

12/7/2020

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Public Comment #1



EDC COB <edc.cob@edcgov.us>

BOS RWD 12/7/2020

Please distribute via Legistar and publicly post to the 12/8/29 BOS Agenda Consent Item #1 - Approval of 12/2/20 Minutes and Missing Video

1 message

Melody Lane <melody.lane@reagan.com>

Sun, Dec 6, 2020 at 6:32 PM

To: edc.cob@edcgov.us, Donald Ashton <don.ashton@edcgov.us>

Cc: lori.parlin@edcgov.us, sue.novasel@edcgov.us, brian.veerkamp@edcgov.us, john.hidahl@edcgov.us, shiva.frentzen@edcgov.us, Vern R Pierson <vern.pierson@edcgov.us>, Sheriff DAgostini <john.dagostini@edso.org>, bosfive@edcgov.us, bosfour <bosfour@edcgov.us>, bosone@edcgov.us, bosthree@edcgov.us, bostwo@edcgov.us

Please ensure the entirety of this correspondence is timely distributed via Legistar and publicly posted to the 12/8/29 BOS Agenda Consent Item #1 – Approval of 12/2/20 Minutes and Missing Video.

Note the Preamble to the CA Brown Act states: **"THE PEOPLE OF THIS STATE DO NOT YIELD THEIR SOVEREIGNTY TO THE AGENCIES WHICH SERVE THEM. 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 INSIST THEY MAY RETAIN CONTROL OVER THE INSTRUMENTS THEY HAVE CREATED."**

The Object of the Taxpayers Association of El Dorado County is the creation and maintenance of a forum within which to study the issues of government and the **problems of those who are governed**. As you are aware, government censorship is a BIG problem, especially considering the current political upheaval.

This is relevant to the 11/16/20 Taxpayers Association meeting when Sheriff D'Agostini was the speaker. Supervisors John Hidahl and Lori Parlin participated in this meeting via Zoom. Your explanation is in order as to why the photos I submitted with my public comments during the 12/2/20 Open Forum have been unlawfully altered. The below color photos that I submitted have been altered/redacted via high-contrast black and white. This is information the public has a right to know, and it is an egregious violation of the Brown Act.

Who is responsible for authorizing this unlawful violation of the Brown Act and my First Amendment rights?? Your explanation is also in order as to why the 12/2/20 BOS meeting video has not yet been posted to the government calendar.

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**. See also: *United States v. Dial* - 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. See also: *Morrison v. Coddington*, 662 P.2d. 155, 135 Ariz. 480 (1983) - **Fraud and deceit may arise from silence where there is a duty to speak the truth, as well as from speaking an untruth**. [Emphasis added]

Melody Lane

Founder – Compass2Truth

“Resistance to tyranny becomes the Christian and social duty of each individual...Continue steadfast and, with a proper sense of your dependence on God, nobly defend those rights which heaven gave, and no man ought to take from us.” ~ John Hancock ~

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12/2/2020

Edcgov.us Mail - 12/2/20 Open Forum - Sheriff D'Agostini refuses due process - BOS censorship





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

Sent: Wednesday, December 2, 2020 9:49 AM

To: edc.cob@edcgov.us; shiva.frentzen@edcgov.us; sue.novasel@edcgov.us; lori.parlin@edcgov.us; brian.veerkamp@edcgov.us; john.hidahl@edcgov.us; Sheriff D'Agostini; 'Donald Ashton'

Cc: Richard Esposito; 'bosfive@edcgov.us'; bosfour (bosfour@edcgov.us); 'bosone@edcgov.us'; 'bosthree@edcgov.us'; 'bostwo@edcgov.us'

Subject: 12/2/20 Open Forum - Sheriff D'Agostini refuses due process - BOS censorship

Please ensure the entirety of this correspondence and the attached affidavits is entered into the 12/1/20 BOS Open Forum.

During the 11/17/20 Open Forum when the Youth Commission shadowed the BOS, I was disconnected while waiting my turn to speak. Immediately I called back into the meeting, however I was not permitted back into the queue of speakers, many of whom were still expressing their grievances. Open Forum was then closed and moved onto the next agenda item. Apparently I wasn't the only person who was censored that day and deprived my First Amendment right to relay a recent experience at the Taxpayers Association.

It was during our August 16, 2011 audio recorded meeting that Sheriff D'Agostini stated, "*You need a new Board [of Supervisors]. All of them. Hold their feet to the fire. Mine too. I work for you.*" Any act, by any public official, either supports and defends the Constitution, or opposes and violates it. Any **obstructive, deceptive enterprise**, undertaken by any public official that tends to weaken public confidence and undermines the sense of security for individual rights is against public policy. Furthermore, when a public official has knowledge of wrong doing, but fails to take remedial action, then he/she becomes complicit and liable for aiding and abetting their unconstitutional actions.

