com	Thu 7/9/2015... 65 KB	
✉ vikiporn.co... You have been registered on vikiporn.com	Thu 7/9/2015... 8 KB	←
✉ Ray H., OF... Welcome	Thu 7/9/2015... 15 KB	
✉ Karen Hunter Thank you for signing the "Remove the Confederate Flag From..."	Thu 7/9/2015... 15 KB	
✉ Hillary for ... Welcome aboard, and thank you. Now take the next step:	Thu 7/9/2015... 20 KB	
✉ Hillary for ... Welcome aboard, and thank you. Now take the next step:	Thu 7/9/2015... 20 KB	
✉ Hillary for ... Welcome to Team Hillary!	Thu 7/9/2015... 18 KB	
✉ Change.org You have a message about Jazz Brice's petition	Thu 7/9/2015... 74 KB	
✉ American R... American River Conservancy Has Received Your Information	Thu 7/9/2015... 8 KB	←
✉ mail@gdr... New Account Confirmation	Thu 7/9/2015... 8 KB	
✉ NewsWith... Without Parental Consent	Thu 7/9/2015... 61 KB	
▾ Date: Yesterday		
✉ Mike Bean [CLNews] Moderation	Wed 7/8/2015... 20 KB	←
✉ Melody Lane RE: [CLNews] CEASE AND DECIST - CF#5793	Wed 7/8/2015... 36 KB	
✉ Dawn Inform... [CLNews] Community, sorry, but...	Wed 7/8/2015... 95 KB	←
✉ Hal Fischer Scripture verse for today, Thursday, July 9, 2015	Wed 7/8/2015... 156 KB	←



Armed intruder



Dawn Bean—American River Conservancy ~ 4:30 AM

When I returned home from the 9/13/16 BOS meeting, there was a phone message at 10:00 AM from EDSO, "Hi, this message is for Melody Lane. This is Deputy (unintelligible) with the El Dorado County Sheriff's Office. Just calling about your case review and doing some follow up regarding case number 15-5698 and 15-5793. Just wanted to chat with you a little bit, um, and let's see you can give me a call at 530-621-6600...530-621-6600. I'd really appreciate it. Thank you."

The next day Deputy Steve Ragusano paid an unannounced visit to my front gate around 12:30 PM while I had a guest present. Ragusano identified himself as the

caller yesterday wanting to chat about the case files relevant to the incidents in **case files #EG15-5698 & 5793** which were being investigated by Deputy Bernard Brown before he terminated employment with EDSO.

Everyone in EDSO knows better than to show up at my home unannounced. Deputy Ragusano had been present during the May 2016 RCC meeting held at the Garden Valley Fire Department, when I publicly served you, Sheriff D'Agostini, with a formal Notice and Demand relevant to my APPROVED CCW and your subsequent retaliatory CCW DENIAL. I briefly explained to Deputy Ragusano that it is my right to speak directly with Sheriff D'Agostini about the inter-related public safety, harassment, EDSO misconduct, CPRAs, and identity theft issues. I also requested that he convey my message directly to you along with the request to immediately resolve the issue of my inability to communicate electronically with EDSO staff. Deputy Ragusano then gave me his card and left the premises.

The following day, I called your administrator, Laura Lyons, to request a meeting with you concerning the above incident with Deputy Ragusano, and I advised Laura that somebody would accompany me as a witness.

Laura called back the next day at 10:29 AM and left the following message: *"Hello Melody. This is Laura at the Sheriff's office. I'm just returning your call from our conversation last night and I just want to let you know I will NOT be making an appointment for you. **This command made comes from Sheriff D'Agostini.** Alright. Thank you. Bye bye."*

It is significant considering the fact that I was informed by one of my former Capitol co-workers that Deputy Bernie Brown was employed as your political consultant from Delaware prior to being hired by EDSO. Transcripts of my conversations with Bernie Brown are very revealing of corruption within EDSO and associated political connections at the Capitol. It is apparent by your reticence to be open, accessible and transparent that you have plenty to hide. Following are a few significant excerpts from the Deputy Bernie Brown transcripts:

MELODY LANE: **Let me ask you a personal question, and you don't have to answer, but if you were asked to cross the Blue Line, would you do that?"**

BERNIE BROWN: Miss Lane, it depends. I hold myself to high ethics. I had an ethical question the other day that I had to turn in one of my fellow deputies. It was very difficult and I'm paying the price for it right now. Between you & me, I'm being shunned; I'm being talked about, and I did have to tattle on a deputy.

ML: What I'm afraid of is that the materials I've given you is going to put you in a very compromising position, not through any fault of your own. I want you to understand that I fear not just for my own safety, but I fear because of what & who it represents with the Mafia type mentality, but the same type of mentality spills over into EDSO & the DAs department. You'll understand when you see what's in here. The thing is we don't need more Deputy Terri Cissna's and the other guys who have ruined the rapport with EDSO. There is stuff in there that is very highly confidential. My letter will explain it and why it is probably not a good idea to talk to Bob Palacios. If you want you can, but...

BB: Melody, hold on. You have trusted me from day one and I'm not going to violate that trust now...I'm not an expert in this, but there is some traffic going back & forth.

ML: This is beyond a local thing. This is State Parks & ARC. This is the conspiracy.
BB: Do you think there is traffic between these individual & State Parks trying to set you up?
ML: Absolutely! There's no doubt about it. We've already met with State Parks about it.
BB: Are you still getting the porn?
ML: XXX did a very detailed report and snapshots regarding the identity.
BB: Great! That's what I need... I've been talking to one of our computer guys. Once I have the IP address I have to do a search warrant.
ML: Those reports in there will help you tremendously.
BB: You are no different than any other citizen and you are going to get the same level of service I give everybody. I promise.

###

BB: I've already had one person complain on me that I'm interviewing him criminally. He said, "Do I need an attorney?" I responded, "Well, I don't know. Do you?" He didn't like that.
ML: Wait till you read this.
BB: Because I'm being honest with you, some people I've put the fear that they could be indicted.
ML: Yeah. That's good! They should be afraid.

###

ML: I talked to Serena and asked to see the Genaii case file that I was denied.
BB: Word got out that people were being interviewed and they're backing off because they're afraid. I still have to interview the Beans. You know you can't get the supplementals because there are interviews on there... I don't want to release those. They're on hold until I close out the report... I think Mr. Bean is a mean person... There's just some people who don't have nice things to say about you. I want to interview Palacios. And your guys are going to have to come in.
ML: Which guys?
BB: The ones who did the reports on your computer.
ML: They'd love to.
BB: Melody, watch your back, please.
ML: Bernie, don't think I'm not. You're not telling me anything I don't know.
BB: Don't repeat that.
ML: No, no Bernie. Again, you're not telling me anything I don't know.
BB: You've dragged me into a terrible mess.
ML: I didn't drag you into it. I think God placed you here, and...
BB: Lots of people hate me right now.

###

ML: Bernie, just so you know, I really want to trust you, but some of these emails and stuff...
BB: Oh, they're nasty! They're nasty!
ML: But I'm just saying the email correspondence I've had with you, and some of the other stuff, I know for a fact all of this is going through county counsel.
BB: Oh sure. I don't care.
ML: It's also been rumored that they believe the Sheriff's Office is behind some of what's going on, and also Vern Pierson's office also checked to see whether my telephone was tapped. This goes back...
BB: Who's tapping your phone?
ML: We thought it was the Sheriff's Department and...

###

ML: I'm waiting on you and your investigation. XXX is still waiting to talk to you.

BB: Tell him it's probably going to be a detective by the name of Nolan Tracy, an IT guy, forensic expert. I'll call him and let him know Nolan is going to contact him. The Sheriff said to find out what the hell is going on.

ML: Do you know who Larry Hennick is?

BB: Yeah, I know him.

ML: Larry was exposing a lot of the corruption in there. I don't know if you want to make a career out of this.

###

BB: Mike Bean might lawyer up.

ML: Did you interview him?

BB: Nope. Called him on the phone and let him know I was coming over. Said he wanted to talk to an attorney first.

###

BB: I want to track the ISP business-ethics code. You can't use someone else's identity to sign up for stuff. If I can lock down the ISP that started it all, that's the person we have to squeeze.

ML: **It'll be Mike Bean, Donna McMaster or Howard Penn.** They have the ability.

BB: If it is Mike Bean, I know he talks to other individuals. Bean keeps his head down...Is the pornography still coming in? The ISP can read other emails.

###

ML: Did you do the interview with the Beans?

BB: Mike and his attorney are coming in tomorrow... I have to narrow it down to four people because we have to look at their computers and ISP address to other websites. The list is already about 20 people... Was there a heated exchange with a person who blew up at you?

ML: Steve Lyles, Dave Martinez, Tim Lasko, Martin Harris. Martinez & Harris quit RMAC because they were mad at me and my consultant. Then there was the anti-Semitic Passover incident at an RMAC that I audio recorded and shared with the National Governors Prayer Team... Don't be offended, but who is your Sergeant?

BB: Marshall.

ML: Who is Marshall's Lieutenant?

BB: Underhill or Becker from time to time.

ML: Becker didn't want you at the RMAC meeting is very significant. EDSO is supposed to have a representative there.

BB: Can't argue that...Melody, you've pissed some people off!

ML: I know, but I'm speaking the TRUTH!

BB: I'll be honest, I'm probably pissing people off by digging! (laughing)

ML: I know you are! Tim Becker... I trust you, but I don't trust your boss or Becker. I'm being open. We're being bullied by the River Mafia, BOS and D'Agostini 'dogs.'

BB: Who are the dogs, do you know?

ML: Same guys who were sent in to Hennick and Big Cut Gold Mine. And Terri Cissna.

###

ML: Hi Bernie. Hope your cold is better. This is our last meeting I suspect?

BB: I hope so. **He stood me up. (Mike Bean)**

ML: He stood you up?

BB: He called to reschedule. His attorney did.

ML: Was it Tom Van Noord?

BB: I don't know. His attorney called and said they needed to reschedule the interview.

ML: There's some kind of crap coming down.

BB: And then he wants me to call and asked is he being charged? That was...

