

6-2-23

JUNE 2023

"PATTERN & Practice"

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STREFFAN, Fauble
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matters of
Public Importance
CORRUPTION

L.A. CITY COUNCIL RULES

FORMER BOSS THOMAS PETERS DWP

FRIDAY JUNE 2023

No. 4

CITY OF INDUSTRY

6/2/2023

CITY COUNCIL
REGULAR MEETING
AGENDA

MAY 25, 2023
9:00 AM



Mayor Cory C. Moss
Mayor Pro Tem Cathy Marcucci
Council Member Michael Greubel
Council Member Mark D. Radecki
Council Member Newell Ruggles

Addressing the City Council:

- ▶ **Agenda Items:** Members of the public may address the City Council on any matter listed on the Agenda. In order to conduct a timely meeting, there will be a three-minute time limit per person for any matter listed on the Agenda. Anyone wishing to speak to the City Council is asked to complete a Speaker's Card which can be found at the back of the room and at the podium. The completed card should be submitted to the City Clerk prior to the Agenda item being called and prior to the individual being heard by the City Council.
- ▶ **Public Comments (Non-Agenda Items):** Anyone wishing to address the City Council on an item not on the Agenda may do so during the "Public Comments" period. In order to conduct a timely meeting, there will be a three-minute time limit per person for the Public Comments portion of the Agenda. State law prohibits the City Council from taking action on a specific item unless it appears on the posted Agenda. Anyone wishing to speak to the City Council is asked to complete a Speaker's Card which can be found at the back of the room and at the podium. The completed card should be submitted to the City Clerk prior to the Agenda item being called by the City Clerk and prior to the individual being heard by the City Council.

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www.microsoft.com/microsoft-teams/join-a-meeting

Meeting ID: **256 236 621 954**

Meeting Passcode: **aJPbaP**

Or call in (audio only)

+1 657-204-3264, United States, Anaheim

Phone Conference ID: 144 815 238#

Americans with Disabilities Act:

- ▶ In compliance with the ADA, if you need special assistance to participate in any City meeting (including assisted listening devices), please contact the City Clerk's Office (626) 333-2211. Notification of at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting.

▶

Agendas and other writings:

- ▶ In compliance with SB 343, staff reports and other public records permissible for disclosure related to open session agenda items are available at City Hall, 15625 Mayor Dave Way, City of Industry, California, at the office of the City Clerk during regular business hours, Monday through Thursday 8:00 a.m. to 5:00 p.m., Fridays 8:00 a.m. to 4:00 p.m. Any person with a question concerning any agenda item may call the City Clerk's Office at (626) 333-2211.

1. Call to Order
2. Flag Salute
3. AB 2449 Vote on Emergency Circumstances (if necessary)
4. Roll Call
5. Public Comments
6. **CONSENT CALENDAR**

6.1 Consideration of the Register of Demands for May 25, 2023

RECOMMENDED ACTION: Approve the Register of Demands and authorize the appropriate City Officials to pay the bills.

6.2 Consideration of the minutes of the August 25, 2022 regular meeting, October 13, 2022 regular meeting, December 12, 2022 special meeting, January 12, 2023 regular meeting, January 23, 2023 special meeting, and the February 23, 2023 regular meeting

RECOMMENDED ACTION: Approve as submitted.

6.3 Consideration of Resolution No. CC 2023-22 - A Resolution of the City Council of the City of Industry, California approving and establishing the Fiscal Year 2023-2024 appropriations limitation and selecting the growth in California per capita income and population growth adjustment factors for the City pursuant to Article XIII B of the California Constitution

RECOMMENDED ACTION: Adopt Resolution No. CC 2023-22, approving the Appropriations Limit for FY 2023-24.

6.4 Consideration of Resolution No. CC 2023-23 – A Resolution of the City Council of the City of Industry, California, rescinding Resolution No. CC 2022-24, and adopting Salary Range Schedules for City Employees and City Elected and Appointed Officials for Fiscal Year 2023-2024

RECOMMENDED ACTION: Adopt Resolution No. CC 2023-23.

6.5 Consideration of Resolution No. CC 2023-24 - A Resolution of the City Council of the City of Industry, California, approving and adopting the City's Fiscal Year 2023-24 Operating Budget and Fiscal Year 2023-2024 Capital Improvement Program Budget

RECOMMENDED ACTION: Adopt Resolution No. CC 2023-24.

- 6.6 Consideration of Resolution No CC 2023-25, A Resolution of the City Council of the City of Industry, California, Authorizing the Creation of a City Operating Reserve Fund, Special Revenue Operating Reserve, Enterprise Fund Operating Reserve, and a City Capital Improvement Reserve Fund, and Authorizing Certain Appropriations to the Various Funds

RECOMMENDED ACTION: *Adopt Resolution No. CC 2023-25.*

- 6.7 Consideration of Resolution No. CC 2023-29 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF INDUSTRY, CALIFORNIA, APPROVING A DONATION TO THE CITY OF LA PUENTE, IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000.00), FOR THE BRUNCH BY THE BRIDGE EVENT

RECOMMENDED ACTION: *Adopt Resolution No. CC 2023-29.*

- 6.8 Consideration of Closeout Change Order No. 4 and Notice of Completion for Contract No. CITY-1473 Homestead Museum Exterior Site Improvements & ADA Upgrades

RECOMMENDED ACTION: *Approve Closeout Change Order No. 4 and Notice of Completion.*

- 6.9 Consideration of a Facility Use Agreement with Industry Sheriff's Youth Athletic League, for Access to 205 Hudson Avenue, for use for its martial arts and youth programming

RECOMMENDED ACTION: *Approve the Agreement.*

- 6.10 Consideration of a Facility Use Agreement with Industry Sheriff's Youth Athletic League for Access to 19001 Tonner Canyon Road, for use for its summer youth programming

RECOMMENDED ACTION: *Approve the Agreement.*

7. **CLOSED SESSION**

- 7.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8

Property: 555 S. El Encanto Road, City of Industry, California 91745, also known as Assessor Parcel Numbers 8208-27-901, 902, 906, 907, and 918.

Agency Negotiators: Josh Nelson, City Manager
James M. Casso, City Attorney
Negotiating Parties: El Encanto Healthcare & Habilitation
Center
Under Negotiation: Price and terms of payment

8. **CITY MANAGER REPORTS**

9. **AB 1234 REPORTS**

10. **CITY COUNCIL COMMUNICATIONS**

11. Adjournment. The next regular City Council Meeting is Thursday, June 8, 2023, at 9:00 a.m.

No. 3

6/2/2023



**SUCCESSOR AGENCY TO THE
INDUSTRY URBAN-DEVELOPMENT AGENCY
REGULAR MEETING AGENDA
MAY 25, 2023, 9:00 A.M.**

Chair Cory C. Moss
Vice Chair Cathy Marcucci
Board Member Michael Greubel
Board Member Mark D. Radecki
Board Member Newell Ruggles

Location: City Council Chamber, 15651 Mayor Dave Way, City of Industry, California

Addressing the Agency:

- **Agenda Items:** Members of the public may address the Successor Agency on any matter listed on the Agenda. In order to conduct a timely meeting, there will be a three-minute time limit per person for any matter listed on the Agenda. Anyone wishing to speak to the Successor Agency is asked to complete a Speaker's Card which can be found at the back of the room and at each podium. The completed card should be submitted to the Secretary prior to the Agenda item being called and prior to the individual being heard by the Successor Agency.

- **Public Comments (Non-Agenda Items Only):** Anyone wishing to address the Successor Agency on an item *not* on the Agenda may do so during the "Public Comments" period. In order to conduct a timely meeting, there will be a three-minute time limit per person for the Public Comments portion of the Agenda. State law prohibits the Successor Agency from taking action on a specific item unless it appears on the posted Agenda. Anyone wishing to speak to the Successor Agency is asked to complete a Speaker's Card which can be found at the back of the room and at each podium. The completed card should be submitted to the Secretary prior to the Agenda item being called by the Secretary and prior to the individual being heard by the Successor Agency.

At the time of publication, no board members intend to take part in the meeting remotely under the provisions of AB 2449. Should that change between the time of publication and the start of the meeting, a live webcasting of the meeting will be accessible via the link, meeting ID, and meeting passcode listed below. Whenever possible, an announcement will be made at the start of the meeting via the live webcast to confirm whether or not a member will join remotely. If they will not be joining remotely, then the live webcast will terminate after the announcement.

www.microsoft.com/microsoft-teams/join-a-meeting

Meeting ID: **256 236 621 954**

Meeting Passcode: **aJPbaP**

Or call in (audio only)

+1 657-204-3264, United States, Anaheim

Phone Conference ID: 144 815 238#

Americans with Disabilities Act:

- In compliance with the ADA, if you need special assistance to participate in any meeting (including assisted listening devices), please contact the Office of the Secretary to the Successor Agency (626) 333-2211. Notification of at least 72 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting.

\$8,500 for Light POLE?

Agendas and other writings:

> In compliance with Government Code Section 54957.5(b), staff reports and other public records permissible for disclosure related to open session agenda items are available at City Hall, 15625 East Stafford Street, Suite 100, City of Industry, California, at the office of the Secretary of the Successor Agency during regular business hours, Monday through Thursday, 8:00 a.m. to 5:00 p.m., Fridays 8:00 a.m. to 4:00 p.m. Any person with a question concerning any agenda item may call the City Clerk's Office at (626) 333-2211

1. Call to Order
2. Flag Salute
3. AB 2449 Vote on Emergency Circumstances (if necessary)
4. Roll Call
5. Public Comments
6. **CONSENT ITEMS**

6.1 Consideration of the Register of Demands for May 11, 2023

RECOMMENDED ACTION: Ratify the Register of Demands for May 11, 2023.

6.2 Consideration of the Register of Demands for May 25, 2023

RECOMMENDED ACTION: Approve the Register of Demands and authorize the appropriate City Officials to pay the bills.

6.3 Consideration of the minutes of the March 23, 2023 special meeting and the April 27, 2023 special meeting

RECOMMENDED ACTION: Approve as submitted.

6.4 Consideration of Change Order Nos. 5 through 15, in the amount of \$239,628.69, and Notice of Completion for the West Side Roadways, Sewers, Dry Utilities and Slope Landscaping project, with Sialic Contractors Corporation dba Shawnan (Contract No. IBC-0386)

RECOMMENDED ACTION: Approve Change Order Nos. 5 through 15 and authorize the Chairman to execute the Change Orders. Authorize the Executive Director to execute the Notice of Completion and authorize the City Clerk to file the Notice of Completion.

FUZZY JERRY

"DBA"

Change orders

reciept. change orders

SURVEY JOB!

Changes & hidden fees to PLAN

225 Million/239

"Failed CALCULATIONS" = CONTINGENCY

- 6.5 Consideration of Resolution No. 2023-04 – A Resolution of the Successor Agency to the Industry Urban-Development Agency (“SA-IUDA”) Adopting the FY 2023-24 SA-IUDA Budget

RECOMMENDED ACTION:

Adopt Resolution No. SA 2023-04.

7. **EXECUTIVE DIRECTOR REPORTS**

8. **AB 1234 REPORTS**

9. **BOARD MEMBER COMMUNICATIONS**

10. Adjournment. Next regular Successor Agency meeting will be on Thursday, June 22, 2023 at 9:00 a.m.

6/2/2023

CITY OF INDUSTRY PUBLIC FACILITIES AUTHORITY



Chair Cory C. Moss
Vice Chair Cathy Marcucci
Board Member Michael Greubel
Board Member Mark D. Radecki
Board Member Newell Ruggles

SPECIAL MEETING AGENDA MAY 25, 2023, AT 9:00 A.M.

Location: City Council Chamber, 15651 Mayor Dave Way, City of Industry, California 91744

Addressing the Authority:

Agenda Items: Members of the public may address the City Authority on any matter listed on the Agenda. Anyone wishing to speak is asked to complete a Speaker's Card which can be found at the back of the room and at the podium. The completed form should be submitted to the City Clerk prior to the Agenda item being called and prior to the individual being heard.

Public Comments (Agenda Items Only): During public comments, if you wish to address the Authority during this Special Meeting, under Government Code Section 54954.3(a), you may only address the Authority concerning any item that has been described in the notice for the Special Meeting.

At the time of publication, no Councilmembers intend to take part in the meeting remotely under the provisions of AB 2449. Should that change between the time of publication and the start of the meeting, a live webcasting of the meeting will be accessible via the link, meeting ID, and meeting passcode listed below. Whenever possible, an announcement will be made at the start of the meeting via the live webcast to confirm whether or not a Councilmember will join remotely. If they will not be joining remotely, then the live webcast will terminate after the announcement.

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Addressing the Authority:

Public Comments (Agenda Items Only): During public comments, if you wish to address the Authority during this Special Meeting, under Government Code Section 54954.3(a), you may only address the Industry Public Facilities Authority concerning any item that has been described in the notice for the Special Meeting.

