

January 07, 2015

John Barisone
City Attorney
333 Church Street
Santa Cruz, CA 95060
Tel: [831.420.6200](tel:831.420.6200)

via email to: JBarisone@abc-law.com
cc: acondotti@abc-law.com
cc: rgallogly@abc-law.com
cc: santacruztaskforce@gmail.com
cc: eschultz@who.eop.gov
cc: bhoffine@who.eop.gov
cc: jearest@who.eop.gov
cc: jsmith2@who.eop.gov
cc: tvietor@who.eop.gov
cc: mlehrich@who.eop.gov
cc: cstevens@who.eop.gov
cc: Stephen.Gale@mail.house.gov
cc: Nancy.deSerpa@mail.house.gov
cc: info@judiciary-dem.senate.gov
cc: whistleblower@judiciary-rep.senate.gov
cc: whistleblower@coburn.senate.gov
cc: renee_bender@enzi.senate.gov
cc: alexandra_wich@kirk.senate.gov
cc: Travis_Hill@banking.senate.gov
cc: Jonathan.Teitel@usdoj.gov
cc: ada.complaint@usdoj.gov
cc: Criminal.Division@usdoj.gov
cc: san.francisco@ic.fbi.gov
cc: washington.field@ic.fbi.gov
cc: brian.farber@dot.gov
cc: david.longo@dot.gov
cc: angela.gates@dot.gov
cc: leslie.rogers@dot.gov
cc: renee.marler@dot.gov
cc: derrin.jourdan@dot.gov
cc: Dolores.W.Cole@hud.gov
cc: Helen.R.Kanovsky@hud.gov
cc: piu@doj.ca.gov
cc: dlane@cityofsantacruz.com
cc: mposner@cityofsantacruz.com
cc: cmthews@cityofsantacruz.com

cc: pcomstock@cityofsantacruz.com
cc: detrazas@cityofsantacruz.com
cc: citycouncil@cityofsantacruz.com
cc: mbernal@cityofsantacruz.com
cc: scollins@cityofsantacruz.com
cc: blipscomb@cityofsantacruz.com
cc: cberg@cityofsantacruz.com
cc: ndaly@cityofsantacruz.com
cc: kvogel@cityofsantacruz.com
cc: rmartinez@cityofsantacruz.com
cc: sclark@cityofsantacruz.com
cc: clemoss@cityofsantacruz.com
cc: dflippo@cityofsantacruz.com
cc: wbarry@cityofsantacruz.com
cc: mconner@cityofsantacruz.com
cc: meveleth@cityofsantacruz.com
cc: bescalante@cityofsantacruz.com
cc: sgarner@cityofsantacruz.com
cc: gcrofts@cityofsantacruz.com
cc: nvasquez@cityofsantacruz.com
cc: jpidcock@cityofsantacruz.com
cc: whansen@cityofsantacruz.com
cc: jkelly@cityofsantacruz.com
cc: bnorthrup@cityofsantacruz.com
cc: rlhouye@cityofsantacruz.com
cc: bwinston@cityofsantacruz.com
cc: kdeeg@cityofsantacruz.com
cc: ateaford@cityofsantacruz.com
cc: mhuynh@cityofsantacruz.com
cc: rkiar@cityofsantacruz.com
cc: dcockrum@cityofsantacruz.com
cc: iburnham@cityofsantacruz.com
cc: bazua@cityofsantacruz.com
cc: lgomez@cityofsantacruz.com
cc: dforbus@cityofsantacruz.com
cc: sfreeman@cityofsantacruz.com
cc: efincutter@cityofsantacruz.com
cc: jauldridge@cityofsantacruz.com
cc: dalbert@cityofsantacruz.com
cc: dao@co.santa-cruz.ca.us
cc: grandjury@co.santa-cruz.ca.us
cc: Dana.McRae@santacruzcounty.us

via facsimile to: 12025148336@nextivafax.com — Molly Moran, Acting Assistant
AG, Civil Rights Division, USDOJ

via facsimile to: 12023071197@nextivafax.com — Jay Bentley, Disability Rights Section, USDOJ

via facsimile to: 12022240454@nextivafax.com — U.S. Senator Barbara Boxer

via facsimile to: 12022283954@nextivafax.com — U.S. Senator Dianne Feinstein

via facsimile to: 12022242499@nextivafax.com — U.S. Senate Majority Leader Mitch McConnell

via facsimile to: 12022282856@nextivafax.com — U.S. Senate Majority Assistant John Cornyn

via facsimile to: 12022247327@nextivafax.com — U.S. Senator Minority Leader Harry Reid

via facsimile to: 12022280400@nextivafax.com — U.S. Senate Minority Assistant Dick

