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ACLU ISSUES WARNING TO LOS ANGELES CITY HALL OVER CITY’S ABUSE OF FIRST AMENDMENT RIGHTS AGAINST VALLEY SUPPORTERS AND THEIR RIGHT TO A FAIR VOTE ON INDEPENDENCE
CITY HALL’S PATTERN OF BEHAVIOR OF VIOLATING LAWS MUST STOP

SHERMAN OAKS- The ACLU issued a strongly worded complaint to Los Angeles City today, condemning what the ACLU called “Unequal treatment that constitutes obvious viewpoint discrimination” by city officials and/or their representatives against the San Fernando Valley Independence movement. On November 5th City of Los Angeles Voters will decide whether the San Fernando Valley should be allowed to detach from Los Angeles and form their own independent city. Los Angeles City elected officials have been criticized for initiating campaign committees that oppose Valley Independence and raising millions of dollars from downtown special interests and firms that currently contract with the city to fund their campaigns.

The ACLU called on city officials to take quick and decisive steps to correct the City’s behavior in this historic campaign stating “Given the obvious illegality of the government’s discriminating among speakers on the basis of their viewpoint” the ACLU gave the city until November 4th to report back on what steps the city is taking to prevent further constitutional violations and how they intend to remedy the previous illegal actions of the City against residents that support an independent Valley City.

The ACLU’s letter referenced an October 5th public meeting of the Los Angeles Neighborhood Councils at the Los Angeles Convention Center. Supporters of Valley independence were passing out leaflets that discussed how Neighborhood councils would continue after secession at several entrances to the convention center. Convention Center security threatened them with arrest and escorted them to their cars. On the other hand representatives of Mayor Hahn’s LA United opposition campaign were allowed to set up a table outside the meeting room adjacent to the event registration tables to hand out “No on Proposition F” materials to attendees. They were given full access to the meeting rooms, often coordinating and interacting with Mayor Hahn’s City staff members who were present throughout the day. At first the City denied wrong-doing until it was revealed that a video of the incident was recorded.

The same violations occurred at a previous Neighborhood Council convention at the Universal Sheraton where Valley Independence supporters were told to leave or be arrested while “One LA” another opposition campaign committee was allowed to pass materials in the meeting rooms from table to table uninterrupted. For this reason, Valley volunteers video taped the October 5th incident at the Los Angeles
Convention Center and have the entire episode on tape. The tape features numerous security guards interfering with the legal activity of Valley Independence supporters and a supervisor lecturing the volunteers that they have no right to be on any city property to pass out their secession material and if they insist on continuing they would be arrested.

The ACLU letter asserts that City officials denied Valley Independence supporters their first amendment rights. Valley residents have been frustrated because when abuses occur they have no one to complain to about the unfair treatment since the City’s Mayor and council members have taken it upon themselves to chair the various opposition committees funded by City Contractors and unions, a highly questionable, if not illegal situation. That is why the ACLU was called.

The long established laws of the United States prevent Government officials and departments whether they are Federal, State, County or City from using taxpayer dollars or resources to interfere or give an advantage to either side of a ballot measure. The California Supreme court has held that the use of public resources to support or oppose a ballot measure is illegal. To use taxpayer dollars against their own constituents the supreme court ruled would be manifestly unfair and unjust. Laws also protect the public’s first amendment rights.

The ACLU as an organization opposes Valley secession but felt the City’s illegal actions were so significant that despite the organizations position, they had to step forward on behalf of the civil liberties of the Valley Independence supporters. In 1998 the ACLU sued the City on behalf of Valley VOTE when petitioners were barred from entering the Van Nuys annual Air show for wearing Cityhood t-shirts.

The ACLU/SC believes that any violation of First Amendment rights of people who are speaking in support of secession is unacceptable and a terrible injustice.

"I am very concerned about what appears to be blatant First Amendment violations by city employees or persons acting at their direction with respect to the upcoming vote on Proposition F," said ACLU/SC Managing Attorney, Peter Eliasberg in a letter sent today to Delgadillo. "Specifically, I have received a number of complaints about unequal treatment received by persons engaged in First Amendment activity on city property in support of Valley secession and those opposed to Valley secession."

"This is another example of how the Mayor and his anti-independence campaign have violated the laws to favor his dishonest campaign," said Jeff Brain, President of Valley Vote. “The people of Los Angeles and the Valley deserve to have a fair and open election on Valley independence. The manipulation of the election process by the opposition campaign headed by Mayor Hahn, and discriminating practices against those who support secession, has now been confirmed by the ACLU for all to see as illegal activity. It is a pattern of abuse. If this were happening in a foreign country where the elected leaders were abusing the people’s right to have a fair election on a matter as important as deciding their independence the United Nations would be sending in poll watchers to ensure that the abuses end and a fair election could be held.”

"The people should be given a fair chance to make up their mind on how they want to vote on Nov. 5th,” said Richard Katz. “City Hall is exemplifying with these actions of arrogance and disregard for their constituents’ constitutional rights and voice. This is one of the many reasons why the Valley wants to become its own city.”

[VIDEO FOOTAGE OF THE INCIDENT AND A COPY OF THE ACLU LETTER IS AVAILABLE UPON REQUEST BY CALLING KAREN MORAN AT 323-864-4428 OR 818-501-1035]