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April 16, 2021

The Hon. Erika Contreras
Secretary of the California State Senate
State Capitol, Room 3044
Sacramento, CA 95814

Re: Violations of Due Process rendering further Committee discussion of SB 556 and companion legislation in violation of the Bagley-Keene Open Meeting Act and otherwise in violation of California and national Constitutions, including First Amendment issues

Dear Secretary Contreras -

We all need to recognize with mutual conciliatory sympathy, that this has been our roughest year in terms of holding our shared political system in adequate function. The first easy go-to is Covid, far from a paper tiger, but when we see the fence around the capital grounds we need to remember the persistent destructive conduct of several months past, only those who live in Sacramento or have close ties here and are watchful can comprehend the strains you in governance have been faced. A lot of my life was in Sacramento long ago sharing management of George Moscone's SB 95 through the process, and we have had family there forever.

So this quick supplemental note to mine of Wednesday morning is sent in respectful recognition that the senior Legislative staff have been juggling a great deal in times which some days it seems almost exponentially more difficult to predict any long options.

Yet, with those actually felt concerns having been stated, our political civilization dances on the floor of law and Constitutional provisions which none of the governance entities are legally capable of digging beneath in the interests of perceived governmental or corporate efficiencies, where Due Process of Law must be allowed to champion above all other concerns, or our future in democratic governance is lost and unlikely of restoration.

In example, and in direct emulation of the concerns expressed in my 8 page legal and Constitutional warning letter of the morning of April 14th, your own review will easily confirm that the present system of micro-chokes that the Legislature has imposed upon citizenry seeking to voice their views, is, respectfully, in manifest and obvious violation of the provisions of the THE BAGLEY-KEENE OPEN MEETING ACT as codified Government Code Sections 11120-11132. You, who run the Legislature, respectfully, have an ongoing uninterrupted duty to allow the people to have their voices heard at Committee

and other governmental meetings requiring a quorum and hearing evidence. The governance process does not have the lawful right to exclude informed public comment which communicates data.

This very clearly is not a problem rendered insoluble by Covid or perimeter security concerns. All of the rest of the population is engaging, as I did for a lecture this morning, in Zoom meetings often involving dozens of people, even hundreds, which can be managed quite nicely by a moderator with a Mute button. That wasn't done, and instead an array of chilling policies having as shriveling effect on Due Process have been set in motion. Please see the above mentioned letter of April 14, all of this is very rushed, it is the best I can do. Please note our position of OBJECTION to any further Committee meetings regarding these telecom Bills, and in our submission, under Bagley-Keene any Bills, and particularly in reference to the Standing Committee set to hear SB 556 on Monday, until reasonable objectively quantifiable public access to the process, including the reasonable allocations of time for First Amendment expression, often only three minutes per entity or person, which have, up until these curtailments of Due Process, been the very bread of government.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Harry V. Lehmann', with a stylized, somewhat scribbled flourish at the end.

Harry V. Lehmann