

Communication from Public

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Date Submitted: 08/24/2022 02:11 PM

Council File No: 21-0878

Comments for Public Posting: City Hall is voluntarily demanding people show private health information as a requirement to attend the City Council meetings in order to address Council Members in real-time. This practice is a form of De Facto Segregation using legal subterfuges in order to violate Civil Rights under the guise of Public Health. The Brown Act prohibits any requirement to fulfill as precedent to attending the City Council meetings to address the Council Members in Real Time. The City Hall needs to be open and accessible to everyone since everyone does not have full access or may not want to participate in testing or vaccination, as they have the right to refuse medical treatment. The City Hall has no justification for segregating their entrances by requiring vaccine proof or documented proof of negative covid test. This is not just a violation of the Brown Act but it is a violation of the Unruh Civil Rights act due to discriminating against assumed medical conditions. This practice assumes that anyone who is unvaccinated is automatically a risk of contagiousness which has been disproved by the CDC's updated guidelines regarding treating unvaccinated and vaccinated people equally. The updated CDC guidelines indicate that asymptomatic people are not needed to test, meaning that the requirement to ask healthy unvaccinated people to show a documented, negative covid test is arbitrary and unnecessary. There is no reason to continue restricting access to the PUBLIC City Hall and doing so is a violation of the US Constitution. In addition, the continuation of the vaccine mandate violates our Civil Rights under the "color of law". Section 242 of Title 18 "makes it a crime for a person acting under the color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States. For the purpose of Section 242, acts under "color of law" include acts not only done by federal, state, or local officials within their lawful authority but also acts done beyond the bounds of that official's lawful authority, if the acts are done while the official is purporting to or pretending to act in the performance of his/her official duties. Persons acting under the color of law within the meaning of this statute include police officers, prisons guards and other law enforcement officials, as well as judges, care providers in public health facilities, and others who are acting as public officials. It is not necessary that the crime be motivated by animus

toward the race, color, religion, sex, handicap, familial status or national origin of the victim. The offense is punishable by a range of imprisonment up to a life term, or the death penalty, depending upon the circumstances of the crime, and the resulting injury, if any. TITLE 18, U.S.C., SECTION 242 Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, ... shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death." Indicating that everyone who drafted voted for, edited, or published this ordinance is responsible for violating our rights under the color of law. It's time to hold them accountable. It's time to end the newest phase of segregation.