

## Public Testimony 09/01/2020

### Public Testimony #1



## Outlandia Gazette

Presenting our Truth with a Capital T

Toni Buckley Dockter - Founder; Publisher; Editor-in-Chief; Distribution Manager; Intrepid Reporter; IT Guy; Coffee Girl

email: [fwepub@aol.com](mailto:fwepub@aol.com)

*MOTTO: When telling the truth is a revolutionary act.*

*All editorial All social commentary All for the common good*

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Rich Rosenthal, City Councilperson for Ashland, Oregon, sent an email (to a bunch of Ashlanders?) and stated that a previous issue of the *Outlandia Gazette* was a racial attack on another City Councilperson (running for Mayor).

Like Dennis Slattery (another councilperson who sent an email--which will be addressed in a subsequent article), **Rosenthal doesn't know what satire is.**

An excellent book about this subject matter is *The Cambridge Introduction to Satire*, by Jonathan Greenberg (Cambridge University Press, 2019).

The author states:

*"In satire, evil, folly, and weaknesses are held up to ridicule -- to the delight of some and the outrage of others. Satire may claim the higher purpose of social critique or moral reform... It exposes frauds, debunks ideals, binds communities, starts arguments... It has been a central*

*literary genre since ancient times, and has become especially popular and provocative in recent decades."*

I call it the wise-ass way to achieve the greater good. Or as the late Congressman John Lewis said many times, "*Get in good trouble.*"

Like Bassem Youssef, an Egyptian comedian/satirist--whose style is compared to John Stewart--was arrested and fined in 2013 for ridiculing President Morsi. He had to flee the country to avoid more dire consequences.

Writing satire can get you killed. Like what happened in Paris in 2015 when crazed gunmen burst into the offices of a weekly satire magazine called *Charlie Hebdo* and murdered 12 people. Horrible tragedy.

Satire is a constitutionally-protected form of speech under the First Amendment.

Satire is a necessary form of expressions in our society today as it is one of the most effective ways for people to speak truth to power.

From a *New York Times* essay in 2019 titled: *Is Satire Possible in the Age of Trump?*, author Ben Greenman states:

*"It's a time of crisis...America is at odds...susceptible to manipulation by its adversaries...mired in endless infighting... We need the glint of satire, not as the light at the end of the tunnel...but as the light in the tunnel."*

Author Sally Ferguson said in a book review in the *San Francisco Chronicle* (July 2020):

***"A society's tolerance for satire is directly related to the health of its democracy. That's why censorship and authoritarianism go hand in hand."***

The *Gazette* engages in the use of satire in every issue. We're experts at it-- thanks to the tutelage of Thomas R. Burke of the law firm of **Davis Wright Tremaine, San Francisco**. He's one of the nation's preeminent First Amendment attorneys. He's a fierce defender of free speech and the author of the go-to manual on SLAPP Lawsuits: Strategic Lawsuits Against Public Participation.

Rosenthal read the *Gazette* article incorrectly--either an honest mistake or to serve as a way to bash me. The *Gazette* article does not criticize "**Graham Crackers**" based on skin color--but in this particular scenario, for political and/or social actions.

**So let's get our crackers straight**, shall we? Here's what a **Graham Cracker** looks like. Notice they are brown.



Here's what a saltine cracker looks like. Notice they are white.



These are not the same snack foods.

Consequently, **when you call someone a "Graham Cracker" -- it is NOT synonymous with calling someone a "cracker."**

In today's lexicon, the term "**Graham Cracker**" has no derogatory connotation. It has no meaning in the real dictionary whatsoever other than as a snack food.

**It is not a racial slur.**

There are no "*racial undertones*" as Rich Rosenthal claims.

There are plenty of **Graham Crackers** in City Hall. They all have white skin. Again, it makes no sense to call them a **Graham Cracker** as if this term were a commentary on skin color because **Graham Crackers** are brown.

Important point: **Satire is not defamation**. Because the difference between what I write and what Rosenthal wrote is "*satire is not to be believed by the audience.*" No average rational person thinks there is a **Professor Ima SmartyPants** who invented a scientific term called **Graham Cracker Syndrome**.

Conversely, Rosenthal wants his audience to believe the derogatory what he said about me.

Big difference. One will get you in big trouble. The other will not.

In a funny aside, there is however a meaning for "*Lindsey Graham Cracker*":

1. (Verb) To give an misogynistic, borderline-hysterical political performance for the benefit of a legislative body and/or a well-connected sexual predator.
2. (Noun) A sniveling, closeted Republican hack from South Carolina.

Rich Rosenthal is not thinking clearly or intelligently by calling the *Gazette* article a racial attack on Tonya Graham, her family, her background. This accusation makes zero sense.

In Rich Rosenthal's convoluted reasoning he is connecting the dots to conclude: Tonya Graham = Cracker = Racial Insult.

This equation is incorrect. Is Rosenthal a graduate from the Cathy Shaw School of Non-Sequiturs? (That's satire.)

The correct premise is: Any person can = Graham Cracker which = a classification (as dumb or nutty or ethically challenged or social rejects).

I believe the real purpose of Rosenthal's email was to inflame anger, fear, and prejudice among Ashlanders for fund-raising purposes--to "play the race card" in order to benefit his candidate of choice.

Plus throw in the fact that my pal, Susan B. Anthony, told me recently that Rosenthal fears strong, articulate women the way a cat fears a bubble bath. In City Hall affairs, there's nothing that rankles him more than an uppity woman demanding her rights--especially if they're at the expense of the male gender.

That's why he wrote a letter to *The Tidings* saying the recall election--of the three Parks & Rec Dept. men involved in the bogus firing of five women at the Senior Center--was "*one of the darkest days in Ashland's history.*"

Rosenthal forgot to mention what are really dark moments, like a twelve-year-old stabbing his mother to death and the sexual assault of a young female actress and her subsequent suicide.