ML: Ahhhhh. They know some stuff is coming down. And this thing with Vickie Sanders and Tim Becker and all this other stuff. I'm sorry Bernie you're...
BB: Don't worry about it.
ML: I know, but I'm concerned that you're getting caught up in it.
BB: Oh no. It's OK, it's OK.
ML: It's not because I like ya, but I also know how this county works.
BB: You're exposing me to some stuff I just didn't know about.

###

ML: Yeah, well, Cris Alarcon is...
BB: He might be present with Mr. Bean and, ah,...
ML: Well what I do know is he was the master of ceremonies at the Sunday event where John D'Agostini was honored as a Constitutional Sheriff, and they were talking about Agenda 21 and all of this.
BB: Is he upset with you? Is he someone who would be utilized in cloaking IP addresses?
ML: Yes, he could be. Yes, he possibly could be.
BB: Does he have that knowledge base?
ML: Oh yes, and he works with Steve Ferry who runs the El Dorado Hills Tea Party.
BB: And I know Alarcon has a lot of, I was told this informant said, that this is a person who'll also have visibility and have connections to the county, like Vern Pierson, and all of them.
ML: Yeah.
BB: And he's done some dirty work for Ray Nutting and...
ML: Yeah, you got it boy!
BB: And I was told to watch my back once I started digging and going down that road.
ML: Your association with me in any way is going to make you very highly suspect even within your own department.
BB: I know. Don't worry Melody.
ML: I know, but I just want to see better for you.
BB: Um, but that name was given to me on day nine and they said that's a name I don't know how connected it's gonna be, but he said if someone is down here and wants some IP addresses hidden or something, he's the go-to-guy in the county.
ML: That would be Alarcon.
BB: He would know how to do it. Basically what he could do is he could make it look like the IP address that was used to possibly infiltrate or disguise you was coming from way back east. I said well now... It's not beneath him; it's more in his realm not to refuse to do something like that. So if someone came to him and said, hey here's some money, can you do this?
ML: Yeah, and I've caught him on a couple of things before.
BB: Don't mention anything that I've got him in my back pocket.
ML: I will not. I will not.
BB: OK, because they'll fire me. And I was told that. Once I open the door on him...
ML: Watch out. You're right Bernie.
BB: And they told me he's connected to Ray Nutting and all those other people. He might have done some work for the Sheriff.
ML: I mean this. I'm praying for you.
BB: Yeah, please pray for me because I think I may have opened up something I didn't want to open up.

###

BB: How about this other name--but they don't think he'll do anything--but Rodney Stanhope?
ML: Oh God. Rodney Stanhope?!
BB: He's—they think he's mentally retarded.
ML: Oh my gosh. Rodney...
BB: They think you're too far away to even be involved.
ML: Rodney. When we were meeting with Gaines and everybody else, I said you just make sure Rodney Stanhope isn't involved in any way in this meeting.

BB: They didn't think he would be, but they said as with Alarcon, he's not far behind.
ML: He's involved with some of my friends at the Capitol and they treat him—I told you I used to work for Barbara Alby...
BB: And they treat him like a leper, right?
ML: Barbara Alby didn't want anything to do with him because he is such a slime ball.
BB: But they said normally where there's one, he's not far behind Alarcon or Dellinger.

###

BB: I'm thinking, this is my intuition, where everything has been pointing, I believe it is Dave Martinez.
ML: Well I certainly pissed him off.
BB: Ha ha! You're a thorn in his side.
ML: Steve Lyles too. These guys have been on RMAC...
BB: The Beans are dirty.
ML: They're very dirty.
BB: The other people, you have ruffled feathers. Let's be honest. You've ruffled some feathers.
ML: There are other people like Bill Center...
BB: They are so fired up angry with you!

###

ML: Well, you're not going to like some of the stuff that's in this package.
BB" Oh no. What did you do? It's not bad about me, is it?
ML: No, no it's not bad. Let's just put it this way. It's addressed to you and copied to Sheriff D'Agostini.
BB: Ohhhhhhh no!
ML: Well the thing is, I know Bernie, that everything I give you is going to County Counsel.
BB: Well, hold on, hold on. It's going into evidence, not county...
ML: County Counsel sees it.
BB: No, they can't see evidence. They better not be. If they see evidence, then I have an issue.
ML: Well we've got a problem with the Grand Jury then too because they have been diverting stuff too. The CAO...
BB: Melody, I've been putting your stuff into EVIDENCE.
ML: Well anyhow, what I'm going to...
BB: I...I...I'm not comfortable with that information because now it's jeopardizing the integrity of my investigation.
ML: Well the thing is I know where it's going.
BB: Well short of them, someone going in and pulling stuff out of evidence...
ML: I know how County Counsel works, Bernie. I know how they work and this whole business and what happened at Tuesday's BOS meeting...

###

BB: You're gonna get me fired.
ML: No, No I'm not going to get you fired. But what I'm saying, the longer this takes going to the cybercrime division, the greater jeopardy it's putting me AND other people whom I represent.
BB: The Wades.
ML: Not just the Wades. There's other people too whose names I cannot give you and reveal their identity. Because the Wades info is now public information, that I can share with you.

· ###

BB: And every time I turn a stone over. I'm not trying to be... You've got a list of people who are just fending for you.
ML: There's a lot of people. Like I've said, we refer to them as the River Mafia.

BB: In the short term, young lady, it comes down to three individuals: Dave, Alarcon and Bob Palacios.
ML: Bob Palacios does not have the technological ability.
BB: He's UPSET with you.
ML: Oh sure he is. Sure he is. That ended up in court.
BB: Right. So he's not happy with you.

###

ML: I don't care. But you keep interviewing. Then there's Tom Van Noord, and Van Noord works with the American River Conservancy. All of these guys are in bed together. And they're going to be pointing the finger at somebody else. And it's going to go around like a circular firing squad.
BB: Melody, I'm telling you how some people are getting nervous. Some people don't want to go to jail. Like I said, I'm getting close. Like I said...
ML: Did you ever have your interview with Mike Bean?
BB: Uh huh. Uh huh.
ML: With an attorney?
BB: No. He talked to me on the phone.
ML: Oh, he did?
BB: Uh huh.

###

ML: Well, is the Sheriff's Department going to give me a hard time about getting my CCW?
BB: I think...
ML: Vickie Sanders even said she wanted to get a CCW because she's afraid of the RMAC people.

###

ML: This whole thing with homicides and burn outs. I've been expecting something. They'll either burn me out, poison my dog like they did to a friend's dog...
BB: If you see someone on your property you call 911. You give me your word.
ML: No.
BB: You give me your word!
ML: At this point...
BB: You give me your word that you'll call. I'm not going to back down on this. If someone is on your property you call 911. Promise me. Look at me and promise. No, look at me and promise.
ML: I'll call.
BB: OK. Ha ha ha.
ML: I may call but it will be my gun in one hand and my phone in the other.
BB: That's fine, but at least call.
ML: But I will use my gun.
BB: Sure! I don't care. Use your gun.
ML: But you guys can't get out here. That's what Deputy Dave Petty even told me.
BB: I'm not telling you not to protect yourself, but you will call. OK? And if it's while I'm working you better call. Is that a better deal? I'll negotiate with ya.
ML: Yeah.
BB: You protect yourself.
ML: What I'm concerned about too is this whole deal with my CCW.
BB: You haven't done anything illegal.
ML: No, I haven't.
BB: So you have to show cause why you can't have it.
ML: Well, yeah, well see what happens.
BB: We'll see too...

ML: But my concern is, and the concern of everyone else who knows what's going on and knowing the risk I'm taking...
BB: (laughing)
ML: ...they say you HAVE to get your CCW.
BB: You put the fear of God in them when you go to that RMAC meeting!
ML: It's not so much my intention to carry around a gun and to flaunt it, but if I have to go into a situation...
BB: I agree with you!
ML: I'm dealing with Mafia-type individuals.

###

Considering the assaults and number of threats that have been made against me, I'm sure you can appreciate why my personal safety and security of my property is of paramount importance. Your lack of willingness to meet and permit me the right to communicate electronically with any EDSO staff is indicative that you have something to hide and in flagrant violation of your oaths. It is thus your political power plays and collusion with other EDC public officials endangered my personal safety and security. It is even more disturbing when members of law enforcement deprive me of my inherent secured rights, and worse yet, attempt to intimidate me into submission when I've challenged them for their unconstitutional actions. For this reason I've found it prudent to audio record all my interactions with EDSO staff.

RIVER MAFIA POLITICS

The River Management Plan (RMP), aka River Mafia Politics, was coined over 30 years ago in conjunction with the River Management Advisory Committee. Although not technically Mafia, they operate just like the Chicago Mafia. Former Supervisor Bill Center was known as "The Godfather." His business partner in the American River Conservancy is my neighbor, Alan Ehrgott, known as "god of the river" (i.e. "gott" is the German word for "god.") Nate "The Snake" Rangel is his nickname that goes back to the 1980s. Donna McMaster is the "master" of the Coloma-Lotus News. They are an extremely liberal-Progressive-environmental group known for their bully tactics, libel and hate crimes.

Nearly 20 years ago, when I started attending RMAC meetings held in the Marshall Gold Discovery Park Museum, I found it necessary to get law enforcement involved, as per the River Management Plan, in order to ensure the peace and safety of all participants, particularly women. That's when their targeted retaliation against me and others began in earnest. Although four women whom I personally know have been forced out of El Dorado County by the River Mafia Mob, I have courageously stood in the gap for those who've been intimidated and/or fearful for personal safety by Mob tactics.

EDSO DISCRIMINATION

With the encouragement of Deputy Bernie Brown, I submitted an EDSO Ride-Along Application to Theresa Renz on September 22, 2015 @ 9:30 AM. The EDSO clerk informed me Theresa would contact me within a week to schedule a ride-along with a deputy. If possible, I requested to ride-along with Deputy Bernie Brown.

On November 20, 2015 @ 11:35 AM, I stopped by EDSO to check on the status of my Ride-Along Application. Since Theresa wasn't available, I left a message for her to call me. Theresa returned my call at 1:01 PM informing me that my application had been forwarded to Sgt. Danny Bears for approval and I could call him at 621-5692 to check on the status. I left a message for Sgt. Bears to call me.