Agendas and other writings:

In compliance with Government Code Section 54957.5(b), staff reports and other public records permissible for disclosure related to open session agenda items are available at City Hall, 15625 Mayor Dave Way, City of Industry, California, at the office of the City Clerk of the City Council during regular business hours, Monday through Thursday, 8:00 a.m. to 5:00 p.m., Fridays 8:00 a.m. to 4:00 pm. City Hall doors are closed between 12:00 p.m. to 1:00 p.m. each day. Any person with a question concerning any agenda item may call the City Clerk's Office at (626) 333-2211.

-
1. Call to Order
 2. Flag Salute
 3. AB 2449 Vote on Emergency Circumstances (if necessary)
 4. Roll Call
 5. Public Comment
 6. **CONSENT CALENDAR** *4 Million*
 - 6.1 Consideration of the minutes of the February 6, 2023 Joint Special Meeting
RECOMMENDED ACTION: Approve as submitted.
 - 6.2 Consideration of a professional services agreement with Rogers, Anderson, Malody & Scott, LLP, for auditing services, in an amount not to exceed \$8,490.00, through June 30, 2024
RECOMMENDED ACTION: Approve the Agreement.
 - 6.3 Consideration of Resolution No. IPFA 2023-02 - A Resolution of the City of Industry Public Facilities Authority ("IPFA") adopting the FY 2023 – 2024 IPFA Budget
RECOMMENDED ACTION: Adopt Resolution No. IPFA 2023-02.

7. Adjournment

*Bright View
West Side Roadways*

\$ 30k - 7k

*11/26/19
Billing*

\$ 23,000,

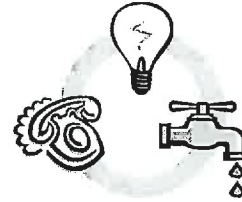
INDUSTRY PUBLIC UTILITIES COMMISSION CITY OF INDUSTRY

6/2/2023



SPECIAL MEETING AGENDA MAY 25, 2023, 9:00 A.M.

President Cory C. Moss
Commissioner Michael Greubel
Commissioner Cathy Marcucci
Commissioner Mark D. Radecki
Commissioner Newell W. Ruggles



Location: City Council Chamber, 15651 Mayor Dave Way, City of Industry, California

Addressing the Commission:

- ▶ **Agenda Items:** Members of the public may address the Commission on any matter listed on the Agenda. Anyone wishing to speak to the Commission is asked to complete a Speaker's Card which can be found at the back of the room and at the podium. The completed form should be submitted to the City Clerk prior to the Agenda item being called and prior to the individual being heard by the Commission.
- ▶ **Public Comments (Agenda Items Only):** During public comments, if you wish to address the City Council during this Special Meeting, under Government Code Section 54954.3(a), you may only address the City Council concerning any item that has been described in the notice for the Special Meeting.

At the time of publication, no Commissioners intend to take part in the meeting remotely under the provisions of AB 2449. Should that change between the time of publication and the start of the meeting, a live webcasting of the meeting will be accessible via the link, meeting ID, and meeting passcode listed below. Whenever possible, an announcement will be made at the start of the meeting via the live webcast to confirm whether or not a Commissioner will join remotely. If they will not be joining remotely, then the live webcast will terminate after the announcement.

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1. Call to Order
2. Flag Salute
3. AB 2449 Vote on Emergency Circumstances (if necessary)

4. Roll Call

TOTAL Expenses 18.2

5. Public Comment

6. **CONSENT CALENDAR**

9.2 Million

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one vote. There will be no separate discussion of these items unless members of the Industry Public Utilities Commission (IPUC) request specific items be removed from the Consent Calendar for separate action.

6.1 Consideration of the minutes of the October 13, 2022 regular meeting and the May 11, 2023 regular meeting

RECOMMENDED ACTION:

Approve as submitted.

6.2 Consideration of Resolution No. IPUC 2023-05 - A Resolution of the Industry Public Utilities Commission ("IPUC") Adopting the FY 2023-2024 IPUC Budget

RECOMMENDED ACTION:

Adopt Resolution No. 2023-05.

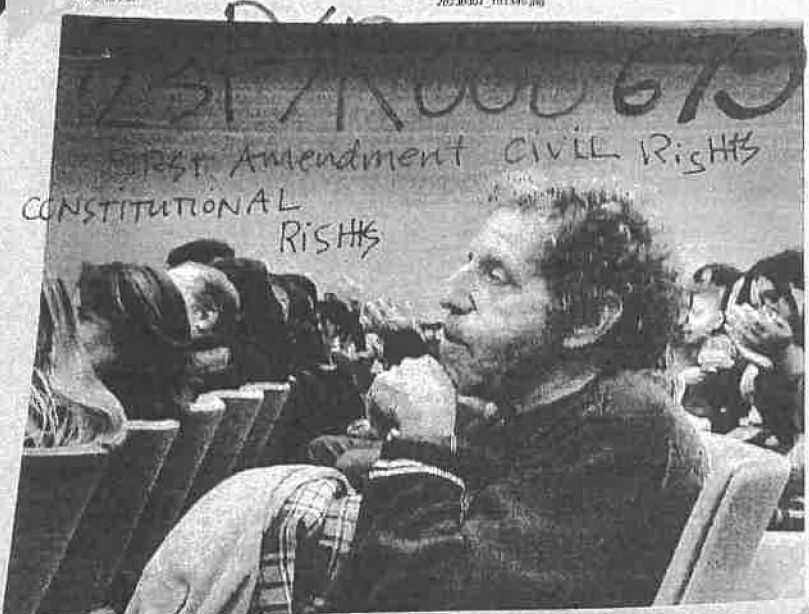
7. **PUBLIC UTILITIES DIRECTOR COMMENTS**

8. **AB 1234 REPORTS**

9. **COMMISSIONER COMMUNICATIONS**

10. Adjournment. The next regular Industry Public Utilities Commission Meeting is Thursday, June 8, 2023, at 8:30 a.m.

4/27/23 2:10 PM
A 4-27-23



Collusion



Aiding & ABETTING EXTORTION

PLEASE SUBMIT TO THE CITY CLERK PRIOR TO THE MEETING

SPEAKER SIGN-IN FORM

DATE: April 27, 2023 ITEM NO./SUBJECT: LADWP PIC

NAME: PAUL PAVADIS, MIKE FEUER 5

ADDRESS: & PAUL KIESEL

CITY: A DIRTY NISSERS STATE: CA ZIP: 90012

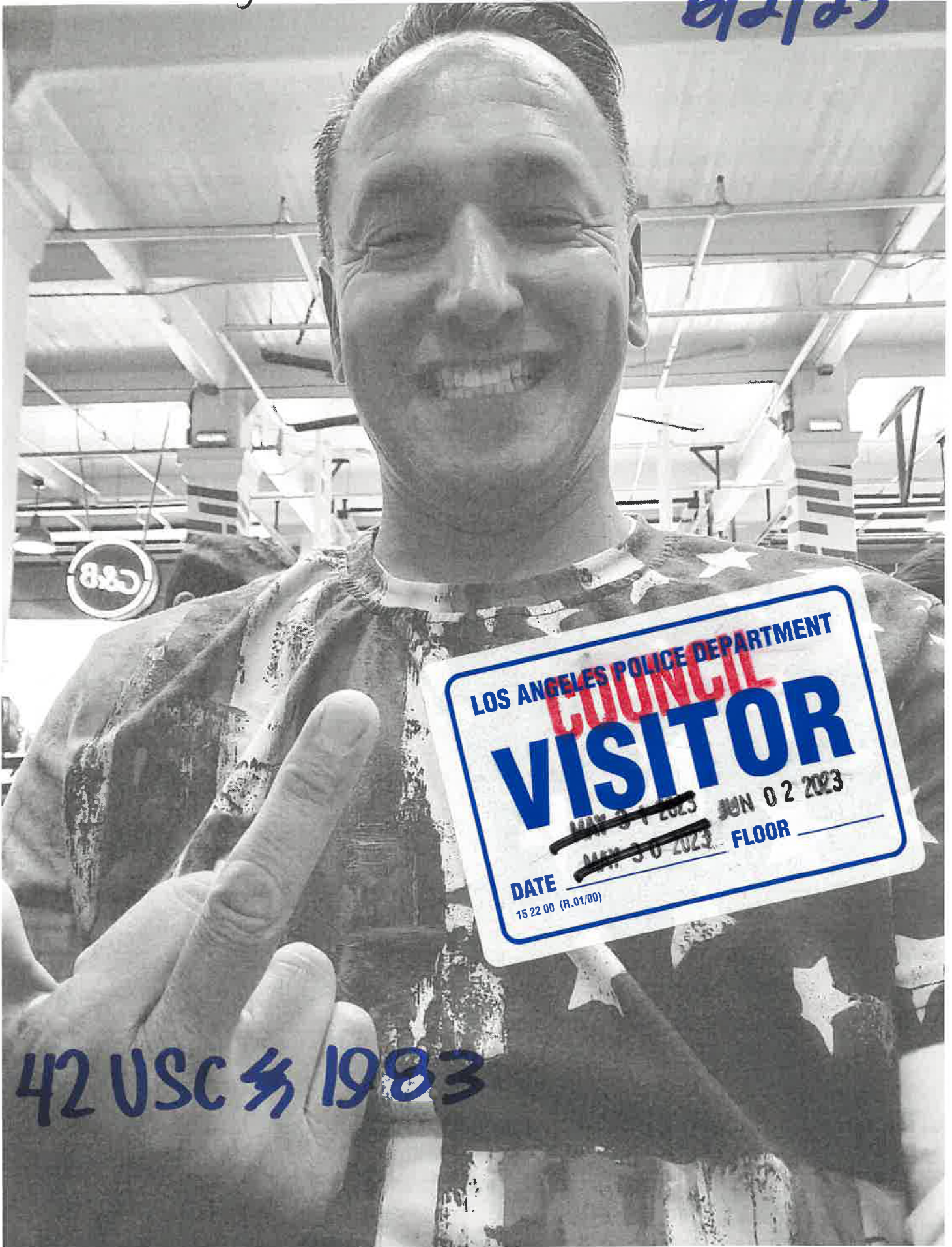
PHONE #: _____ EMAIL: _____

SPEAKERS WILL BE LIMITED TO THREE (3) MINUTES

JONES V. CITY of Los Angeles

Friday June.

6/2/23



LOS ANGELES POLICE DEPARTMENT
COUNCIL VISITOR
 DATE ~~MAY 31 2023~~ JUN 02 2023
~~MAY 30 2023~~ FLOOR _____
 15 22 00 (R.01/00)

42 USC § 1983

6-20-23

Friday

Speaker(s) Called:



Dr. Geneviève Clavreul
Patricia Mcallister
Herman666 Herman

Sign!

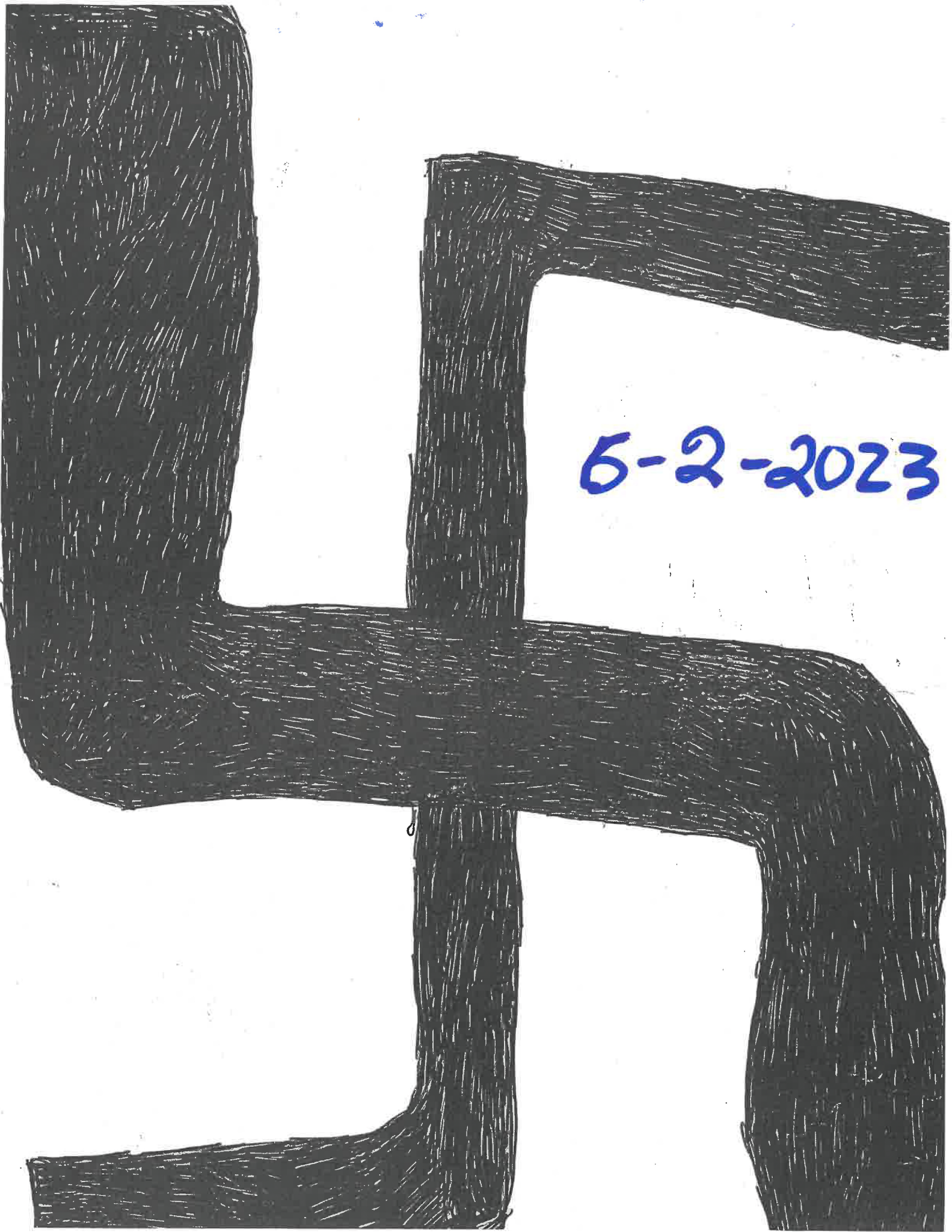
SPEECH!!!