Not an election to undue and injustice.

Rosenthal urged Ashlanders to Vote No on the recall. So did Stromberg, Seffinger, and Slattery. (One of the reasons they're classified as **Graham Crackers**.)

A lawsuit over the bogus firing cost the City of Ashland over \$500,000 in damages to the Plaintiff; legal fees; loss of good will among citizens; and wasted time and energy that should have been spent making Ashland better.

The Senior Center lost seventy-two years of experience among the operating staff as well as one of its most consequential functions: the Outreach Program. That makes the replacement Senior Center inferior to the previous one. And even more so because the replacement Senior Center is more costly to taxpayers.

In other words, [the firing was a bad decision](#). Head Parks & Rec honcho Michael Black was forced to write a letter of apology. Of course the three Parks & Rec commissioners should have been recalled.

To Ashlander readers: If you get the chance, check out the taped depositions that City Hall employees and elected officials gave during this litigation. You will not be proud of your City's performance. In fact, they might even make you sick.

[What do you suppose motivates Rosenthal to make bad decisions?](#)

Or make a false claim that a person used a racial slur and portrays that person as racist?

\*We have a theory. The influence of his evil twin brother. Whispering in his ear.



Rich Rosenthal



Stephen Miller

Rich Rosenthal and Stephen Miller: [Separated at birth? You be the judge.](#)

Stephen Miller, a Villain of Doom in the Trump Administration--and the most beseeched person on Twitter to *"Please don't procreate!"*

Sometimes listening to the "dark side" is not advantageous.

(\*All of the above: satire.)

Let's chat about racism -- since that is the crime to which the *Gazette* (and me as the article writer) is accused of.

Racism is a belief system. As such, it affects a person's thinking, speaking, intentions, actions. If you hold racist beliefs, they will present themselves in one form or the other -- sooner or later -- some or all of the time -- throughout a person's entire life.

Now it is my time to do the beseeching. I beseech any of you readers out there to read all 34 previous issues of the *Gazette*. Read all of my other writing, too--books, plays, animation screenplays. Check out the many thousand tweets on my Twitter feed: @tonidockter. Many of which support the Black Lives Matter Movement and women's issues.

**You will not find one molecule of racist anything anywhere.**

I beseech you to do a thorough investigation of my life -- both personal and professional. Leave no stone unturned.

Maybe you can find someone to verify that I scolded the neighborhood kid for calling his Black cleaning lady a bad name. (I was eight years old.)

Or verify that in High School, every time I ran into the one and only Black girl (Vickie), I made to sure to give her the most friendly "Hi" I could. (She's now a backup singer for Emma's Revolution. How cool is that!)

Or verify that in my college experience during the week-long sorority rush before my sophomore year, I fought to try to pledge the one and only Black girl going through the process. Which was incredibly courageous of her because at my college there were NO Black girls in the entire sorority system. That effort was a no-go from the start.

Although I never forgot the awful things that were said to get her excluded.

So then I fought for a Jewish girl (Ilene). The sorority powers that be (PTB) said our house of 60 girls already had one Jewish girl (Gayle) and one was enough. I fought for an Asian girl (Kathy). The PTB said we already had one Asian girl (Bonnie) and one was enough. But I pushed hard for these two girls. And they were both pledged. (BTW, no Hispanic girls in my sorority at the time.)

Again, I could not get out of my head the things that were said about girls who were not your standard white-types. So I refused to go through Rush held at the beginning of my junior year. All hell broke loose. I was fined and dinged and demoted and shamed by the PTB. I didn't care. And I never paid the fines.

I realized I couldn't take the racist, sexist, elitist nature of the entire Greek System anymore. So at the beginning of my senior year I quit my sorority. Holy crap that was a whole new level of purgatory of what happened to me!

When you attend a privileged, affluent college like the University of Southern California, where the majority of student life revolves around Fraternity Row, football games, and party-party-parties--and you choose to opt out--you are committing social suicide.

So be it.

I moved out of the colonial-style mansion (with white pillars on the portico)--where Black cooks made my meals and Black housekeepers vacuumed my room and washed my sheets--into a dumpy little apartment in L.A..

Welcome to the real world, baby!

My real friends from the sorority were still my friends. Which is why I'm so pro-Sisterhood and cherish all women who have each others' backs.

**I could recite more stories from my non-racist life.** Like a young women I mentored (Pat) at a company in San Jose. Even though she was not under my supervision, I taught her work skills and life skills. I gave her some of my clothes. (Women in the corporate world are unfairly judged by the way they look and dress.)

But maybe one of the best examples of my non-racist life is to check in with my immediate family. Which by the way, were the role models William Shakespeare used when he wrote *King Lear*. (I am Cordelia.)

One particular family member, as he got up there in years, started spouting racial stuff. I would not allow it in my presence. (Or any misogynistic or homophobic crap either.) This really pissed off said offender.

My ne'er-do-well siblings never said a word. They were too busy salivating thinking about their inheritance from this relative. My refusal to listen to racial stuff did cost me financially in the inheritance department. Didn't care.

Lastly, in particular as **another example of my non-racist life**, read the following *Outlandia Gazette* Issue Number 32 from June 30, 2020. Then ask yourself: **Does this sound like the writing of someone with racism in her bones? With racist views in her head? Racial slurs on her tongue?**

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*Rosebud Media: You Are Part of the Problem*

**Hey Rosebud Media Peeps! Have you not been paying attention?**

Let's recap:

On May 25th a Black man named George Floyd was killed by racist white cops in Minneapolis. His death by asphyxiation (soulless cop kneeling on his neck while laying face-down on the pavement begging for his life) was filmed by a young woman. The video went viral. Mass demonstrations launched world-wide. Sound familiar?