On November 23, 2015 @ 9:33 AM I received a phone message from Sgt. Danny Bears informing me that my Ride Along submitted 9/22/15 had been declined by Under Sheriff Randy Peshon. I was told to call 621-6572 for further information.

When I called and asked for an explanation why my ride along was declined by the Under Sheriff, I was shocked when Sgt. Bears replied, *"Based on the fact, um, he felt it would not be conducive to the safety of the community, yourself and the public, and he was basically concerned about your ability to take direct orders from a deputy."* His explanation made no sense whatsoever and was insulting. A full transcript of my interaction with EDSO is attached as **Exhibit F**.

Since our initial 2011 meeting in your office, you agreed to meet quarterly. Our last meeting took place September 4, 2012 with Development Services Director Roger Trout, Lt. Tim Becker and Marshall Gold Discovery Park Superintendent Jeremy McReynolds. I arrived at the scheduled time but was kept waiting out in the lobby for 15 minutes. When Laura Lyons ushered me into your office it was apparent the four of you were concluding a pre-arranged meeting. From your collective demeanor, I sensed a change in what had previously been cordial and cooperative discussions. Near the end of our abbreviated meeting the following dialog took place:

John D'Agostini: When can I come to one of these **Compass** meetings?

Melody Lane: Your friend Ray Nutting just asked that same question at last week's Board of Supervisors meeting...We're a whistleblower organization, so the anonymity of our members is protected by law.

JD: Well Melody, I'm working with you. We're going to do whatever we can to help you folks out with these issues. But right now you're the only face of **Compass** that I know of and I'll continue to work with you. But what I'm saying is you are losing credibility and the reason you are losing credibility is because, and I've had people say that, *"You're talking to Melody? You're talking to MELODY???"* Absolutely I talk to Melody. I work for Melody. Just like I work for you; just like I work for that person, I work for this person. I work for everybody. But everybody is saying Melody Lane, this **Compass** doesn't exist.

ML: That's not true.

JD: I'm just telling you Melody. That's what's out there. And I would love to come. And as far as a whistleblower, Melody, I worked with narcotics for years. That's what my career was. I dealt with informants. I've never given up an informant. I've never thrown anyone under the bus *unless they've burnt me*. But I'm telling you, that's what's going on. And I would love to come and let your organization to know and get input from them, not just from Melody, but from everybody else, what we can do more to help you.

ML: John, there is a group meeting that you can come to and there will be **Compass** members there but you won't know which ones are **Compass** members and which ones aren't. But the thing is, and I understand you're going to be attending the Sheriff Mack Vegas conference—the Constitutional Sheriffs—we're aware you're attending that and many of those issues that we've been addressing, that **Compass** has been addressing, are part of the affiliates. That is a venue you can come to and address. We will invite you to one of those meetings.

JD: OK.

ML: Do you have a target date, Roger, for getting together with Environmental Management and Planning? Is that still something you're willing to coordinate?

ROGER TROUT: Yes, well, yeah. The CAO's office will coordinate with...

ML: John, just so you understand the issues we're dealing with, we've gotten death threats...

JD: Melody, I appreciate your position but I'm going to tell you again, and I'm sorry it's going to be in front of these gentlemen, but I have dealt with this my whole career multiple times working in narcotics and I'm just going to tell you, *I don't buy that*. I've been there. I've done it. Um, people have got to stand up like you're standing up. But if these people are so afraid that they can't stand up, then they're going to be sheep dogs—sheep--all their lives. They're sheepdogs!!

ML: The thing is, John, you have been meeting...

JD: (interrupting) *They're sheep dogs!*

ML: You have been meeting with certain people who are **Compass** members but they maintain their own sovereignty over the issues that they're dealing with but they are also members of a larger group that is a national group, which we would very much like for you to come and address sometime.

Tim Becker: What if another group comes in and says they are in conflict with your group, and so they have 400 members in Coloma, how, how do we judge that?

ML: The thing is that we're not open to just...

JD: (interrupting) That's why I'm sitting in this seat to balance things out and work things out.

ML: Might doesn't necessarily make right. But we are standing on Constitutional and Christian principles. And again, we're a very unique organization. We're not like all the other 501C3's out there. We're very unique because we are dealing with Sustainable Development (Agenda 21) and we're getting the kickback...when I say kickback I mean push back...

JD: Have you read ***Behind the Green Mask*** yet?

ML: No, not yet...

JD: You've got to read it. It will help you.

###

Constitutional law was a primary topic of several area meetings and conference calls hosted by Kirk MacKenzie from Defend Rural America. In May of 2013 you attended the Auburn DRA meeting where Ron Gibson was one of Kirk's featured speakers. The following day I hosted an all-day private symposium in my home on the topics of Constitutional Law, RICO Act, Jurisdiction, and Land Patents. Initially I'd invited 18 key individuals to hear both Kirk MacKenzie and Ron Gibson who were slated as my guest speakers. However when Kirk MacKenzie indicated that he wanted to bring Sheriff D'Agostini and Supervisor Brian Veerkamp into my home, it became necessary to 'un-invite' Kirk because we just couldn't take the risk of exposing the identity of my guests to you or Veerkamp.

Of the 18 individuals whom I'd invited, 17 of them showed up, and many of them didn't leave until after midnight. One of my guests was Joe Hardesty, owner of the Big Cut Gold Mine. Others included a nationally known author, a Christian radio host, and former candidates for public office whom I knew while working at the Capitol. Without exception, when asked to state their names and reason for attending this private symposium, they unanimously responded with "*Government corruption!*"

**PUBLIC SAFETY &
OFFICE OF EMERGENCY SERVICES**

In the event of another arson fire on Mt. Murphy it is important to recognize that there is no emergency evacuation plan for our historic community. Concerns about egress on the one-lane Mt. Murphy Bridge connecting both sides of the Marshall Gold Discovery State Historic Park have been repeatedly brought to your attention and the BOS, but to no avail. To the dismay of residents, the vitally critical topic of an emergency evacuation plan has been deliberately obfuscated and avoided during multiple meetings held in Coloma. Your failure to take action upon the concerns expressed by Citizens about this very serious issue, along with that of the BOS, constitutes dereliction of duty, malfeasance of office and perjury of your oaths, as further described below.

The extreme fire conditions that have garnered national attention are exemplary of Coloma resident's valid concerns about another wildfire occurring on Mt. Murphy in the Marshall Gold Discovery State Historic Park. We've had five arson fires on Mt. Murphy, within an eight year period that were ignited directly on my property or within ¼ mile of my home. For years the county has been ignoring Coloma-Lotus resident demands for increased code/law enforcement and a Community Evacuation Plan. Petitions were submitted to the County in 1988 and again in 2001 addressing our concerns, yet certain documents were destroyed and others mysteriously "disappeared" from county records. These constitute criminal actions on the part of EDC, again, dereliction of duty, malfeasance of office, violation of oaths, violations of the Constitutions and inherent rights secured to the people of EDC.

Even more troubling was the slick presentation provided by the Sheriff's Office and Emergency Services during a Board of Supervisors meeting, yet it was openly stated that individual Community Evacuation Plans do not exist. There's something very wrong with this picture. Coloma represents the heart and lifeblood of El Dorado County. It also has a sordid *history of Mt. Murphy arson fires and poorly maintained roads with insufficient egress in the event of an emergency*. We pray it won't take another catastrophic fire to spur you into taking the long overdue and necessary preventative action to ensure the safety of its residents. Elected officials appear to be more concerned about *grant funding* to build bridges to no-where, whitewater parks, trails, and other tourist amenities that will increase revenues meanwhile ignoring or minimizing the practical aspects of *private property, public safety* and appropriate *land management*.

All of these facts clearly demonstrate that the elected and appointed officials of EDC are in dereliction of duty, malfeasance of office have zero concerns for the safety of the Citizens who live in EDC. This proves, by their own actions and inaction, that the EDC officials routinely violate their oaths as an apparent custom, practice and policy, violate the Constitutions, at will, violate the constitutionally secured rights of the Citizens, at will, thus, have invoked the self-executing Sections 3 & 4 of the 14th Amendment, and, lawfully, pursuant to the superseding authority of the Constitution, have ALREADY VACATED THEIR OFFICES AND HAVE ABSOLUTELY NO LAWFUL AUTHORITY TO CONDUCT ANY COUNTY AND PUBLIC BUSINESS FROM THOSE OFFICES OR TO DRAW SALARIES AND BENEFITS FROM PUBLIC FUNDS. Any actions they take in those offices are not only unlawful, but also illegal, and any public

funds they expend from those offices are spent unlawfully, without valid constitutional authority.

During the latter part of 2014, El Dorado County experienced the devastation of the Sand & King fires. Due to the intense drought and a history of five arson fires ignited directly on or near my property, local residents were especially apprehensive about careless campfires that could necessitate an evacuation in the Coloma valley. The problem is there is no evacuation plan for our community. This is particularly a concern for those of us who live on the north side of the one-lane Mt. Murphy Road Bridge in the center of the Marshall Gold Discovery State Historic Park. Even more troubling is the lack of code or law enforcement, because EDSO and county officials refuse to take correct responsible actions to ensure the safety of EDC Citizens.

For example, on July 4, 2014, my neighbor, Jim, called 911 to report extremely loud noise and illegal fireworks in the Ropes Course area of the Coloma Resort located at the foot of my property. Jim previously called the owners of the resort to complain, but they blamed it on the American River Resort on the other side of the river. That has been their typical modus operandi. Jim called them liars because he could actually see the fireworks from his front porch. As an active Neighborhood Watch and Red Cross coordinator, his greatest concern was public safety in event of yet another arson fire. I was informed that EDSO never responded to his complaint about unreasonably loud noise or the threat of illegal fireworks. Once again, this constitutes dereliction of duty, malfeasance in office, perjury of oaths, and recklessly endangering the Citizens of EDC by failing to take proper constructive actions.

When Jim called me the next day he was still very upset with the Coloma Resort and the unresponsive and irresponsible attitude of EDSO. That was not at all surprising to those of us who recognized the futility of calling law enforcement. He was justifiably angry at the owners as well as the lack of EDSO responsiveness.