via facsimile to: 12022246020@nextivafax.com — U.S. Senator Charles Grassley

via facsimile to: 12022243479@nextivafax.com — U.S. Senator Patrick Leahy

via facsimile to: 12022286753@nextivafax.com — U.S. Senator Dean Heller

via facsimile to: 12022282862@nextivafax.com — U.S. Senator John McCain

via facsimile to: 12022241388@nextivafax.com — U.S. Senator Carl Levin

via facsimile to: 12022249516@nextivafax.com — Majority Office, U.S. Senate Committee on the Judiciary

via facsimile to: 12022249102@nextivafax.com — Minority Office, U.S. Senate Committee on the Judiciary

via facsimile to: 19165583160@nextivafax.com — Governor Jerry Brown

cc: senator.monning@senate.ca.gov

cc: senator.corbett@senate.ca.gov

cc: senator.evans@senate.ca.gov

cc: senator.jackson@senate.ca.gov

cc: Senator.Leno@senate.ca.gov

cc: assemblymember.Wieckowski@assembly.ca.gov

cc: assemblymember.dickinson@assembly.ca.gov

cc: assemblymember.alejo@assembly.ca.gov

cc: assemblymember.chau@assembly.ca.gov

cc: assemblymember.garcia@assembly.ca.gov

cc: assemblymember.muratsuchi@assembly.ca.gov

cc: assemblymember.stone@assembly.ca.gov

cc: tara.welch@sen.ca.gov

cc: Thomas.Clark@asm.ca.gov

cc: international@theguardian.com

cc: spiegel@spiegel.de

cc: larepubblica@repubblica.it

cc: RT-US@rttv.ru

cc: mike@michaelmoore.com

cc: jon@commondreams.org

cc: counterpunch@counterpunch.org
cc: abross@theatlantic.com
cc: dhazen@altnet.org
cc: stories@democracynow.org
cc: Newshour@PBS.org
cc: frontline@pbs.org
cc: evening@cbsnews.com
cc: 60m@cbsnews.com
cc: nightly@nbc.com
cc: Stephen.Stock@nbcuni.com
cc: Julie.Putnam@nbcuni.com
cc: dateline@nbcuni.com
cc: newseditors@wsj.com
cc: newstips@usatoday.com
cc: peisler@usatoday.com
cc: ami@therealnews.com
cc: rosenthal@cironline.org
cc: nikole.hannah-jones@propublica.org
cc: joaquin.sapien@propublica.org
cc: marshall.allen@propublica.org
cc: olga.pierce@propublica.org
cc: info@ap.org
cc: martin.baron@washpost.com
cc: brady.dennis@washpost.com
cc: washington@nytimes.com
cc: erosenthal@nytimes.com
cc: CLochhead@sfchronicle.com
cc: linda.rogers@latimes.com
cc: achance@sacbee.com
cc: white@kpix.cbs.com
cc: 4listens@kron4.com
cc: contact@pacifica.org
cc: northbayuprising@gmail.com
cc: Spalopoli@santacruzweekly.com
cc: jpierce@santacruzweekly.com
cc: jcopeland@santacruzsentinel.com
cc: kball@thecalifornian.com
cc: tdunlap@register-pajaronian.com
cc: michelle.roberts@nbcuni.com
cc: newstips@kionrightnow.com
cc: dmarkowitz@hearst.com
cc: pgomez@hearst.com
cc: assoc.news@kcsb.org
cc: ksconews@gmail.com

cc: editors@cityonahillpress.com
cc: araghian@cityonahillpress.com
cc: rnorse3@hotmail.com
cc: alex@alexdarocy.com
cc: media@aclu.org
cc: jgrow@nhlp.org
cc: pscheer@firstamendmentcoalition.org
cc: danielle@pogo.org
cc: rblum@sunshineingovernment.org
cc: bbuzenberg@publicintegrity.org
cc: spleich@gmail.com
cc: santacruzacu@gmail.com
cc: huffsantacruz@gmail.com
cc: sinbarras@gmail.com
cc: cpenny@calhfa.ca.gov
cc: vjames@calhfa.ca.gov
cc: sbailey@calhfa.ca.gov
cc: ringram@calhfa.ca.gov
cc: mmiller@calhfa.ca.gov
cc: kgravina@calhfa.ca.gov
cc: tbradell@calhfa.ca.gov
cc: alohacoral@gmail.com
cc: katewenzell@yahoo.com
cc: magicboxradioshow@gmail.com

re: Is Santa Cruz City Attorney retaliating regarding another disabled person's ADA accommodation request?

Dear Mr. Barisone:

Please see the attached flier about your disability based discrimination and my email to you sent on October 27, 2014. You claimed in the December 18th, 2014 Santa Cruz City Council meeting in response to Council member Micah Posner's querying that the City of Santa Cruz fully complies with the Americans with Disabilities Act (ADA). You stated the City Attorney's Office has a "process" for responding to ADA disability accommodation requests.