Pending Item(s):

1, 4, 6, 7, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20
24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52
56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68
72-A, 72-B, 72-C, 72-D, 72-E, 72-F, 75, 76, 1-D

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JUNE 2, 2023



6-2-2023

612/23

Swastika

FROM PAGE 1

after the damage to his 2004 Hyundai Elantra.

The swastika incident led to the discovery that some officers were engaging in racist and homophobic text messages, including jokes about having "gassed the Jews," urinating on a Black man and beating up a woman.

The texts featured several variations of the n-word and referred to detainees as "monkeys," "moon crickets" and "savages." So far, at least four officers have been terminated or resigned in the aftermath of the scandal. Fifteen officers had been placed on leave pending an investigation.

"I have been suing police officers for 39 years, and I have never seen anything like this," said Swaine's attorney, Jerry Steering of Newport Beach. "It never ceases to amaze me that quite often the very people entrusted by our citizens to protect us from dangerous criminals are more dangerous than the criminals."

Two former Torrance officers, Cody Weldin and Christopher Tomsic, have been charged with felony conspiracy and vandalism in the swastika incident. They are scheduled to appear in Los Angeles County Superior Court on March 29 and are awaiting a preliminary hearing.

Swaine's car was impounded, and he and two others were arrested in the early morning hours of Jan. 27, 2020, on suspicion of stealing mail from an apartment building. No charges were ever filed against Swaine.

At the time of his arrest, Swaine was with Torrance resident Robert Boman, an alleged member of a Southern California-based White

supremacist group who is facing federal charges for violent attacks at local political rallies.

Boman, an alleged member of the Rise Above Movement, is accused of attacking people at rallies in Huntington Beach and Berkeley.

Steering said Swaine, who is half-Jewish, knew Boman only as a co-worker at a South Bay restaurant. He said Swaine was not affiliated with the Rise Above Movement.

Before officers took Swaine and the two others to jail, they congratulated Boman on his political views and actions on behalf of the White supremacy cause, Steering said.

After his release from jail, Swaine picked up his

car from the tow yard and found the swastika painted on the back seat and a smiley face painted elsewhere on the car. Breakfast cereal and a protein powder had been dumped throughout the vehicle.

According to a police affidavit, the tow yard paid \$2,750 to repair the damage. But tow truck driver Christopher Dunn later told police interrogators that he witnessed Tomsic spray-painting the outside of the car. Dunn also received a text message from Weldin apologizing for the damage, according to court documents.

Messages found on the officers' cellphones led to the discovery of other officers engaging in racist and homophobic texts.

Steering alleged that Torrance police and city officials knew of the officers' alleged vandalism long before it was publicly disclosed.

"Although most police officers are well-intentioned people, none of them will rat out their fellow cops none of them," he said. "That is apparently what happened at Torrance PD."

Steering added: "The Torrance Police Department ... concealed from Kiley Swaine the fact that Tomsic and Weldin, that Torrance police officers, were the persons who had vandalized his car, and for that they should be ashamed."

Torrance's city attorney, police chief, mayor and mayor pro tem did not return requests for comment.

TORRANCE

City pays \$750K over claim police painted swastika on man's car

By Tony Saavedra
tsaavedra@scng.com

The city of Torrance has paid \$750,000 to the owner of an impounded car that allegedly was spray-painted by police with a swastika in 2020.

The payment settles a \$6 million federal lawsuit by car owner Kiley Swaine, who did not learn of the alleged involvement of two former Torrance police officers until nearly two years

SWASTIKA » PAGE 4



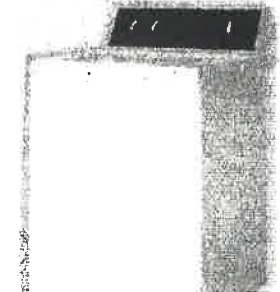
LOS ANGELES POLICE

SERGEANT
ANDY GARCIA
SERIAL NO. 27045

INTERNAL AFFAIRS - CCU

THE BRADBURY BUILDING
304 S. BRADBURY, SUITE 280 LOS ANGELES, CA 90012
213-473-6739 TDD: 877-275-5273
27045@LAPD.LACITY.ORG

JOIN THE LAPD (866) 444-LAPD RECRUITMENT HOTLINE
WWW.LAPDONLINE.ORG WWW.JOINLAPD.COM



Mental Evaluation Team
1441 Santa Anita Avenue
LOS ANGELES, CA 90026



ANNADENNISE H. BRIZ
LIEUTENANT
UNIT COMMANDER

SHERIFF'S DEPARTMENT
County of Los Angeles
Alex Villanueva, Sheriff



6/2/23

WIKIPEDIA

Chaplinsky v. New Hampshire

Chaplinsky v. New Hampshire, 315 U.S. 568 (1942),^[1] is a United States Supreme Court case in which the Court articulated the fighting words doctrine, a limitation of the First Amendment's guarantee of freedom of speech.

Contents

- Background
 - Alternate views
- Opinion of the Court
- Subsequent case law
- See also
- References
- Further reading
- External links

Background

On April 6, 1940,^[2] Walter Chaplinsky, a Jehovah's Witness, was using the public sidewalk as a pulpit in downtown Rochester, passing out pamphlets and calling organized religion a "racket." After a large crowd had begun blocking the roads and generally causing a scene, a police officer removed Chaplinsky to take him to police headquarters. Upon seeing the town marshal (who had returned to the scene after warning Chaplinsky earlier to keep it down and avoid causing a commotion), Chaplinsky attacked the marshal verbally. He was then arrested. The complaint against Chaplinsky stated that he shouted: "You are a God-damned racketeer" and "a damned Fascist". Chaplinsky admitted that he said the words charged in the complaint, with the exception of the name of the deity.

For this, he was charged and convicted under a New Hampshire statute forbidding intentionally offensive speech directed at others in a public place. Under New Hampshire's Offensive Conduct law (chap. 378, para. 2 of the NH, Public Laws) it is illegal for anyone to address "any offensive, derisive or annoying word to anyone who is lawfully in any street or public place ... or to call him by an offensive or derisive name."

Chaplinsky appealed the fine he was assessed, claiming that the law was "vague" and that it infringed upon his First Amendment and Fourteenth Amendment rights to free speech.

Chaplinsky v. New Hampshire



Supreme Court of the United States

Argued February 5, 1942
Decided March 9, 1942

Full case name *Chaplinsky v. State of New Hampshire*

Citations 315 U.S. 568 (<https://supreme.justia.com/us/315/568/case.html>) (more)
62 S. Ct. 766; 86 L. Ed. 1031; 1942 U.S. LEXIS 851

Case history

Prior Appeal from the New Hampshire Supreme Court

Holding

A criminal conviction for causing a breach of the peace through the use of "fighting words" does not violate the Free Speech guarantee of the First Amendment.

Court membership

Chief Justice

Harlan F. Stone

Associate Justices

Owen Roberts · Hugo Black

Stanley F. Reed · Felix

Frankfurter

William O. Douglas · Frank

Murphy

James F. Byrnes · Robert H.

Jackson

Case opinion

Majority Murphy, joined by unanimous

1 of 2

ernate views

Laws applied

Some modern legal historians have disputed the generally accepted version of events that led to Chaplinsky's arrest.^[3]

U.S. Constitution amend. I; NH P. L., c. 378, § 2 (1941)

Columbia Law School professor Vincent Blasi's article on the topic describes the events thus: while preaching, Chaplinsky was surrounded by men who mocked Jehovah's Witnesses' objections to saluting the flag. One man attempted to hit Chaplinsky in full view of the town marshal, who warned Chaplinsky that he was in danger but did not arrest his assailant. After the marshal left, another man produced a flagpole and attempted to impale Chaplinsky; while Chaplinsky was pinned against a car by the pole, other members of the crowd struck him. A police officer arrived and, rather than dispersing the crowd, took Chaplinsky into custody.

En route to the station, the officer, as well as members of the crowd, insulted Chaplinsky and his religion. Chaplinsky responded by calling the town marshal, who had returned to assist the officer, a "damn fascist and a racketeer" and was arrested for the use of offensive language in public.

Opinion of the Court

The Court, in a unanimous decision, upheld the arrest. Writing the decision for the Court, Justice Frank Murphy advanced a "two-tier theory" of the First Amendment. Certain "well-defined and narrowly limited" categories of speech fall outside the bounds of constitutional protection. Thus, "the lewd and obscene, the profane, the slanderous," and (in this case) insulting or "fighting" words neither contributed to the expression of ideas nor possessed any "social value" in the search for truth.^[4]

Murphy wrote:

There are certain well-defined and narrowly limited classes of speech, the prevention and punishment of which have never been thought to raise any constitutional problem. These include the lewd and obscene, the profane, the libelous, and the insulting or "fighting" words those which by their very utterance inflict injury or tend to incite an immediate breach of the peace. It has been well observed that such utterances are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality.

Subsequent case law

Subsequent cases, in the Supreme Court, lower federal courts, and state courts have reached diverse conclusions on what constitute fighting words that are outside the protection of the First Amendment. The cases have also varied on what contexts - such as the reaction of hearers (public officials, police officers, ordinary citizens) - make a difference for the limits on protected speech.^[5] A particularly provocative example occurred in *Cohen v. California* (1971) in which an individual was criminally charged for wearing, in a courthouse, a jacket on which was written "Fuck the Draft." The Supreme Court held that the *Chaplinsky* doctrine did not control this case, and overturned the conviction. The Court's opinion, by Justice John Marshall Harlan II, declared, "For while the particular four-letter word being litigated here is perhaps more distasteful than most others of its genre, it is nevertheless often true that one man's vulgarity is another's lyric."^[5]

A legal scholar, writing in 2003 over 60 years after the *Chaplinsky* decision, has noted that lower courts "have reached maddeningly inconsistent results" on what is and is not protected by the First Amendment in the area of fighting words.^[5]

2

JUNE 2023

License

Constitutional
Limitations =

PATTERN
&
PRACTICE

Mr.
Pinky face Dick PK.



"DICK TATORSHIP"

SACK
COCK!

6-2-2023 FRIDAY

Swastika

FROM PAGE 1

after the damage to his 2004 Hyundai Elantra.

The swastika incident led to the discovery that some officers were engaging in racist and homophobic text messages, including jokes about having "gassed the Jews," urinating on a Black man and beating up a woman.

The texts featured several variations of the n-word and referred to detainees as "monkeys," "moon crickets" and "savages." So far, at least four officers have been terminated or resigned in the aftermath of the scandal. Fifteen officers had been placed on leave pending an investigation.

"I have been suing police officers for 39 years, and I have never seen anything like this," said Swaine's attorney, Jerry Steering of Newport Beach. "It never ceases to amaze me that quite often the very people entrusted by our citizens to protect us from dangerous criminals are more dangerous than the criminals."

Two former Torrance officers, Cody Weldin and Christopher Tomsic, have been charged with felony conspiracy and vandalism in the swastika incident. They are scheduled to appear in Los Angeles County Superior Court on March 29 and are awaiting a preliminary hearing.

Swaine's car was impounded, and he and two others were arrested in the early morning hours of Jan. 27, 2020, on suspicion of stealing mail from an apartment building. No charges were ever filed against Swaine.