There have been protests in over 2000 cities in the U.S. Protestors include Americans of every shade on the color spectrum and every age group.

It finally matters to people to understand what Black Lives Matter means and do something about the inequality, injustice, and inhumanity suffered by the Black community for the last 400 years.

Many things have happened which have helped usher in white America's new-found wokeness and facilitate Black America's courage:

- \* Lafayette Square in Washington D.C. has been renamed Black Lives Matter Plaza.
- \* Addressing police brutality and #DefundThePolice have become top political issues.
- \* Congressional members knelt in the Capitol to honor Mr. Floyd and bring awareness to racism and slavery.
- \* Confederate statues are tumbling faster than President Pinesol's approval ratings.
- \* The State of Mississippi has decided to remove a confederate emblem from its flag.
- \* Aunt Jemima was retired.
- \* Corporate America has pledged \$1.678 billion so far to support the Black Lives Matter Movement.
- \* The NFL has reversed its position on taking a knee during the national anthem.
- \* NASCAR has ditched the confederate flag.
- \* The Dixie Chicks have ditched the "Dixie" part of their name. Likewise, Lady Antebelum has deleted the "ntebelum" portion of theirs.
- \* Princeton University will be removing Woodrow Wilson's name from a campus building.
- \* The University of Oregon vs Oregon State football game will no longer be called the "Civil War."
- \* Amazon Prime has added free access to many current and historical quality Black-themed movies.
- \* "Gone With the Wind" has been pulled from HBO Max and then added back with a disclaimer about its content denying the horrors of slavery.
- \* A large number of non-profits supporting Black-owned restaurants and businesses and Black social and arts programs have seen their profiles (and bank accounts) raised significantly.

\* Anna Wintour has apologized to Black creatives and for the lack of diversity at *Vogue* magazine.

\* Drew Brees has apologized for his idiocy. The wife, too.

\* A bookstore in Chicago (Women and Children First, white owned) have encouraged their customers to instead patronize a different Chicago bookshop: Semicolon Bookstore, a female Black-owned business.

And on and on.

**All of these efforts are a way to address, process, and change the systemic racism built into American culture since 1619.**

And what has Rosebud Media been doing during this intense time of racial scrutiny and unrest?

Two things--one detrimental.

The other a contrived, disingenuous, not well-written, self-serving, logic-lacking, head-scratching, irritability-inducing article--IMHO, of course.

1. Rosebud Media keeps publishing this photo in its newspapers:



Over and over again for weeks and now months. Daily. Full page. Sometimes twice in one issue.

It's imperceptive to keep accentuating whiteness in light of our country's situation. Any person who believes that Black Lives Matter would refrain from continually printing this photo as *the* graphic representation of "family fun" in the Rogue Valley.

Given the State of Oregon's heinous racist history, this photo perpetuates the shameful legacy of "whites only" upon which the State was founded--including its refusal to ratify the 14th and 15th Amendments to the Constitution.

**This is how systemic racism starts and why it is so hard to root out.**

Note to Rosebud Media:

**There are people of color in Southern Oregon--living; working; contributing; being a part of families. Why not a photo of them in your ad?**

Or a photo of a mixed race family?

Or, if stubbornly hell bent on giving white people more exposure, how about a photo of this family sitting at a picnic table having fun with a family of color?

Or does a people-of-color family photo make y'all too uncomfortable?

Or is a "whites-only" family photo mandated by your co-sponsor, KTVL News 10, a Sinclair Broadcasting Company?

If you borrowed this photo from your pals at Sinclair, you should give it back. (After accidentally spilling a Caffè Americano on it.) Because this photo blows--in the opposite direction of the zeitgeist permeating our lives now every single day.

We are at a reckoning in our history and I reckon Rosebud Media is stuck in a time-warp.

**In our visually-saturated culture, photos matter. After all, a picture tells a thousand words.**

Rosebud Media knows this. (Perhaps this is why it is switching emphasis from a printed format to a "visually really pleasing" virtual and video format?)

Idea for Rosebud Media:

**Why not show diversity for a change? Be photographically welcoming to all races! America will be the better for it.**

2. *Tidings* Publisher Steven Saslow published a first-person article on June 14, 2020 pretending to champion diversity. In it he claims he has a "*continued desire to be an agent of change.*" What kind of change was he referring to? That families in Southern Oregon should look like beautiful white folks from a Ralph Lauren ad?

He also stated that "*effecting change is the river that has motivated me to do almost everything I have put my mind to.*" Oh brother.

But in reality he was plugging his affiliation with a "*prestigious*" media organization that he "*was allowed*" membership on the Board of Directors. Oh brother #2.

He states:

*"There are those, mostly corporations, that have jumped on the George Floyd bandwagon because it's the fashionable thing to do."*

*"They don't really mean it or know anything about how to initiate positive change."*

Oh brother #3. (Slight pause. Have to pick up pieces of my brain off the floor. The absurdity made my head explode.)

Let's dissect these balderdash-infested sentences, shall we?

First and foremost, saying that the supposed "change agents" (or whoever the "*those*" are in "*There are those...*" are supposed to be) are "*mostly corporations*" is not true. Example of lazy journalism or deliberate distortion?

Every institution in the U.S. has been affected by the Black Lives Matter Movement--touched in some way or had its head snapped back in a significant way. NOT mostly corporations.

As a former journalism professor used to say about making broad unsubstantiated statements:  
*"That's just pulling shit out of your ass."* (And I paid a lot of tuition for that nugget of wisdom!)

Other questions for Mr. Saslow:

Which companies are you referring to? Can you name one?