Unfortunately you have refused (on the telephone to me) and still refuse from my email to provide my sister Patricia Colby a written response to her ADA disability accommodation request as I asked for on October 27, 2014.

I am submitting a California Public Records Act (CPRA) request for the documents which lay out your "process" for handling ADA disability accommodation requests. I am willing to pay a fee of up to \$10 for this. I ask that

if it is electronically available then it be provided to me via email in electronic form, preferably as a PDF.

It's despicable you refuse to provide me — as per my voicemail for you left last Monday, January 5th, 2015 — a written explanation about what the Santa Cruz Police Department (SCPD) plans to do (or not do) in response to the Internet death threat against me on the Santa Cruz Topix forum by (former) Take Back Santa Cruz member Tom Cunniff of Aptos — who posts anonymously (like a coward) — and the subsequent threatening note left under my front doormat at my secret residence. My location was only given to the FBI.

- How was I located?
- By whom?

You and the SCPD were criminally negligent about what happened at the Mission Gardens Apartments which is funded and administered by the City of Santa Cruz. SCPD officers lied to federal agents about the threat Mission Gardens Apartments criminals presented to me. Once again you refuse to address threats against my life from known criminals. The City Council and City staff are complicit in this.

Question:

Will you provide my sister Patricia Colby a written response to her ADA reasonable disability accommodation request — many others need similar ADA disability accommodations. This would set a much needed precedent for the City Attorney's Office regarding the Downtown ordinances.

To repeat, my sister requests that the so called "Move Along Law" not be enforced against her:

No person shall allow a display device to remain in the same location on the sidewalk for a period of time exceeding one hour. After one hour the person who placed the display device on the sidewalk shall not place a display device on the sidewalk within one hundred feet of the original display device location. After one hour the person who placed the display device shall not place a display device in the original display device location, or within one hundred feet of the original display device location, for twenty four hours.

This law was selectively enforced against my disabled client Ms. Kate Wenzell by SCPD Community Service Officer Bradly Barnett to retaliate against her for me

filing a U.S. Department of Justice (USDOJ) discrimination complaint against the SCPD, then naming Barnett as a respondent. Relevant links . . .

<http://tinyurl.com/k5prf2s>

<http://tinyurl.com/mgkf5cx>

<http://tinyurl.com/ov7hmvm>

Refreshers on First Amendment's protections for Free Speech, the Right to Assemble and the Right to Petition the Government for Redress of Grievances:

<http://tinyurl.com/yfggkfp>

<http://tinyurl.com/lul5tk5>

Refreshers on the ADA:

<http://tinyurl.com/pdanpga>

<http://tinyurl.com/qjgd8kk>

<http://tinyurl.com/m3t9zl2>

<http://tinyurl.com/lulrpq4>

To recap:

In a telephone conversation last summer, as documented by Robert Norse on his radio show, you refused to provide me — my sister's acknowledged representative and advocate — a written affirmation consistent with your verbal approval of her reasonable disability accommodation request so that she could show it to SCPD officers to prove you had in fact authorized her to violate the "Move Along Law". You refused to set written precedent for others seeking similar accommodations on Pacific Avenue in Downtown Santa Cruz, as I informed you several others wanted disability accommodations like my sister had requested.

Repeated request:

Please respond in writing to my sister's long overdue reasonable disability accommodation request ASAP to provide a precedent against further disability based discrimination and to demonstrate the City's commitment in complying with the ADA.

For the public good, I will share your written reply with the media, the Santa Cruz County Grand Jury, the USDOJ, Congress, Governor Jerry Brown, the California State Legislature, the ACLU, disability rights advocacy groups and disability rights attorneys.

In case you ignore this request, I will ask President Obama to require the USDOJ to reopen my Title II ADA complaint against you, Caio Arellano, the City Council, City staff and the SCPD, also adding City Clerk Administrator Bren Lehr as a respondent for refusing to accommodate my disabilities for equal access to public records due me under state law.

I ask that you fulfill this request — notarized in writing — by next Friday via certified post, fax and email (with your notarized letter attached as a PDF).

Sincerely yours,
John E. Colby, Ph.D.

email: john.roncohen.colby@gmail.com

cell: [831.428.1990](tel:831.428.1990)

fax: [844.268.6686](tel:844.268.6686)

linkedin: <http://www.linkedin.com/pub/john-colby/3/920/baa>

launching nonprofit: <https://www.facebook.com/GuerillaGorillaAdvocacyInc>

twitter: @JohnGuerilla @jocolbe

Google+:

theme song: <http://youtu.be/GicBGw7LQ2A>

postal address:

849 Almar Avenue, Suite C242

Santa Cruz, CA 95060