

*Law Office of*  
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March 21, 2018

Chief Scott Bixby  
Police Department  
City of Culver City  
4040 Duquesne Ave  
Culver City, CA 90232

Re: Criminal Complaint for Violation of Constitutional Rights Against  
Stephen Hadland, Jim Clarke and Jane Doe 1

Dear Chief Bixby:

The undersigned represents the legal interests of the Ad Hoc Committee For Culver City Residents First (Committee). The Committee wishes to file a criminal complaint against Stephen Hadland (Hadland), Jim Clarke (Clarke) and Jane Doe 1.

The Committee has anonymously distributed a political flier (Flier) asking Culver City residents to vote, and to vote against two specified candidates in the upcoming Culver City City Council election. Members of the Committee have the right to and wish to remain anonymous. Hadland and Clarke have recently published diatribes which falsely accuse and threaten Committee members, and incite others to harass Committee members. Jane Doe 1 harassed and followed Committee members in her automobile, while they distributed Fliers.

**Some Applicable Law**

In *McIntyre v. Ohio Elections Commission* 514 U.S. 334 (1995), the United States Supreme Court, in holding that one may anonymously distribute fliers, states, "Under our Constitution, anonymous pamphleteering is not a pernicious, fraudulent practice, but an honorable tradition of advocacy and of dissent. Anonymity is a shield from the tyranny of the majority." (Exhibit # 1.)

The Committee is not a "committee" for purposes of the Political Reform Act as it has neither received nor expended sufficient funds. (Exhibit # 2.) Volunteer personal services, e.g., members distributing Fliers, are not "contributions."



CULVER CITY POLICE DEPARTMENT  
4040 DUQUESNE AVENUE  
CULVER CITY, CA 90232  
(310) 253-6208

NAME: SILVA #1089  
REPORT #: 18-1692

Culver City has no ordinance impacting Committee members distributing Fliers. (Exhibit # 3.)

### **The Committee's Political Flier**

The Committee has distributed the Flier throughout Culver City. (Exhibit # 4.) The Flier is obviously intended to encourage greater voter turnout and promote the Committee's political opinion. The statements in the Flier are neither false nor defamatory, and do not relate any topic necessary to qualify as "hate speech." (Exhibit # 5.)

### **Hadland**

On March 15, 2018, Hadland published a front-page article in the *Culver City Observer* entitled, "City Council Race Turns Ugly -- Did 'City of Kindness' Evaporate in Front of Our Eyes?" (Exhibit # 6.) A reasonable person would understand the article to state that the Committee violated the law as it did not "register with" and "post the required FPCC [Fair Political Practices Commission] statement," and violated the "California State election codes." As stated above, the Committee is exempt from such requirements. Further, Hadland then seeks the public's help in identifying Committee members, and threatens Committee members with public exposure. Hanland's animus is demonstrated by his failure to reveal that the *Culver City Observer* supports one of the candidates named in the Flier. (Exhibit # 7.)

### **Jim Clarke**

On March 19, 2018, Jim Clarke published an article in the *Culver City Crossroads* entitled "Dear Editor --- 'Kindness Will Overcome'." (Exhibit # 8.) He refers to Hadland's article and Hadland's intent to identify Committee members. A reasonable person would understand Clarke as describing the Flier as "hate speech" and threatens, if "this behavior continues," the Committee members' reputations will be "soiled." The Flier obviously does not deal with race, ethnicity, national origin, gender, religion, sexual orientation or the like, and, thus, cannot qualify as "hate speech." (Exhibit # 5.) Clarke fails to disclose that he supports one of the candidates mentioned the Flier. (Exhibit # 9.)

### **Jane Doe 1**

On March 20, 2018, two Committee members were accosted by an unknown female in the Sunkist Park area of Culver City. She asked whether the members were distributing that *illegal* literature, took photographs, made telephone calls, and then followed the members in her car. The members photographed her and her car. (Exhibits 10 and 11.) Promptly thereafter, a male arrived in another car and attempted to photograph the Committee members. He quickly drove off when asked, "Do you have a problem, Dude?"

**Conclusion**

Both Hadland and Clarke have incited the public to suppress the Committee's rightful political efforts in violation of the Committee's Constitutional right of free-political speech and suppress voter turnout. Their animus is demonstrated by their misleading statements, threats of disclosure and calls for vigilantism. Further, Jane Doe 1 acted on their calls for action.

Please communicate with me in the event that further information is desired, and as to the status of your processing this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Les Greenberg".

LES GREENBERG

LG:pg

Enclosures