Where did you obtain facts/research/articles to make your assertions? Did you speak to any representatives of these companies?

How do you know what these companies' plans are that you apparently seem to have already evaluated and drawn the conclusion that they don't know how *"to initiate positive change"*?

How did you determine that these un-named companies *"don't mean it"*?

Do you have a super power that allows you to jump into the hearts and minds of companies and see their true motivations for their actions?

Saslow then states:

*"They" (meaning the companies) "are just being exploitive."*

More questions for Mr. Saslow:

Again, what evidence have you provided that makes this a true statement? Describe a program for change that was implemented by any of the companies (that you are referring to) that can be described as *"exploitive."*

Here's the deal about making blatantly preposterous (or just dumb) statements. You lose credibility. Your journalistic integrity becomes jaundiced.

So that when you later say, *"Join this terrific group;"* or *"Read this letter by one of the finest people on the planet"* your audience will be skeptical about your veracity (or your I.Q.)

Here's what I found. The following is a list of corporations that have recently made donations to support the Black Lives Matter Movement. (Source: *Black Enterprise* website; 6/20/20.)

Bank of America: \$1,000,000,000

Nike (Michael Jordan Brand) and regular Nike: \$140,000,000

Sony Music Group: \$1000,000,000

Walmart: \$1000,000,000

Warner Music Group: \$100,000,000

Google: \$25,000,000

Amazon: \$10,000,000

Facebook: \$10,000,000

GM: \$10,000,000

Goldman Sachs: \$10,000,000

Target: \$10,000,000

And several others.

Pretty sure these uber-successful companies are smart enough to know how to implement positive change. Pretty sure they are smart enough to know that engaging in any exploitive behavior would be a costly public relations nightmare of grand proportions. Also pretty sure these corporations don't care what's fashionable. They just want to make money. Same as you, Mr. Saslow.

And just to be clear, what companies are you referring to?

The asininity continues when Mr. Saslow continues:

*"Conversely, there are organizations that are authentic. People who, when they get behind something, mean it and know how to be change agents."*

Then he starts blabbing about an organization called IRTS.

Additional questions for Mr. Saslow:

Since you haven't established which companies you are referring to and making judgments about, let's go with my list. It's rather representative of the U.S. business world.

Do you consider any of the companies I've listed to be inauthentic in their desire to do right by the Black Lives Matter Movement? If so, why?

Do you think the Chicago white-owned bookstore was being inauthentic by sending its customers to the Black-owned bookstore?

Do you think these companies *don't mean it* when they put their money where their mouths are and say they want our society to change for the better? If so, why?

Who do you think will have more impact on our society to improve race relations: the companies listed or your IRTS org?

For where I sit (and granted it's in a veil of irritability) it's Mr. Saslow who seems like the inauthentic element in this story--tooting his own horn to look like a positive change agent by criticizing the actions or perceived actions or yet-to-be-acted upon actions by yet-to-be-named companies.

Yeesh that's alot to take in!

Even more questions for Mr. Saslow:

You mentioned that you are "*less active*" in the IRTS group. Why? You've been in town for three years. Why haven't you mentioned this organization before?

You said your "*commitment is as strong as ever.*" Is that in thoughts, deeds, or lip service?

In the past what have you done professionally to improve race relations? What percentage of people of color do you employ?

Do you plan to report back on your success in persuading "*other business leaders in the Rogue Valley*" to support IRTS? Will you be divulging the names of these companies?

What did you do prior to Mr. Floyd's death to show you are a positive change agent? Practicing the high jump in case you had to jump on a bandwagon yourself? Kinda like now?

[Here's an easy way for Rosebud Media to implement a positive change:](#)

Get rid of that "*Could we be any whiter?*" photo!



(Are we having having fun yet?)

Replace it with something more inclusive of the various skin colors that comprise the American population.

If you are at a loss over what this type of photo would look like, check out Gov. Kate Brown's Twitter feed. Read the tweet from 6/30/20 that says: *"It's simple. Wearing a face mask may save a life."*

Pay close attention to the illustration. There are 11 people in it wearing stylish face masks. (Maybe they care what's fashionable?) Only one looks like a white guy. Beautiful!

Rosebud Media's insensitivity is part of the problem. It has gone off the rails from the right track of recognizing and promoting racial awareness; racial equality; and racial empathy.

If that photo is an extension of Rosebud's thinking about what families in Oregon should look like, then y'all need your DNA disinfected. Time to call President Pinesol! (And when you're chatting with the maskless Tweety Bird, tell him the Andy Jackson statue has gotta go, too.)

I am lily-white and not an expert on the Black Lives Matter Movement. But it seems to me this is the time for white peeps to listen and learn. To do what a political website recommends: *Remove the white racial frame that valorizes white people and degrades Black people.*

And more importantly, to take a seat at the back of the bus for once (like sit down and shut up) and let someone racially different be seen and heard; acknowledged and valued

It's time to share the place.

Share the privilege.

And yes, share the power.

If Rosebud Media can't do this, that's another problem. An even bigger one.

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I have a few thoughts since re-reading this article. I think Rosenthal's email writing style fits the definition of "*pulling crap out of one's ass.*"

To Rich Rosenthal, high-and-mighty expert on racial sins in Ashland:

Did you detect any negative "racial overtones" in this article?

Do you think this article constitutes a creation by a "low road operator?" I don't know what you mean by a "low road operator." But I do know that all of my articles are not low in intelligence or wit; not low in compassion or empathy; and not low in humor--if satire is your cup of tea.

Did you complain to *The Tidings* about the constant barrage of white faces being presented in the newspaper as the standard bearer of what the Rogue Valley looks like?