At the time of his arrest, Swaine was with Torrance resident Robert Boman, an alleged member of a Southern California-based White

supremacist group who is facing federal charges for violent attacks at local political rallies.

Boman, an alleged member of the Rise Above Movement, is accused of attacking people at rallies in Huntington Beach and Berkeley.

Steering said Swaine, who is half-Jewish, knew Boman only as a co-worker at a South Bay restaurant. He said Swaine was not affiliated with the Rise Above Movement.

Before officers took Swaine and the two others to jail, they congratulated Boman on his political views and actions on behalf of the White supremacist cause, Steering said.

After his release from jail, Swaine picked up his

car from the tow yard and found the swastika painted on the back seat and a smiley face painted elsewhere on the car. Breakfast cereal and a protein powder had been dumped throughout the vehicle.

According to a police affidavit, the tow yard paid \$2,750 to repair the damage. But tow truck driver Christopher Dunn later told police interrogators that he witnessed Tomsic spray-painting the outside of the car. Dunn also received a text message from Weldin apologizing for the damage, according to court documents.

Messages found on the officers' cellphones led to the discovery of other officers engaging in racist and homophobic texts.

Steering alleged that Torrance police and city officials knew of the officers' alleged vandalism long before it was publicly disclosed.

"Although most police officers are well-intentioned people, none of them will rat out their fellow cop none of them," he said. "That is apparently what happened at Torrance PD."

Steering added: "The Torrance Police Department ... concealed from Kiley Swaine the fact that Tomsic and Weldin, that Torrance police officers, were the persons who had vandalized his car, and for that they should be ashamed."

Torrance's city attorney, police chief, mayor and mayor pro tem did not return requests for comment.

TORRANCE

City pays \$750K over claim police painted swastika on man's car

By Tony Saavedra
tsaavedra@scng.com

The city of Torrance has paid \$750,000 to the owner of an impounded car that allegedly was spray-painted by police with a swastika in 2020.

The payment settles a \$6 million federal lawsuit by car owner Kiley Swaine, who did not learn of the alleged involvement of two former Torrance police officers until nearly two years

SWASTIKA » PAGE 4



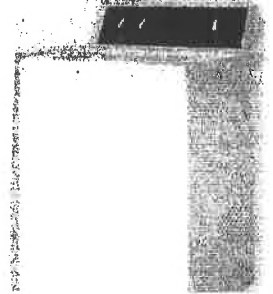
LOS ANGELES POLICE

SERGEANT
ANDY GARCIA
SERIAL NO. 27045

INTERNAL AFFAIRS - CCU

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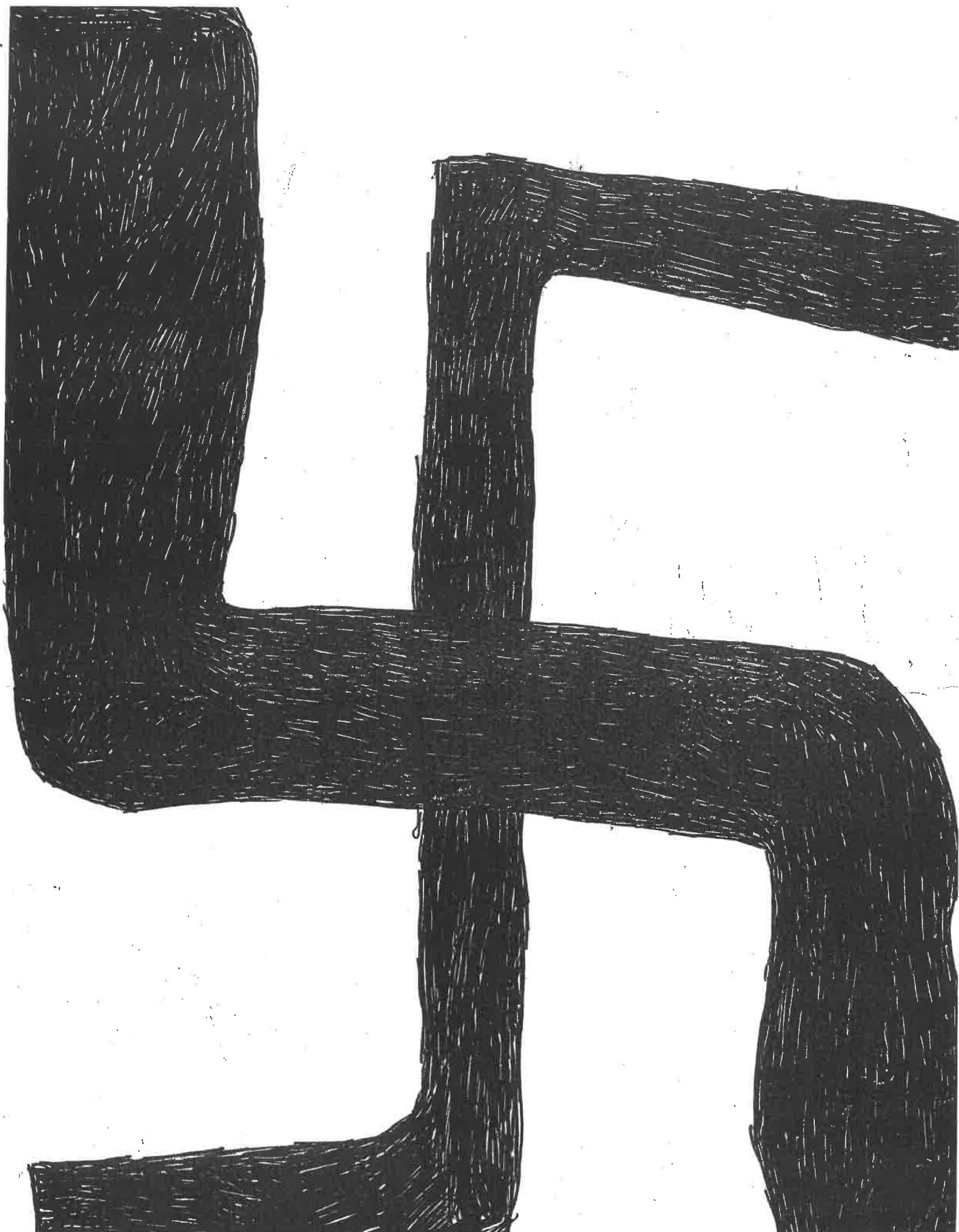
Mental Evaluation Team
1441 Santa Anita Avenue
Torrance, CA 90503



ANNADENNISE H. BRIZ
LIEUTENANT
UNIT COMMANDER

SHERIFF'S DEPARTMENT
Alex Villanueva, Sheriff
County of Los Angeles





1 of 8

BAUTISTA v. COUNTY OF LOS ANGELES

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No. B219035.

- [View Case](#)
- [Cited Cases](#)
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190 Cal.App.4th 869 (2010)

EMIR BAUTISTA, Plaintiff and Appellant, v. COUNTY OF LOS ANGELES et al., Defendants and Respondents.

Court of Appeals of California, Second District, Division Seven.

November 9, 2010.

Attorney(s) appearing for the Case

Lackie Dammeier & McGill, Russell M. Perry and Michael A. McGill, for Plaintiff and Appellant.

Lawrence Beach Allen & Choi, Paul B. Beach and Scott E. Caron, for Defendants and Respondents.

OPINION

PERLUSS, P. J.—

Emir Bautista was terminated as a sworn peace officer by the Los Angeles County Sheriff's Department (Department) for engaging in a personal relationship with a known prostitute and heroin addict in violation of the Department's prohibited-association policy. On appeal Bautista challenges the trial court's denial of his petition for writ of mandate seeking to reverse the decision of the Los Angeles County Civil Service Commission (Commission) approving his discharge and the court's order granting summary judgment for the Department and Los Angeles County Sheriff Lee Baca on Bautista's federal civil rights claim (42 U.S.C. § 1983) (section 1983). Bautista contends the Department's prohibited-association policy, as applied to him, violated his right to freedom of association under the First and Fourteenth Amendments to the United States Constitution, as well as his statutorily protected federal civil rights. We affirm.

FACTUAL AND PROCEDURAL BACKGROUND

immunized from governmental control. *Cf. Yates v. United States*, 354 U. S. 298 (1957); *De Jonge v. Oregon*, 299 U. S. 353 (1937); *Stromberg v. California*, 283 U. S. 359 (1931). See also *United States v. Robel*, 389 U. S. 258 (1967); *Keyishian v. Board of Regents*, 385 U. S. 589 (1967); *Elfbrandt v. Russell*, 384 U. S. 11 (1966); *Aptheker v. Secretary of State*, 378 U. S. 500 (1964); *Baggett v. Bullitt*, 377 U. S. 360 (1964).

Measured by this test, Ohio's Criminal Syndicalism Act cannot be sustained. The Act punishes persons who "advocate or teach the duty, necessity, or propriety" of violence "as a means of accomplishing industrial or political reform"; or who publish or circulate or display any book or paper containing such advocacy; or who "justify" the commission of violent acts "with intent to exemplify, spread or advocate the propriety of the doctrines of criminal syndicalism"; or who "voluntarily assemble" with a group formed "to teach or advocate the doctrines of criminal syndicalism." Neither the indictment nor the trial judge's instructions to the jury in any way refined the statute's bald definition of the crime

Page 395 U. S. 449

in terms of mere advocacy not distinguished from incitement to imminent lawless action. [Footnote 3]

Accordingly, we are here confronted with a statute which, by its own words and as applied, purports to punish mere advocacy and to forbid, on pain of criminal punishment, assembly with others merely to advocate the described type of action. [Footnote 4] Such a statute falls within the condemnation of the First and Fourteenth Amendments. The contrary teaching of *Whitney v. California*, *supra*, cannot be supported, and that decision is therefore overruled.

Reversed.

[Footnote 1]

The significant portions that could be understood were:

"How far is the nigger going to -- yeah."

"This is what we are going to do to the niggers."

"A dirty nigger."

"Send the Jews back to Israel."

"Let's give them back to the dark garden."

"Save America."

"Let's go back to constitutional betterment."

"Bury the niggers."

"We intend to do our part."

"Give us our state rights."

"Freedom for the whites."

"Nigger will have to fight for every inch he gets from now on."

[Footnote 2]

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Page 395 U. S. 449

RULES 07/1; 12; LOS ANGELES "VAGUE"

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Reversed.

GOD DAMNED RACKETEER" & "A DAMNED FASCIST

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PRESCRIPTIONS

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"This is what we are going to do to the niggers."

"A dirty nigger."

"Send the Jews back to Israel."

"Let's give them back to the dark garden."

"Save America."

"Let's go back to constitutional betterment."

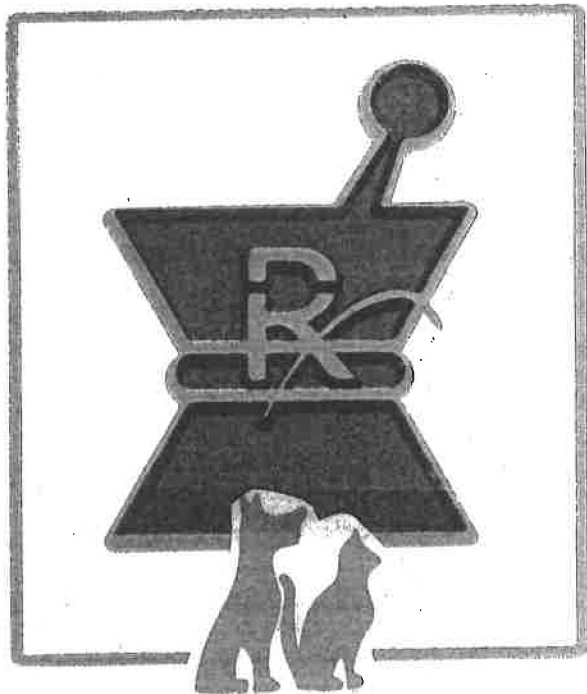
"Bury the niggers."

"We intend to do our part."

"Give us our state rights."

"Freedom for the whites."

"Nigger will have to fight for every inch he gets from now on."



[Footnote 2] The LAW INfringed
UPON First Amendment &
Fourteenth Amendment
RIGHTS TO FREE SPEECH

Thank You

mf' Fascist

The evidence demonstrates that Mr. Bagdasarian, an adult man who knowingly possessed a .50 caliber rifle, intentionally posted on the "OBAMA" thread: "fk the nigger, he will have a 50 cal in the head soon," understanding he had access to that very weapon and could implement the threat. Only twenty minutes later he initiated the "shoot the nig" thread, under which he wrote "country fkd for another four years+, what nig has done ANYTHING right???? long term???? never in history, except sambos." That Mr. Bagdasarian later made a public apology does not detract from his intent at the time; his intent to threaten harm to candidate Obama generated fear for the candidate's safety and mobilized the Secret Service, which tracked Mr. Bagdasarian down. Mr. Bagdasarian did not come forward; the Secret Service had to locate him. He hid behind his "californiaradial" cloak of anonymity with the hope, one can infer, that he would not be found out. Therefore, independently reviewing the entire record, I conclude that at the time Mr. Bagdasarian made the charged threats, he acted with the specific intent to threaten candidate Obama.

