

November 20, 2024

FOR THE RECORD

Please post my Public Comment Handouts
on the Legislative Website for all of the public to view for free

*P.S. Please don't "lose", censor, or hide my Handout inside someone else's
Handout or engage in any other covert method of censorship
as to prevent the public from viewing public records for the 4th time in a
row.*

Just in case, my YouTube Channel is [@whitewatersarah9824](#)

<https://youtube.com/@whitewatersarah9824?si=aKx8KvveoM06TWh4>

Governmental Operations Standing Committee

Meeting date/time: 11/20/2024 1:00 PM

From: Sarah Ramsey

What do I want?

I want the deprivation of rights in regards to Free Speech to cease and desist by the City Council.

I want the Richmond Police Department to have a Financial Crimes Unit with competent individuals.

3 - Minute Speech

To: **Governmental Operations Standing Committee**

By: Sarah Ramsey

November 20, 2024

Honorable Katherine Jordan,

I am speaking before you today for two reasons.

1. I want the Richmond Police Department to have a legitimate Financial Crimes Division, just like other major cities in Virginia. We need RPD to investigate *financial crimes* such as **Nonprofit Embezzlement** in order to present solid evidence to prosecutors that will result in real Justice for Victims.
 - a. One idea to achieve such a goal is to pass an ordinance which requires the Police Department to

have a *Financial-Crimes-Unit* with competent individuals such as CPA's and Forensic Accountants.

Chief of Police Rick Edwards, who reportedly makes at least \$216,000 annually, is being derelict in his duties as it relates to Financial Crimes. As it stands now, I don't feel that we are getting what we are paying for.

2. I want City Council Members to stop depriving me of my First Amendment Right of Freedom of Speech.

If you are not already aware, Council Members are violating my Constitutional Rights. First Amendment violations make the city vulnerable to a 42 U.S.C §1983 Civil Rights Lawsuit. Citizens all over the US are suing and are winning, for the public has grown tired of our rights being violated.

Here is what the Council can do to fix the problems.

1. The City Council can stop depriving me of my right to Free Speech.
2. Make a **public apology** for my deprivation of rights.
3. Make it a requirement for the City Council to have Constitutional training with a focus on the First Amendment.

4. Change the Rules and Procedures so they are in line with the Constitution.

I am sure this *Honorable Committee* will strive to Operate a Government which **embraces Justice** and promotes the **general Welfare for all**.

Thank you.

- Sarah Ramsey

Preamble to the US Constitution

"**We the People** of the United States, in Order to form a more perfect Union, **establish Justice**, insure domestic Tranquility, provide for the common defense, promote the **general Welfare**, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the **United States of America**."

First Amendment of the Constitution

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the **freedom of speech**, or of the press; or the right of the people peaceably to assemble, **and to petition the Government for a redress of grievances**.

For the Record

I was censored again on October 22, 2024 at the Public Safety Standing Committee

I have been speaking at the Public Safety Standing Committee at City Hall. The Council Member (Reva Trammell) and others have both covertly and overtly censored me. This includes my **3-Minute-Speech** as well as my **Public Comment Handouts**: I count 6 separate times of a deprivation of rights.

Some of my Public Comment Handouts have been censored from the legislative website completely or buried beneath another person's Handout as to pervert the process of transparency.

I have sent a cease and desist the censorship email and have publicly requested that the censorship end but was unsuccessful.

You can view the Censorship on the Legislative website and on my YouTube channel - @whitewatersarah9824

<https://youtu.be/CWB528JCmVY?si=Z8u4vaVtTeERQsPr>

I was censored again on October 22, 2024 at the Public Safety Standing Committee..

https://richmondva.granicus.com/player/clip/4196?view_id=1&redirect=true

I speak at minute 6:36 where I am silenced.

Reva Trammell responds to my speech at minute 11:22 where she explains that she will not allow me to criticize individuals in the city government in their official governmental duties.

I am told by the Council Member Reva Trammell that it is not nice to say negative things about those that work in the city government such as the Mayor of Richmond (Levar Stoney) and the Chief of Police (Rick Edwards). Reva Trammell tells me that she will continue to silence me anytime I criticize any city officials. Reva believes that it is her right to silence me when I am speaking before the Public Safety Standing Committee during the Public Comment Period. This is a fallacy.

I believe that the Honorable Reva Trammell truly believed in the beginning that she had the right to censor me under the *Rules and Procedures* for speaking during the Public Comment Period. I have informed Reva Trammell, City Attorneys, the Clerk's Office, as well as the remaining Council Members that Reva Trammell is violating my Constitutional Rights. I have sent a cease and desist letter/email. Ms. Trammell and the others cannot plead ignorance anymore due to the extensive amount of information and dialogue that I have provided. And yet, my first amendment rights continue to be violated after I have educated them of wrongdoing.

“The First Amendment provides that “Congress shall make no law . . . abridging the freedom of speech, or of the press; or of the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.” U.S. Const. Amend. I.”

“The First Amendment prohibits government officials from regulating expression based on the views expressed, a concept known as “viewpoint discrimination.””

““Viewpoint discrimination is an egregious form of content discrimination and is presumptively unconstitutional.” *Iancu v. Brunetti*, 139 S. Ct. 2294, 2299 (2019) (internal quotation omitted).”

CLAIMS

FIRST CLAIM

Violation of First Amendment (Damages) Freedom of Speech, Freedom of Petition.

SECOND CLAIM

Violation of First Amendment (Damages – Municipal Liability under *Monell*) Freedom of Speech, Freedom of Petition

FOR THE RECORD

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on the Legislative Website for all of the public to view for free

P.S. Please don't "lose" or censor my Handouts for the 3th time in a row.

Public Safety Standing Committee

October 22, 2024

From: Sarah Ramsey

Being that this Committee "lost" the Handout that I submitted last month, I have emailed today's Handout for the record.

Please don't censor my Handout again.

Just in case, my YouTube Channel is [@whitewatersarah9824](#)

All one word - @.w.h.i.t.e.w.a.t.e.r.s.a.r.a.h.9.8.2.4.

Alright, let's get into it.

This Honorable Body has deliberately censored Public Handouts.

Last month, the Honorable President Kristen Nye made a **false statement** by saying my Public Handout is on the legislative website - when in fact it is not. This is easily verifiable by cross checking my emailed Handouts against the legislative website.

Last month I gave this committee a Handout *in person* because the clerk told me that if I emailed the Handout - like I did in July - then it would be censored.

Last month, due to the unconstitutional practices of this Committee, I had no choice but to give my Handout in person before I spoke to this Committee.

I gave you a Handout in person regarding how this Committee censored my Handout regarding Freedom of Speech. And now, this Honorable Committee *claims* to have “lost” it.

To be clear, you claim to have “**lost**” a Public Comment Handout about how the City Council is *censoring* Public Comment Handouts.

Sounds improbable, don't you think?

Due to the unlikelihood of the sequence of unfortunate events, I have FOIA'd the security footage in this room to see who in this Honorable Body has “lost” the Handout about this committee censoring Handouts.

The City has responded with an estimate.

The estimate for the footage is \$456.64 (calculated at \$57.08 multiplied by 8 hours.)

FOIA says that the cost must be *reasonable*.

Does this Honorable Body think that it's *reasonable* for the city to charge me, the victim, \$456.00 to find Public Records that this Honorable Committee "lost".

I would ask, in the name of justice, that this Honorable Committee who "lost" the Public Comment Handout describing this committee censoring a Public Comment Handout should be the one to foot the bill. Not me - the person who has been a victim of this Committee violating my Constitutional Rights.

What say you?



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on the Legislative Website for all of the public to view for free

P.S. Please don't "lose" or censor my Handouts for the 3rd time in a row.

Public Safety Standing Committee

October 22, 2024

From: Sarah Ramsey

The City Council's Censorship is objectionable.

The Council must leave open *ample alternative channels of communication*, especially given the fact that the public only has 3 - minutes to speak to the council. Additionally, the council interrupts those 3 - minutes and does not allow the public to regain their time. **Perry Educ. Ass'n v. Perry Educators' Ass'n, 460 U.S. 37 (1983)** ".... leave open ample alternative channels of communication."

For the clerk's office/city council to say that the public may not both speak in person and have their emailed Public Comment Handout be put on the record is a violation of the public's rights, especially since the city council has been shown to "lose" Public Comment Handouts that are furnished to the council in person.



EMAIL....

Censorship at City Hall with the City Council

Wednesday, October 3, 2024

Cease and Desist the Censorship

Dear Clerk's Office, City Council, and City Attorneys:

A Recap

In 2023 I filed a complaint with RPD.

Later I made this complaint known to certain prosecutors, other members of RPD, and multiple people from city council.

RPD notified me that a search warrant was issued.

The circuit court clerks could not find the warrant when it was supposed to be there.

I consulted with RPD.

I consulted with multiple prosecutors.

Finally, the circuit court clerks came into possession of the warrant.

I observed that the warrant had problems.

I made the warrant problems known to RPD and prosecutors.

I was concerned about the responses and lack of responses.

I continued to remain concerned about the unresolved problems.

In 2024, I made the city council aware of the search warrant problems in March, April and June. These interactions are documented on Council's website in both video and documents. During all three of these public comments, the Honorable Chair of the Public Safety Committee expressed concern about discussing this topic at an open meeting.

I was unsuccessful in communicating with her in private.

In July, I again wanted to make public comments on the unresolved warrant problems, but I wanted to avoid the problems I had encountered in previous meetings, including the interruptions I had been getting while speaking.

On the morning before the July Public Safety Committee Meeting, as a courtesy I emailed the City Clerk's office the below-mentioned Public Comment Handout which I submitted in lieu of a hard copy.

Upon information and belief, the clerk and council received and read my emailed Handout before the meeting.

At the Committee meeting, the Chair did not interrupt my speech as had been done before. Upon information and belief, this was a result of my emailed handout.

However, at the July meeting the clerk was the one who interrupted my speech by approaching me midway through it and grabbing the images I was showing to council during my speech.

Upon information and belief, council, with forethought and intention, grabbed my paper image in order to substitute the warrant image for the entire emailed handout.

The unintended image from the speech notes was documented by council and claimed to be my intended Handout, but the emailed Handout itself was not documented.

I corresponded with the clerk's office during August and September about the problem and it was acknowledged that the substitution was intentional.

I attended the September safety meeting to try and resolve my concerns, which not only included council preventing me from speaking on certain public affairs, but now also included council preventing the documentation of my emailed Handout.

The first speaker at the meeting was interrupted by the clerk, who approached her during her speech multiple times to grab her speech notes. Upon information and belief, this act was intended to make it appear that grabbing speech notes was customary, when in fact it was not.

Before I went to the September meeting, I had been instructed that the clerk would not post emailed handouts if I were to come and speak in person. At least not from me, so I was prepared with a paper handout which I quickly offered to the clerk before speaking in order to prevent her from grabbing my speech notes out from under me.