Later I called EDSO to get the Case File Number assigned to Jim's complaint but was instead provided a Call For Service number (CFS). I was informed by Dispatch that a resident must request a **Citizen's Arrest for a Case File Number** to be assigned instead of a CFS, but Dispatch claimed most people won't bother because it is too "messy". My own experience with requesting that EDSO assist in making a Citizen's Arrest has resulted in three formal complaints for officer misconduct against Deputy Terry Cissna who refused to do a Citizen's Arrest, and that's just the tip of the iceberg. On other occasions EDSO has flat out refused to assist me, falsified their case file reports, and/or denied my right to a copy of the report form. All of this constitutes blatant fraud on the part of EDSO. Further, it appears that EDSO's own rules, regulations and policies distract from EDSO lawfully required duty to protect the Citizens of EDC and assist them with Citizens' Arrests.

When EDSO discourages residents from filing a Citizen's Arrest and pressing charges, the offender is essentially *granted permission to continue illicit activity* without fear of consequences. It hasn't been a matter of whether the Citizen won't "bother" to file a Citizen's Arrest. In actuality, EDSO openly discourages and REFUSES a Citizen their lawful right to do so, and in fact, distracts the Citizen from pursuing the lawful

objective based upon EDSO's fraudulent positions! That's exactly why **Compass2Truth** was formed in 2009 and remains a persistent voice advocating for Constitutional rule of law, transparency and accountability to the Citizens of El Dorado County. All of this appears to be abhorrent to EDSO and EDC officials. Reality is reality and if this were not the case, then EDSO and EDC officials would have already acted for the benefit and safety of their Citizen-constituents.

I have called EDSO on numerous occasions to report annual illegal fireworks at the Coloma Resort, but each time I have been dismissed by Dispatch as a "nuisance". Dispatch staff should be fired for dereliction of duty and malfeasance in office, just for openers! For you to permit, encourage and uphold these blatantly irresponsible and flagrantly unconstitutional actions conclusively proves that you are not worthy of office and in fact have vacated your office, pursuant to the aforementioned Sections 3 & 4 of the 14th Amendment. EDSO has never followed up on any of the illegal fireworks reported by residents, nor have they even bothered to interview witnesses.

The 2007 arson fire upon historic Mt. Murphy overlooking the site of the 1848 Marshall Gold Discovery was ignited by third generation firefighter Ben Cunha. That fire claimed the life of my beloved golden retriever. The letters and photographs that I broadly distributed captured the attention of Governor Schwarzenegger, California Fire Marshal Ruben Grijalva, Congressman Doolittle, Senator Dave Cox, and several other legislators and government agencies.

When it was discovered that I worked for the Sacramento City Manager, early one morning I was suddenly escorted by the Director of Governmental Affairs to an offsite location and threatened with the loss of my job for creating such a "stink" by exposing the scandalous government cover up. Cunha was eventually placed under \$10 million bail, same as the King Fire arsonist. However in order to 'save face' for his family of respected firefighters, Cunha was shipped out of state to live with relatives while the scandal died down. This is an absolutely criminal action on the part of California government and conclusively proves that errant government is the enemy of the people, and not the servant it was intended to be. Actions speak louder than words, and the actions of government in this regard were totally unconstitutional, unjustified, fraudulent, and without any validity whatsoever.



2007 Arson Fire - **Mt. Murphy Phase II Acquisition**: A public lands acquisition project managed by the American River Conservancy protecting native fisheries, upland habitat, and the scenic backdrop of Sutter's Mill and the Marshall Gold State Park – Another project funded by Proposition 50 through the California Resources Agency to improve River Parkways. Arnold Schwarzenegger, Governor & Mike Chrisman, Secretary of Resources.

In 2007, I discovered that Deputy Terry Cissna falsified report EG07-1796. I had requested EDSO respond to repeated calls for assistance to make a Citizen's Arrest for trespassing & cutting off my fire egress on the lower portion of my property at Bayne Road. Instead of responding, Deputy Cissna aided and abetted the trespassers, Alan Ehr Gott, Director of American River Conservancy, and his staff. As if that wasn't bad enough, then I discovered Deputy Cissna **falsely filed a report with the District Attorney against me** instead of the ARC trespassers whom I called her to press charges against. Consequently I filed a formal Citizen Complaint against Deputy Cissna for Officer Misconduct, but months later I received the EDSO standard "No Misconduct" letter.



Alan Ehr Gott, Executive Director ARC, trespassing in 2007

The irony is that the Sheriff is responsible for the EDC Office of Emergency Services, yet EDSO has dismissed or minimized constituents' reports and/or fail to investigate and prosecute arson and other crimes that are devastating residents of El Dorado

County and the rest of Northern California. Based upon their prior failures to act, it is likely that EDSO will continue to be derelict in its duty to the people of EDC.

CARRY CONCEALED WEAPON PERMIT

You have been made aware that numerous women have been harassed or attacked while hiking Mt. Murphy Road. On two occasions, the wife of a retired cop was chased past my home, and once she dove into the bushes to escape detection by the thugs. Several years ago, on a Sunday morning, I was shot at in my own front yard by two men in a white pick-up truck. Deputy Dave Petty responded to my 911 call. When Petty arrived he stated, *"I advise all Citizens to keep a gun loaded and handy in case I can't get here in time, and it's only going to get worse."*

If a woman can't arm herself, then she's at the mercy of anyone who is. Being unarmed is putting oneself at the mercy of a stronger miscreant. It's harder to disarm somebody with an edged weapon than it is a gun. The Rwandans proved that you can kill almost a million people in a matter of months just using machetes. Edged weapons are just as devastating as guns in close quarters, which is where these things usually happen. Think about that as you reflect upon case file **EG18-0098**.



Due to increasing crime and targeting of women in our river community, friends strongly encouraged me to obtain a CCW. On August 10, 2015, I submitted my CCW permit fee in the amount of \$108 to the EDSO Records Department. At that time I was informed the CCW process would take approximately six to eight weeks before a permit would be issued. In total I paid over \$600 in fees and completed my CCW training with flying colors.

Months later, when all my inquiries about the status of my CCW were left unanswered, it appeared that the approval of my permit had been deliberately delayed. Finally I received a phone call from EDSO Records to schedule an appointment for my CCW interview on January 7, 2016 at 9:30 AM at your Broadway substation, and I was instructed to bring my weapon with me. It was during my interview with Detective Sean Fitzgerald that I discovered my background check had been held at EDSO since October 21, 2015. Fitzgerald proceeded to grill me for one full hour about specific incidents stemming from formal Citizen Complaints I'd filed for EDSO misconduct, all of

which had been submitted to both the District Attorney and to the Grand Jury for investigation. The Deputy Terry Cissna incidents involving American River Conservancy figured predominantly in Fitzgerald's interrogation.

Detective Fitzgerald questioned the validity of my answers on the CCW application by strongly suggesting I'd committed perjury, without any evidence to support his false statement. Upon conclusion of the interview I assured him all the facts surrounding the officer misconduct complaints could be substantiated with photos, videos, audios and detailed documentation. I met all of the qualifications for my CCW and answered Detective Fitzgerald truthfully. After examining my weapon, Detective Fitzgerald said he'd submit his interview report, and I'd receive a letter in the mail within the next two weeks regarding the status of my CCW permit. A notarized affidavit attesting to my interaction with Fitzgerald is attached as **Exhibit G**.

Approximately two hours after my appointment with Detective Fitzgerald, I received a phone message from Deputy Gillespie stating my CCW permit had been APPROVED, therefore, I was instructed to schedule an appointment with Records to pick up my permit which was scheduled for five weeks later on February 16th at 11:20 AM.

Then, adding insult to injury, without any justification, just *three days* before I was scheduled to pick up my approved permit, you sent a certified letter rescinding my previously approved CCW, and indicating that I had 30 days to appeal your decision. Twice, I went through the CCW appeal process only to get the same run-around. Consequently I publicly served you with a Notice and Demand in the presence of at least 50 people during the May 2016 Garden Valley Rural Communities Coalition meeting. It was evident by the response of Chief Counsel Mike Ciccozi that you had no intention of even considering my appeals or granting me a CCW permit for self-protection. As such, despite my having passed muster with flying colors and receiving approval for my permit, you, by your actions rescinding my permit have placed me at unnecessary risk of harm and danger due to your and EDSO deliberate discrimination and unconstitutional statutes and/or policies. **(See Exhibits H1 & H2)**

Law enforcement has failed to stop crime; therefore, I have a natural right of self-preservation as recognized in the Second, Ninth and Fourteenth Amendments. The right to self-preservation includes the right to possess the tools to defend oneself. The right to keep and bear arms is a natural inherent right, constitutionally guaranteed, that every law abiding Citizen possesses; this right can never be restricted, limited, legislated, abridged, and/or denied, in any lawful way, whatsoever, by lawful Government. When government denies or limits a right guaranteed in the Constitution(s), as you and EDSO have done to me, then that proves conclusively that you and EDSO, by your own actions, oppose the Constitutions, right guaranteed therein and, again, have invoked the referenced Sections 3 & 4 of the 14th Amendment, thereby vacated your offices. The right to keep and bear arms means exactly that—keep and bear, which means possession on one's body, at any time and in any place. Yet, if I was to exercise my right to self-defense, self-preservation, self and family protection,

and my right to keep and bear arms without obtaining a CCW, I would be unlawfully arrested, prosecuted, and incarcerated. Domestic enemies are those who oppose inherent rights guaranteed in the Constitution(s) and due process of law, and it is abundantly clear by your actions and those of EDSO that you are domestic-enemy-traitors to the people, to the Constitution(s) and to America, herself.

EDSO staff has engaged in misleading, deceptive, or otherwise contrived actions and schemes in the course of denying qualified Citizens, such as me, a CCW permit. Such schemes and actions are designed to mask the unlawful and improper denials of CCWs. (See *Riddell v. Riddell Washington Corp.*, 866 F.2d 1480, 1491, D.C. Cir. 1989).

