

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.

54954.2 E (3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.

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).)

I grew up in the Midwest where the school day began with prayer and the pledge of allegiance. In the “good old days” we were taught reading, writing, and arithmetic, to live by the Golden Rule, and that there were only two genders. My least favorite classes were **history** and **civics**. When I was your age, my interests were more focused on boys and getting my driver’s license. Thankfully my parents raised me with Christian values and taught me critical thinking skills. They always encouraged me to ask challenging questions and engage in dialog about current events.

Little did I realize that one day I would work for Capitol legislators, and host conferences on the importance of understanding the Constitution and **[Confrontational Politics]**, a book we freely distributed at the BOE. That’s why I founded a whistleblower organization based upon the preamble to the Brown Act which was just distributed to you. This is the standard by which all public meetings must be conducted. Note the underlined portions especially, ***“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.”***

It is significant that you are shadowing the Supervisors on this election day when they will be on their very best behavior. But don’t be deceived because that is not how they typically conduct themselves. The Supervisors, and other county officials, frequently violate the Brown Act Rights of the Public and their oaths to support the Constitution.

For example, it is a matter of public record that CAO Don Ashton and Sheriff D’Agostini have blocked my ability to communicate electronically with most county staff in retaliation for publicly exposing government corruption. The Supervisors are complicit by their censorship, failure to take remedial action or uphold their oaths of office.

When I submitted another Public Record Act request involving the Taxpayers Association, CAO Don Ashton, and the Board of Supervisors, the county **again** failed to respond **as required by law**. Twice last month when I publicly addressed my grievances, Comrade Parlin retaliated by refusing to respond, ordered the mic shut off, and all the Supervisors stormed out of the room after I held their feet to the fire. In so doing the Supervisors demonstrated their contempt for constituents, the law, and their oaths of office. **I didn’t break the law; they did.**

The Supervisors notoriously abuse the public trust and act unlawfully. It has become their modus operandi. **That isn’t leadership; it is tyranny.**

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Kim Dawson

From: melody.lane@reagan.com
Sent: Tuesday, November 8, 2022 1:23 PM
To: BOS-Clerk of the Board; Kim Dawson; Lori Parlin; Sue Novasel; John Hidahl; George Turnboo; Wendy Thomas
Cc: Donald Ashton; David A Livingston; Vern Pierson; john.dagostini@edso.org; Krysten Kellum; Richard Esposito; Eric Jaramishian; Noel Stack; BOS-District V; BOS-District IV; BOS-District I; BOS-District III; BOS-District II
Subject: 11/8/22 BOS Public Comments - Item #28 Youth Commission Annual Shadow Day
Attachments: Brown Act Rights of the Public.docx

Below is the transcript of my public comments made during today's BOS Agenda Item #28. Please ensure the entirety of this correspondence, including the attached Brown Act Rights of the Public, is entered into the public record.

Note these comments go hand-in-hand with my Closed Session comments #33, #34, and #36 when the students were still present in the room to witness Comrade Parlin's retaliation for exposing government corruption.

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

- 1) This transcript
- 2) Brown Act Rights of the Public

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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