After my speech, a committee member (President Kristen Nye) spoke and stated that my July Handout had in fact been posted, contrary to my claims. I was not allowed to respond to that false statement. Upon information and belief, this member knew that the *wrong* speech illustration was posted, and the complete emailed Handout document had NOT in fact been posted.

As of today 10/03/2024, council has still prevented the correct July emailed Handout from being documented on the legislative website.

As of today 10/03/2024, the September 24, 2024 Handout that I gave in person has not been posted. This Handout was a hard copy (given the fact that the clerk said she will not post the handout if I submitted it by email if I were to also speak in person) which contained the July Handout that was *never* posted - despite Ms. Nye's assertion - to the legislative website, as well as additional information.

As of today, this will be my sixth attempt to have certain documents put onto the record for the public to view - A Public Comment Handout which contains a breakdown of a bogus search warrant. I have asked for said information to be put on the record twice by email, twice by phone, once in person, and now a sixth time by email. This is undoubtedly censorship.

I still have grave concerns about this situation.

Dear Clerks,

My name is Sarah Ramsey.

I spoke last week at the PUBLIC SAFETY STANDING COMMITTEE MEETING (Tuesday, September 24, 2024). I turned in a "Public Comment Hand-Out", however, I do not see it on the record.

Additionally, Janet Ramsey emailed a "Written Public Comment" that should be on the record for Monday, September 23, 2024, but is nowhere to be found.

Lastly, Kristen Nye said on Tuesday, September 24, 2024, *"So Madame Chair, ummm, I just wanted to note for the record that the Hand-Outs were*

posted, ummm, on the Legislative website that the last speaker referred to. Thank you."

If you recall from my speech on Tuesday, September 24, 2024, my *censored* (July - emailed) Public Comment Hand-Out had three major components to it. I stated...

"Was it the breakdown of the bogus Search Warrant?
Was it the Attorney General's **Opinion** on Free Speech?
Or, was it the link to my YouTube Channel, @whitewatersarah9824,
showing the proceedings of this Honorable Body *Publicly* censoring me."

Again, Kristen Nye asserted that the Hand-Outs that the "*last speaker referred to*", meaning my July emailed Hand-Out which included the breakdown of the bogus Search Warrant, the Attorney General's Opinion on Free Speech, and links to @whitewatersarah9824 - showing the proceedings of this Honorable Body *Publicly* censoring me, was posted on the Legislative website. So where is it?

I will ask you once again,

1. Where is my July 23, 2024 emailed "Public Hand-Out" that I submitted which Kristen Nye publicly asserts is on the Legislative Website?
2. Where is my Tuesday, September 24, 2024 "Public Comment Hand-Out"?
3. Where is Janet Ramsey's emailed "Written Public Comment" that should be on the record for Monday, September 23, 2024?

If I do not get an emailed response by Friday, October 11, 2024, then I will interpret this as an admission that both the Clerk's Office and City Council

are in fact *deliberately* censoring my documents, and that Kristen Nye *deliberately* meant to mislead the public into believing that my emailed July Public Comment Hand-Out, which contains the three elements that I have already mentioned above, are on the record - when truth be told it is not.

Fact: There has already been one admission by an individual within City Hall that the July Public Comment Hand-Out is in fact being censored on *purpose*. A fact that can be easily verified when one looks at the email that I sent to the clerk's office and then cross-check that email attachment with the legislative website.

The question is the following: Is the Public Comment Hand-Out that I emailed to the clerks in July on the legislative website like Ms. Nye asserts?

Answer: No.

So, why is Kristen Nye publicly claiming that my emailed documents are on the record when in fact they are not? Please explain. And again, if I do not hear back from you by email, then I will be interpreting this as an admission of *deliberate censorship* by the **City Council**.

Thank you,
Sarah Ramsey

Duties of City Clerk

The City Clerk is a charter-appointed official of the city of Richmond. Section 4.04 of the city's charter mandates that City Council appoint a city clerk to keep the official journal of its proceedings.

The Office of the City Clerk provides administrative support to the Richmond City Council and is a customer-friendly agency which strives to provide exemplary service to citizens so that they may be informed and fully engaged in the legislative process.

Our mission is to ensure the preservation, integrity and accessibility of the city's official record through the shared management of the legislative process, to provide administrative and technical support to the City Council, to disseminate accurate information concerning legislative decisions and policies, and to protect the city seal.

Duties and Responsibilities:

Update and maintain City Council legislative files and related documents.

Create, maintain and update City Council meeting agendas and minutes

Provide summaries of City Council actions

Provide access to City Council meeting information

Assist in the facilitation of City Council meetings

Authorize appointment requests for use of the Council Chambers

Provide public notices

Process Freedom of Information Act requests (FOIA, public records requests)

Maintain custody of the City Seal and authorize its use

Coordinate Council appointed boards and commissions

Induction of City Council members

Register public speakers or participation in City Council meetings

Administer oaths to city officials and boards and commissions appointees

<https://www.rva.gov/office-city-clerk/welcome-office-city-clerk>



First
Amendment
protections for
public
comment at
government
meetings



The First Amendment principles of public comment periods

Perhaps the most fundamental of all First Amendment free speech principles is that individuals have a right to speak at public meetings, which includes free-speech right to criticize the government. The U.S. Supreme Court explained this core democratic principle in [New York Times Co. v. Sullivan](#) (1964), writing of our “profound national commitment to the principle that

debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials.”

Second, the First Amendment prohibits government officials from silencing speakers based on their point of view. This is called [viewpoint discrimination](#) in First Amendment law. When the government discriminates against viewpoints, it is distorting the marketplace of ideas and impeding free trade in ideas by allowing the expression of some ideas but not others. Sometimes, government officials camouflage viewpoint discrimination by contending they are simply protecting the public from offensive or disruptive speech. But, as the U.S. Supreme Court made clear in [Matal v. Tam](#) (2017): “Giving offense is a viewpoint.” The Court elaborated on this point two years later in [Janus v. Brunetti](#) (2019), explaining that the judgment of whether speech is “immoral,” “scandalous,” or otherwise offensive “distinguishes between two opposed sets of ideas: those aligned with conventional moral standards and those hostile to them; those inducing societal nods of approval and those provoking offense and condemnation.”

When government bodies establish public comment periods, they must adhere to fundamental First Amendment principles.

During public comment periods, government officials must tolerate viewpoints they disagree with or dislike. Such is the nature of being a public official in a robust democracy. The Court memorably wrote in the flag-burning decision [Texas v. Johnson](#) (1989): “If there is a bedrock principle underlying the First Amendment, it is that the government may not prohibit the expression of an idea simply because it finds it offensive or disagreeable.”

Third, the government generally may not discriminate against speech based on its content or viewpoint. The Supreme Court articulated this clearly in [Chicago Police Department v. Mosley](#) (1972), writing: “Above all else, the First Amendment means that the government may not restrict speech because of its message, its ideas, subject matter, or its content.” In First Amendment law, government officials often cannot discriminate against speech based on content or especially viewpoint.

<https://www.thefire.org/research-learn/first-amendment-protections-public-comment-government-meetings>

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nicole.jones@rva.gov wirt.marks@rva.gov greg.Lukanuski@rva.gov bonnie.ashley@rva.gov
janet.palmer@rva.gov mailoag@oag.state.va.us osig@osig.virginia.gov
glenn.youngkin@governor.virginia.gov pwhelan@timesdispatch.com
acain@timesdispatch.com abryson@timesdispatch.com mmartz@timesdispatch.com



from:	#####sarah
to:	cao.foia@rva.gov
date:	Oct 11, 2024, 3:52 PM
subject:	This is an official FOIA request - Video Surveillance - City Hall - Richmond VA .
mailed-by:	#####

October 11, 2024

To whom it may concern.

This is an official FOIA request.

“The affairs of government are not intended to be conducted in an atmosphere of secrecy since at all times the public is to be the beneficiary of any action taken at any level of government.”

(§ 2.2-3700. Short title; policy.)

From: Sarah Ramsey
8604 Freestone Ave
Richmond, VA, 23229

10/11/2024

To the Custodian of Records of the security footage at Richmond, VA, City Hall, Council Chambers, 2nd floor; where the **Public Safety Standing Committee Meeting** was held on **September 24th, 2024 at 1:00 pm**.

Dear custodian of records:

1. I am requesting surveillance footage at City Hall of the Chain of Custody of Sarah Ramsey’s Public Comment Handout on September 24th, 2024.
2. The surveillance footage requested is from 1:00 pm to 4:00 pm of City Hall, Council Chambers, 2nd floor; where the Public Safety Standing Committee Meeting was held on September 24th, 2024 at 1:00 pm.

Under the Virginia Freedom of Information Act, §2.2-3704 et seq., I am requesting an opportunity to inspect or obtain copies of public records (video surveillance footage) that shows the chain of custody of Sarah Ramsey's Public Comment Handout that was given to *Nahdiyah Muhammad* - Assistant Clerk at City Hall, Council Chambers, 2nd floor, where the Public Safety Standing Committee was held on September 24th, 2024 at 1:00 pm. at the beginning of Sarah's Public Comment 3-minute speech.

The published video footage of Sarah Ramsey speaking about the City Council Members censoring speech and public handouts is already on the legislative website, but is not adequate enough to locate which City Council Member took final possession of Sarah Ramsey's Public Comment Handout in regards to the City Council Members censoring past Public Comment Handouts which was later "lost" by "a" council member -

https://richmondva.granicus.com/player/clip/4166?view_id=1&redirect=true

However the video footage surveillance that comes from the camera which is located on the wall just above the City Council Members might be adequate enough to fulfill my FOIA request.

Sarah Ramsey's public Comment Handout - which contains information regarding the City Council *censoring* Public Comment Handouts - was "lost" by "a" Council Member. So, via FOIA, I am requesting the *surveillance footage* of the Council Chambers 2nd floor, where the Public Safety Standing Committee Meeting was held on September 24th, 2024 at 1:00 pm.

This FOIA request is done for the purpose of helping to locate the last Council Member who was in possession of Sarah Ramsey's Public Comment

Handout regarding City Council's censorship of Public Comment Handouts; *the City Council claims they do not know who "lost" Sarah Ramsey's Public Comment Handout regarding City Council censoring Handouts.*

Yes, City Council "lost" public records of a Public Comment Handout regarding censorship of the City Council censoring Public Comment Handouts!

Via FOIA, I am requesting security footage at City Hall, Council Chambers, 2nd floor, where the Public Safety Standing Committee Meeting was held on September 24th, 2024 at 1:00 pm. I would like footage from 1:00 pm to 4:00 pm which shows the Council Members taking possession of Sarah Ramsey's Public Comment Handout, the chain of custody of Sarah Ramsey's Public Comment Handout, and of course the final individual shown to have possession of Sarah Ramsey's Public Comment Handout.

