

M. Lane #21 BOS 9/10/2019

In the words of Justice William O. Douglas, **“Since when have we Americans been expected to bow submissively to authority and speak with awe and reverence to those who represent us? The constitutional theory is that we the people are the sovereigns, the state and federal officials are only our agents. We who have the final word can speak softly or angrily. We can seek to challenge and annoy, as we need not stay docile and quiet.”**

In an email dated 8/6/18 Don Ashton wrote: *“Over the past several weeks the tone of Melody Lane’s emails have become increasingly accusatory and disrespectful to County staff. (THAT IS A LIE! Everything Compass2Truth does is based upon truth, fact, evidence and valid law.) While we’re aware the Sheriff has already blocked all emails from Ms. Lane, I now have one other department asking County IT to block all emails as well.”* He goes on to say, *“As a result I am planning on asking IT to only allow Ms. Lane to email the following email addresses: Myself so that she isn’t prevented access from emailing the CAO, Jim Mitrison, Roger Runkle to assist in review of PRAs, Mike Ciccozzi so she has access to the County’s lawyer and so he is aware in the event of any legal questions, Char Tim and planning, Roger Trout, and all five Board members.”*

During a recent conversation with Don Ashton regarding government accessibility and an incident where the Sheriff’s department refused my right to view a case file report Don threatened to hang up on me when I told him I was sick of his BS. Don then told me to talk to county counsel. Whether you call it Bureaucratic Shenanigans or bovine fecal matter, it is still government BS and in violation of the Constitution.

Although it may be true that Don doesn’t control what Sheriff D’Agostini does, it’s apparent the Sheriff still controls Mr. Ashton. *Sheriff D’Agostini, Don Ashton & county counsel are NOT above the law **nor does the Constitution permit them to censor anyone and deny access to public records.*** Furthermore county staff and Lori Parlin are refusing to acknowledge or respond to constituent phone calls and emails. Need you be reminded, you are public servants, NOT the masters over EDC citizens.

Every first year law student knows it is a conflict of interest for a lawyer to represent government employees AND to give legal advice to citizens whose taxes pay their salaries. To compound the matter on Friday I received an obtuse email from deputy counsel Sharon Carey-Stronck regarding follow up to a CPRA referenced in the materials before you. In it she references a letter dated August 21, 2019 to Don Ashton when in fact I never sent Don Ashton a letter anywhere near that date. It’s another classic example of government **Bureaucratic Shenanigans** discussed during yesterday’s Taxpayers Association meeting.

The First Amendment does more than give us a right to criticize our country: it makes it a civic duty. Certainly, if there is one freedom among the many spelled out in the Bill of Rights that is especially patriotic, it is the right to criticize the government. The right to speak out against government wrongdoing is the quintessential freedom.

Unfortunately, those who run the government don't take kindly to individuals who speak truth to power. In fact, the government has become increasingly intolerant of speech that challenges its power, reveals its corruption, exposes its lies, and encourages the citizenry to push back against the government's many injustices. The First Amendment was intended to protect the citizenry from the government's tendency to censor, silence and control what people say and think. ←

What the architects of the police state want are submissive, compliant, cooperative, obedient, meek citizens who don't talk back, don't challenge government authority, don't speak out against government misconduct, and don't step out of line. What the First Amendment protects—and a healthy constitutional republic requires—are citizens who routinely exercise their right to speak truth to power.

This is not Nazi Germany or communist China where censorship is a means of control over the population, but it is an assault on the Constitution and freedom of every EDC citizen ~~and~~ you will be held accountable. *to God & the Supreme Law of the Land.*

Madam Clerk: Please enter these documents into the public record:

- 1) This transcript
- 2) 7/15/19 response to CPRA P002210-062519
- 3) 7/16/19 @ 5:03 PM response to Jim Mitrisin
- 4) 9/6/19 @ 5:07 PM response to Deputy Counsel Sharon Carey-Stronck

# CALIFORNIA BROWN ACT

## PREAMBLE:

"The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people do not yield their sovereignty to the bodies that serve them. The people insist on remaining informed to retain control over the legislative bodies they have created."

## CHAPTER V.

### RIGHTS OF THE PUBLIC

§54954.3 Public's right to testify at meetings. (c) The legislative body of a local agency shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law. Care must be given to avoid violating the speech rights of speakers by suppressing opinions relevant to the business of the body.

As such, members of the public have broad constitutional rights to comment on any subject relating to the business of the governmental body. Any attempt to restrict the content of such speech must be narrowly tailored to effectuate a compelling state interest. Specifically, the courts found that policies that prohibited members of the public from criticizing school district employees were unconstitutional. (*Leventhal v. Vista Unified School Dist.* (1997) 973 F. Supp. 951; *Baca v. Moreno Valley Unified School Dist.* (1996) 936 F. Supp. 719.) These decisions found that prohibiting critical comments was a form of viewpoint discrimination and that such a prohibition promoted discussion artificially geared toward praising (and maintaining) the status quo, thereby foreclosing meaningful public dialog.

Where a member of the public raises an issue which has not yet come before the legislative body, the item may be briefly discussed but no action may be taken at that meeting. The purpose of the discussion is to permit a member of the public to raise an issue or problem with the legislative body or to permit the legislative body to provide information to the public, provide direction to its staff, or schedule the matter for a future meeting. (§ 54954.2(a).)