Probably not. But you erroneously jump all over me for making up a term called a "**Graham Cracker.**" Your brother Stephen told me you've always been a hypocrite. But your role as a race baiter for personal gain is new.

Perhaps you think that's how an old-thinking white male stays relevant? Keeps his power? Gets attention any way he can?

**Race baiting will be your legacy.**

That, and after all the years you've been a city councilperson, [you've left Ashland Oregon worse off than you found it.](#)

In fact, [you have now put Ashland in an embarrassing situation](#) to have one of its elected officials in jeopardy of being slapped with a lawsuit. Do you think that might then become the "*darkest day in Ashland's history*"?

Did you check with City Attorney David Lohman about copyright laws before you decided to violate 17 U.S. Code 106? Probably not. (I think we've established his competency in the law is a little sketchy.)

**You stole my intellectual property when you emailed [the entirety of a \*Gazette\* issue](#) without my permission.**

From *The First Amendment Encyclopedia* website:

*"Satirical works may be subject to the fair use guidelines of copyright law...that can substantially limit the amount of copyrighted material allowed to be used..."*

That stuff you wrote about a "*racial slur*" and "*racial overtones*" is defamation. Also illegal.

Perhaps it's time to lawyer up?

I know who I'm calling.

###

UPDATE on the white family photo saga: I sent *The Tidings* the **Gazette** article. I received no response. I continued to check the newspaper everyday.

Ten days later this photo appeared in the ad (with new text):



It's possible the photo swap was a result of my article. I was pleased to see it--but also bugged that a photo of sorta people of color appeared in black and white. Oh well. It was a start.

I continued watching the newspaper every day. The photo appeared once more in black and white and one time in full color. However, none of the three ads were full-page like the ad with the white family.

Then the white family came back to town for awhile!

Then the white family disappeared again!

Then this ad appeared!



Then this one disappeared!

My tally of the number of family pix printed:

White family - over 100 times.

Sorta people of color family - 3 times.

I think my article to Saslow and *The Tidings* had an effect--however small--in improving race relations--making not only Ashland but all of America better for it.

Rich Rosenthal: I know how you have inflamed race relations? What have you done to improve them?

When can I expect your response? And oh yeah, get the the list of the people you emailed illegally by including the entire *Gazette* article. Which was both a bad decision and a dumb decision.

**And that folks, is the very definition of a *Graham Cracker*.**

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P.S. Next up: My response to Dennis Slattery's email and another theory that the evil twin brother whispering in his ear is The King of Dirty Tricks, Karl Rove.

## **Public Testimony #2**

Dear Ashland City Council:

We hope you are all doing well. It recently was brought to our attention by a number of concerned groups of citizens that the Ashland City Council is conducting its meetings by allowing only written testimony, due by 10am on the day before the meetings. We are hopeful you will change that policy in light of Ashland's history as the Rogue Valley city that has most enduringly committed to creating a healthy, diverse and vibrant community that values the expression of all of its citizens.

It upholds the dignity of each of your citizens' perspectives to give an avenue of expression that does not require the ability to sit and write - or the time to develop thought onto the written page. Many people are afraid of public speaking, so having a written road for participation is wise; however, there are just as many who simply cannot adequately express themselves through prewritten testimony and should still be welcomed by this responsive and progressive body. The greater the participation in this council's meetings, the greater the faith of the community has in its leadership, its law enforcement and its institutions. Public faith in our leadership and institutions is at a low - and this is a unique opportunity to reconnect the community to all of the good work you are doing.

Looking at the legalities involved, the practice seems to be on questionable footing. First, Ashland Municipal Code 2.04.050 clearly describes the form of meetings that the Council is to conduct. On a number of occasions, the Code provides that any member of the public who wishes to speak may do so, within certain clear time limits and with the requirement for the proposed speaker to fill out a short form - both on agenda items and non-agenda items. While the pandemic has changed the nature of the meetings, there are easy ways to still comply with the Code.

Second, since this Council and its meeting rules provide the community with a public forum, limiting speech to only those who can prepare and deliver written testimony a day and a half before the meetings appears to unconstitutionally abridge the rights of those disabled or disadvantaged in ways that make such testimony impractical or impossible.

Deeper than those legal issues, though, is the unnecessary hurdle this puts between the citizens and their government. Their First Amendment right to petition the council for redress, their right to have their voices heard in a representative government and their ability to inform you with meaningful stories from which policy can be drawn are all deeply threatened by the current manner the council has chosen as its sole way of interfacing with the public during meetings. Talent and other jurisdictions allow testimony via zoom when people send an email to a technician. To require written testimony draws up memories of Jim Crow era hurdles to civic participation that required reading tests or extensive registration documents in order to vote or engage in debate.

This is not what Ashland exemplifies. You are deeply connected to your community - and to remain that way, it is time to adopt a policy that allows your citizens to be more easily heard on the important business of your council.

We hope you will reconsider the policy and allow testimony to occur via an electronic platform or over the telephone.

Ashland Municipal Code 2.04.050

*D. Public Forum.*

1. Public forum is to precede the consent agenda unless public forum is moved to later in the agenda of a particular meeting by decision of the Mayor or presiding officer or by temporary suspension of the rules pursuant to Section [2.04.010.E](#).
2. Members of the public may speak during public forum about any topic not on the agenda for the same meeting. The agenda for public forum is 15 minutes, unless a majority of the Council votes to extend the time. On behalf of the City, any Councilor may request that any matter discussed during public forum be placed on a future Council agenda.