The goal is to locate the last Council Member who had possession of Sarah Ramsey's Public Comment Handout so that maybe that particular individual who "lost" the records could dig through their purse, or the bottom of their trash can, and locate Sarah Ramsey's "lost" Public Comment Handout regarding the City Council censoring Public Comment Handouts so that it can be put on the legislative website where it belongs so that the public can view the record for **free.**

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$10.00. (ten dollars). However, I would also like to **request a waiver of all fees** in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of Free Speech, Censorship, and Public Comment Handouts. Additionally, I am requesting a **waiver** due to the fact that the Public Comment

Handout is *supposed* to be on the legislative website for all of the public to view for **free**.

Should you feel the need to charge me for documents that the City Council “lost” that should already be a matter of public record on the legislative website, then please include an *itemized estimate* of the fee before charging me for the documents that should already be free.

Additionally, the City Council would not have had the ability to supposedly “lose” Sarah Ramsey’s September 2024 Public Comment Handout regarding censorship of Sarah Ramsey’s July 2024 Public Comment Handout had I, Sarah Ramsey, been allowed to email my Public Comment Handout before I showed up to speak in person at the Public Safety Standing Committee Meeting on September 24th, 2024 about the City Council censoring me both in person and with my handouts.

Yes, it is important to note that I had previously emailed a Public Comment Handout on July 23, 2024 to the Clerk’s Office cityclerksoffice@richmondgov.com, but the Clerk refused to post the emailed Public Comment Handout which is why I brought a hard copy of my Public Comment Handout on September 24th, 2024 regarding the City Council censoring me. But then, that September 24th, 2024 hard copy Public Comment Handout somehow was mysteriously “lost”; not *deliberately* censored like the previous handouts, not thrown in the trash, but “lost”.

Because the City Council can’t keep track of public documents that the Clerk’s Office is responsible for filing, **We The People** need to *help* the City Council Members by using and viewing surveillance footage of the Council Chambers to find the public records that “someone” accidentally “lost” that describes the City Council censoring Public Comment Handouts.

I was told by *Nahdiyah Muhammad* - Assistant City Clerk that I may not have an emailed Public Comment Handout be put on the record if I were to come and also speak in *person*.

One of the more absurd reasons that I was given as to why my emailed *July* Public Comment Handout was being censored is the following: *Nahdiyah Muhammad* told me that if you speak in person, then you must provide your Public Handout in person, not by email. Again, Nahdiyah stated that if I speak in person, then my Public Comment Handout MUST be given in *person* in the form of a hard copy - NOT an email. If this sounds confusing, corrupt, or just plain wrong, like some dystopian nightmare, it is because it is.

But, none-the-less, because I wanted to get my documents on the legislative website for the public to view for free, I decided to play along and provide a hard copy - on September 24th, 2024 - of my Public Comment Handout regarding the City Council censoring public records. But, sadly “somebody” “lost” my Handout which is why I now require the surveillance footage to find out who was the last City Council Member in possession of the supposed “lost” Public Comment Handout regarding censoring Handouts.

It is important to note that had I been allowed to email my Public Comment Handout in the first place instead of playing these corrupt ridiculous games, then it wouldn't be a problem if Council Members “lost” a copy because the record would have been saved on an email and on the legislative website.

Had I been allowed to both come and speak in person at the Public Safety Standing Committee Meeting on 09/24/2024 **and** email my Public Comment Handout and have it be on the record, then it would have saved countless hours for both the city and myself in trying to locate said records. Could it be that the City Council/Clerks Office said that they will refuse to post an *emailed* Public Comment Handout (like they did to me in July) so that I am forced to bring a hard copy of my Public Comment Handout regarding the City Council censoring Handouts - knowing good and well that I would be forced to bring the Handout

in person if I also wanted to speak in person so then that very handout could somehow magically be “lost” instead of being preserved on a server?

I am told that the censorship that myself as well as others have endured over seven months was *deliberate*, but **this** censorship with the September 24th, 2024 Public Comment Handout regarding the City Council censoring was done by “mistake” because this time the records that are being censored are simply “lost”, not censored - of course. Let’s use the surveillance footage to see which City Council Member made the “mistake” to “lose” my Public Comment Handout regarding the City Council censoring speech.

There should be no trouble filling my FOIA request being that the surveillance footage that I am requesting is of a Public Meeting and in the interest of the Public in finding the “lost” Public Comment Handout regarding the City Council censoring public records.

Lastly, this information is not being sought for commercial purposes but instead for educational purposes.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for considering my request.

Sincerely,
Sarah Ramsey

Just as an F.Y.I.

I tried last week to FOIA Sarah Ramsey's Public Comment Handout (paper document); not video surveillance, like I am requesting by FOIA today on October 11, 2024.

Below is the response that I received to my FOIA as well as a copy of my FOIA.

Sarah Ramsey,

Per Virginia Code 2.2-3704(B)(3), the Office of the City Clerk is not in possession of and cannot provide the document/records you are requesting because it could not be found. You may want to inquire with the Public Information Officer and FOIA Officer for City Council Steve Skinner, at steven.skinner@rva.gov, about the document/record you are requesting.

Thank you,

RJ Warren

Deputy City Clerk
Office of the City Clerk
City of Richmond
900 E. Broad St.
Richmond, VA 23219
Office: (804)646-7955
RJ.Warren@rva.gov

From: #####sarah>

Sent: Friday, October 4, 2024 2:42 PM

To: Warren Jr., Richard A. - Clerk's Office <RJ.Warren@rva.gov>; Skinner, Steven R. - Council Chief of Staff Office <Steven.Skinner@rva.gov>; Dickinson, John K. - City Attorney <John.Dickinson2@rva.gov>

Cc: FOIA Council <foiacouncil@dls.virginia.gov>

Subject: This is an Official FOIA request - (Sarah Ramsey - Public Comment Handout)

Sara Ramsey - Per the Virginia Code of Laws; Title 2.2. Administration of Government » Subtitle II. Administration of State Government » Part B. Transaction of Public Business » Chapter 37. Virginia Freedom of Information Act » § 2.2-3704. (B)(3), Richmond City Council is not in possession of and cannot provide requested document/records, which could not be found.

steve

Steven R. Skinner (he/him)
Council Public Information Manager
RICHMOND CITY COUNCIL
OFFICE OF COUNCIL CHIEF OF STAFF

From: Warren Jr., Richard A. - Clerk's Office <RJ.Warren@rva.gov>
Sent: Wednesday, October 09, 2024 8:40 AM
To: #####Sarah>

Dear Ms. Ramsey,

The Richmond City Attorney's Office is in receipt of your request for records made in accordance with the Virginia Freedom of Information Act (Va. Code Sec. 2.2-3700 et seq.). You have requested records relating to "a **Public Comment Handout** submitted by Sarah Ramsey" that was shared during the Public Safety Standing Committee meeting of September 24, 2024. This office has no records responsive to your request because it never received a copy of your handout. It appears that you have already contacted Council Member Nye and her liaison, Timmy Siverd. If neither the Clerk's Office nor the Council Chief of Staff's Office have the records, they would be my next guess.

Thank you for contacting the Richmond City Attorney's Office.

Sincerely,
John Dickinson

John K. Dickinson
Assistant City Attorney
Office of the City Attorney
900 East Broad Street, Suite 400
Richmond, Virginia 23219
(804) 646-3388

This message is intended only for the named addressees. It may be confidential or protected by the attorney-client privilege or the work product doctrine. If you have received this message in error, do not read it. Please reply to the sender that you have received the message in error, and then delete the message.

From: Whitewatersarah <#####sarah>
Sent: Wednesday, October 9, 2024 2:37 PM
To: Skinner, Steven R. – Council Chief of Staff Office <Steven.Skinner@rva.gov>
Cc: Warren Jr., Richard A. - Clerk's Office <RJ.Warren@rva.gov>; Reid, Candice D. - Clerk's Office <Candice.Reid@rva.gov>; FOIA Council <foiacouncil@dls.virginia.gov>; Dickinson, John K. - City Attorney <John.Dickinson2@rva.gov>; Nye, Kristen M. - City Council <Kristen.Nye@rva.gov>; Siverd, Jr, Timmy M. - City Council <Timmy.Siverd@rva.gov>
Subject: Re: This is an Official FOIA request - (Sarah Ramsey - Public Comment Handout)

from: #####sarah
to: "Warren Jr., Richard A. - Clerk's Office" <rj.warren@rva.gov>,
Steven.Skinner@rva.gov,
JOHN.DICKINSON2@rva.gov
cc: FOIA Council <foiacouncil@dls.virginia.gov>

October 4, 2024

To whom it may concern.

This is an official FOIA request.

From: Sarah Ramsey
8604 Freestone Ave
Richmond, VA, 23229

The Custodian of the Records that I am seeking is likely with the OFFICE OF THE CITY CLERK or the CITY COUNCIL MEMBERS - Richmond, VA.

<p>City Clerk - Candice D. Reid <i>Nahdiyah Muhammad</i> - Assistant Clerk City</p>	<p>The Honorable Kristen M. Nye, Council President (2024)</p> <p>Councilmember, Richmond City Council Richmond Southwest 4th Voter District</p>
<p>Phone 804-646-7955</p> <p>Email CityClerksOffice@rva.gov</p> <p>City Clerk</p> <p>900 E. Broad St., Suite 200 Richmond, VA 23219 USA</p> <p>Fax: (804)646-7736</p> <p>Hours</p> <p>Monday-Friday 8:00 a.m. - 5:00 p.m.</p>	<p>Phone 804.646.5646</p> <p>Fax 804.646.5468</p> <p>kristen.larson@rva.gov</p>

Dear custodian of records,

Under the Virginia Freedom of Information Act, §2.2-3704 et seq., I am requesting an opportunity to inspect or obtain copies of public records. The public record that I am requesting is a **Public Comment Handout** submitted by Sarah Ramsey that *should* have already been posted to the legislative website for the public to view for free.

Sarah Ramsey's **Public Comment Handout**, which I (Sarah Ramsey) am requesting via FOIA, was given to *Nahdiyah Muhammad* - Assistant Clerk, City of Richmond, VA on September 24, 2024, who then handed the Public Comment Handout records to Kristen Nye who is the President of the City Council.

The **Public Comment Handout**, which should be a matter of public record on the legislative website for the public to view for free, was given to *Nahdiyah Muhammad* - Assistant Clerk on 09/24/2024 during a **Public Safety Standing Committee Meeting**.

Sarah Ramsey held up the **Public Comment Handout** for *Nahdiyah Muhammad* to collect just before Sarah Ramsey spoke during the public comment period. Nahdiyah Muhammad collected Sarah Ramsey's **Public Comment Handout** and gave it to the Council President Kristen Nye, not to the Honorable Chair Reva Trammell. It is the *duty and responsibility* of the City Clerk to update and maintain City Council legislative files and related documents which includes filing Sarah Ramsey's Public Comment Handout so that the public may view the Handout for free.