On November 16th I entered the Taxpayers Association meeting and silently handed Sheriff D'Agostini three Affidavits addressed to **Deputy Jaime Toney**, and Senior Sheriff Technicians **Angela Sterling** and **Steve McCallum** for depriving me of public services, violating their oaths of office, conspiracy against rights, and deprivation of rights under color of law.

Notification of legal responsibility is the first essential of due process of law, and un rebutted affidavits are admissible as factual evidence in any court in America. However, Sheriff D'Agostini tossed the legal documents onto my table as if to refuse them. When I retrieved the documents and again silently placed them on the table in front of the Sheriff, he again tossed the documents towards two unidentified women seated on the opposite side of my table. The blond woman interfered with due process of law by snatching the legal documents and then placed them on the chair beside her. I silently walked around the table to retrieve them, but that's when the blond and the Sheriff created a public spectacle. Then as if on cue, Chris Payne intensified the scene by loudly shouting that I was disrupting the meeting when, in fact, the Sheriff had maliciously retaliated against me for publicly holding his feet to the fire— **exactly as he encouraged me to do**. In fact, it is the civic duty of ALL citizens to hold any public official accountable for any act that doesn't support and defend the Constitution.

By the way, I was informed the blond is a retired member of the Sheriff's clerical staff accompanied by her daughter seated next to her.

For the record, **Angela Sterling** deprived me immediate access to a Citizen Arrest report as required by law. **Steve McCallum** also deprived me public services. Adding insult to injury, Steve ordered me out of the Sheriff's Office, then he called Patrol, falsely claimed I created a disturbance, and requested I be removed from the building. The transcript proves I lawfully exercised my right to immediately access public records for the purpose of petitioning government for redress of grievances.

The reports that I was attempting to access involved **Deputy Jaime Toney's** falsification of case file reports and deprivation of rights under color of law. Significantly during two incidents my interaction with Deputy Toney is **missing from my home surveillance video, which is very suspicious and suggests some form of hacking or tampering with the video footage that camera should have captured**. However, my personal audio device captured every word and fully supports all my factual statements. It is every Citizen's right to be free from unreasonable government intrusion into their persons, homes, businesses, and property. EDSO's tampering with my home security system is an unreasonable government intrusion and is in violation of the Fourth Amendment to the national Constitution.

The Sheriff is not above the law. From the appalling indifference and incompetence I have directly experienced from EDSO personnel, it is evident that the Sheriff and the rest of his staff do not want to be contacted, nor do they want to be transparent or held accountable to their oaths by the people they purportedly serve. Instead, the Sheriff has conspired with county staff in multiple acts of obstructionism, fraud, and deprivation of the secured rights of the public, all of which constitute serious Federal CRIMES. It is evident Sheriff D'Agostini does not take his sacred oaths of office seriously to support and uphold the Constitution, and he will be held accountable for his tyrannical bully tactics against a 3rd generation evangelical senior citizen.

If you have any questions or comments, please make them now at this time.

Madam Clerk: You will receive correspondence to enter into the public record with the 3 affidavits.



On Sun, Nov 22, 2020 at 11:29 PM Melody Lane <melody.lane@reagan.com> wrote:

Any act, by any public official, either supports and defends the Constitution, or opposes and violates it. Any obstructive, deceptive enterprise, undertaken by any public official that tends to weaken public confidence and undermines the sense of security for individual rights is against public policy. Furthermore, when a public official has knowledge of wrong doing, but fails to take remedial action, then he/she becomes complicit and liable for aiding and abetting their unconstitutional actions.

On November 16th I entered the Taxpayers Association meeting and silently handed Sheriff D'Agostini the attached three Affidavits/Declarations of Truth addressed to **Deputy Jaime Toney**, and Senior Sheriff Technicians **Angela Sterling** and **Steve McCallum** for depriving me public services and violating their oaths of office. Notification of legal responsibility is the first essential of due process of law, and these affidavits are admissible as factual evidence in any court in America. However, Sheriff D'Agostini tossed the documents onto my table as if to refuse them. When I retrieved the documents and placed it on the table in front of the Sheriff, he again tossed it towards two unidentified women seated opposite my table. The blond snatched the legal documents and placed it on the chair next to her. I silently walked around the table to retrieve it, but that's when the blond and the Sheriff made an issue out of it. **SHERIFF JOHN D'AGOSTINI IS NOT ABOVE THE LAW!**



Melody Lane

Founder – Compass2Truth

"You need a new Board [of Supervisors]. All of them. Hold their feet to the fire. Mine too. I work for you." Sheriff John D'Agostini – August 16, 2011