IV.

The prohibition on true threats "protects individuals from the fear of violence and from the disruption that fear engenders." *Black*, 538 U.S. at 360 (citation and internal quotation marks omitted). Undoubtedly, the need for protection takes on exceptional importance in the context of a presidential candidacy. See *Watts*, 394 U.S. at 707 (discussing threats against the president); *Roy v. United States*, 416 F.2d 874, 877 (9th Cir. 1969) ("Thus, it appears that the statute [prohibiting threats against the President] was designed in part to prevent an evil other than assaults upon the President or incitement to assault the President. It is our view that the other evil is the detrimental effect upon Presidential activity and movement that may result simply from a threat upon the President's life."). Not only could the fear engendered by true threats limit a candidate's freedom to participate fully in the debate



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Supervisor, Second District

SHEILA KUEHL
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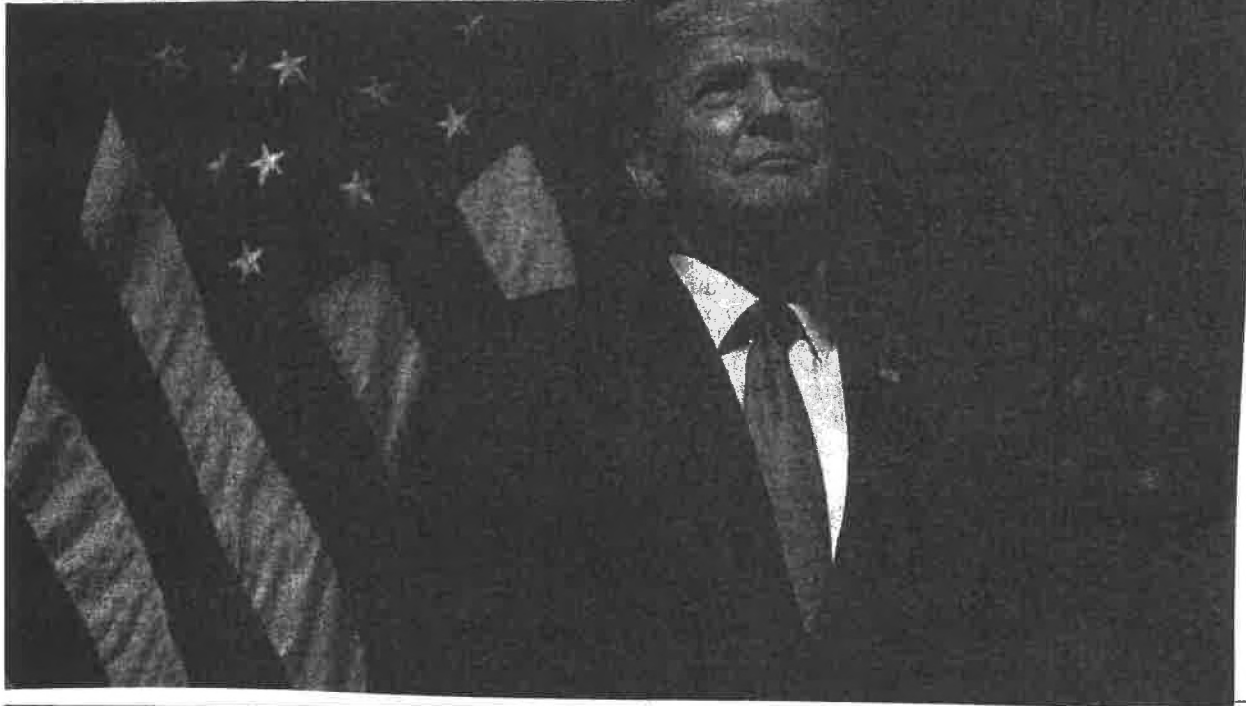
JANICE HAHN
Supervisor, Fourth District

KATHRYN BARGER
Supervisor, Fifth District

Linda Stone-Abrams, L.C.S.W.
Family Advocate/Psychiatric Social Worker II
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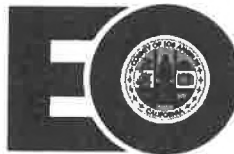
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COUNTY OF LOS ANGELES

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SOME SUN, SAND AND SNACKS

Endors abound at the beach in Santa Monica as the sun breaks through clouds. Cool weather and clouds will continue for the next few days, with highs in the 80s at the beaches and at most partial clearing. In the L.A. Basin, highs will hit the 70s by the weekend.

FRIDAY June 2, 2023

Times accuses county leaders of violating open-meeting law

The newspaper demands supervisors release transcripts of two closed sessions.

By Rebecca Ellis

Los Angeles County supervisors met privately Tuesday to discuss demands by The Times that they turn over transcripts of two recent meetings following alleged violations of one of California's bedrock open-government laws.

The discussion, held as part of Tuesday's closed-session board meeting, came after a lawyer representing The Times sent the supervisors a letter accusing them of twice violating the Brown Act, which aims to ensure the public can watch local government meetings.

Under the Brown Act, local agencies are allowed to discuss certain topics behind closed doors. These topics can include litigation, performance evaluations of employees or union negotiations. Local governments must specify the topic and publicize it on an agenda in advance of the meeting.



Kent Nishimura Los Angeles Times

THE TIMES cites a statement from Supervisor Janice Hahn as evidence that the board met improperly.

"What you can't do is use that as a guise to talk about policy-oriented decisions that the public has a right to be a part of," said attorney Kelly Aviles, who wrote the April 21 letter on behalf of The Times.

The Times alleged the county violated the Brown

Act in closed sessions on March 24 and April 18 meetings that came at a time of crisis for the county's Probation Department. The March 24 meeting was held the day after state regulators warned county officials that the state would probably move to shut down the

county's two juvenile halls. In both meetings, the county listed "department head performance evaluations" on the agenda for the closed session. The Times alleges in its letter that the board actually used the time for a "broader" discussion of the Probation Department.

The letter cites a statement that board Chair Janice Hahn provided, saying the March 24 closed session was held to "figure out a path forward to keep both the young people in our halls and our staff safe and supported."

Aviles argued in her letter that such a conversation would be considered a much wider policy matter than what the Brown Act allows for.

"Furthermore, a preemptive discussion of the state of county juvenile halls or their potential closures reaches far beyond the personnel exception," the letter states.

A spokesperson for Hahn declined to comment.

In addition to requesting the transcripts, the letter asks the county to "refrain from similar violations in the future."

LONG BEACH POLICE SHOOT SUSPECT

The man had stabbed one person and otherwise injured others, authorities

By Andrew J. Campa

Long Beach police shot a suspect who was armed with a screwdriver Tuesday in the Belmont Shore neighborhood after one person was seriously injured by a stabbing and four others suffered minor injuries, police and fire personnel said.

Police reported the suspect first assaulted a woman and man near Avenue and Living Drive.

He then walked east toward the Livingston Playground, where he punched a man, dropped a child he was carrying to the ground, police said. The child man suffered injuries.

The suspect then ran toward 2nd Street, where he stabbed a man in the back with a screwdriver, police said.

It was on 2nd Street that Long Beach police shot the suspect, about 10 minutes after receiving a call.

According to police, officers arrived around 11 a.m. and fired as the suspect tried to enter a residential property.

9 arrested after melee with Marines

Assault on beach involved 30 teens and young adults, San Clemente mayor says

By Vanessa Arredondo and Jeremy Childs

— four boys and one girl — on suspicion of felony assault, said San Clemente Mayor Chris Duncan. The Orange County Sheriff's Department said the five were booked into Orange County Juvenile Hall. Duncan said four additional minors were arrested on other charges.

The suspects' identities

young people about 9:50 p.m., the Sheriff's Department said. Authorities did not say what caused the fight, but one of the Marines told KCBS-TV Channel 2 that it started after he asked the other group to stop lighting fireworks at the beach because fireworks debris had hit him in the face.

the ground, curled up in the fetal position, with people in the crowd striking them before two adults intervened and stop the beatings.

"The barbaric assault on off-duty Marines at the San Clemente Pier goes against everything we stand for in San Clemente, and it's no excuse that teenagers were in-

EXECUTIVE OFFICE



BOARD OF SUPERVISORS

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EXECUTIVE OFFICER

COUNTY OF LOS ANGELES
EXECUTIVE OFFICE
BOARD OF SUPERVISORS

KENNETH HAHN HALL OF ADMINISTRATION
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MEMBERS OF THE BOARD

HILDA L. SOLIS

HOLLY J. MITCHELL

LINDSEY P. HORVATH

JANICE HAHN

RYN BARGER

January 27, 2023



Armando Herman
16310 Ladysmith St.
Hacienda Heights, CA 91745

Mr. Herman:

This is in response to your correspondence concerning use of the Americans with Disability Act (ADA) ramp to enter the Kenneth Hahn Hall of Administration (KHHA) for attending meetings of the Board of Supervisors.

The ADA ramp and corresponding door can be used by anyone to enter the KHHA. Building security and staff have been instructed to let anyone into the building if they press the intercom or knock at the door. We conducted a review and found no one has been disallowed entry from that door.

Sincerely,

Joe M. Walcek
Interim Building Manager

With warm regards
from
Hilda L. Solis
Supervisor, First District

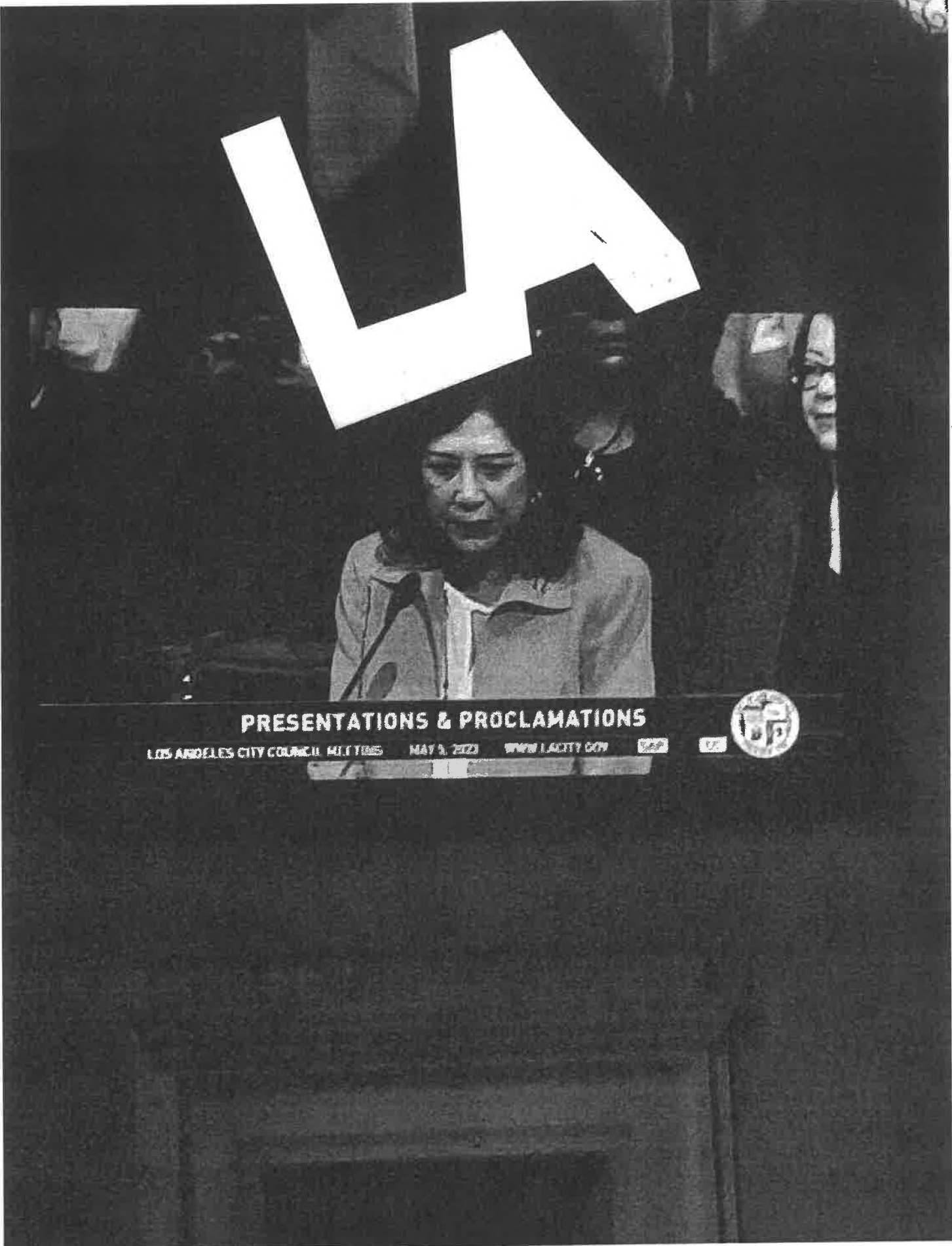
SELL OUT

LIASVS

SAVE AMERICA

LA

42 USC § 1983



PRESENTATIONS & PROCLAMATIONS

LOS ANGELES CITY COUNCIL MEETING MAY 9, 2023 WWW.LACITY.CITY



GOD HATES YOU

Ridley-Thomas convicted on 7 counts in corruption case

In stunning downfall, the veteran L.A. politician is found guilty of conspiracy, bribery and fraud, and could face years in prison