In order to help assist you in obtaining this FOIA request, I have provided the links to the legislative website where the **Public Comment Handout** *should* be for the public to view for free.

If you need additional information relating to the Public Comment Handout, then feel free to watch the video of Sarah Ramsey speaking.

https://richmondva.granicus.com/player/clip/4166?view_id=1&redirect=true

<https://richmondva.legistar.com/Calendar.aspx>,

<https://richmondva.legistar.com/MeetingDetail.aspx?ID=1114965&GUID=B1954EEB-AB5D-4D51-AAAA-5923F1CF62C9&Search=>

The assistant clerk *Nahdiyah Muhammad* claims that one of the Council Members who was at the Public Safety Meeting on 09/24/2024 has taken the **Public Comment Handout** thereby **preventing** *Nahdiyah Muhammad* from doing her job in filing Sarah Ramsey's Public Comment Handout. I don't know if *Nahdiyah Muhammad* is telling me the truth because Nahdiyah has admitted to *deliberately* censoring my July Public Comment Handout that I had submitted via email, which is why I submitted the July public handout for the **second time**

on 09/24/2024 in addition to other information. And now, *Nahdiyah Muhammad* is claiming that she is unable to post Sarah Ramsey's Public Comment Handout because one or more of the City Council Members has taken Sarah Ramsey's Public Comment Handout that should be on the legislative website for the public to view.

It needs to be said that it is the clerks job to file the Public Comment Handouts and post them to the legislative website, so if one of the Council Members is **preventing** *Nahdiyah Muhammad* or any other clerk from doing her job then we have a serious problem on our hands.

In order to help you locate the Public Comment Handout that Sarah Ramsey gave to *Nahdiyah Muhammad* on 09/24/2024 during the Public Safety Standing Committee Meeting, I have provided part of the Public Comment Handout document that I am formally requesting via FOIA.

Madame Chairman of the Public Safety Committee:

Civil Rights have been violated in regards to Free Speech.

My speech has been overtly chilled when I have spoken before this Honorable Committee in March, April, and June; not to mention my *Public Comment Hand-Out* for July.

Here's the receipts

The US Constitution guarantees Freedom of Speech.

The Virginia Constitution asserts that **freedom of speech** is among the great bulwarks of liberty.

Additionally, didn't the Honorable *public officials* take an oath saying,

"I, _____, do solemnly swear (or affirm) that I will support the **Constitution of the United States, and the Constitution of the State of Virginia**, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as _____, according to the best of my ability. So help me God.

Moreover, the affairs of government are not intended to be conducted in an atmosphere of secrecy. When speech is censored, it is a violation of our most basic rights in America.

Madame Chairman, what was it in *particular* about my *Public Comment Hand-Out* that is to be kept secret from the Public?

Was it the breakdown of the bogus Search Warrant?

Was it the Attorney General's **Opinion** on Free Speech?

Or, was it the link to my YouTube Channel, @whitewatersarah9824, showing the proceedings of this Honorable Body *Publicly* censoring me.

If there are any fees for searching or copying these records, please inform me if the cost will exceed \$10.00. However, I would also like to **request a waiver of all fees** in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of Free Speech, Censorship, and Public Comment Handouts. Additionally, I am requesting a waiver due to the fact that the Public Comment Handout is *supposed* to be on the legislative website for all of the public to view for **free**.

Should you feel the need to charge me for documents that should already be a matter of public record on the legislative website, then please include an itemized estimate of the fee before charging me for the documents that should already be free.

Lastly, this information is not being sought for commercial purposes but instead for educational purposes.

The Virginia Freedom of Information Act requires a response to this request be made within five business days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Please include a record of who is in possession of the documents that I am requesting via FOIA: **“Sarah Ramsey’s Public Comment Handout”** that was submitted on 09/24/2024 to *Nahdiyah Muhammad* - Assistant Clerk at the Public Safety Standing Committee. This is also part of my FOIA request.

Thank you for considering my request.

Sincerely,
Sarah Ramsey

- ###-####

Public Safety Committee Censored

Public Comments

3 - Minute Speech
September 24, 2024

Madame Chairman of the Public Safety Committee:

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Was it the breakdown of the bogus Search Warrant?

Was it the Attorney General's **Opinion** on Free Speech?

Or, was it the link to my YouTube Channel, @whitewatersarah9824, showing the proceedings of this Honorable Body *Publicly* censoring me.

Look, I don't know exactly why this Committee is not upholding their oath to support the US Constitution and the VA Constitution. But the censorship is objectionable and needs to stop immediately, not only for the sake of me, or the sake of Richmond, but for the sake of America.

So please, honor your oath.

Thank you to the Honorable Reva Trammell.

Public Safety Committee

Censored Public Comments

September 24, 2024

Freedom of speech is essential to the maintenance of a free society.

Background

I submitted a Public Handout to cityclerksoffice@richmondgov.com on July 23, 2024 before showing up in person to speak to the Public Safety Standing Committee. To be clear, I presented both verbal comments in person and written information via email to the Council. However, my information/public-handout/evidence was not put into the record for public viewing on the government website.

I stated in the email, "Please include the Comments that I have provided to you in writing (attached PDF) in the Minutes of the Meeting today in addition to my 3-minute speech."

The Public Comment is an opportunity for citizens to present comments and information to the Council. For that reason, the additional information that I provided via email should NOT be censored by the City Council nor the City Clerks or anyone else for that matter, for the affairs of government are not intended to be conducted in an atmosphere of secrecy.

Constitutional Rights

This is a matter of *Constitutional Rights*, for the *Bill of Rights* states the following:

United States Constitution

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the **freedom of speech**, or of the press; or the right of the people peaceably to assemble, and to petition the government for **a redress of grievances**.

Virginia Constitution

Article I

Bill of Rights

Section 12

Freedom of speech and of the press; right peaceably to assemble, and to **petition**.

That the freedoms of speech and of the press are among the great bulwarks of liberty, and can never be restrained except by despotic governments; that any citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right; that the General Assembly shall not pass any law abridging the freedom of speech or of the press, nor the right of the people peaceably to assemble, and to petition the government for the redress of grievances.

When members of City Council censor information, they are behaving like a “despotic government” and thus should be addressed immediately.

City Council Members such as Reva Trammell swore an oath to protect the Constitution of the United States of America and the Constitution of the State of Virginia. So not only are she and her co-conspirators who sit by her side breaking their oath, but they are breaking the city charter, the Constitution of the United States, and the Constitution of the State of Virginia. I am opposed to this type of tyranny.

Sec. 2-1205. - Oath of office.

(a) *Generally.* Every member of the **City Council**, every officer appointed pursuant to the provisions of the Charter or by the Council, every member of a board or commission provided for by the Charter or otherwise created by law or ordinance, and every member of the regular and special police force provided for by the Charter shall take the following oath before entering upon the duties of such office:

I, _____, do solemnly swear (or affirm) that I will support the **Constitution of the United States, and the Constitution of the State of Virginia**, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as _____, according to the best of my ability. So help me God.

Censored Information

The written information that I submitted before speaking, which was rejected by the City Clerk's Office, was of vital importance. The Council Member Reva Trammell had requested "evidence" on June 25th, 2024. I provided said evidence on July 23, 2024 by email; however, that evidence is being censored. The censored information is regarding a questionable search warrant that the Richmond Police Department produced. Additional information was included in the document that, ironically, was about Free Speech.

Why is my information being censored?

I noticed that my information was not put onto the record for the public to view, so I emailed the clerk's office on Aug 13, 2024 notifying them of the error. Because I got no response, I decided to phone the clerk on 9/12/2024 and spoke to Nahdiyah Muhammad - Assistant Clerk City of Richmond, VA at 12:29 pm.

I was given a variety of reasons by Nahdiyah as to why my information was not being put onto the record such as, "But of course you didn't state everything that was in this email. But because you stated the general topics

of it, which was stated in the minutes, it did not get posted in there because those documents that were in here had already been posted.”

What Nahdiyah is describing on the phone is the fact that I was not able to talk about everything that I had submitted via email within my allotted 3-minutes in person in front of the Public Safety Standing Committee.

Nahdiyah stated that because I was able to speak about some of the information/public-handout/evidence that was submitted via email, then that shall negate all of the information that I submitted by email before I spoke on July 23, 2024 in person before the Public Standing Committee. I pushed back on this dystopian logic. Nahdiyah replied, “Me and my colleagues have already had this conversation so let me go ahead and talk about it a little bit further and we'll get back to you about that.”

Not surprisingly, I didn't get a call back from Nahdiyah that day. Furthermore, what do you suppose the names of those colleagues are anyway? Perhaps there will be a FOIA in the future to find out, who knows?

On 9/18/2024, I called the clerk's office to follow up on the previous discussion. I was given a slightly different response as to why my written information, evidence that Reva Trammell requested, was not being put onto the record. The reason that I was given by Nahdiyah Muhammad - Assistant Clerk City of Richmond, VA was the following..

I was told that because I came and spoke in person, any supporting written information that I sent by email cannot and will not be put into the record. She stated that I could either show up in person or submit information by email but I may not do both.

Please allow me to illustrate how this type of nonsense plays out...

Imagine that I have 12,000 pages of typed information that I would like to share with the City Council. Now, I am only given 3-minutes to speak. Clearly, it would be impossible for me to read 12,000 pages in 3-minutes. So given these constraints, I give a vibrant and theatrical speech in hopes

that it will entice the Council Members to review the 12,000 pages of typed information.

What the clerk has relayed to me is that if I desire to both speak in person for 3-minutes and provide 12,000 pages, then I must provide a hard copy of the 12,000 pages in person when I speak. To be clear, I am told that I may not both speak in person for 3-minutes and email 12,000 pages worth of information beforehand via email. If this sounds like insanity, it's because it is; especially given the fact that if I brought in 12,000 pages worth of information to be put into the record, then I would imagine the clerks would be scanning the documents for days.

To say that I can't both email my public handout to be put into the record and show up to speak in person for 3-minutes is by far one of the most outrageous things that have been said to me by a city official in the past several years. I have dealt with RPD intentionally sandbagging an embezzlement investigation, I have dealt with an officer creating a bogus search warrant, but City Council censoring speech by far takes the cake. Censoring my speech and censoring my public handout is a bridge too far. I implore whoever is behind this decision to constantly squash my speech to take a pause and ask yourself if you want Richmond to be a reflection of a terrible tyrannical government or a beacon of light. This is the moment of truth. Will you, City Council, stand with the people and protect our rights to redress our grievances to our government, or will you oppress the people by stomping all over their First Amendment Rights of Freedom of Speech?

There has never been a time where the people that were doing the censoring were on the right side of history. Think about it.

Is this your final answer?

Nahdiyah Muhammad - Assistant Clerk City of Richmond, VA has told me that I may not speak in person for 3-minutes and submit information/public-handout/evidence by email for the public record. Is this still the stance of the City Council/Clerk's Office?

