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## 8/30/22 BOS Open Forum public comments - Comrade Parlin Violates the Brown Act Again - Applause protected by 1st Amendment

1 message

Melody Lane &lt;melody.lane@reagan.com&gt;

Wed, Aug 31, 2022 at 2:57 PM

To: lori.parlin@edcgov.us, Kim Dawson &lt;Kim.Dawson@edcgov.us&gt;, edc.cob@edcgov.us

Cc: sue.novasel@edcgov.us, wendy.thomas@edcgov.us, george.turnboo@edcgov.us, david.livingston@edcgov.us, Donald Ashton &lt;don.ashton@edcgov.us&gt;, Richard Esposito &lt;resposito@mtdemocrat.net&gt;, Noel Stack &lt;nstack@mtdemocrat.net&gt;, Eric Jaramishian &lt;eric@mtdemocrat.com&gt;, bosfive@edcgov.us, bosfour &lt;bosfour@edcgov.us&gt;, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

The progressive left aspires to turn America into a socialist country. Our nation's core values and beliefs in freedom are being eroded. In a socialist society, one that mirrors China's communist ideology, a self-anointed ruling class will tell everyone else what to do. Two things we must remember about Free Speech: 1) that the First Amendment does not play favorites and 2) that Truth need not fear its enemies.

Last week during the Perks Court Navigation Center agenda item Comrade Parlin prohibited applause because she said it was "disruptive and against BOS protocols." When I informed her that applause was an acceptable form of expression protected by the First Amendment, and that protocols are **not law**, she demanded that I "go sit down." Compliance to totalitarianism is no virtue, so I stood my ground and responded, "I don't take orders from deviant dictators." During and after the meeting I received a tremendous amount of thanks and support for my remarks.

On April 12<sup>th</sup> of this year the BOS received from me legal justification that applause is indeed protected by the First Amendment. That message is again being entered into the public record, but here are a few salient examples:

- In *Norse v. City of Santa Cruz*, "Clapping during public comment does not amount to the type of 'actual disturbance' required by *Norse* and *Norwalk*..."
- In 1865 the *New York Times* recorded "Thereupon rose a general shout of applause. The members of the floor huzzaed in chorus with deafening and equally emphatic cheers of the throng in the galleries. The ladies in the dense assemblage waved their handkerchiefs, and again and again the applause was repeated, intermingled with clapping of hands and exclamations of "**Hurrah for freedom.**" Never was a scene of such joyous character before witnessed in the **House of Representatives.**"
- It is a long standing tradition that during the President's annual State of the Union address, members of the US Supreme Court sit quietly and without expression while members of Congress frequently interrupt the address with cheers and applause. The justices sit unmoved. Their stoic demeanor reflects a common view that the justices, **answerable only to the law**, are above the political fray and passions of the moment.

If citizens don't know their rights, then they have no rights, nor will they be able to recognize when government oversteps its bounds. Thankfully millions of Americans are finally waking up to the corruption, lies and tyranny happening in our government. Never forget that you are all public servants who have taken a sacred oath to support and defend the Constitution and our God-given rights. Ultimately you will stand before the Supreme Judge of us all to give account for your unlawful actions.

If you have any comments, make them now while I'm at the podium.

Hearing none, Madam Clerk, please enter these documents into the public record.

By the way George, I'm glad to hear your admin, Todd White, was finally forced to resign.

*Melody Lane*

*Founder – Compass2Truth*

“A nation can survive its fools, and even the ambitious. But it cannot survive treason from within... An enemy at the gates is less formidable, for he is known and carries his banner openly. But the traitor moves amongst those within the gate freely, his sly whispers rustling through all the alleys, heard in the very halls of government itself. For the traitor appears not a traitor; he speaks in accents familiar to his victims, and he wears their face and their arguments, he appeals to the baseness that lies deep in the hearts of all men. He rots the soul of a nation, he works secretly and unknown in the night to undermine the pillars of the city, he infects the body politic so that it can no longer resist. A murderer is less to fear.”—Cicero (106-43 BC)



**Applause protected 1st Amendment.docx**

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

**Sent:** Tuesday, April 12, 2022 7:03 PM

**To:** lori.parlin@edcgov.us; george.turnboo@edcgov.us; wendy.thomas@edcgov.us; john.hidahl@edcgov.us; sue.novasel@edcgov.us; david.livingston@edcgov.us; 'Donald Ashton'

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**Subject:** Today's BOS Open Forum public comments...

Lori, et al,

After Mandi Rodriguez had finished her comments during today's Open Forum you had the audacity to admonish me, and others, for applauding Mandi's comments. It should interest you to know that applause is a form of expression protected by the First Amendment.