Sheriff, you are not above the law. Further, to remind you of your campaign rhetoric, YOU WORK FOR THE PEOPLE. There is no reasonable explanation for your actions taken against me and the legitimate concerns I have reported and/or attempted to report to you. Your intentional co-conspiracy, in collusion with County Counsel, appears to have been done in retaliation against me for holding your feet to the fire, and in so doing, you maligned my good name, character, and reputation. As Thomas Jefferson so wisely stated, **"The two enemies of the people are criminals and government, so let us tie the second down with the chains of the Constitution so the second will not become the legalized version of the first."** My actions throughout all of the many interactions I have had with you, as well as my valid attempts to communicate with you and with EDSO have been conducted in the letter and spirit of Jefferson's statement. Authorizing your staff to deny someone their Natural and constitutionally guaranteed right to keep and bear arms on the basis of your prejudice violates everything the Bill of Rights protects. (See also USGC Title 18, Sections 241 & 242.)

Such discriminatory actions committed, permitted and directed by a man who *claims* to be a "Constitutional Sheriff" is the mark of a criminally corrupt communist-style Police State in the making. By your unconstitutional and unlawful actions and those you have directed your staff to commit, you have contributed to recklessly endangering my personal safety, abused the public's trust in law enforcement. You are a disgrace to the Constitution(s) and this letter will be sent to the CSPOA, to the Oath Keepers and other organizations that claim to be guardians and enforcers of the Constitution(s).

Government representatives are agents of the People, receiving their limited, delegated authority from the People, and accepting the duty to exercise this authority on behalf of the People to support and enforce the national and state constitutions. Therein resides the problem with the Sheriff's Office. By your actions and in some cases, inaction, it is clear that you have violated on numerous occasions each and every one of the above provisions. You've been made aware of unlawful government practices within your department, yet you've failed to take any corrective measures. In so doing, you've aided and abetted the perpetuation of government fraud, and are therefore culpable, complicit and liable.

When you and other public officers violate the Constitutions, at will, as an apparent custom, practice and policy of office, you and they subvert the authority, mandates and protections of the Constitutions, thereby act as domestic enemies to these Republics and their people. When large numbers of public officers so act, this reduces America, California, and the County of El Dorado to the status of criminal frauds operating for the benefit of errant unconstitutional governments and their corporate allies, and not for the people they theoretically serve.

You have no constitutional or any other valid authority to defy the Constitution, to which you owe your LIMITED authority, delegated to you by and through the People, and to which you swore your oath. Yet, by your actions against me, committed repeatedly on the aforementioned dates and several other occasions, you've deprived me of my inherent rights. It is apparent the public's input has been reduced to irrelevancy, thereby demonstrating that public meetings are little more than dog and pony shows, with predetermined outcomes, designed to falsely give Citizens the impression of government transparency and accountability, while providing neither.

Depriving the public of honest services is a federal crime. My claims, statements and averments also pertain to your actions taken regarding your failure to provide honest public services, pursuant to your oaths. All public officers within whatever branch and whatever level of government, and whatever be their private vocations, are trustees of the people, and accordingly labor under every disability and prohibition imposed by law upon trustees relative to the making of personal financial gain from a discharge of their trusts. That is, a public officer occupies a fiduciary relationship to the political entity on whose behalf he or she serves and owes a fiduciary duty to the public. The fiduciary responsibilities of a public officer cannot be less than those of a private individual. You have failed your fiduciary responsibilities and duty as the Sheriff of El Dorado County.

The First Amendment guarantees the Right of free speech and the Right to petition government for **redress of grievances**, which, the oath taker, pursuant to his oath, is mandated to uphold. If he fails this requirement, then, he has violated two provisions of the First Amendment, the Public Trust and perjured his oath. By not responding and/or not rebutting, the oath taker denies the Citizen remedy, thus, denies the Citizen constitutional due process of law, as stated within the Bill of Rights. By your own actions, pursuant to your oath, you have violated these First Amendment guarantees. An American Citizen, such as I, can expect, and has the Right and duty to demand, that government officers uphold their oaths to the Constitution(s) and abide by all constitutionally imposed mandates of their oaths. This is an un-enumerated Right guaranteed in the Ninth Amendment, which I hereby claim and exercise.

Furthermore, there is no legitimate argument to support the claim that oath takers, such as you, are not required to respond to letters, emails or meeting requests, which, in this case, act as petitions for redress of grievances, stating complaints, charges and claims made against them by their constituents or by Citizens injured by their actions.

You can either uphold your oath and the rights and best interests of the people, or violate your oath and your duties to the people. As stated previously, anytime you perjure your oath, defy the authority of the Constitutions and step outside of the lawful scope of your limited, delegated duties and authority, you are personally liable. In fact, the national Constitution provides remedy for the people when public officers, such as you, perjure their oaths, which remedy, in part, can be found at the referenced Sections 3 and 4 of the 14th Amendment.

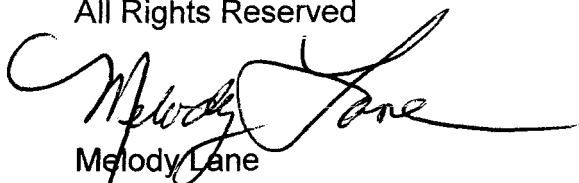
Pursuant to the constitutional mandates imposed upon them, by and through their oaths, there is no discretion on the part of public officers to oppose the Constitutions and their oaths thereto, nor to be selective about which, if any, mandates and protections in the Constitutions they support and uphold. The mandates and protections set forth in the Constitutions are all-encompassing, all-inclusive and fully binding upon public officers, without exception, as they are upon you. All of the facts, claims and charges stated herein clearly demonstrate that you, pursuant to your oath, acted outside the lawful scope of your limited duties and constitutional authority; therefore, you acted on your own, as a private Citizen and renegade, outside of any governmental protection and/or immunity, whatsoever. If government were to protect and defend your unconstitutional actions, then, that government becomes complicit in those actions, condones, aids and abets them.

If you disagree with anything in this letter, then rebut that with which you disagree, in writing via a notarized affidavit, with particularity, to me, within thirty (30) days of the date of this letter, and support your disagreement with valid evidence, fact and law.

Your failure to respond, as stipulated, is your agreement with and admission to the fact that everything in this letter is true, correct, legal, lawful, and is your irrevocable agreement attesting to this, fully binding upon you, in any court in America, without your protest or objection and that of those who represent you.

Sincerely,

All Rights Reserved



Melody Lane

Attachments:

- Exhibit A – August 2011 meeting agenda with Sheriff D'Agostini
- Exhibit B – 8/6/18 EDSO CPRA re: EG18-6720, EG18-0098, EG15-5698 & EG15-5793
- Exhibit C – EDSO "No misconduct" form letter
- Exhibit D – AOA warning letter to Palacios
- Exhibit E – Tim Hardy affidavit
- Exhibit F – Ride-Along transcripts
- Exhibit G – CCW interview affidavit
- Exhibit H - CCW permit rescinded letter/Ciccozzi CCW appeal denial

EDSO – MGDG Meeting Agenda (JD, JM, BG, ML)

August 16, 2011

1. Public Safety – Identify “Hot Spots”

- RMAC – American River corridor
- MGDG – CA State Parks
- Cronan & Magnolia Ranch
- Kanaka Valley

2. Scope of Agencies/Authority

- Need to coordinate services w/needs of citizens
- DOT – Park – F&G – Cal Fire
- AB42

3. Navigating Obstacles to Resolution

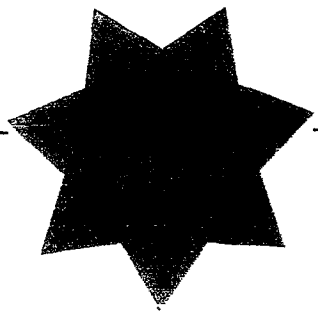
- RMAC – Brown Act Violations
- Blacklists versus GOB immunity (blind eye)
- Communication & Community Relations breakdowns (CL News - ARC)
- Black holes of accountability – round file? EDH Tea Party
- Unresponsiveness of government agencies/ reps.
- Reasonable response timeframe

4. Coordination of Code & Law Enforcement

- Move to higher level of legislative involvement
- Fines & Consequences
- \$150 Fire Fee Repeal – Investigative follow up to arson fires?
- Citizen Arrests?
- Emergency Preparedness Training?
- Watchdog Orientation
- Involve Faith Community

EXHIBIT A

Rec'd 2/27/15



JOHN D'AGOSTINI

REPLY TO:

SHERIFF - CORONER - PUBLIC ADMINISTRATOR
COUNTY OF EL DORADO
STATE OF CALIFORNIA

HEADQUARTERS
300 FAIR LAKE
PLACERVIEW
CA 957
530 621-5
FAX 626-8

JAIL DIVISION
300 FORNI ROAD
PLACERVIEW
CA 957
530 621-6
FAX 626-9

February 23, 2015

Ms. Melody Lane
P.O. Box 598
Coloma, Ca. 95613

TAHOE PATROL
1360 JOHNSON BLVD., SUITE
SOUTH LAKE TAHOE
CA 961
530 573-3
FAX 544-6

Dear Ms. Lane:

TAHOE JAIL
1051 AL TAHOE BLVD
SOUTH LAKE TAHOE
CA 961
530-573-3
FAX 541-6

This letter is to inform you that the El Dorado County Sheriff's Office Internal Affairs Section has investigated your complaint of misconduct involving an Officer with our Department.

The investigation has been completed and it has been determined that there was no misconduct on the part of the Officer and no further action will be taken.

I am not at liberty to discuss any details of the investigation with anyone due to the California Penal Code and the California Attorney General's opinion. The related sections are 832.5, 832.7 832.8 (e) and (f) of the California Penal Code and 1043 and 1046 of the California Evidence Code.

Sincerely,

John D'Agostini
Sheriff - Coroner
Public Administrator



Sergeant Chris Felton
Support Services Division

EXHIBIT C



Alfa Omega Associates

Management Consulting • Public Relations • Publicity
Specializing in Environmental Organizational Management

P.O. Box 7171 • Auburn, CA 95604-7171
Tel/Fax: 530-888-1523 • Cell: 530-308-2689
E-mail: drdalesmith@aoaconsult.net
Dr. Dale Smith, H.H.D., General Manager

March 19, 2010

PRIORITY MAIL DELIVERY **CONFIRMATION**

Mr. Robert Palacios
P.O. Box 545
Coloma, CA 95613

Mr. Palacios,

After seeing you once before at an RMAC meeting and hearing your odious recorded outbursts against Melody Lane, under such circumstances, your request of Ms. Lane certainly will not be fulfilled. I have advised her NOT to send anything to you from *COMPAS* or have any contact whatsoever with you.