Am I to bring hundreds or even thousands of pages worth of information in person when I speak for the clerks to scan because I am not allowed to both speak and email written information for the public record?

Please provide me in writing where it states in the Rules and Procedures (RESOLUTION No. 2024-R007) that a citizen shall not be allowed to speak in person as well as email their information/public-handout/evidence before a meeting so that it may be included in the public record for public viewing?

What is this really about?

It appears on its face, that what this is really about is City Council Members covering for certain individuals within the Richmond Police Department. Reva Trammell, who heads up the Public Safety Committee, has had a very long and intimate relationship with the Richmond Police Department over the years which could explain why she keeps zealously defending the issues at hand; RPD sandbagging embezzlement investigations. Why else would Ms. Trammell reject supporting putting back in a White-Collar-Crimes-Unit with experts who can investigate such things as embezzlement in Richmond? Why else would Reva Trammell tell alleged victims of embezzlement that the victim needs to pay for a lawyer and go after the bad guys instead of law enforcement? Embezzlement is a CRIME in Virginia § 18.2-111 where one can face up to 20 years in Prison. However, Reva Trammell tells citizens that embezzlement is not a criminal matter but a civil matter that the citizens must handle on their own. Insanity, pure insanity. How is it that Reva Trammell, who heads up the Public Safety Meetings, tells victim after victim that it is up to them to deal with the bad guys; just look at the June 25th, 2024 Public Safety Meeting where she told several woman in a row who was pleading for help from both her and the police that they must deal with the issue on their own.

I am not sure why Reva Trammell rejected my plea to help support RPD by getting a White-Collar-Crimes-Unit or why the evidence that I

submitted, per her request, is being suppressed, for only she can answer those questions. What I do know is that whatever is going on is big enough that Reva is willing to violate our most basic right in America, Free Speech. And I also know that it's big enough that the City Council Member and President Kristen M. Nye as well as the Deputy City Attorney Gregory Lukanuski are willing to silently sit by Reva's side as co-conspirators watching Reva stomp all over a citizens First Amendment Right of Freedom of Speech.

If Free Speech is lost, so goes America!

If we don't learn from history, then we are doomed to repeat it.

Those that are colluding in these types of civil rights violations are setting the city up for a 1983 Civil Rights Law Suite, for it will not be a matter of if, but when. Citizens are growing tired of speech being suppressed, and those who say, "I was just following orders" will be left holding the bag. I am witnessing as certain clerks are being set up to be the fall guy. For it is the clerks being told not to give citizens their full 3-minutes to speak. It is the clerks who are told not to post public handouts on the government website. It is the clerks being set up to be the Face of Censorship.

The City Clerks – likely, unbeknownst to them - are being treated like little hired hit men. The clerks are given orders by City Council Members and the clerks are blindly executing said orders.

Do the clerks even realize that they are engaging in civil right violations and therefore subjecting the city to possible, future 1983 Civil Rights Law Suites?

The clerks seem to be both the victim and the violator. I have heard the clerks say multiple times that "I am just following orders" and words such as, "Don't blame me, I take my orders from the City Council." Now, where

have we heard that type of language before? We have heard it parroted by horrible war criminals in the 1940's. But those types of excuses didn't hold up in the Nuremberg Trials and it stands to reason that it doesn't hold up now. In America, we don't give blanket passes to those that say, "I was just following orders". American's didn't stand for it then, and we won't stand for it now. So no one, especially our beloved and treasured clerks, should fall for being the fall guy. Because when push comes to shove, the judge won't care that you were "just following orders".

The city clerks are the only ones

The clerks are not the only ones participating in civil rights violations, for they are just the ones being pushed to the front lines. Reva Trammell seems to be the one pulling all the strings - or so it may seem. And why is that? Why would Reva Trammell want to censor my information? By censoring me and my information, she is actively engaging in a cover up. Reva is attempting to chill speech which results in the censorship of both valuable evidence and misconduct. And why would Reva want to hide misconduct on behalf of other city officials? A question only Reva herself can answer for.

Reva Trammell, who sits high up in her seat, yells at us mere peasants, tells citizens that we shouldn't criticize those in government positions. Citizens are only given a meager 3-minutes to be heard and Reva demands that we only say nice things about our government officials in those 3-minutes as if this is some sort of social-emotional lesson at circle time in preschool. Grow up! Citizens only have three precious minutes to talk about an issue that matters to them. Citizens are not going to burn through precious seconds playing nonsensical social-emotional games just to appease Reva because she doesn't like it when people point out that sometimes the police lie to citizens – as if this is some sort of big secret that the public are unaware of. This is the city government for pete sakes. We all know that people lie, cheat, and steal! Additionally, citizens are at

these meetings to talk about just that (lying, cheating, and embezzling), not to stand there wasting time discussing how I really enjoy the color blue that was chosen for the Richmond Police Officers. If Reva Trammell, or any of the other Council Members, would like to hear positive things about city government, then make parking friendlier downtown and set up a day for the citizens to shower them in praise for all the wonderful things they have done for the city. But until that day comes, we are stuck with only showing up when we have a problem, and Reva is stuck listening to said problems. It is my suggestion that if folks don't want to listen to the problems anymore and help be part of the solution, then maybe it's time to step aside and let someone else have a go at the job. But until that day comes, Council Members must let the public have Freedom of Speech, for that is the least that Reva can do being that she doesn't want to support getting a white-collar-crimes-unit and talk about bogus search warrants!

It has been established that Reva Trammell and the clerks have been overtly censoring speech, but they are not the only ones involved in the plot to chill the public's speech. City Council Member and President · Kristen M. Nye as well as the Deputy City Attorney · Gregory Lukanuski have been passively involved, for they are sitting next to the violators in real time. Their hands are getting dirty along with Reva's in this spectacular, speech spectacle. I wonder how they feel about watching their fellow colleagues violate people's civil rights? Do they take pleasure in the censorship, for one might come to that conclusion because they certainly are not stopping her from violating her oath to uphold both of the Constitutions? Do they realize that it makes all of them look like the bad guys in the eyes of the public? Do they realize that they are being tyrannical? Do they know that it's a violation of our US Constitution and VA Constitution? Do they know that Free Speech is supposed to be one of our most basic rights in America and by censoring the public they behave like awful dictators or what the VA Constitution terms a despotic government? These are questions only they can answer for.

Final thoughts

It hurts my heart to see where this city and country is heading. The fact that so many individuals in city hall are censoring speech as if it's just another day in Mayberry is freighting. I am not sure how so many Americans have become groomed into thinking that it's ok to censor Citizens of the United States of America, but it needs to be stopped immediately. 'We The People' need to rise up and do better, be better. Because, there may come a time when you, Reva Trammell, Kristen Nye, Gregory Lukanuski, and the City Clerks would like to speak out about a particular issue but instead are silenced by those in power. Please, don't wait until our Freedoms are gone to be courageous. The time is now to do the right thing and speak up about this important Constitutional matter. Because once we have lost Freedom of Speech, it will be too late.

Again, I encourage whoever is behind the censorship to cease and desist immediately, for this is not the path that Richmond wants to go down, for we do not want to be known as the city with a terrible tyrannical system. Don't let Richmond be a star on the map because it has corrupt city leaders who censor its citizens. But instead, let us shine because we are the city who values its citizens, the Constitution, and of course Freedom of Speech.

Sic Itur Ad Astra.

Thank you for taking the time to read this. I have worn my heart on my sleeve. I understand that criticism stings but it is the only way that we can grow. Communicate. I want it known that it has not been my desire to fight with those in the city government, but none-the-less, those seem to be the cards that I was dealt. I went into this entire experience thinking that it would be a cooperative one where we would work together to fix the problems and make Richmond better for everyone by getting the Richmond Police Department a White-Collar-Crimes-Unit. How naïve I was to think that City Council Members would want a unit that is capable of investigating

embezzlement. I am still not entirely sure why I have been met with roadblock after roadblock. And, I must say that I am absolutely, unequivocally flabbergasted that one of my most basic civil rights of Free Speech has been demolished before my very eyes like dust in the wind.

The ball's in your court

If the city council would like to start fresh, then I am open to that, for I think it would be the best use of everyone's time. If that is something that the council would like to do, then I will be on board, but it must start by protecting Free Speech. City Council, here is an olive branch. The question now becomes, what will you do with it?

The balls in your court, so what's it going to be - Free Speech or despotism?

Should you choose the latter, then every single City Member might as well tear up the oath that they swore to and burn it because it's meaningless. For you swore that you will support the Constitution of the United States, and the Constitution of the State of Virginia, and faithfully and impartially discharge and perform all the duties incumbent upon you, according to the best of your ability. So help you God.

Public Safety Committee

Censored Public Comments

3 Minute Speech
Public Safety Meeting
7/23/2024

This council has accused me of not having any evidence relating to the issues I have raised in the last 3 meetings.

Here is the Search Warrant that is being called

into question. These are the apparent problems.

1. The Search Warrant was written to the wrong bank and RPD knew it. RPD was told verbally, by email, and with a Flash Drive the names of the banks that were listed in the Minutes of Meetings of the Corporation that RPD *claimed* to be investigating. And yet, RPD disregarded the evidence and wrote the warrant for the **wrong bank**.

2. RPD claims to have executed an **expired warrant 70 days** after it was issued by the magistrate.

The warrant says that it was issued on October 31st, 2023 and executed on January 8th, 2024, which is a difference of **70 days**. That's seven, zero, 70 days.

(**Issued** - 10/31/2023) + (**Executed** - 01/08/2024) =
[**Difference** - **70 days**]

According to the Code of Virginia "Any search warrant not executed within **15 days** after issuance thereof **shall** be returned to, and **voided** by, the officer who issued such search warrant." (§ 19.2-56.)

<https://law.lis.virginia.gov/vacode/title19.2/chapter5/section19.2-56/>

3. The warrant stated that it was executed on 01/08/2024 at 11:52 hours and received by the Clerk of the Court on 01/08/2024 at 11:52 hours. That's impossible, for the Officer can't be in two places at once.

4. The warrant was **never** *Certified to the Richmond Circuit Court nor Dated*.

5. The **Executing Officer** never signed the Search Inventory Page; in fact, no one signed as the Executing Officer. It's blank.

Furthermore, a bank would *never* have returned records for an expired, unsigned Search Warrant that states it was filed with the court at the exact same second that it claims to have been executed. I have spoken to the bank and they reject the notion that a warrant was executed.

I have consulted with numerous law enforcement individuals across different localities and they have deep concerns about this Warrant. Law enforcement individuals from two localities felt, *in their opinion*, that we have a case of Perjury and Forgery. I want to be clear, that's not my words, **that's law enforcement's words.**

Lastly, RPD claims to have plenty of **probable cause** for a Search Warrant for the *wrong bank*, but not enough, "**articulable facts** that a criminal statute has been violated" for the *right bank*. *Really*, need I say more?