Please take note below of just a few examples in which applause is found to be perfectly acceptable form of expression, followed by my Open Forum transcript:

- 1) It is a long-standing tradition that during the **President's annual State of the Union address**, members of the United States Supreme Court sit quietly and without expression in the first row while members of Congress frequently interrupt the address with raucous cheers and applause. Yet, despite all the rousing ovations, the justices sit, seemingly unmoved. Their stoic demeanor reflects a common view that the justices, answerable only to the law, are above the political fray and passions of the moment.
- 2) In *Norse*, the City argued that cities may define "disturbance" in any way they choose. Specifically, the City argued that it has defined any violation of its decorum rules to be a "disturbance." Therefore, the City reasoned, Norwalk permits the City to eject anyone for violation of the City's rules—rules that were only held to be facially valid to the extent that they require a person actually to disturb a meeting before being ejected.

**The Court rejected the City's argument**, stating "Actual disruption means actual disruption. It does not mean constructive disruption, technical disruption, virtual disruption, nunc pro tunc disruption, or imaginary disruption. The City cannot define disruption so as to include non-disruption to invoke the aid of *Norwalk*." *Norse v. City of Santa Cruz*, 629 F.3d 966, 976 (9th Cir. 2010).

...clapping during public comment does not amount to the type of 'actual disturbance' required by *Norse* and *Norwalk* to merit removal or ejection from the City Council meeting.

- 3) Jackson had won **confirmation to the Supreme Court**. When the final tally was announced, the Democrats broke out into applause and cheers. Murkowski joined them, while Romney applauded from across the aisle. Many Republicans had already left the chamber, but those remaining walked out during the applause. Romney remained alone on the Republican side, clapping.
- 4) *The New York Times* recorded the scene when the measure passed in January 1865: "Thereupon rose a general shout of applause. The members on the floor huzzaed in chorus with deafening and equally emphatic cheers of the throng in the galleries. The ladies in the dense assemblage waved their handkerchiefs, and again and again the applause was repeated, intermingled with clapping of hands and exclamations of 'Hurrah for freedom,' 'Glory enough for one day,' &c. The audience were wildly excited, and the friends of the measure were jubilant. Never was a scene of such a joyous character before witnessed in the House of Representatives...."

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Melody Lane, Founder Compass2Truth

4/12/22 Silence in the face of evil is evil itself

The Nuremberg Trials were all about obedient soldiers being held accountable for simply following orders. But the judges ruling over the trials determined that calling it “one’s job” did not make something right. In fact, they had a DUTY to disobey an illegal order.

George Washington once quipped that **“Rebellion to Tyrants is Obedience to God”** as he bravely confronted the most powerful military force in the world. His buddy, Patrick Henry, brazenly stated in a session of Congress, **“Give me liberty, or give me death.”** He also said, **“It is when a people forget God that tyrants forge their chains.”**

Both men chose to do the **right thing** in the face of **authoritarian wrong**. The Constitution grants no inalienable right to do the **wrong** thing.

Samuel Adams, the firebrand of the Revolution stated: **“If ye love wealth better than liberty, the tranquility of servitude better than the animating contest of freedom, go home from us in peace. We ask not your counsels or arms. Crouch down and lick the hands which feed you. May your chains set lightly upon you, and may posterity forget that ye were our countrymen.”**

Dietrich Bonhoeffer famously stated, **“Silence in the face of evil is itself evil; God will not hold us guiltless. Not to speak is to speak. Not to act is to act.”**

In the face of tyranny, cowardice often masquerades as virtue. Cowardly compliance is not virtue. Pastors, teachers, doctors, lawyers, politicians and law enforcement have let us down in the most crucial of hours. Fear is the fuel of compromise, and adherence to fear is nothing more than suicide. God cannot be pleased with **George Turnboo** and **Todd White** who pretend to be church leaders, nor the censorship of **Don Ashton, Sheriff D’Agostini, Andy Nevis, Comrade Parlin**, and **several department heads** who silently obey out of fear such government despots instead of the God of Abraham.

The preamble to the Brown Act states, **“The people do not yield their sovereignty to the bodies that serve them.”** Yet I’ve been appalled at how few citizens, Christians especially, bother to attend BOS meetings to exercise their sovereignty and expose the works of evil as scripturally mandated in Ephesians 5:11.

This is no time to go along to get along. We must all boldly stand together to defend our civil liberties and actively hold public servants accountable to their Constitutional oaths, otherwise our Republic will cave to political tyranny. Choose this day whom you will serve. Not to speak or act is to condone the evil that befalls us, and God will ultimately be The Judge.

If you have any questions or comments, please make them now while I’m at the podium.

And Lori, you still haven’t responded to several phone calls and emails. Don’t forget who you work for.

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**Melody Lane**  
Founder – Compass2Truth

"All that is necessary for the triumph of evil is that enough good men do nothing." ~ Edmund Burke ~