Because of the past, it would not be prudent for you to speak to Ms. Lane at any time by any means or for any reason.

If you want to find out about *COMPAS*, you can read the newspapers or make your request to me and I will consider it.

Any kind of harassment of Ms. Lane by you at any time or location would be especially irresponsible. To be sure, not only is *AOA* watching and listening very carefully but also other organizations which monitor the actions of public agencies have been appraised of this unacceptable state of affairs in a number of departments in El Dorado County.

Sincerely yours,

Dr. Dale Smith

Cc: Bill Deichtman, RMAC Chair & Employee, Marshall Gold
Discovery Historic State Park
Greg Stanton, El Dorado County, Environmental Management
Noah Rucker-Triplett, El Dorado County River Recreation
Bill Salata, Public Safety & Enforcement – CA State Parks
Melody Lane, President, *COMPAS*
Area media and other interested parties

EXHIBIT D

COPY

BELOW IS THE SWORN AFFADAVIT OF FACT BY **TIM HARDY,
THE WRITTEN RECORD OF EVENTS CONCERNING A MEETING
WITH
SHERIFF JOHN D'AGOSTINI
ON MARCH 12, 2014**

I, Tim Hardy, the undersigned, do solemnly swear, declare and depose:

- 1) That I am over the age of 18 years and competent to state to the matters set forth herein;
- 2) That I have personal knowledge of the facts stated herein
- 3) That all the facts stated herein are true, correct, and certain, admissible as evidence, and if called upon as witness, I will testify to their voracity.

A meeting was established for Tim Hardy with Sheriff John D'Agostini on March 12, 2014 at 9 AM pursuant to my request. This meeting was for the purpose of discussion of private property rights and persons acting for the government and the entrance upon private property.

I had intent of presenting evidence by having others present as witness and to speak on their behalf. It was my intent to have Melody Lane present as a WITNESS and designated SECRETARY to take notes of which Melody Lane agreed to.

Laura Lyons, administrator to Sheriff D'Agostini, came out on or about 9:05 AM and stated that the meeting was for me, Tim Hardy, ONLY. I argued the fact that I made no claim it was for me only, just that I'd requested the meeting and that the meeting was granted. Laura denied my right to have the other individuals present with me.

At that point I stated that I will discuss this with John D'Agostini myself and she reluctantly allowed me into his office. I entered in and the introduction was made between John, me and the Vehicle Abatement Supervisor. I asked John why it was that I could not have the other parties present.

His statement was that his position was that he was not going to allow Melody Lane to take up any more of the El Dorado County Sheriff's Department or personnel's time.

I explained that Melody was not there to take up the Sheriff's Department's time; she was there to be a witness and take notes on my behalf.

He stated then that Melody would make comments or ask questions that would take up his time. I replied that she was NOT there to do that.

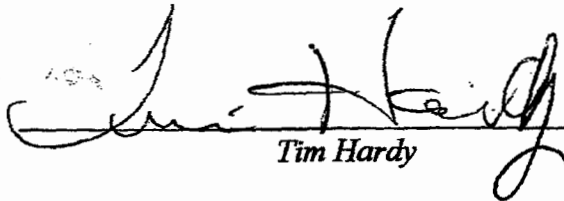
EXHIBIT E

John's decision NOT to allow the other individual to be present during the meeting was that John believed the other individual had hired an attorney. Therefore he could not have any discussion about any of that person's proceedings.

At that point I reluctantly stayed and stated that I was disappointed in the fact that these individuals were NOT allowed to be present, and therefore I had no witness on my own behalf during this meeting.

###

I, Tim Hardy, the Undersigned Affiant, depose and certify being first duly sworn on oath according to law, deposes and says that I have written the forgoing with intent and understanding of purpose the 2 page Affidavit above and that the matters stated herein are true, correct, complete and just to the best of my information, knowledge and belief.



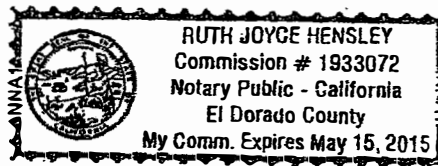
Tim Hardy

6-20-14
Date

~~_____
Notary Public for California~~ RSH

State of California, County of Eldorado
Subscribed and sworn to (or affirmed) before me
on this 20 day of JUNE, 2014.
by TIM HARDY
personally known to me or proved to me on the
basis of satisfactory evidence to be the person(s)
who appeared before me.
Signature Ruth Joyge Hensley

(RSH)



Friday 11/20/15 1:01 PM - Yes Melody. This is Theresa Renz calling back from the Sheriff's Office returning your call. I was calling to let you know actually Sgt. Bears—B-E-A-R-S—would be the person in charge of the approval of that ah, ride along. And his number is 621-5692. I hope you have a great day too. Take care.

Monday 11/23/15 9:33 AM - Hello Miss Lane. This is Sgt. Danny Bears with the Sheriff's Office. I called just to notify you that your application for a ride along has been declined. Ah, if you need further explanation you can feel free to give me a call. My number is 621-5692. And again, this is Sgt. Danny Bears with the Sheriff's Office. Thank you.

11/23/15 Transcript of phone conversation with Lt. Danny Bears:

Melody: Ah, could you give me an explanation why my ride along application was declined?

Sgt. Bears: Um, yes. The Undersheriff declined it.

Melody: Why?

Bears: Based on the fact, um, he felt it would not be conducive to the safety of the community, yourself and the public, and he was basically concerned about your ability to take direct orders from a deputy.

M: I beg your pardon? That makes absolutely no sense whatsoever. The recommendation for the ride along was made to me by Deputy Bernie Brown. I followed through with that and I was told that I would be notified by Theresa Renz within a week and I never heard anything. Um, but you said it was the Undersheriff, Randy Peshon?

B: Yeah, the Undersheriff declined it.

M: But why? That doesn't make sense.

B: Well, uh.... I just told you what he informed me of and he stated that the ride along is a privilege and not a right.

M: Well I filled out the application but I didn't say anything about my right. But I totally do not understand why that would be a detriment to the community, my safety, or anything else. That does not make sense. Um...I would like to know why it was that Supervisor Mike Ranalli around the same time made an application and he reported it publicly to the Board of Supervisors about his ride along. Why was the supervisor allowed to ride along, but me, a citizen, why was I like any other citizen, discriminated against?

B: Well....Miss Lane...I'm sorry I can't tell you that because the decision was made by the Undersheriff.

M: OK, so you're talking about Randy Peshon, correct?

B: That is correct.

EXHIBIT F

M: OK. And that decision I have a feeling came direct from Sheriff D'Agostini. Um, my safety and the issues having to do with the number of intrusions and threats and this kind of thing and the increased crime we've had in the community—I don't understand where he got the idea about my "inability to take direct orders from a deputy???" That doesn't make sense.

B: (long pause) ...Uh, I'm sorry you don't agree with it, but that's all the information I know.

M: OK. I understand you're just doing what you've been told from above, but that has told me enough about how the Sheriff's office is operating. Thank you very much.

B: OK. Have yourself a good day and happy Thanksgiving to you.

M: Thank you. You too.

B: Bye.

End of transcript

SWORN AFFIDAVIT OF FACT

BELOW IS THE SWORN AFFADAVIT OF FACT BY **MELODY L. LANE**, THE WRITTEN RECORD OF EVENTS CONCERNING MY CARRY CONCEALED WEAPON PERMIT INTERVIEW WITH DETECTIVE SEAN FITZPATRICK ON **JANUARY 7, 2016.**

I, Melody L. Lane, being over the age of 18 years of age, am hereby competent to testify to the following:

BACKGROUND:

- (1) Four Coloma women have already been threatened and encouraged to relocate for their personal safety. Due to documented concerns of overt threats to my own personal safety I was strongly urged by many friends, family and neighbors to apply for a Carry Concealed Weapon permit.
- (2) It is an established fact that the Sheriff has denied my email access to EDSO and refuses to meet with me even if accompanied by witnesses. I have found it necessary to question the Sheriff on more than one occasion regarding his Constitutional Oath of Office and Law enforcement Code of Ethics. His motive appears to be retaliation for publicly quoting him from a meeting held in his office, *"You need a new Board. All of them. Hold their feet to the fire. Mine too. I work for you."* (See Exhibit A attached)
- (3) The Coloma-Lotus community has been described by my neighbor and Chamber of Commerce President as the "environmental belly of the beast" where hostility, special interests and political agendas abound. Those who are familiar with the intrusions, libel, slander, arson, threats and hostilities I'd been subjected to expressed their dubious concerns about whether Sheriff D'Agostini would find an excuse to deny my CCW. Therefore friends and neighbors offered their help in the event EDSO was reluctant and/or unable to respond in the case of an emergency.
- (4) Sheriff D'Agostini has confirmed on several occasions that EDSO has very limited resources to cover over 350 square miles on the Georgetown Divide where crime is rampant. His support of the Second Amendment and his claim to equip citizenry with CCWs to defend their liberties is a vitally important aspect of John D'Agostini's political campaign and as a member of the Constitutional Sheriffs and Peace Officers Association (CSPOA).
- (5) The following is a graphic statement made years ago by Deputy Dave Petty after being shot at in my own front yard by two men in a white pickup truck. Responding Deputy Petty remarked, *"I advise all citizens to keep a gun loaded and handy in the event I can't get there in time. It's only going to get worse."*

EXHIBIT G

- (6) On another occasion Deputy Petty showed up at my front door unannounced at 5 AM after I had called Dispatch about a suspicious activity on my neighbors' property in the middle of the night. Dispatch had given him the wrong address, so he stopped by my home to ask for directions. Understandably Deputy Petty was surprised when I opened the door with a loaded shotgun clearly in view.
- (7) Dave Petty also was tasked with serving a Temporary Restraining Order (TRO) on a neighbor with a history of violence who had been stalking me and attending River Management Advisory Committee (RMAC) meetings for the apparent purpose of harassing and intimidating me. My pastor and members of the church in law enforcement who were familiar with the situation fully supported me in filing a TRO.
- (8) When served with the TRO, the defendant, Bob Palacios, refused to give up his guns *as required by law*. Deputy Petty was compassionate when explaining the implications and possible outcome of the defendant's refusal to relinquish guns. Filing a TRO could aggravate the defendant thus further jeopardizing my own safety. He emphasized that a restraining order provides NO PROTECTION whatsoever. Despite the risks, pastoral staff urged me to pursue filing the TRO.
- (9) Eventually the TRO matter was contested by the defendant who represented himself in court. The defendant brought with him the Coloma Resort owner, Fred Faieta, and two members of Friends of the River, individuals known for their open hostility against me. My attorney was Bill Houle, formerly Assistant District Attorney under D.A. Gary Lacy. I was accompanied by six supportive friends and three legal professionals. Additionally two pastoral staff and a member of Sierra Law Enforcement Chaplaincy were subpoenaed to give testimony on my behalf.
- (10) The outcome of the court hearing was less than satisfactory. As I was forewarned, the defendant fomented libel, slander and overt acts of hostility against me throughout our river community. Years later the hostility has not abated, and in fact has grown worse, requiring that I call EDSO Dispatch at all hours of the day and night for purposes of documentation of suspicious activity and apparent harassment. I am of the firm conviction that to remain silent is to acquiesce to their bully tactics.