City Council, do you believe that I have the right to redress my grievances?

On April 15, 2016, VA Attorney General Mark Herring ruled that:

The First Amendment of the Constitution of the United States provides that “Congress shall make no law... abridging the freedom of speech”

When public comment is allowed, it must be allowed in a manner consistent with the First Amendment.

1. A prohibition against public comment at public meetings on specific personnel **violates free speech principles.**
2. A prohibition against identifying officials or employees ***violates free speech principles,***
3. A prohibition against all "personal attacks" **violates free speech principles.**

<https://www.opengovva.org/attorney-general-opinion-15-020morrs>

If the City Council should violate my right to free speech for the 5th time, please go to my YouTube Channel @ [Whitewatersarah9824](#) to see the full speech. I will be uploading additional videos soon.

Past speeches...

https://youtu.be/Y1VY_vqzEGg?si=XzF0SkWs-zilhin2

<https://youtu.be/fNfG4LOivdU?si=wR2txbNslpBDpxNX>

<https://youtu.be/CWB528JCmVY?si=DFobBqWD-ikXiA4U>

<https://youtu.be/WI6lJeoFUnw?si=DoVvVUFFAsm91uDA>



whitewatersarah

@whitewatersarah9824 · 18 subscribers · 37 videos

More about this channel ...more

Customize channel

Manage videos

@ Whitewatersarah9824

Search Warrant in Question

SEARCH WARRANT
Commonwealth of Virginia VA CODE §§ 19.2-56, 19.2-57

TO ANY AUTHORIZED OFFICER:
You are hereby commanded in the name of the Commonwealth to forthwith search the following place, person or thing:
Atlantic Union Bank
Attn: Rachel Lape, Registered Agent
1051 East Cary Street
Richmond, VA 23219

for the following property, objects and/or persons:
All account records of Atlantic Union Bank account(s) in the name of Granite Recreation Corporation for the period beginning 1/1/22 to 10/31/23, including: All, authorized names of the account, signature cards, monthly account statements, checks, debits or withdrawals for the account, deposits and deposited items (front and back), electronic deposit information, information related to other account deposits. This search warrant does not authorize or prohibit a specific manner of execution.

This SEARCH WARRANT authorizes a search of a place of abode which may be executed by initial entry of the abode
 only in the daytime hours between 8:00 a.m. and 5:00 p.m., unless prior to the issuance of this SEARCH WARRANT, law-enforcement officers lawfully entered and secured the place to be searched and remained at such place continuously OR
 at any time for good cause shown.

As this SEARCH WARRANT authorizes a search of a place of abode, you are required to be recognizable and identifiable as a uniformed law-enforcement officer and to provide audible notice of your authority and purpose reasonably designed to be heard by the occupants of the place to be searched prior to the execution of this SEARCH WARRANT.

You are further commanded to seize said property, persons, and/or objects if they be found and to produce before the Richmond Circuit Court an inventory of all property, persons, and/or objects seized.

This SEARCH WARRANT is issued in relation to an offense substantially described as follows:
 a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:
 Violation of Virginia Code 18.2-111 Embezzlement

Supplemental sheet attached and incorporated by reference. Number of supplemental pages _____

I, the undersigned, have found probable cause to believe that the property or person constitutes evidence of the crime identified herein or tends to show that the person(s) named or described herein has committed or is committing a crime, or that the person to be arrested for whom a warrant or process for arrest has been issued is located at the place to be searched, and further that the search should be made, based on the statements in the attached affidavit sworn to by

Original, N. [Signature]
 CLERK MAGISTRATE JUDGE
 E. G. Chery

10/31/2023 03:06 PM
DATE AND TIME

FORM DC-109 (MASTER, PAGE ONE OF TWO) 07/23

1830
FILE NO.

SEARCH WARRANT

COMMONWEALTH OF VIRGINIA

v./In re

Atlantic Union account for _____
 Granite Recreation Corporation _____

RECEIVED AND FILED
CIRCUIT COURT
11 52
JAN 08 2024
EDWARD F. JEWETT, CLERK
BY [Signature] D.C.

SWN: 760CM230006940

SEARCH INVENTORY AND RETURN

The following items, and no others, were seized under authority of this WARRANT:

1. No information available
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____

The statement above is true and accurate to the best of my knowledge and belief.

01/08/24
DATE

NA Abbeal #4020
EXECUTING OFFICER

Subscribed and sworn before me this day

1-8-24
DATE

Megan Romoski, D.C.
CLERK MAGISTRATE JUDGE

FOR NOTARY PUBLIC'S USE ONLY:

State of _____ | City | County of _____

Acknowledged, subscribed and sworn to before me this _____ day of _____, 20 _____

NOTARY REGISTRATION NUMBER _____

NOTARY PUBLIC
My commission expires _____

EXECUTION

Executed by searching the within described place, person or thing.

01/08/24 1152 hrs
DATE AND TIME EXECUTED

NA Abbeal #4020
EXECUTING OFFICER

Certified to _____

Circuit Court on _____ DATE

EXECUTING OFFICER _____

Received in person by certified mail
 by electronically transmitted facsimile

ON _____ DATE

by: _____
CLERK OF CIRCUIT COURT

RECEIVED AND FILED
CIRCUIT COURT
11:52
JAN 08 2024
EDWARD F. JEWETT, CLERK
BY LIAZ D.C.

AFFIDAVIT FOR SEARCH WARRANT
Commonwealth of Virginia VA CODE § 19-254

The undersigned Applicant states under oath:

1. A search is requested in relation to an offense substantially described as follows:
 a person to be arrested for whom a warrant or process for arrest has been issued identified as follows:
 Virginia Code Section 18.2-111 Embezzlement

2. The place, person or thing to be searched is described as follows and is a place of abode:
 Atlantic Union Bank
 Attn: Rachael Lape, Registered Agent
 1051 East Cary Street, Suite 1200
 Richmond, Virginia, 23219

3. The things or persons to be searched for are described as follows:
 Copies of the account records of Atlantic Union Bank account in the name of Granite Recreation Corporation for the period beginning 01/01/2022 through current. The specific records to be delivered shall include, but are not limited to, all authorized names on the account, signature(s) cards, copies of monthly account statements, copies of any and all checks, debts or withdrawals for this account, copies of any and all deposits and deposited items (front and back), all electronic deposit information, and any information related to any other deposits made into this account.

RECEIVED AND FILED
CIRCUIT COURT
NOV 03 2023 3:40
EDWARD F. JEWETT, CLERK
BY [Signature] 1st D.C.
CONTINUED ON ATTACHED SHEET

FILE NO.
AFFIDAVIT FOR SEARCH WARRANT

APPLICANT:
Nicholas Odehnal
NAME

Officer
TITLE (IF ANY)

301 S Meadow St, Richmond, VA, 23220
ADDRESS

301 S Meadow St, Richmond, VA, 23220
ADDRESS

Certified to Clerk of
RICHMOND CITY
CITY OR COUNTY
Circuit Court

on 10/31/23
DATE

MAGISTRATE
TITLE

[Signature]
SIGNATURE

Original Delivered in person by certified mail
 by electronically transmitted facsimile
 by use of filing/security procedures defined in the Uniform Electronic Transactions Act

to Clerk of Richmond
CITY OR COUNTY WHERE EXECUTED
Circuit Court

on 11-3-2023
DATE

Mag.
TITLE

[Signature]
SIGNATURE

SMN760CM230008946

FORM DC-198 (MASTER, PAGE ONE OF TWO) 07/17

4. The material facts constituting probable cause that the search should be made are:
See Attachment A

5. The object, thing or person to be searched for constitutes evidence of the commission of such offense [] is the person to be arrested for whom a warrant or process for arrest has been issued.

6. [] Authorization to execute a search warrant of a place of abode other than in the daytime hours between 8:00 a.m. and 5:00 p.m. is requested. The material facts constituting good cause for such authorization are:
This is not an abode.

[] Reasonable efforts were made to locate a judge, and a judge is not available, before seeking authorization from a magistrate to execute a search warrant other than in the daytime hours between 8:00 a.m. and 5:00 p.m., with those reasonable efforts being as follows:

OR [] Reasonable efforts were not made to locate a judge as the following circumstances require the issuance of the search warrant after 5:00 p.m.:

7. I have personal knowledge of the facts set forth in this affidavit AND/OR
 I was advised of the facts set forth in this affidavit, in whole or in part, by one or more other person(s). The credibility of the person(s) providing this information to me and/or the reliability of the information provided may be determined from the following facts:
This affiant is an officer working for the Richmond Police Department with over 8 years of experience. This affiant has investigated numerous financial crimes committed in the City of Richmond. Janet Ramsey provided detailed information related to this case in person at 3rd Police Precinct.

The statements above are true and accurate to the best of my knowledge and belief.

Officer _____ TITLE OF APPLICANT NA Odehual #1020

Subscribed and sworn to before me this day: 10/5/23 2:47PM

DATE AND TIME _____

FORM DC-106 (MASTER, PAGE TWO OF TWO) (9/21) _____
[] CLERK [X] MAGISTRATE [] JUDGE

Attachment A

On 07/22/2023, the complainant, Sarah Ramsey, provided a multitude of information pertaining to what she described as embezzlement from the Granite Recreation Corporation. The information provided indicates that from the year of 2022 there are financial discrepancies throughout the year from what was posted on the Granite website and what was cited in the IRS tax forms. The complainant stated that this started when the current president of the organization, Jonathan Huyard, became president. The complainant has also stated that she believes that Mr. Huyard has taken out a private loan with the funds from the Granite Recreation Corporation funds.

This affiant believes that the Atlantic Union account records requested will confirm or dispel the allegation of embezzlement made by Ms. Ramsey.

70 Days. Warrant expires after 15 days

EXECUTION	
Executed by searching the within described place, person or thing.	
<u>01/08/24</u> <u>1152 hrs</u>	on <u>10/01/23</u>
DATE AND TIME EXECUTED	DATE
<u>NA Adelman #4020</u>	<u>[Signature]</u>
EXECUTING OFFICER	SIGNATURE

Certified to Clerk of
RICHMOND CITY Circuit Court
CITY OR COUNTY
MAGISTRATE
TITLE

1830
FILE NO.

SEARCH WARRANT

COMMONWEALTH OF VIRGINIA

v./In re

Atlantic Union account for
Granite Recreation Corporation

RECEIVED AND FILED
CIRCUIT COURT
11:52
JAN 08 2024
EDWARD F. JEWETT, CLERK
BY *UAZ* D.C.

SWN: 760CM2300008940

EXECUTION

Executed by searching the within described place, person or thing.

01/08/24 1152 hrs
DATE AND TIME EXECUTED

NA Abdnal #4020
EXECUTING OFFICER

MISSING

Certified to _____
Circuit Court on _____ DATE
EXECUTING OFFICER

Received in person by certified mail
 by electronically transmitted facsimile

on _____ DATE
MISSING

by: _____
CLERK OF CIRCUIT COURT

RECEIVED AND FILED
CIRCUIT COURT
11:52
JAN 08 2024
EDWARD F. JEWETT, CLERK
BY *UAZ* D.C.

