

From: [William Seegmiller](#)
To: [Melissa Crowder](#)
Subject: Re: First Amendment violation under Fourth Circuit Court of Appeals by CM John Erickson
Date: Wednesday, August 25, 2021 8:22:59 PM

Melissa,

It's the same profile account from the first complaint I submitted. All posts have public comments off, from what I can tell.

Thanks again,

West Seegmiller

SWLEARN Research Partner
Westthethird@gmail.com | 949.293.0413
Former Director SWOPLA | SWOPLosAngeles.org

On Aug 25, 2021, at 3:54 PM, Melissa Crowder <MCrowder@weho.org> wrote:

Hi West,

I know that Councilmember Erickson has two Facebook accounts. Which account isn't allowing comments on posts? Is it all posts or a particular post? Sorry, I am just trying to get more information so that we can appropriately address your complaint.

~Melissa

Melissa Crowder, MMC
City Clerk
City of West Hollywood

From: William Seegmiller <westthethird@gmail.com>
Sent: Wednesday, August 25, 2021 10:46 AM
To: Melissa Crowder <MCrowder@weho.org>
Subject: Re: First Amendment violation under Fourth Circuit Court of Appeals by CM John Erickson

Dear Melissa,

I truly appreciate your assistance and your commitment to upholding the US Constitution.

CM Erickson has not made comment by the public available on his FB page used for official Government business. Therefore, he is still in violation of the First Amendment.

CM Erickson is knowingly violating the law, and failed to adequately remedy the violation after it was submitted to the City Attorney.

Please understand that the principle is important, it's not just a petty Online spat.

Thereby I am requesting all comments from the public be allowed, and that a formal issuance of violation be delivered to CM Erickson, and a copy sent to me for public record.

All the best,

West Seegmiller

SWLEARN Research Partner

Westthethird@gmail.com | 949.293.0413

Former Director SWOPLA | SWOPLosAngeles.org

On Aug 12, 2021, at 7:23 AM, William Seegmiller
<westthethird@gmail.com> wrote:

Dear Melissa,

Thank you kindly for your quick response and for this appropriate remedy.

I appreciate your very valued time!

All the best

West Seegmiller

SWLEARN Research Partner

Westthethird@gmail.com | 949.293.0413

Former Director SWOPLA | SWOPLosAngeles.org

On Aug 11, 2021, at 5:24 PM, Melissa Crowder
<MCrowder@weho.org> wrote:

Good afternoon Mr. Seegmiller,

I am following-up on your email below. Please note that the comments have been enabled on the post on Councilmember Erickson's Facebook page.

Best,
~Melissa

Melissa Crowder, MMC
City Clerk
City of West Hollywood

From: William Seegmiller <westthethird@gmail.com>
Sent: Saturday, August 7, 2021 12:36 AM
To: Melissa Crowder <MCrowder@weho.org>
Cc: City Council Web Email Address <council@weho.org>;
mayor@weho.org
Subject: First Amendment violation under Fourth Circuit Court of Appeals by CM John Erickson

CAUTION - EXTERNAL SENDER. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Dear Melissa,

Congratulations on your well deserved new position!

This message is to notify you of a serious violation of First Amendment protections of free speech committed by Councilmember John Erickson.

On Thursday Aug 5th, Councilmen Erickson removed me from his Facebook page (<https://m.facebook.com/profile.php?id=69200647>), thereby disabling my ability to comment. This is in clear violation of my Constitutionally protected right to engage in public dialogue on a Elected Official's media platform, as determined by the Fourth Circuit Court of Appeals

From the ACLU:

“Specifically, the court recognized that when a public official uses a Facebook page as a tool of governance — that is, when she uses it to inform the public about her government work, solicits

input on policy issues through the page, and swathes it “in the trappings of her office” — she is controlling the page as a government actor.” (<https://www.aclu.org/blog/free-speech/internet-speech/court-rules-public-officials-cant-block-critics-facebook>)

I’ve attached numerous examples of Councilman Erickson using said page in an official capacity to inform about official Government work, and using the trappings of his Formal role on this page.

Thank you for your steadfast work and steadfast obligation to uphold the US Constitution.

All the best,
West Seegmiller

SWLEARN Research Partner
Westthethird@gmail.com | 949.293.0413
Former Director SWOPLA | SWOPLosAngeles.org

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