Yours,

Lawyers for Justice

Justin Rosas, Emily Simon, Brodia Minter, Laura Lindley-Gutierrez, Susan Krant, Eric Foster, Eric Navickas, Allie Rosenbluth and Rachel Pavlich

The Law Office of Justin Rosas

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## Public Testimony #3



# Outlandia Gazette

Presenting our Truth with a Capital T

Toni Buckley Dockter - Founder; Publisher; Editor-in-Chief; Distribution Manager; Intrepid Reporter; IT Guy; Coffee Girl

email: [fwepub@aol.com](mailto:fwepub@aol.com)

MOTTO: *When telling the truth is a revolutionary act.*

*All editorial All social commentary All for the common good*

**Issue Number 36 - August 25, 2020**

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### *How to Respond to Defamation of Character: A Lesson for Ashland, Oregon*

Originally I planned this article to be a response to an email I received from a councilman in Ashland Oregon: Dennis Slattery. His bunk made me laugh. When I got to the part where he accused me of not presenting the "facts," I exclaimed as loud--but not as scary--as Kimberly Guilfoyle did last night on TV: "This guy has NO IDEA what satire is!" Hence my duty to debunk the bunk.

But it will have to wait while I add further commentary to the previous *Gazette* article about a different full-of-bunk email from a different councilman.

Is there something in the water in Ashland?

No, I think the malady is more a result of a **cootie-infested BroFest gone nutty**.

However, to entice you to check out the Slattery article after I have posted it, here's a teaser:

Separated at Birth: Dennis Slattery and his evil twin, Karl Rove.



I will be sharing the stuff **Karl "King of Dirty Tricks" Rove** told me about his relationship with his twin--like the many times he punked him in childhood and then later with Slattery's bio on the city council website. Check back later for that tall tale.

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Back to Rich Rosenthal's email--which portrays me as a spewer of racist crap.

Before Atticus Finch has a chance to jump into the fray and lower the boom, I will **reframe the narrative my way**. Tell the real story. Tell the truth.

Rosenthal called me a "*low operator*." I'm not sure what that meant. So I asked my good friend Dr. Fauci for clarification. He told me it means "*a person who has a low tolerance for something*." Fauci said he is a "*low operator*" when it comes to faux-science, faux-vaccines, and faux-Presidents.

OK, got it. So yes, I am a "*low operator*."

Here is what I have a low tolerance for:

- \* Dog owners who don't pick up their dog's poop.
- \* Starbucks customers who stand in line for eternity and when they get to the front of the line, can't decide what they want.
- \* Wedding guests who hog all the crab cakes at the reception.

I have an even lower tolerance for:

- \* BuBu's (Bumbling Bureaucrats) and Graham Crackers.
- \* Old-thinking ego-bloated white men with a sense of entitlement.
- \* Old-thinking white women who support these yahoos.

Then you gotta lower the bar all the way to the ground where I have zero tolerance for:

- \* Bigotry, injustice, abuse.
- \* Greed, stupidity, mendacity.
- \* Moral pygmies, skanky politicians, douchebags.

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Switching gears, let me tell you a story. Why? Because stories (about ourselves or others) tell us who we are--individually and collectively. This is the level where we relate to each other as part of the human condition.

We feel connected to the greater whole. That's the beauty--and everlasting appeal--of literature.

A letter-writer in *The Tidings* today said Tonya Graham (candidate for Mayor) has integrity and leadership skills. But that opinion falls flat with me and I doubt others are convinced either.

Why? Because there are no examples to prove it. There is no story to validate that assessment. It reads as just a political ploy.

Conversely, here's my Story #1:

When I was in Miss Wade's 4th grade class (Orange County, California), the girls in my class played volleyball at recess and lunch and softball after school. Linda L. and I were always the captain of the teams. Linda was a better athlete than I. But I was a better coach.

At the start of a game, Linda and I alternated picking players. Because we wanted the best players on our teams so we could win, a girl named Loretta was always chosen last. She was a shy girl. Not a go-getter type. Not a good player.

But she kept showing up to play--even though she knew her classmates thought she was the worst player on the court.

This situation bothered me. It seemed unfair. It seemed mean. So I started picking Loretta 4th (second to the last).

Linda thought this was a bad idea. But with coaching and encouragement Loretta got better. Over the school year she continued to improve. She moved up to being chosen 3rd. One day for the heck of it I chose her first. And we won that game. And lo and behold the next time we chose sides, Linda chose Loretta first!

When 4th quarter report cards came out, there was a section where the teacher would write an evaluation of the student's performance for the year. One of the things Miss Wade wrote about me: *"Toni watches out for the other students. She is a champion for the underdog."*

Fast forward many decades....

Story #2: I am still a champion for the underdog: women, LGBTQ community, and people of color. I watch out for the rights of these groups.

I was thrilled when Kamala Harris was chosen as the Vice-President candidate. That's two out of three! I bought this t-shirt to wear as a political statement--which matches my gay-pride rainbow Converse All-Stars, Betsey Johnson rainbow necklace, and rainbow mask.



You may be wondering, why are there two t-shirts and two necklaces? Good question! **Because as a Professional Shopper**, I sometimes buy in duplicates. Sometimes I even buy in bulk.

Why? Because sometimes when I am out and about a complete stranger will say, "*I like your necklace!*" or "*I like your coat!*"

Or, in the case of what happened on Sunday at Market of Choice when I wore the Kamala rainbow outfit, a guy checker said "*I like your t-shirt. I wish I had one.*" I asked him what size he wore. He said XL. I went home and ordered him one from Amazon.

I give presents and cash (more on that later--it's a natural form of generosity) to all sorts of people, organizations, and causes all the time -- just to be helpful. No strings attached. As helping one American helps America.

I can tell many variations of this story in Ashland alone. And I will in a future article...as a response to Rosenthal and Slattery maligning my character. **I will illustrate how I make Ashland a better town--one person at a time.** I believe Rosenthal and Slattery are painting me in a negative way so that it might rub off on any political candidate I may choose to support.