CAN NOT BE POSSIBLE

Code of Virginia

Table of Contents > Title 19.2. Criminal Procedure > Chapter 5. Search Warrants > § 19.2-56. To whom search warrant directed; what it shall command; warrant to show date and time of issuance; copy of affidavit to be part of warrant and served therewith; warrants not executed within 15 days

← Section →  Print  PDF  email

§ 19.2-56. To whom search warrant directed; what it shall command; warrant to show date and time of issuance; copy of affidavit to be part of warrant and served therewith; warrants not executed within 15 days.

Any search warrant not executed within 15 days after issuance thereof shall be returned to, and **voided** by, the officer who issued such search warrant.

<https://law.lis.virginia.gov/vacode/title19.2/chapter5/section19.2-56/>

From: Janet Ramsey

To: City Clerk's Office

**Written Public Comment for October Public Safety Meeting Monday,
October 21, 2024 10:43:33 PM
[10_22_24 Public Safety Committee - Comments.pdf](#)**

Richmond City Council City Clerk
Written Public Comment

**This Document constitutes a Public Comment for the
City Council Meeting for October 22, 2024.**

I am expressing my views in writing in lieu of an oral presentation.
Please File my written comments and post them on the City Council website
under Meeting Details. -----

Richmond City Council Meeting Guide.
Citizens may express their views in writing in lieu of an oral presentation by
emailing the Office of the City Clerk at CityClerksOffice@richmondgov.com.

<https://www.rva.gov/office-city-clerk/richmond-city-council-meeting->

[guide#:~:text=An%20individual%20may%20appear%20before,within%20a%20th
ree%2Dmonth%20period.&text=A%20public%20hearing%20is%20the,an%20ite
m%20on%20the%20agenda.](#)

Public Participation. Citizen Comment Period
The Citizen Comment Period is an opportunity for citizens to address Council
concerning the services, policies, and affairs of the city.

<https://www.rva.gov/office-city-clerk/richmond-city-council-meeting->

From: Janet Ramsey

Cover Letter

1

To: Attention: Purpose:

Richmond City Council City Clerk
Written Public Comment

This Document constitutes a Public Comment for the City Council Meeting for October 22, 2024. I am expressing my views in writing in lieu of an oral presentation. Please File my written comments and post them on the City Council website under Meeting Details.

Richmond City Council Meeting Guide.

Citizens may express their views **in writing** in lieu of an oral presentation by emailing the Office of the City Clerk at CityClerksOffice@richmondgov.com.

<https://www.rva.gov/office-city-clerk/richmond-city-council-meeting-guide#:~:text=An%20individual%20may%20appear%20before,within%20a%20three%2Dmonth%20period.&text=A%20public%20hearing%20is%20the,an%20item%20on%20the%20agenda>.

Public Participation. Citizen Comment Period

The Citizen Comment Period is an opportunity for citizens to address Council concerning the services, policies, and affairs of the city.

<https://www.rva.gov/office-city-clerk/richmond-city-council-meeting-guide#:~:text=An%20individual%20may%20appear%20before,within%20a%20three%2Dmonth%20period.&text=A%20public%20hearing%20is%20the,an%20item%20on%20the%20agenda>.

Virtual Participation

Citizens are encouraged to provide comments **in writing** to CityClerksOffice@richmondgov.com in lieu of speaking through audio or video means during the meeting.

When submitting comments by email, be sure to include in your email:

- Your full legal name

All written comments must be received **prior to 10:00 a.m.** on the date of the meeting.

<https://www.rva.gov/office-city-clerk/richmond-city-council-meeting-guide#:~:text=An%20individual%20may%20appear%20before,within%20a%20three%2Dmonth%20period.&text=A%20public%20hearing%20is%20the,an%20item%20on%20the%20agenda>.

Rules of Procedure, Public Comment.

A time shall be established during each meeting of Council for [citizens] the public to address the Council on any item which is not on the agenda for that meeting. The Public Comment is an opportunity for citizens to present comments and information to the Council.

<https://www.rva.gov/sites/default/files/2024-03/Res.%20No.%202024-R007.pdf>

Madame President, Members of City Council, City Officials,
City Employees,
and Members of the Public,

PUBLIC COMMENTS

2

Richmond City Council October 22, 2024
Janet Ramsey, Richmond, VA

Thank you for providing me and members of the general public with the opportunity for public comment. And thanks to the State Legislature for adding this provision to the Code of Virginia.

For the benefit of all, I would like to share my research on the whole subject of PUBLIC COMMENTS.

First I am going to list the basic elements I have found surrounding Public Comments.

Then I am going to provide the citations.

Hopefully this information will contribute to our understanding of the unalienable rights to Life, Liberty and the Pursuit of Happiness which Governments are instituted to secure, and which the Declaration of Independence explained.

3

1. The affairs of government are not intended to be conducted in an atmosphere of secrecy. 2. All meetings of public bodies shall be open.

3. The governing body shall provide members of the general public with the opportunity for public comment.

4. When public comment is allowed, it must be allowed in a manner consistent with the First Amendment.

5. A public meeting with a period set aside for public comments meets the definition of a limited public forum.

6. The fundamental constitutional requirements for a limited public forum are that any restrictions on

speech must be reasonable.

7. Any restrictions on speech must be viewpoint neutral.
8. A speech restriction must leave open ample channels of communication.
9. A speech restriction must be applied consistently, regardless of the viewpoints of different speakers.
10. A Governing Body may not bar speakers from discussing personnel issues.
11. A Governing Body may not bar speakers from identifying individual employees or officials during public session.
12. Barring personal attacks is not constitutionally permissible.
13. Freedom of speech is essential to the maintenance of a free society.
14. Richmond City Council maintains an official website.
15. City Council posts meeting information on its website.
16. A Meeting Guide is on the City Clerk's website.
17. Citizens may express their views in writing in lieu of an oral presentation
18. The Meeting Guide explains Public Participation.
19. The Citizen Comment Period is an opportunity for citizens to address Council concerning the services, policies, and affairs of the city.
20. Citizens have the option of Virtual Participation.

4

21. A time shall be established during each meeting of Council for the public to address the Council on any item which is not on the agenda for that meeting. The Public Comment is an opportunity for citizens to present comments and information to the Council.

22. City Council has established Rules for Public Comments at Meetings.

23. Meeting Details of past meetings are posted on the Calendar. Details include links to the Minutes and "Public Comment Documents."

24. "Public Comment Documents" are linked from the "Calendar" to "Legislation" according to how this particular website is set up.

The collection of "Public Comment Documents" for a particular meeting is assigned a file number and is classified as "Council Document."

The Attachments have to be downloaded and do not have a unique web address. Attachment types include “Written Public Comment” and “Public Comment Hand out.”

A “Public Comment Hand out” is provided to the City Clerk by a Public Speaker.

25. A speech restriction on comments, such as time limits, must leave open ample channels of communication. This is accomplished by allowing the speaker to submit more information in the form of a Hand out.

26. It is the duty of the City Clerk to update and maintain City Council legislative files and related documents. This includes assigning a file number to a Public Comment Hand out and posting it in the Meeting Details.

27. Richmond City Council maintains a very nice Official Facebook Page where citizens can add comments to important announcements posted by Council.

However City Council has not invited citizens to post random comments in that particular public forum which are unrelated to the announcement, and it does not appear that Facebook Followers would be interested in seeing random unrelated comments either.

So essentially the only open channel of communication for “public” comments from the “general public” are “Written Public Comments” and “Public Comment Hand outs” which are posted on the City Council website.

If the Public does not have a way to view a person's comments, then they are not “Public” Comments because they are not accessible to the Public.

28. A public official who prevents someone from commenting in the official channels of communication designated for public comments risks the liability of depriving someone of a federal constitutional or statutory right.

29. Deleting public comments, including “Public Comment Hand outs,” under the Authority of the State, is objectionable.

5

30. Blocking public comments, including “Public Comment Hand outs,” under the Authority of the State, is objectionable.

6

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7

Affairs of Government

Code of Virginia,
 Title 2.2. Administration of Government,
 Part B. Transaction of Public Business,
 Chapter 37. The Virginia Freedom of Information Act,
 A. This chapter may be cited as "The Virginia Freedom of Information Act."

B. By enacting this chapter, the General Assembly ensures the people of the Commonwealth ready access to public records in the custody of a public body or its officers and employees, and free entry to meetings of public bodies wherein the business of the people is being conducted.

The affairs of government are not intended to be conducted in an atmosphere of secrecy.

<https://law.lis.virginia.gov/vacode/title2.2/chapter37/section2.2-3700/>

Meetings of Public Bodies

Code of Virginia,
 Title 2.2. Administration of Government,

Part B. Transaction of Public Business,
Chapter 37. The Virginia Freedom of Information Act, § 2.2-3707. Meetings to be public.

All meetings of public bodies shall be open.

<https://law.lis.virginia.gov/vacode/title2.2/chapter37/section2.2-3707/>

Public Comment

Code of Virginia,
Title 15.2. Counties, Cities and Towns, Chapter 14. Governing Bodies of Localities, Article 2. Meetings
of Governing Bodies,
§ 15.2-1416. Regular meetings.
D.

The governing body shall provide members of the general public with the opportunity for public
comment

during a regular meeting at least quarterly.

Code of Virginia
Table of Contents » Title 15.2. Counties, Cities and Towns » Chapter 14. Governing Bodies of
Localities » Article 2. Meetings of Governing Bodies. § 15.2-1416. Regular meetings.

<https://law.lis.virginia.gov/vacodefull/title15.2/chapter14/article2/>

8

First Amendment Rights

When public comment is allowed, it must be allowed in a manner consistent with the First
Amendment.

Opinion of Mark R. Herring, April 15, 2016, Free speech rights of speakers

https://www.opengovva.org/sites/default/files/images/stories/opinions/15-020_Morris.pdf

Public Forum

A public meeting... with a period set aside for public comments -- meets the Supreme Court's
definition of a "limited public forum."

Opinion of Mark R. Herring, April 15, 2016, Free speech rights of speakers

https://www.opengovva.org/sites/default/files/images/stories/opinions/15-020_Morris.pdf

Reasonable Restrictions on Speech

The fundamental constitutional requirements for a limited public forum are that any restrictions on speech must be reasonable

in light of the purpose of the forum.

Opinion of Mark R. Herring, April 15, 2016, Free speech rights of speakers

https://www.opengovva.org/sites/default/files/images/stories/opinions/15-020_Morris.pdf

Restrictions Viewpoint Neutral

The fundamental constitutional requirements for a limited public forum are that any restrictions on speech... must be viewpoint neutral.