CCW PROCESS:

- (11) After completing my CCW interview at 2 PM on August 10, 2015 the EDSO Records personnel provided me a 6-page list of EDSO Reviewed Handgun Courses. My receipt #995861 in the amount of \$108 reflected a Seniors Discount. At the time I was informed that the permit process would take 6-8 weeks from start to finish.
- (12) I chose to take my CCW training through Geof Peabody/Peabody's Gun Range. Geof is a personal friend whose reputation for professionalism, integrity and faith is compatible with my own ministry, values and beliefs expressed in scriptures **Luke 22:36-38**. Geof certified the successful completion of my 16 hours of training for my CCW course on August 16, 2015.

- (13) November 19, 2015 I stopped by EDSO to inquire as to the status of my CCW. I was told by Records that some background checks had just come in, but it was now taking 5-6 months to complete the CCW process. EDSO would contact me regarding my final interview.
- (14) November 20, 2015 I attended and audio recorded the Rural Communities Coalition meeting held at the Garden Valley Fire Department where Sheriff D'Agostini was the guest speaker. His subject was Increased Crime on the Divide. I personally knew many of the approximately 60 people in the room, including leader Ron Wolsfeld, who had attended my church in the Bay Area. That evening the Sheriff encouraged citizens to call EDSO Dispatch and report whenever they saw any suspicious activity.
- (15) I took the opportunity to share a recent experience involving what appeared to be frequent harassment and/or casing of my property. When I called Dispatch to report a white pickup truck parked in my driveway shining a bright spotlight onto my home and property, the responding deputy called me from South Lake Tahoe. He let me know EDSO was short staffed and due to the distance he couldn't respond in a timely manner. Nevertheless he agreed to make a report of the incident. Meanwhile I alerted my neighbor and he was able to show up in less than 5 minutes in the hope of intercepting the driver of the vehicle.
- (16) One individual questioned the Sheriff about confronting intruders or trespassers, "What do you do when EDSO can't respond in a timely manner?" Sheriff D'Agostini's reply was very revealing and contradictory. He remarked that he would give two answers: the official EDSO response, and then his own response as a Mt. Aukum resident. The safety aspects of confrontation and legality of using a gun on your own property generated palpable tension in the room.
- (17) I then shared how a Deputy investigating Case Files #15-5698 and #15-5793 recently commented that EDSO was short-staffed and over worked since eight of the 16 deputies assigned to the western EDC slope had recently left for higher pay outside the county. The concern was how the staff shortage would affect EDSO responsiveness to the higher demand created by increased crime incidents. The Sheriff appeared to be visibly upset by my statement and wanted to know the name of the deputy that provided me that false information. Before I could respond, Sheriff D'Agostini claimed to have a staff of 53 deputies on duty to respond to citizens need for law enforcement. Later as we exited the building, I provided the Sheriff with the name of the officer who had provided the information, Deputy Bernard Brown.
- (18) Then when I broached the subject of the length of time it took to process a CCW permit Sheriff D'Agostini appeared uncomfortable with the comments and concerns it generated from the audience. My own concerns about personal safety were expressed, especially since I'd been targeted for my role in exposing local government corruption while addressing BOS meetings. The Sheriff claimed it was now taking 6-8 MONTHS for EDSO to process a CCW. Although I'd initially been told my CCW would take 6-8 WEEKS, the Sheriff publicly stated my CCW still had about five more months to go through the process.
- (19) Over the course of the next few weeks it became apparent that the Sheriff had given EDSO staff orders to give me differential treatment. Staff that had previously greeted me by

name and engaged in friendly conversation when I dropped by Records had inexplicably become very cold, aloof and impersonal. They now requested I be seated in the main lobby and wait to be called just to retrieve a document. At times I had to wait 90 minutes, or come back another day. CA Public Records Act requests for EDSO information submitted to publicly to County Counsel also appeared to be the reason the Sheriff was on the defensive. He clearly did not like having his “feet held to the fire.”

- (20) Eventually I was told to call Dispatch to have a deputy come out to my home to pick up material evidence relevant to Case File investigations, specifically EG15-5698 and EG15-5793.
- (21) With the encouragement of Deputy Bernie Brown, I submitted an EDSO Ride-Along Application to Theresa Renz on September 22, 2015 @ 9:30 AM. The EDSO clerk informed me Theresa would contact me within a week to schedule a ride-along with a deputy.
- (22) On November 20, 2015 @ 11:35 AM I stopped by EDSO to check on the status of my Ride-Along Application. Since Theresa wasn't available, I left a message for her to call me. Theresa returned my call at 1:01 PM informing me that my application had been forwarded to Sgt. Danny Bears for approval and I could call him at 621-5692 to check on the status. I left a message for Sgt. Bears to call me.
- (23) On November 23, 2015 @ 9:33 AM I received a phone message from Sgt. Danny Bears informing me that my Ride Along submitted 9/22/15 had been declined by Under Sheriff Randy Peshon. I was told to call 621-6572 for further information.
- (24) When I asked for an explanation why my ride along was declined by the Under Sheriff, I was shocked when Sgt. Bears replied, *“Based on the fact, um, he felt it would not be conducive to the safety of the community, yourself and the public, and he was basically concerned about your ability to take direct orders from a deputy.”* His explanation made no sense whatsoever. A transcript of the phone conversation with Sgt. Bears is attached to this affidavit. **(See Exhibit B)**
- (25) January 4, 2016 @ 2:12 PM I received a phone call from Debbie at EDSO to schedule an interview appointment for my CCW on January 7, 2016 @ 9:30 AM the EDSO office located at 1323 Broadway in Placerville.
- (26) January 7, 2016 I arrived for my CCW appointment at 9:35 due to slow moving equipment that had obstructed my route on Highway 49. I was greeted at the door by a man I'd never seen before who obviously knew who I was. The detective sternly told me to take a seat in the lobby and wait since another applicant had shown up early and taken my place.
- (27) At 10:00 AM the detective came out to the lobby and told me to follow him. When I asked his name, he coldly replied, *“I'll tell you when we get back to my office.”*
- (28) Detective Sean Fitzpatrick commenced to ask me some of the same questions that were on my CCW application. He then indicated that my gun was not registered so I explained that it was inherited from my father's gun collection. Sean produced a sheaf of papers which we reviewed together until I questioned when exactly my background check was received by EDSO.

He removed the papers from me and looked through them until he found the date received **October 21, 2014**. I inquired if EDSO had my background check since October, then why did it take so long to get my January 7th permit appointment?

- (29) Fitzpatrick's attitude suddenly became stern and his questions became more strategically pointed, strongly suggesting that I deliberately committed perjury in order to qualify for the CCW. The unreasonable manner in which he was asking questions led me to believe he was trying to elicit a response that was falsely construed to disqualify me from obtaining a CCW, just as I had been initially warned. His interrogation made me feel like I was being framed. I replied that I had answered every question truthfully and factually.
- (30) Fitzpatrick then questioned me about a specific incident in 2007 when I requested EDSO assistance in making a Citizen's Arrest for trespassing by American River Conservancy staff on my private property. I explained Deputy Terri Cissna reluctantly responded to my request to make a Citizen's Arrest, but it became apparent that she had been aiding and abetting the ARC.
- (31) It wasn't until weeks later that I found out Deputy Cissna had filed a false report **EG07-1796** claiming illegal discharge of a gun on my own land. After reporting to EDSO about another trespassing incident, I learned during a conversation with the responding deputy that Terri Cissna had also filed a false complaint against me with the District Attorney regarding the 2007 incident. Recognizing it as frivolous, the deputy informed me that the D.A. dismissed the charges. EDSO's reluctance to release a copy of the Case File was very disturbing. It took weeks of phone calls to finally obtain a copy of the case report from EDSO to understand what Deputy Cissna had put in her report.
- (32) The entire 2007 interaction with Deputy Cissna was audio recorded and so it was submitted to EDSO with photos along with a Formal EDSO Citizen's Complaint for Misconduct. I also audio recorded the Citizen Complaint interview with the Sargent receiving my complaint.
- (33) Fitzpatrick further interrogated me about another incident involving Deputy Terri Cissna and the Coloma Resort in April of 2014 when I requested EDSO assist in making another Citizen's Arrest on my property (**EG14-3120**). A friend was present to witness the entire exchange when Deputy Cissna arrived at my home. It appeared Deputy Cissna had an ulterior motive, and due to her hostile attitude, it became necessary to order her out of my home and off my property. The entirety of our conversation was audio recorded and the transcript was entered into the public record during a BOS meeting.
- (34) It wasn't until weeks later when the redacted file was released to me that I discovered the case report Deputy Cissna submitted was totally misrepresented and falsified. Consequently another Formal EDO Citizen's Complaint for Misconduct was filed along with a full transcript of the audio. My complaint was addressed to Sheriff D'Agostini with the specific request to exercise my right to provide testimony at a disciplinary hearing.
- (35) I further explained to Fitzpatrick that Deputy Cissna has proven to have an unwholesome reputation during her tenure on the Georgetown Divide. She is not welcome on my property for any reason, and many other local residents feel the same way about her unprofessional conduct.