I won't stand for being defamed. **But I will stand up for myself.** That's the best way to slam dunk **BuBu's, Graham Crackers, and Nattering Nabobs of Negativity.**

**Bottom Line: Story # 1 and Story #2 do not add up to a racist miscreant.**

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Up next:

1. Why I am against torture so I won't be having coffee with Dennis Slattery.
2. Commentary on money which has Rosenthal, Slattery, and Graham unglued.
3. Why continuing the status quo political scene in Ashland's City Hall is a death knell.
4. More stories that confirm Rosenthal and Slattery write ridiculous and offensive emails.
5. Why I'm not voting for Tonya Graham.

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## **Public Testimony #4**

RE: Proposed Ordinance 3189

I am writing to share my opposition to proposed ordinance 3189, the "stop and ID" law put in place by previous ordinance 3176 last summer.

Last year, you heard from numerous community members and civil liberties groups speaking out in opposition to "stop and ID". The same issues that were addressed last year remain. The "stop and ID" law puts our most vulnerable community members at risk. In particular BIPOC, LGBTQIA+, and houseless folks are most likely to be targeted by this law.

Our community and nation are in the midst of an uprising against police violence and overreach. Pushing ordinance 3189 will only serve to further marginalize those most at risk in our community and continue to demonstrate that our leader's priorities are off base. We need community reinvestment in public services for our houseless community members. We need investment in BIPOC communities to create self determination. We have so many needs. Police overreach is not one of them.

Please do the right thing and do not renew the misguided "stop and ID" law. Do the real work of rebuilding our community, not further marginalizing and targeting our most vulnerable.

Thank you.

Stu O'Neill

### **Public Testimony #5**

As a resident of Ashland, I'm writing you to express my concern regarding the growing homeless/transient encampment/population at the Butler-Perozzi Fountain in Lithia Park. I've observed large groups of people with their "beds", belongings and litter strewn about. I've witnessed individual's bathing in the fountain and dogs wandering about. I've also seen tourists turn away and leave the fountain plaza after viewing the situation. I have called the police and have contacted the Park Commission. Having worked with the mentally-ill and homeless for 21 years, I don't believe these people are being adequately served and as a result, I will contact Jackson County Behavioral Health to request outreach services.

Respectfully submitted,

Tim Muser

Ashland

**Public Testimony #6**



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**Issue Number 37 - August 30, 2020**

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***Influence Peddling, Foolish Talking, and Coffee Slinging: More Tales from the City of Ashland, Oregon***

Recently City Councilman Dennis Slattery's sent me a disapproving email about:

- A. Trying to "own" a candidate with a political donation.
- B. Not sticking to "facts" as he sees them makes me like the **Orange Menace** in the White House.

First, I must repeat myself. **What I write is satire.** And like Rich Rosenthal, Slattery has no idea what it is.

He could have checked with Ashland's illustrious (and overpaid) City Attorney, David Lohman, who should have been able to tell him that satire is the most protected form of speech under the First Amendment.

But Lohman doesn't even know that retaliating against a whistleblower is a violation of federal law, the Whistleblower Protection Act. That law was passed in 1989, so perhaps Lohman has been too busy (napping?) since then to give it a reading. (And how much did that incompetence cost the City of Ashland taxpayers? A lot.)

For the record, another definition of satire from the *New Oxford American Dictionary*:

*"The use of humor, irony, exaggeration, or ridicule to expose and criticize people's stupidity or vices, particularly in the context of contemporary politics and other topical issues."*

Again, satire is a very effective form of speaking truth to power.

How effective is it? Just ask [Plato](#)--who said that [Aristophanes](#) play, *The Clouds*, was so powerful in its condemnation of [Socrates](#) that [Plato](#) thinks it was responsible for the whole hemlock drinking episode and [Socrates'](#) demise. YIKES!

[Aristophanes'](#) hey-day was roughly 400 BC. If satire were a crummy form of communication, it would NOT have lasted 2600 years and counting.

Popular satirists today are Jon Stewart, Stephen Colbert, Trevor Noah, Samantha Bee, John Oliver, Sarah Silverman, Seth Myers. Their humor makes a point. They make people laugh. Like when John Oliver called POTUS a "sentient circus peanut." That's funny.

Slattery's evil twin brother, Karl Rove, told me Slattery's favorite comedian is Jim Gaffigan, who 98% of America thinks is so not funny. The other 2% are the semi-comatose folks plopped on the couch waiting to watch *The Lawrence Welk Show*.

I could tell Slattery to read Judy Gold's new book: *Yes, I Can Say That: When They Come for the Comedians We Are All in Trouble*. (Day Street Books, July 2020)

Somehow I don't think that will happen--a book written by a woman and suggested by a woman....

Speaking of women, Rove bragged that he was their mother's favorite, not [Li'l Den-Den](#) (family nickname). Which continues to aggravate him to this day and provides the genesis of his "*I'm not listening to a female voice*" disposition.

To recap: [Satire is essential in a free society](#).

Another example of Slattery's foolish talking in his email was stating that my writing should be an "*unbiased source of information*." The [Outlandia Gazette](#) is not the *New York Times* for cryin' out loud! Although I appreciate the comparison.

Slattery obviously didn't read the masthead: *All editorial. All social commentary. All for the common good*.

Slattery compared me to [President Pinesol](#) saying he and I "*just need to throw it out there and pretend it is facts*."

I'd call this a fact that Slattery can't tell the difference between a fact and an opinion.

[President Tweet Twit](#) has a sworn responsibility to uphold the U.S. Constitution and a moral obligation to the welfare of the American people. That requires facts.

I write satire.