Opinion of Mark R. Herring, April 15, 2016, Free speech rights of speakers

https://www.opengovva.org/sites/default/files/images/stories/opinions/15-020_Morris.pdf

Channels of Communication

A speech restriction must... leave open ample channels of communication. Opinion of Mark R. Herring, April 15, 2016, Free speech rights of speakers

https://www.opengovva.org/sites/default/files/images/stories/opinions/15-020_Morris.pdf

9

Consistent Enforcement of Restrictions

A speech restriction must be applied consistently, regardless of the viewpoints of different speakers. Opinion of Mark R. Herring, April 15, 2016, Free speech rights of speakers

https://www.opengovva.org/sites/default/files/images/stories/opinions/15-020_Morris.pdf

Discussing Personnel Issues

The Attorney General concluded that a Governing Body “may not constitutionally bar speakers from discussing personnel issues.”

Opinion of Mark R. Herring, April 15, 2016, Free speech rights of speakers

https://www.opengovva.org/sites/default/files/images/stories/opinions/15-020_Morris.pdf

Identifying Individuals

The Attorney General concluded that a Governing Body “may not constitutionally bar speakers from...

identifying individual... employees or officials during public session.”

Opinion of Mark R. Herring, April 15, 2016, Free speech rights of speakers

https://www.opengovva.org/sites/default/files/images/stories/opinions/15-020_Morris.pdf

Expressing Viewpoints

The Attorney General concluded “that barring 'personal attacks' is not constitutionally permissible.”

Opinion of Mark R. Herring, April 15, 2016, Free speech rights of speakers

https://www.opengovva.org/sites/default/files/images/stories/opinions/15-020_Morris.pdf

Freedom of Speech

Freedom of speech is essential to the maintenance of a free society. Opinion of Mark R. Herring, April 15, 2016, Free speech rights of speakers

https://www.opengovva.org/sites/default/files/images/stories/opinions/15-020_Morris.pdf

10

Richmond City Council Website

City Council maintains an official website.

<https://www.rva.gov/richmond-city-council>

Meeting Information

City Council posts meeting information on its website.

<https://richmondva.legistar.com/Calendar.aspx>

Meeting Guide, Guidelines

A Meeting Guide is on the City Clerk's website. Richmond City Council Meeting Guide.

Citizens may express their views in writing in lieu of an oral presentation by emailing the Office of the City Clerk at CityClerksOffice@richmondgov.com.

NOTE:

This page does NOT say that “All written comments must be received prior to 10:00 a.m. on the date of the meeting.” That rule is hidden in the “Virtual Participation” option. An email is NOT a type of virtual participation.

<https://www.rva.gov/office-city-clerk/richmond-city-council-meeting-guide#:~:text=An%20individual>

%20may%20appear%20before,within%20a%20three%2Dmonth%20period.&text=A%20public%20hearing%20is%20the,an%20item%20on%20the%20agenda.

11

Public Participation

The Meeting Guide explains Public Participation. Citizen Comment Period

The Citizen Comment Period is an opportunity for citizens to address Council concerning the services, policies, and affairs of the city.

and to discuss issues not on the agenda for the business meeting.

However, you must schedule your appearance with the Office of the City Clerk no later than *12:00 a.m. on the date of the meeting. Each speaker is generally allotted three minutes to make their comments.

Richmond City Council Meeting Guide.

(Same website as above, Public Participation option)

12

Virtual Participation

Citizens have the option of Virtual Participation.

To request to speak during the Public Comment Period or during the Public Hearing regarding legislation considered by a committee or Council participants must sign up prior to the meeting by either:

Public speakers must make contact with the City Clerk's office no later than 10:00 a.m. to participate during the meeting. Participation guidelines and instructions will be provided to individuals before the meeting.

(NOTE: Citizens who want to provide comments in writing would not know to click on the “Virtual Participation” option to find all these extra rules relating to emails.)

Citizens are encouraged to provide comments in writing to CityClerksOffice@richmondgov.com in lieu of speaking through audio or video means during the meeting.

When submitting comments by email, be sure to include in your email:

- Your full legal name
- Any organizations you represent
- Any economic or professional relationships that would be affected by the adoption of the legislation

on which you are commenting

All written comments must be received prior to 10:00 a.m. on the date of the meeting.

Richmond City Council Meeting Guide.
(Same website as above, Virtual Participation option)

13

Rules of Procedure, Public Comment.

A time shall be established during each meeting of Council for the public to address the Council on any item which is not on the agenda for that meeting.

The Public Comment is an opportunity for citizens to present comments and information to the Council.

<https://www.rva.gov/sites/default/files/2024-03/Res.%20No.%202024-R007.pdf>

Rules for Public Comments at Meetings

City Council has established Rules for Public Comments at Meetings.

2024 Richmond City Council - Rules for Public Comments at Meetings

<https://richmondva.legistar.com/LegislationDetail.aspx?ID=6513447&GUID=B2534228-8691-40A0-ABEC-DEC86C9C6E97>

Meeting Details

Meeting Details of past meetings are posted on the Calendar.
Details include links to the Minutes and “Public Comment Documents.”

<https://richmondva.legistar.com/MeetingDetail.aspx?ID=1114962&GUID=43B666EB-2E06-4F03-BDD9-87068D5E34A0&Options=info|&Search=>

14

Public Comment Documents

“Public Comment Documents” are linked from the “Calendar” to “Legislation” according to how this particular website is set up.

The collection of "Public Comment Documents" for a particular meeting are assigned a file number and are classified as "Council Document."

Attachments have to be downloaded and do not have a unique web address. Attachment types include "Written Public Comment" and "Public Comment Hand out."

The "Public Comment Hand out" is provided to the Clerk of the Court by a public speaker.

Legislation File #: Type:
File created: On agenda:

CD.2024.222 Version: 1 Council Document

6/25/2024 06/25/24

Status:

Name: Filed

City Council 06/25/24

Title: June 25, 2024 - Public Safety Standing Committee Public Comment Documents

Attachments: 1. 20240625 Public Safety Written Public Comment, 2. 20240625 Public Comment Hand out

<https://richmondva.legistar.com/LegislationDetail.aspx?ID=6736759&GUID=ED135418-6210-4B98-B9C9-6E3FB757610D&Options=&Search=>

Channels of Communication

A speech restriction must... leave open ample channels of communication. Opinion of Mark R. Herring, April 15, 2016, Free speech rights of speakers

https://www.opengovva.org/sites/default/files/images/stories/opinions/15-020_Morris.pdf

In control: Final action:

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Duties of City Clerk

The City Clerk is a charter-appointed official of the city of Richmond. Section 4.04 of the city's charter mandates that City Council appoint a city clerk to keep the official journal of its proceedings.

The Office of the City Clerk provides administrative support to the Richmond City Council and is a

customer-friendly agency which strives to provide exemplary service to citizens so that they may be informed and fully engaged in the legislative process.

Our mission is to ensure the preservation, integrity and accessibility of the city's official record through the shared management of the legislative process, to provide administrative and technical support to the City Council, to disseminate accurate information concerning legislative decisions and policies, and to protect the city seal.

Duties and Responsibilities:

Update and maintain City Council legislative files and related documents.

Create, maintain and update City Council meeting agendas and minutes Provide summaries of City Council actions

Provide access to City Council meeting information

Assist in the facilitation of City Council meetings

Authorize appointment requests for use of the Council Chambers

Provide public notices

Process Freedom of Information Act requests (FOIA, public records requests) Maintain custody of the City Seal and authorize its use

Coordinate Council appointed boards and commissions

Induction of City Council members

Register public speakers or participation in City Council meetings Administer oaths to city officials and boards and commissions appointees

<https://www.rva.gov/office-city-clerk/welcome-office-city-clerk>

Council's Facebook Page

Richmond City Council maintains an official Facebook Page.

<https://www.facebook.com/RichmondCityCouncilVirginiaUSA/>

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Lindke v. Freed, Mar 15, 2024

Full title:KEVIN LINDKE, PETITIONER v. JAMES R. FREED Court:Supreme Court of the United States

Date published: Mar 15, 2024

Held:

A public official who prevents someone from commenting on the official's social-media page engages in state action under §1983 only if the official both (1) possessed actual authority to speak on the State's behalf on a particular matter,

and (2) purported to exercise that authority when speaking in the relevant social-media posts. Pp. 5-15.

(a) Section 1983 provides a cause of action against "[e]very person who, *under color of any statute, ordinance, regulation, custom, or usage, of any State*" deprives someone of a federal constitutional or statutory right. (Emphasis added.) Section 1983's "under color of" text makes clear that it is a provision designed as a protection against acts attributable to a State, not those of a private person.

...

One last point: The nature of the technology matters to the state-action analysis. Freed performed two actions to which Lindke objected: He deleted Lindke's comments and blocked him from commenting again. So far as deletion goes, the only relevant posts are those from which Lindke's comments were removed.

Blocking, however, is a different story. Because blocking operated on a page-wide basis, a court would have to consider whether Freed had engaged in state action with respect to any post on which Lindke wished to comment. The bluntness of Facebook's blocking tool highlights the cost of a "mixed use" social-media account: If page-wide blocking is the only option, a public official might be unable to prevent someone from commenting on his personal posts without risking liability for also preventing comments on his official posts. A public official who fails to keep personal posts in a clearly designated personal account therefore exposes himself to greater potential liability.

<https://casetext.com/case/lindke-v-freed-5>

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Lindke v. Freed, Aug 21, 2024

Full title: Kevin Lindke, Plaintiff-Appellant, v. James R. Freed, in his official and... Court: United States Court of Appeals, Sixth Circuit

Date published: Aug 21, 2024

Kevin Lindke claims that James Freed, the City Manager of Port Huron, Michigan, violated Lindke's free-speech rights by blocking him on Facebook and deleting his Facebook comments.

...

We spelled out the facts of this dispute in our last opinion, so we'll provide an abbreviated version here. See *Lindke v. Freed*, 37 F.4th 1199 (6th Cir. 2022), vacated, 601 U.S. 187 (2024). James Freed was the City Manager of Port Huron, Michigan. He maintained a public Facebook page where he posted updates about his personal life and job. Kevin Lindke left comments on these posts that were critical of the city's handling of the COVID-19 pandemic. In response, Freed deleted Lindke's comments and "blocked" Lindke from accessing Freed's Facebook page. Lindke sued under 42 U.S.C § 1983, alleging that Freed's actions violated Lindke's First Amendment rights.

We affirmed the district court's judgment in favor of Freed on the ground that Freed wasn't engaged in state action. *Id.* at 1207. We held that an official's social-media activity could count as state action only when the activity (1) is part of an officeholder's "actual or apparent duties" or (2) couldn't happen in the same way without "the authority of the office." *Id.* at 1203 (cleaned up). Applying that test, we

concluded that Freed hadn't engaged in state action when he blocked Lindke and deleted his comments. Id. at 1204.

<https://casetext.com/case/lindke-v-freed-6?sort=relevance&resultsNav=false&q=>