— Brandenburg v. Ohio :: 395 U.S. 444 (1969) :: Justia US Supreme Court
By

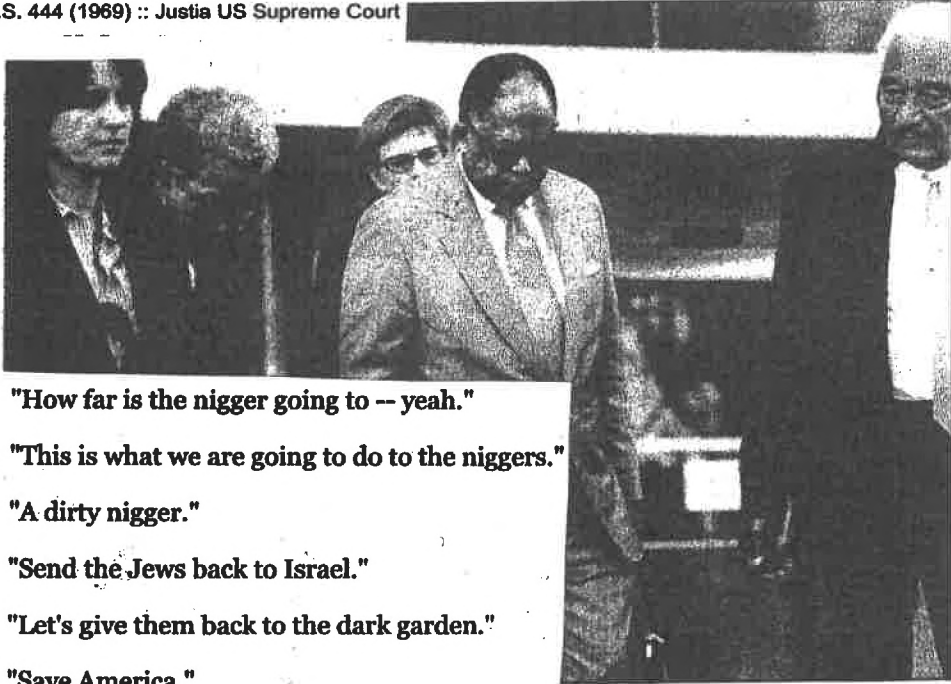
Mark Ridley-Thomas, one of Los Angeles County's most prominent politicians, was found guilty Thursday of federal corruption charges for extracting special benefits for his son from USC while voting in support of motions and a contract sought by the university.

The verdict, which jurors reached in their fifth day of deliberations, marks a devastating fall for a man who for more than 30 years was a power broker in L.A. politics and a staunch advocate for civil rights and racial justice.

Ridley-Thomas, 68, now faces the possibility of years in federal prison and the permanent loss of his seat on the L.A. City Council, from which he has been suspended for the last 17 months.

Of the 19 counts against Ridley-Thomas, jurors found him guilty of seven: conspiracy, bribery, honest services mail fraud and four counts of honest services wire fraud.

As U.S. District Judge
[See Verdict, A12]



DANIA MAXWELL Los Angeles Times

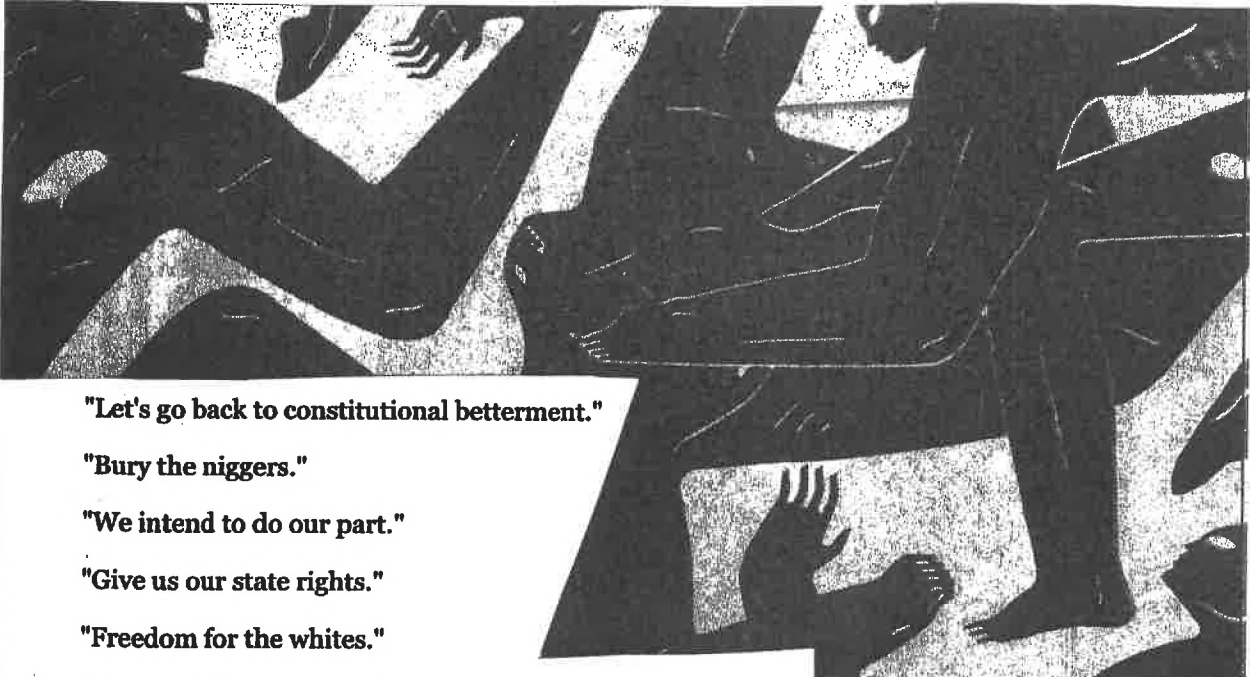
THE CONVICTION of Mark Ridley-Thomas, shown leaving court Monday, is the most high-profile in a string of victories for federal prosecutors in L.A.

Was justice served?

Outcome of the trial doesn't feel that way to Black Angelenos, columnist Erika D. Smith writes. **CALIFORNIA, B1**

City Council seat opens

Fill-in Hutt could be reappointed; a special election is also possible to fill Ridley-Thomas' seat. **CALIFORNIA, B1**



"Let's go back to constitutional betterment."

"Bury the niggers."

"We intend to do our part."

"Give us our state rights."

"Freedom for the whites."



County of Los Angeles
SHERIFF'S DEPARTMENT
Alex Villanueva, Sheriff

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BAUTISTA v. COUNTY OF LOS ANGELES

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FACTUAL AND PROCEDURAL BACKGROUND

therefore overruled.

Armando Herman
13635 Dempster Ave.
Downey, CA 90242

Reversed.

[Footnote 1]

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"Freedom for the whites."

Armando Herman
13635 Dempster Ave.
Downey, CA 90242

in a meeting agenda and given the public adequate opportunity to provide input.

"You are violating the public's trust," he told city

lawmakers. "We expect these things to be brought out into the daylight so we can all weigh in."

Once Preven's public comment period had expired, Councilwoman Nury Martinez declared that he was disrupting the meeting. Preven was approached by officers, who asked him to leave and warned he could be put in handcuffs, according to Preven. Preven said he left the chamber voluntarily and should not have been or-



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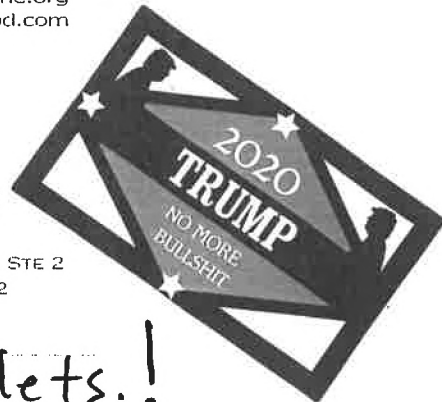
LOS ANGELES POLICE DEPARTMENT
SECURITY SERVICES DIVISION

#340114
SGT. Derek Brown

201 N. LOS ANGELES STREET, STE 2
LOS ANGELES, CA 90012

BY:

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WHY? Police Fuck Cadets!

after the damage to his 2004 Hyundai Elantra.

The swastika incident led to the discovery that some officers were engaging in racist and homophobic text messages, including jokes about having "gassed the Jews," urinating on a Black man and beating up a woman.

The texts featured several variations of the n-word and referred to detainees as "monkeys," "moon crickets" and "savages." So far, at least four officers have been terminated or resigned in the aftermath of the scandal. Fifteen officers had been placed on leave pending an investigation.

"I have been suing police officers for 39 years, and I have never seen anything like this," said Swaine's attorney, Jerry Steering of Newport Beach. "It never ceases to amaze me that quite often the very people entrusted by our citizens to protect us from dangerous criminals are more dangerous than the criminals."

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At the time of his arrest, Swaine was with Torrance resident Robert Boman, an alleged member of a Southern California-based White

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rance police and city officials knew of the officers' alleged vandalism long before it was publicly disclosed.

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Steering added: "The Torrance Police Department ... concealed from Kiley Swaine the fact that Tomsic and Weldin, that Torrance police officers, were the persons who had vandalized his car, and for that they should be ashamed."

Torrance's city attorney, police chief, mayor and mayor pro tem did not return requests for comment.

TORRANCE

City pays \$750K over claim police painted swastika on man's car

By Tony Saavedra
tsaavedra@scng.com

The city of Torrance has paid \$750,000 to the owner of an impounded car that allegedly was spray-painted by police with a swastika in 2020.

The payment settles a \$6 million federal lawsuit by car owner Kiley Swaine, who did not learn of the alleged involvement of two former Torrance police officers until nearly two years

SWASTIKA » PAGE 4



LOS ANGELES POLICE

SERGEANT
ANDY GARCIA
SERIAL No. 27045

INTERNAL AFFAIRS - CCU

THE BRADBURY BUILDING
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ANNADENISE H. BRIZ
LIEUTENANT
UNIT COMMANDER

County of Los Angeles
SHERIFF'S DEPARTMENT
Alex Villanueva, Sheriff



Jose Huizar agrees to plead guilty

BY MICHAEL FINNEGAN
AND DAVID ZAHNISER

Former Los Angeles City Councilmember Jose Huizar has agreed to plead guilty to racketeering and tax evasion, admitting that he extorted at least \$1.5 million in bribes from real estate developers.

In a plea agreement filed Thursday in federal court in Los Angeles, Huizar ac-

City Council.

It also confirmed that pervasive graft tainted the city's byzantine process for approving real estate projects in downtown Los Angeles in recent years.

Huizar's deal with prosecutors came after developers were convicted of bribing him at two consecutive trials, and an array of other players at City Hall pleaded guilty to felonies.

The last major defendant

in the scandal to face charges is former Deputy Mayor Raymond Chan, whose racketeering trial is set to start Feb. 21.

"He's innocent, so we're going to go to trial," Chan's attorney Harland Braun said.

Had he gone to trial alongside Chan, Huizar was sure to face a daunting arsenal of evidence that prosecutors have amassed, in-

[See Huizar, A9]

in the alleged crime involved the use of a firearm. The film's assistant director, David Halls, who investigators said gave the loaded revolver to Baldwin just before a rehearsal in an old wooden church at Bonanza Creek Ranch near Santa Fe, reached a plea

[See 'Rust,' A6]

The prosecutors 'wrestled' with it

The D.A. and special prosecutor sit for a Q&A. Also, a look at Baldwin's career arc. CALENDAR, E1

tory five years in prison, because the alleged crime involved the use of a firearm.

The film's assistant director, David Halls, who investigators said gave the loaded revolver to Baldwin just before a rehearsal in an old wooden church at Bonanza Creek Ranch near Santa Fe, reached a plea

[See 'Rust,' A6]

FRIDAY

JUNE 2, 2023

Under New Mexico's involuntary manslaughter laws, Baldwin could face up to five years in prison if a jury finds criminal negligence in his accidental firing of a vintage Colt revolver during the setup of a camera angle in October 2021.

