

Liebert Cassidy Whitmore

July 23, 2014

c/o Mark H. Meyerhoff

6033 West Century, 5th Floor

Los Angeles, CA 90045

Mr. Meyerhoff,

I am shocked that your firm has released an incomplete investigation. Additionally, since the City's investigation has found that I have violated Charter Section 407, and under the Charter Section 1401, which states:

Sec. 1401. Violations and penalty.

The violation of any provision of this Charter shall be deemed a misdemeanor and be punishable upon conviction by a fine of not exceeding one thousand dollars or by imprisonment for a period not exceeding six months or by both such fine and imprisonment.

The Charter provides for the language on the violations of such in Section 1400, more specifically pointing out Sec. 1400 (a) **"Shall" is mandatory**,

Sec. 1400. Definitions.

Unless the provision or the context otherwise requires, as used in this Charter:

- (a) **"Shall" is mandatory**, and "may" is permissive.
- (b) **"City"** is the City of Riverside, and "department," "board," "commission," "agency," "officer," or "employee," is a department, board, commission, agency, officer or employee, as the case may be, of the City of Riverside.
- (c) **"County"** is the County of Riverside.
- (d) **"State"** is the State of California.
- (e) **"Newspaper of general circulation within the City"** is as defined by State law.

Therefore, I must be provided my Constitutional Due Process Rights under the Constitution of the State of California and the United States, of being a defendant in any criminal proceedings of which I have been charged with a crime as stated under the definitions of the Riverside City Charter, to protect my rights and mount a proper defense and representation:

As such, I am again requesting an attorney of mutual agreement be appointed to me or a Public Defender, as I cannot afford one. Additionally, Please make available all the Witnesses as enumerated in the body of the investigation, all members of the City Council, their staff, Mayor,

Mayor's staff, Mr. Gumpert, yourself and related staff, and others, where a witness list will be provided, for interview from my investigative team.

Provide any and all investigative materials in this matter to myself and representation for review and dissemination, in preparation for my hearing/trial and defense of such apparent founded allegations. Withholding such documents is a violation of my Civil and Due Process Rights under the Constitution of the State of California and the United States and belong and paid for by the tax payers of the City of Riverside.

Any redaction of any person's name where they are not the employee be investigated, while the act occurred in the course of their employment, is not protected under the labor code, nor the Federal EEOC. The tax payers paid for this investigation and once this is done, everything is discoverable and belongs to the people.

Again, these proceedings against me are a violation of our Charter and established Code Ethics and complaint procedures as enumerated in said document(s) such matters, as stated in Section 202 et al. and must be handled by the established procedures:

Sec. 202. Adoption of ethics code.

The City of Riverside shall adopt a Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees to assure public confidence in the integrity of local government and its effective and fair operation. The City Council shall adopt the Code of Ethics and Conduct by ordinance or resolution within six months of the effective date of this Charter section. (Effective 1/18/2005)

See Link below for the Charter & Ethics Complaint Filing and Adjudication process:

http://www.riversideca.gov/city_clerk/pdf/Code%20of%20Ethics%20FAQS%20English.pdf

http://www.riversideca.gov/city_clerk/pdf/complaint-process010411.pdf

http://www.riversideca.gov/city_clerk/pdf/Code%20of%20Ethics%20%E2%80%9320R-22461.pdf

The case law and Charter sections you quoted at the Soubirous hearing have no bearing on failure to follow our Chartered established process for complaints.

I must be afforded the ability to protect and defend my civil rights, good name, and reputation from false allegations and slander.

Since your firm and the City Council has failed to follow any portion of law and our Chartered process, I have taken this case and presented it and myself for investigation and potential prosecution, to and by the District Attorney. This is mandatory by our Charter as 407 is a crime and founded by your investigator and cannot not be punishable in any other manner.

Additionally, I will be filing a bar complaint against you and your firm for violations of conflicts of interest rules, since your firm is my direct representation in the active case Sterling v City of Riverside et al. I have never waived my conflict rights in this case and neither can the council.

Regards,

Paul Davis
Council Member - Ward 4
City of Riverside