I have been present on several occasions when citizens have made complaints against Deputy Cissna only to be ignored or to receive a standard “No Misconduct” letter from the Sheriff months later.

- (36) Fitzpatrick remarked that most citizens welcome EDSO onto their property. Then he inquired into another incident on November 10, 2014 when two detectives showed up at my home unannounced, ignored No Trespassing signs, and crawled through my locked gate without prior authorization or just cause.
- (37) I explained a visiting neighbor was present to witness what transpired. My security system had warned of their unauthorized entry, so I was ready to audio record the exchange. Still in my pajamas, we greeted the detectives at the door. When Detective Natasha Gallagher demanded I produce an audio CD audio of the April 2014 Deputy Cissna incident (**EG-14-3120**), I politely told them that the audio CD was available at the District Attorney’s office.
- (38) The male detective began rudely interrogating my neighbor. That’s when I found it necessary to remind them that they hadn’t provided any notice and entered my property without authorization; therefore I calmly requested they leave. We escorted them to the gate where I received their business cards. I was later informed by Chief Investigator Bob Cosley that the detectives never retrieved the audio CD from the office of the D.A.
- (39) On November 12, 2014 I attempted to file another Formal Citizen Complaint with Deputy Culver regarding the unauthorized entry by the two detectives on November 10, 2014. Culver refused to accept my complaint and became antagonistic. I calmly stood up, exited the room and requested the lobby clerk to deliver the Citizen Complaint directly to Sheriff D’Agostini. The entire complaint interview was audio recorded.
- (40) As expected, I received yet another standard “No Misconduct” letter from Sheriff D’Agostini. I was denied my right to due process to appear and give testimony before a disciplinary hearing. It was apparent law enforcement was protecting their own instead of the citizenry whom they profess to serve.
- (41) Fitzpatrick remarked during my CCW interview that it was illegal to audio record law enforcement. I informed him that the 9th District Court of Appeals has recognized the First Amendment right to record police and/or other public officials whether or not they consent. The rationale is public officials need to be held accountable for their actions.
- (42) Fitzpatrick then said he’d be filing a report of my interview. He sounded dubious that I was being truthful, so I reiterated my confidence that I had not committed perjury and I expected that his report would reflect that I had answered all questions honestly and factually. I also reminded him that all my replies could easily be substantiated by audios, videos, and documentation submitted directly to Sheriff D’Agostini. However, his attitude gave me no reason for optimism that my CCW would be approved.
- (43) I then asked Fitzpatrick if he now wanted to examine my weapon. The one hour interview concluded at 11 AM as he walked me out to my car. While I opened the trunk to show

him my gun, I asked if he recognized the significance of my license plate, PRVB31X. He said, "No." I replied, "*Proverbs 31:10 – A virtuous woman, who can find one. Her value is far greater than rubies. I've had that license plate for 25 of the years I've been in ministry.*"

(44) As Fitzpatrick examined my weapon, he remarked that the reason my weapon probably didn't show up on the registry was likely due to a number that was not clearly distinguishable. He wrote the numbers down on a piece of paper and informed me I'd receive a letter in the mail within one to two weeks about the status of my CCW.

(45) I returned home a few hours later and was elated by a message received Thursday 1/7/16 @ 1:22 PM – "*Melody, this is Deputy Gillespie with the Sheriff's Office calling to tell you that **your CCW permit has been approved.** What you need to do now is schedule an appointment with our Records division at the main Sheriff's Office where you got your finger prints done and their phone number to schedule an appointment is 621-5703. Thank you.*"

(46) I immediately called records to schedule my CCW appointment but was surprised that the earliest I could be scheduled was **Tuesday, February 16th at 11:20 AM.** I inquired why it should take five weeks just to get a 5-minute appointment to pick up my CCW permit. The clerk replied the Sheriff's Office was really backed up.

(47) On February 12th I received a certified letter in the mail from Sheriff D'Agostini signed by Records Supervisor Serena Wilke informing me that my CCW permit has been denied. (See **Exhibit C**) The reason was:

Failure to disclose information on the application regarding being involved in an incident involving a firearm (**Case #EG7-1796 – Deputy Cissna/ARC Citizen Complaint**). The letter further stated that applicant must meet the following requirements:

- (c) Fully complete the State of California Department of Justice Standard Application for License to Carry a Concealed Weapon (CCW), FD4012
- (e) Be of good moral character.

(48) I was shocked and felt betrayed by the Sheriff. On top of maligning my character, I had been deliberately set up, deceived, retaliated against, and put in harm's way. It justified my fears about the authenticity of Sheriff D'Agostini's Constitutional Oath of Office as a member of the CSPOA.


(49) Giving EDSO the benefit of doubt, friends suggested I keep my appointment just in case "*the left hand doesn't know what the right hand is doing.*" Therefore on February 16th at 11:15 AM a witness accompanied me to EDSO Records for my CCW permit appointment. After checking the computer and with staff in another room, another clerk handed me a copy of the certified letter I'd received four days earlier. I was stiffly told to contact Bryan Golmitz with any questions. It appeared staff had been well prepared in advance how to deal with me in the event I showed up for my appointment. I replied there must be a mistake or misunderstanding because I'd received a phone message two hours after my interview with Detective Fitzpatrick informing me that my CCW had been APPROVED. Staff again directed me to call Bryan Golmitz.

(50) I contacted Sheriff D'Agostini's office and reiterated my request to his administrator, Laura Lyons, for a meeting with the Sheriff and Bryan Golmitz to discuss the EDSO inconsistencies. Something fishy clearly was going on because we'd met regularly in the Sheriff's office with other county and State Parks personnel to discuss law enforcement and public safety related issues in the Coloma region. However Laura refused my appointment request and tersely directed me to follow the process with Bryan Golmitz.

(51) After leaving a message for Bryan Golmitz to contact me I received the following voice mail message on Thursday, February 18 @ 11:19 AM – "Hi Miss Lane. This is Bryan Golmitz from the Sheriff's Office. I'm returning your call. It's in regard to the, ah, letter of denial of your CCW. Ah, the process is that instead of a meeting it is...you can write an appeal letter to me requesting an appeal of the decision made, ah, 30 days within receipt of the letter. Send that to me, ah, you can send that to me at the main office, that's 300 Fair Lane, Placerville, CA 95667. Please put it to my attention so it, uh, comes directly to me in a timely fashion. I will review, ah, the CCW application and the other material with it and I will notify you of my decision on that. Thank you very much and have a great day."

#

I, Melody L. Lane, being first duly sworn on oath according to law, deposes and says that I wrote the 8-page AFFIDAVIT above and that the matters stated herein are true to the best of my information, knowledge and belief, so help me God.



Melody L. Lane

5/11/17

Date

See Attached FSN

Notary Public for California

CALIFORNIA JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)

COUNTY OF EL DORADO)

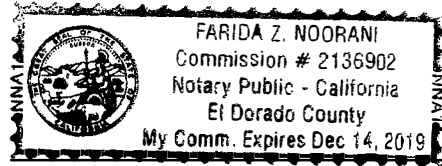
Subscribed and sworn to (or affirmed) before me on this 11 day of May, 2017
Date Month Year

by MELODY L. LANE

Name of Signers

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature: Farida Z. Noorani
Signature of Notary Public



Seal

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent attachment of this form to an unintended document.

Description of Attached Document

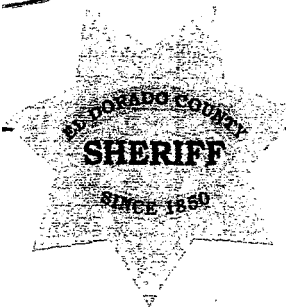
Title or Type of Document: SWORN AFFIDAVIT OF FACT

Document Date: January 7, 2016

Number of Pages: 8

Signer(s) Other Than Named Above: ---

*Cert Mailed rec'd
2/12/16*



JOHN D'AGOSTINI
SHERIFF - CORONER - PUBLIC ADMINISTRATOR
COUNTY OF EL DORADO
STATE OF CALIFORNIA

February 9, 2016

Melody Lane
6771 Mt Murphy Rd
Coloma, CA 95613

Dear Mrs. Lane,

I regret to inform that your application to renew your Concealed Weapons Permit has been denied. The reason for denial is failure to disclose information on the application regarding being involved in an incident involving a firearm (case #EG07-1796), pursuant to our Policy Manual specifically,

218.2 QUALIFIED APPLICANTS

In order to apply for a license to carry a concealed weapon, the applicant must meet the following requirements:

- (c) Fully complete the State of California, Department of Justice Standard Application for License to Carry a Concealed Weapon (CCW), FD4012.
- (e) Be of good moral character.

Should you desire to appeal this decision you may do so in writing within thirty days of receipt of this letter to Captain Bryan Golmitz at 300 Fair Lane, Placerville, CA 95667.

If you have any questions please do not hesitate to contact me at (530) 621-5877 Monday Friday 0800-1600 hours.

Sincerely,

JOHN D'AGOSTINI
Sheriff-Coroner
Public Administrator

By: *Serena Wilke*
Serena Wilke
Sheriff's Records Supervisor

EXHIBIT H-1

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DAVID A. LIVINGSTON

PRINCIPAL ASS'T. COUNTY COUNSEL
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JOMO K. STEWART

June 3, 2016

Melody Lane
P. O. Box 598
Coloma, CA 95613


Re: Notice of Fault re Denial of Carry Concealed Weapon Permit Appeal

Dear Ms. Lane:

El Dorado County is in receipt of your Notice of Fault dated April 25, 2016, in connection with the denial of a Carry Concealed Weapon permit. The County is unable to respond to your Notice in that it is not a valid procedural process. In the event it was your intent to file a claim against the County, I am enclosing for your convenience a Liability Claim Form.

Very truly yours,

MICHAEL J. CICOZZI
County Counsel

By 
Abigail L. Roseman
Deputy County Counsel

Cc: Sheriff John D'Agostini

Encl: Liability Claim Form

EXHIBIT H-2

K. Greenwood Open Farm Bos 11/3/14

Proposed

Proposed AT&T
Installation