Jurors will have to weigh whether he "should have known of the danger involved" when he pointed loaded gun at Hutchins "acted with a willful disregard for the safety of others." Baldwin's attorney, Luke Nikas, said the actor "relied on the professionals with whom he worked, who assured him the gun did not have live rounds."

Baldwin has long proclaimed his innocence. He was not his duty as an actor, he said, to ensure the pistol was not loaded with live ammunition, which is generally banned on movie sets.

Assistant director Dave Halls — who has agreed to plead guilty to negligent use of a deadly weapon — had told Baldwin that it was a "cold gun," meaning its cylinder had been checked to ensure it was safe to use, according to the actor.

It was Hutchins, Baldwin said, who told him to point the gun at her as she was plotting a camera angle in a

[See Charges, A6]

Who leaked draft opinion on abortion?

Supreme Court says its internal investigation has failed to identify who released the controversial ruling last year. NATION, A5

U.S. moves to avoid debt crisis

Councilmember
JOSE HUIZAR

CITY OF LOS ANGELES
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BRINGING BACK ADWAY

José Huizar
Clean Communities



AGENDA LOS ANGELES CITY COUNCIL

Wednesday, March 1, 2017

10:00 AM

JOHN FERRARO COUNCIL CHAMBER

ROOM 340, CITY HALL

200 NORTH SPRING STREET, LOS ANGELES, CA 90012

Click on the Council file number to access background documents for individual agenda items

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HERB J. WESSON, JR., Tenth
District

PAUL KREKORIAN, Second District

President Pro Tempore

BOB BLUMENFIELD, Third District

DAVID E. RYU, Fourth District

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VACANT, Seventh District

Assistant President Pro Tempore

MARQUEECE HARRIS-DAWSON, Eighth District

NURY MARTINEZ, Sixth District

CURREN D. PRICE, JR., Ninth District

Councilmember
**JOSE
HUIZAR**





2. Response to Increase in Antisemitic Incidents

Recommendation as submitted by Supervisor Horvath: Request the Sheriff to report back to the Board in writing in 30 days with the number of antisemitic incidents that have occurred over the last five years, including any trends or data available regarding the incidents; and request the Sheriff, in consultation with the Executive Directors of the Human Relations Commission and the Countywide Criminal Justice Coordination Committee, and any other relevant partners, to report back to the Board in writing in 30 days detailing the measures the Department has taken in response to the increase in antisemitic incidents and additional measures the Department can take in order to ensure the safety of Jewish community members in the County. (23-0319)



AGENDA HHH
LOS ANGELES CITY COUNCIL

Wednesday, March 1, 2017
10:00 AM

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ROOM 340, CITY HALL
200 NORTH SPRING STREET, LOS ANGELES, CA 90012

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MITCHELL ENGLANDER, Twelfth District ✓

PAUL KORETZ, Fifth District

VACANT, Seventh District

Assistant President Pro Tempore

MARQUEECE HARRIS-DAWSON, Eighth District

NURY MARTINEZ, Sixth District

CURREN D. PRICE, JR., Ninth District

MIKE BONIN, Eleventh District

MITCH O'FARRELL, Thirteenth District

JOSE HUIZAR, Fourteenth District ✓

immunized from governmental control. Cf. *Yates v. United States*, 354 U. S. 298 (1957); *De Jonge v. Oregon*, 299 U. S. 353 (1937); *Stromberg v. California*, 283 U. S. 359 (1931). See also *United States v. Robel*, 389 U. S. 258 (1967); *Keyishian v. Board of Regents*, 385 U. S. 589 (1967); *Elfbrandt v. Russell*, 384 U. S. 11 (1966); *Aptheker v. Secretary of State*, 378 U. S. 500 (1964); *Baggett v. Bullitt*, 377 U. S. 360 (1964).

Measured by this test, Ohio's Criminal Syndicalism Act cannot be sustained. The Act punishes persons who "advocate or teach the duty, necessity, or propriety" of violence "as a means of accomplishing industrial or political reform"; or who publish or circulate or display any book or paper containing such advocacy; or who "justify" the commission of violent acts "with intent to exemplify, spread or advocate the propriety of the doctrines of criminal syndicalism"; or who "voluntarily assemble" with a group formed "to teach or advocate the doctrines of criminal syndicalism." Neither the indictment nor the trial judge's instructions to the jury in any way refined the statute's bald definition of the crime

Page 395 U. S. 449

6-2-2023

in terms of mere advocacy not distinguished from incitement to imminent lawless action. [Footnote 3]

Accordingly, we are here confronted with a statute which, by its own words and as applied, purports to punish mere advocacy and to forbid, on pain of criminal punishment, assembly with others merely to advocate the described type of action. [Footnote 4] Such a statute falls within the condemnation of the First and Fourteenth Amendments. The contrary teaching of *Whitney v. California*, *supra*, cannot be supported, and that decision is therefore overruled.

Reversed.

[Footnote 1]

The significant portions that could be understood were:

"How far is the nigger going to -- yeah."

"This is what we are going to do to the niggers."

"A dirty nigger."

"Send the Jews back to Israel."

"Let's give them back to the dark garden."

"Save America."

"Let's go back to constitutional betterment."

"Bury the niggers."

"We intend to do our part."

"Give us our state rights."

"Freedom for the whites."

"Nigger will have to fight for every inch he gets from now on."

[Footnote 2]



HERMAN
HERMAN



LOS ANGELES CRIMINAL
ENTERPRISE!

NOT

WELCOME

"WE THE PEOPLE Declaration"

POLITICAL ARENA is often Abusive!

Accordingly, we are here confronted with a statute which, by its own words and as applied, purports to punish mere advocacy and to forbid, on pain of criminal punishment, assembly with others merely to advocate the described type of action. [n4] Such a statute falls within the condemnation of the First and Fourteenth Amendments. The contrary teaching of *Whitney v. California, supra*, cannot be supported, and that decision is therefore overruled.

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Nigger will have to fight for every inch he gets from now on.

2. It was on the theory that the Smith Act, 54 Stat. 670, 18 U.S.C. § 35 embodied such a principle and that it had been applied only in conformity with it that this Court sustained the Act's constitutionality. *Dennis v. United States*, 341 U.S. 494 [341 U.S. 494 (1951)]. That this was the basis for *Dennis* was emphasized in 341 U.S. 494 (1951). That this was the basis for *Dennis* was emphasized in *Yates v. United States*, 354 U.S. 298, 320-324 (1957), in which the Court overturned convictions for advocacy of the forcible overthrow of the Government under the Smith Act, because the trial judge's instructions had allowed conviction for mere advocacy, unrelated to its tendency to produce forcible action.

3. The first count of the indictment charged that appellant

did unlawfully by word of mouth advocate the necessity, or propriety of crime, violence, or unlawful methods of terrorism as a means of accomplishing political reform. . . .

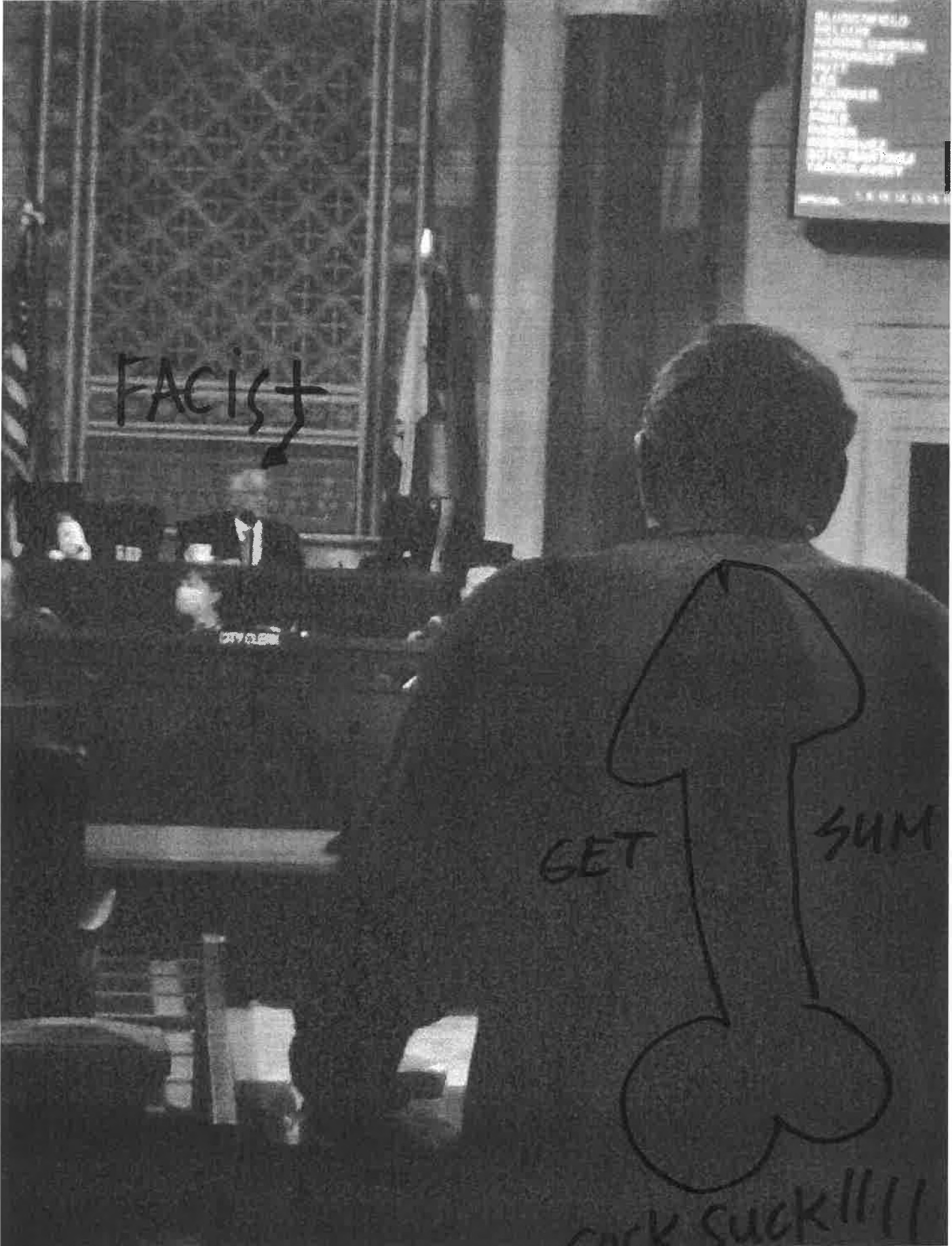
The second count charged that appellant "did unlawfully voluntarily assemble with a group or assemblage of persons formed to advocate the doctrines of criminal syndicalism. . . ." The trial judge's charge merely followed the language of the indictment. No construction of the statute by the Ohio courts has brought it within constitutionally permissible limits. The Ohio Supreme Court has considered the statute in only one previous case, *State v. Kassay*, 126 Ohio St. 177, 184 N.E. 521 (1932), where the constitutionality of the statute was sustained.

4. Statutes affecting the right of assembly, like those touching on freedom of speech, must observe the established distinctions between mere advocacy and incitement to imminent lawless action, for, as Chief Justice Hughes wrote in *De Jonge v. Oregon, supra*, at 364: "The right of peaceable assembly is a right cognate to those of free speech and free

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4's Budget Criminal Dictatorship



ARMENIAN MAFIA / KKKORIAN PAUL AKA KREKORIAN

Swastika

FROM PAGE 1

after the damage to his 2004 Hyundai Elantra.

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Torrance's city attorney, police chief, mayor and mayor pro tem did not return requests for comment.