Just like oranges and raspberries--and like trying to compare Graham Crackers and saltine crackers: **Not the same thing.**

On the other hand, a comparison of Ashland Bu Bu's (Slattery, Rosenthal, Stromberg, etc.) to the Liar In Chief is more applicable with this quote from Maureen Dowd, *NY Times* columnist when she said (8/16/2020):

*President Trump represents the last primal shriek of retrograde white men afraid to lose their power...dismissing women who challenge (them) as nasty, angry, crazy."*

And in my case with Slattery and Rosenthal, dismissed with allegations of being a "big money donor" to "own" someone; being a "low operator;" being a racist. **Just foolish talking.**

Slattery's accusations say more about him than it does about me--insinuating my donations come with a quid pro quo, like:

*"I give you money, you better install Charmin UltraSoft in the Lithia Park restrooms--or else!"*

That's cynical thinking.

Slattery's said:

*"The fact that you 'own' a candidate will be well established."*

Oh brother. That's not a fact because no one owns anybody. That sentence is an opinion an opinion. This failure to understand rhetoric puts Slattery him squarely into Category 1 and 2 in the **Graham Cracker Syndrome.**

I make political donations all the time at all levels of the electoral government. Saying Ashlanders can be bought or "owned" is a derogatory comment about their ability to make up their own minds.

It's not surprising that Slattery, Rosenthal, and Tonya Graham think \$2,000 constitutes a "big money" donation. If they were better politicians, they would have inspired larger donations themselves. Or perhaps if they are impressed with that sum of money, maybe they should get a better job with a bigger paycheck.

I do not hoard money. I do not worship money. I do not give away money as some sort of devious plot to hustle up leverage over others.

There is a difference between a bribe and generosity of spirit.

Slattery claimed I "*misuse words*." How ironic then when he called my writing "*dribble*" -- which is what an NBA player does. Or what mouth-breathers do when they can't keep saliva in their mouths.

I believe the word he was searching for was "drivel." Yeesh.

All of my words are carefully chosen. All of my sentences are deliberate.

You don't have to like them. But you do have to agree with my right to say them. Check out the First Amendment. (But don't go to David Lohman for an explanation.)

Slattery stated he has been a volunteer for decades. That's nice. But that's not the subject of my satire. Which is instead **about his job performance as a city councilperson--his actions; his votes; his letters in *The Tidings***. Doing a lot of volunteer work does not give you a free pass for a dismal job performance.

This is the *Outlandia Gazette's* 37th issue. Probably 30 of the issues are devoted to commentary on the poor-quality government and management in City Hall that has led Ashland astray. City Hall was notified about each and every one of them. I guess Slattery has been too busy volunteering to have read them.

Slattery also said, "*I won't play your silly 'bait from a distance' campaign...*" BLAH BLAH BLAH ... "*I'd love to chat over a cup of coffee.*"

My thought: *Egads! How dreadful! My brain would implode!*

Slattery did not offer to treat. I think it is poor taste to set up an unpleasant social interaction if you cannot at least spring for the few bucks to pay for a cup of coffee (and don't forget a big tip). Or maybe since he thinks I'm such a 'big money donor' that I would pay for him?

Either way, I don't hang out with cheapskates. Or wankers.

Slattery said he has done the coffee thing with Ashland peeps before.

**Bet I can out-coffee him. Here's my coffee-slinging story:**

Pre-Covid I took many OLLI classes for years. I always sat in the back row. From that vantage point I could see that sometimes students wouldn't or couldn't pay attention. Like the reason they were there was as one student told me, "*My wife drops me off here just to get me out of the house.*"

I observed some students who had dropped their chins to their chests and were sleeping!

I thought the classroom learning experience would improve with a proven method: a caffeine buzz and a sugar rush.

I started a new hobby--**The Cookie and Coffee Lady**--when I started schlepping pots of coffee and snacks to OLLI classes. I provided a dandy set-up, serving piping-hot, delish java--like **Mary's Morning** roast from **GoodBeans** in Jacksonville.

I would have to arrive 30 minutes before class to lug all my stuff (from wherever I was lucky enough to find a parking spot) to set up the spread with pretty serving plates and fancy napkins from Paddington Station. Every week I brought organic Half-n-Half; organic non-dairy creamer; an assortment of Market of Choice bakery treats, cheesy bread sticks, croissants; gluten-free/vegan/low-sugar biscotti from the Paradise Cafe (before they closed up shop); lots of tasty cookies and brownie bites from Shop-n-Cart; and donuts for the baseball class.

The coffee pots I brought held 22 cups each. Multiply that by two pots. Multiply that by week after week. Multiply that by class after class.

I figure I have provided well over 500 cups of coffee to Ashlanders. **That's a whole lot of coffee slinging!**

**Can you top that, Li'l Den-Den?**

I have no idea how much money I have spent on coffee and snacks for OLLI classes. How much time I spent grocery shopping; brewing; setting up; cleaning up. Doesn't matter. Other than to tell the tale to provide another example of a generous personality. Not a personality of buying coffee in order to get something in return.

As far as a coffee klatsch goes, it is not a matter of whether or not I "*have the guts*" to meet Slattery as he has tried to goad me into acquiescence in a weird, socially-retarded way. UGH.

**Li'l Den-Den**, you have no idea. When you operate a biz in a highly-competitive/highly regulated industry in a cut-throat Shangri-la called Silicon Valley, **that requires more smarts, more innovation, more balls, and more guts than Santa Claus has presents. Or brain cells.**

**I have no appetite to engage in a social outing that would require me to carry a barf bag.**

No interest in chatting with someone I do not respect.

**Therefore, that would be a NO.**

###

P.S. **Even coffee doesn't want to have coffee with Dennis Slattery.**



Is that a "fact"?

No, that's satire.