TORRANCE

City pays \$750K over claim police painted swastika on man's car

By Tony Saavedra
tsaavedra@seng.com

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SWASTIKA > PAGE 4



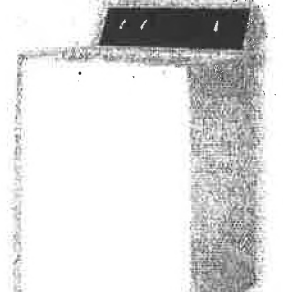
LOS ANGELES POLICE

SERGEANT ANDY GARCIA SERIAL NO. 27045

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ANNADENNISE H. BRIZ
LIEUTENANT
UNIT COMMANDER

SHERIFF'S DEPARTMENT
Alex Villanueva, Sheriff
County of Los Angeles



CELIA ZAVALA
Executive Officer



mf=
HHH
"A DIRTY"
NISSEYS

Board of Supervisors

Agenda

TUESDAY, NOVEMBER 1, 2022

- 16. Recognizing November 11, 2022 as "Veterans Day" and Supporting Veterans in Los Angeles County

SMARTY PANTS



mf/
You...
ACCESS

AGENDA

FOR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES

TUESDAY, NOVEMBER 1, 2022

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Board of Supervisors

Agenda

TUESDAY, NOVEMBER 1, 2022

- 52. Multifamily Housing Revenue Bonds to Finance the Development of Housing for Homeless Veterans

HOLLY J. MITCHELL
Chair
Supervisor, 2nd District

County of Los Angeles
Treasurer and Tax Collector

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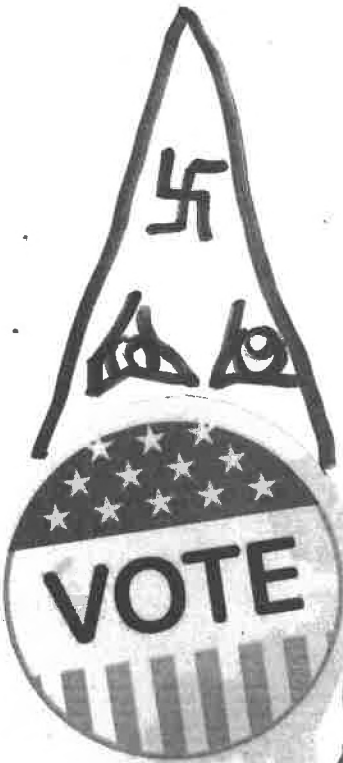
HILDA L. SOLIS
Supervisor, 1st District

SHEILA KUEHL
Chair Pro Tem
Supervisor, 3rd District

JANICE HAHN
Supervisor, 4th District

KATHRYN BARGER
Supervisor, 5th District

3/2/2011
FAGGETZ



FUCK YOU
HERMAN

Docket
NO.
09-751

SNYDER V. PHELPS 562 U.S. 443

Ridley-Thomas convicted on 7 counts in corruption case

In stunning downfall, the veteran L.A. politician is found guilty of conspiracy, bribery and fraud, and could face years in prison

— Brandenburg v. Ohio :: 395 U.S. 444 (1969) :: Justia US Supreme Court
By .

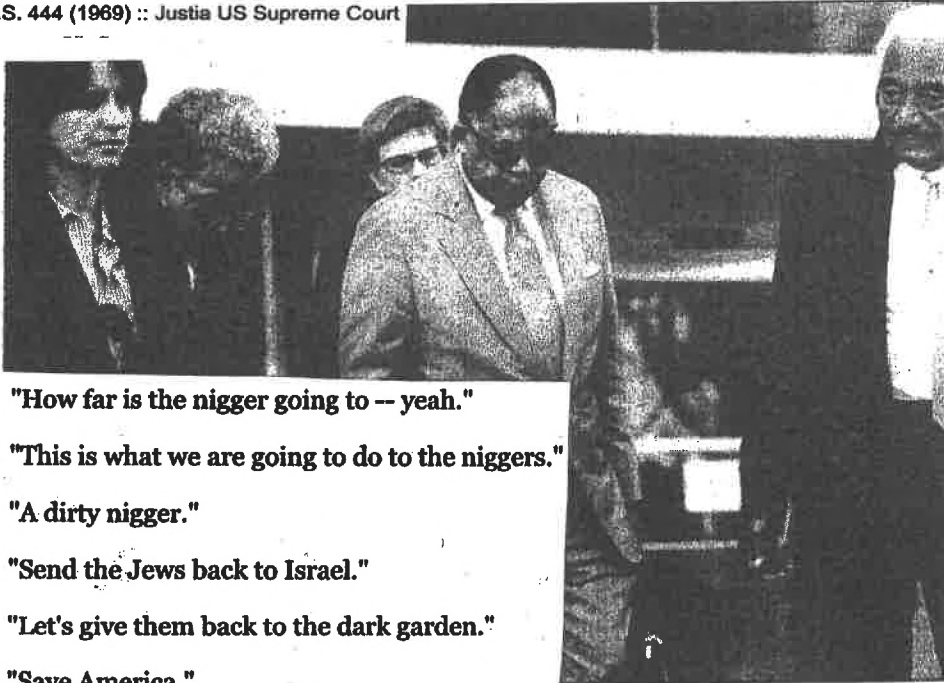
Mark Ridley-Thomas, one of Los Angeles County's most prominent politicians, was found guilty Thursday of federal corruption charges for extracting special benefits for his son from USC while voting in support of motions and a contract sought by the university.

The verdict, which jurors reached in their fifth day of deliberations, marks a devastating fall for a man who for more than 30 years was a power broker in L.A. politics and a staunch advocate for civil rights and racial justice.

Ridley-Thomas, 68, now faces the possibility of years in federal prison and the permanent loss of his seat on the L.A. City Council, from which he has been suspended for the last 17 months.

Of the 19 counts against Ridley-Thomas, jurors found him guilty of seven: conspiracy, bribery, honest services mail fraud and four counts of honest services wire fraud.

As U.S. District Judge
[See Verdict, A12]



DANIA MAXWELL Los Angeles Times

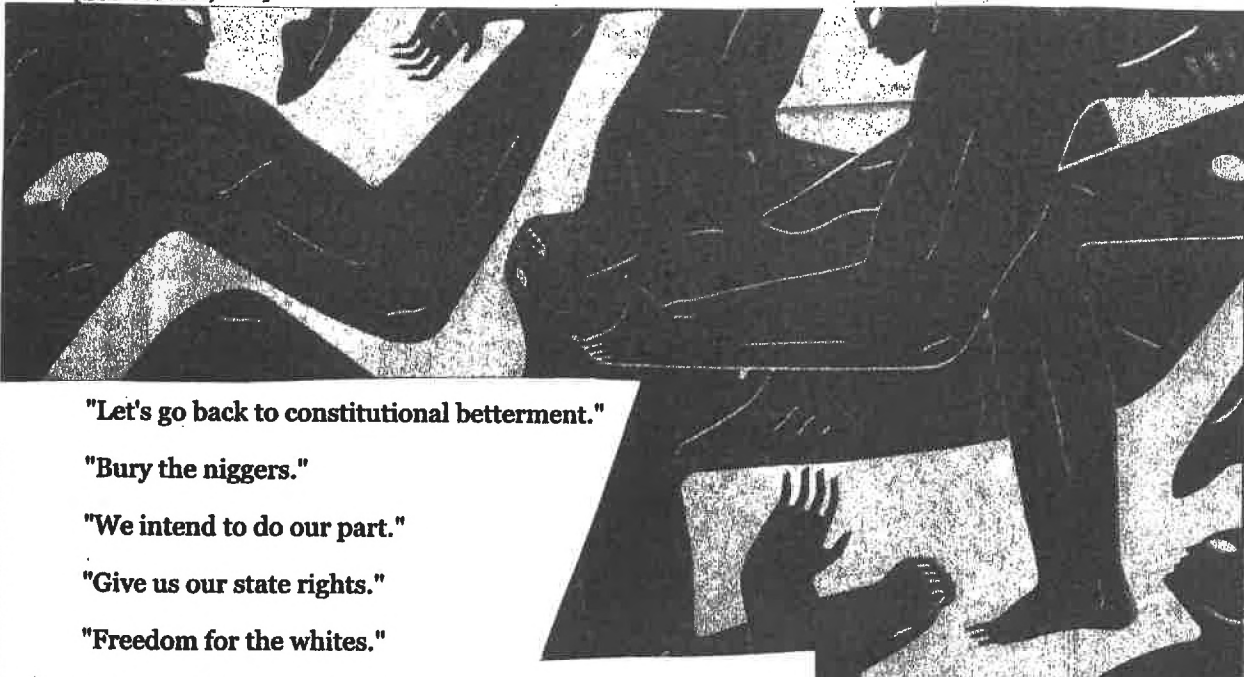
THE CONVICTION of Mark Ridley-Thomas, shown leaving court Monday, is the most high-profile in a string of victories for federal prosecutors in L.A.

Was justice served?

Outcome of the trial doesn't feel that way to Black Angelenos, columnist Erika D. Smith writes. CALIFORNIA, B1

City Council seat opens

Fill-in Hutt could be reappointed; a special election is also possible to fill Ridley-Thomas' seat. CALIFORNIA, B1



"Let's go back to constitutional betterment."

"Bury the niggers."


"We intend to do our part."

"Give us our state rights."

"Freedom for the whites."

TODAY EVERYDAY 20230424_125412.jpg



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 ||| Bitch Bitch Bitch



FORMER TOP CITY ATTORNEY HEARS SENTENCE

Thomas Peters gets home detention for extortion scheme related to DWP.

BY DAKOTA SMITH

A former high-level lawyer in the Los Angeles city attorney's office was sentenced Tuesday to nine months of home detention for taking part in an extortion scheme tied to the Department of Water and Power's 2013 billing debacle.

Thomas Peters of Pacific Palisades also was ordered to pay a \$50,000 fine for his role in the sprawling corruption case involving the DWP and the city attorney's office.

The sentence was far more lenient than the 18 months in prison sought by federal prosecutors and the 41 months in prison recommended by the United States Probation Office.

Peters, 57, who oversaw the city's civil litigation branch under former City Atty. Mike Feuer, admitted in a plea agreement last year that he aided and abetted an extortion scheme.

He threatened to fire one of the city's outside lawyers unless that person paid off someone who was threatening to reveal damaging information about city lawyers' handling of the DWP's billing mess, according to his plea agreement.

U.S. District Judge Stanley Blumenfeld Jr., in sentencing Peters on Tuesday, called the case "an incred-

[See Extortion, B2]

inconveniencing the status

PRICES ABOUT THE SAME

Former city attorney gets nine months of detention

[Extortion, from B1] ibly sordid affair." But he also questioned the extent of the "harm" done by Peters.

Peters, in speaking to the judge Tuesday, called his actions "shameful." He declined to comment after the hearing. His wife, Los Angeles Superior Court Judge Elaine Mandel, was among those in the courtroom when the verdict was read.

Peters is the third former city employee to be sentenced in the corruption case that has cost the DWP more than \$100 million, according to an initial estimate by the utility.

David Wright, the former top executive at the DWP, was sentenced in April 2022 to six years in federal prison for bribery. In June, David Alexander, the DWP's former cybersecurity chief, was sentenced to four years in prison for lying to federal authorities.

Peters was a senior member of Feuer's team when the DWP rolled out a new system that sent inaccurate bills to hundreds of thousands of customers.

The city attorney's office hired two outside attorneys, Paul Paradis and Paul Kiesel, to sue PricewaterhouseCoopers, the consulting firm that the city blamed for the billing debacle.

Around the time Paradis began working with the city, he had also been representing Antwon Jones, a DWP customer who was looking to sue over the faulty utility bills. Several DWP ratepayers already had filed lawsuits against the utility after being overcharged.

Ultimately, Paradis and an official in the city attorney's office — whom prosecutors have not named — devised a plan to settle all the lawsuits against the city by finding a lawyer to represent Jones. That way, the class-action lawsuit involving Jones and other ratepayers would be settled quickly on terms agreeable to the city.

In 2017, Peters — then heading the civil litigation office for Feuer — learned that a former employee of



Angeles Times

IRFAN KHAN Los Angeles Tin

THOMAS PETERS pleaded guilty in a scheme related to the L.A. Department of Water and Power.

Kiesel, the outside lawyer helping to sue PricewaterhouseCoopers, had threatened to go public with damaging information about the city's handling of the billing litigation unless she received more than \$1 million, the plea agreement states.

That former employee had "sensitive documents" showing that the city's legal team had secretly colluded with the lawyer representing DWP ratepayers in the billing lawsuit, prosecutors said.

In his plea agreement, Peters confirmed that he feared that if the employee went public with those documents, she would show that the settlement negotiations between the DWP and its ratepayers were not the "adversarial proceeding" that they were supposed to be, which would in turn jeopardize the city's \$67-million settlement and damage the reputation of Feuer's office.

Peters instructed Kiesel to satisfy the staffer's financial demand — and warned him that he would be fired if he didn't. In his plea agreement, Peters admitted that he knew the employee's conduct constituted extortion.

At Tuesday's hearing, Blumenfeld noted that Pe-

ters didn't come up with the idea for the collusive lawsuit although he did go along with it once he learned about it. Blumenfeld also said that despite its origin, the DW settlement appeared to be "beneficial" to the public cause ratepayers' money was recouped.

Some critics, however, objected to the final settlement, arguing that it gave too much power to the DWP because it let the utility determine how much customers should be repaid.

Prosecutors said they sought a reduced prison sentence for Peters because he helped with their criminal investigation and a State Bar of California probe.

Assistant U.S. Atty. Gen. San Har told Blumenfeld Tuesday that she was worried about the message would send to the public if Peters didn't serve any time in prison. She noted that the city fought demands for PricewaterhouseCoopers to produce documents that would have revealed the collusive lawsuit and that Peters was "tethered" to that case.

But Blumenfeld suggested that he didn't think Peters serving time in prison would deter other attorneys from committing misdeeds