

You Have Been LIED to and the Truth Hidden:

An Open Letter to the Businesses and Citizens of Lake Havasu City

On March 18, 2020, Mayor Sheehy issued a proclamation declaring the existence of a local emergency. The proclamation state in part: ***“the Mayor of Lake Havasu City, Arizona is authorized under the current circumstances by City Code 2.08.050, ARS 26-307, and or ARS 26-331. A, to proclaim that a local emergency exists”***.

The authority Mayor Sheehy refers to is **ARS 26-311** which states in part, ***“The Mayor or chairman of the board of supervisors, if authorized by ordinance or resolution, may by proclamation declare an emergency or a local emergency to exist.***

This proclamation specifically is a trigger event for the flow of State and Federal funds to local governments. Kingman, Bullhead City, and Lake Havasu City declared “local emergencies” within a day or two of a teleconference with the Governor’s office and **one week PRIOR** to the first Covid-19 case appearing in Mohave County (Lake Havasu).

A. ARS 26-301 defines “Local Emergency” “ as the *existence of conditions of disaster or of EXTREME PERIL to the safety of persons or property within the territorial limits of a county, city or town, which conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of such political subdivision as determined by its governing body”* B. Mayor Sheehy’s proclamation states as justification: ***It is proclaimed and ordered that in order to “FLATTEN THE CURVE” of the spread of the COVID-19 virus, keep our hospitals from becoming overwhelmed, and maximize available funding, as follows:***

a. Public places where 10 or more people are gathered ARE ASKED to take social distancing measures. b. Restaurants, retail food facilities, etc... ARE ASKED to take measures.... c. All businesses ARE URGED to implement social distancing, limit purchases of essential items, etc... d. Members of the public ARE URGED to use social distancing, etc....

These conditions (Hospital Strain) were not met at the time the proclamation was signed and have not been confirmed to exist to date.

According to Mayor Sheehy, this has always been about voluntary compliance. In his August 28 press release, Mayor Sheehy stated, ***“The continuation of this VOLUNTARY MEASURE can help reduce the risk for your friends, family and those most vulnerable in our community.”***

In other words, the Mayor and City Manager knew from the beginning they had no legal standing, nor did they wish to incur the liability associated with depriving citizens of their Constitutional rights. A confrontation with Officers and citizens could erupt in unjustified violence. How best to accomplish this and still meet requirements for funding?

An investigation will reveal that compliance metrics and benchmarks for funding were likely not being met, so Mayor Sheehy and City Manager Knutson, alone or in concert with others, decided to engage in a campaign of obfuscation, deceit and coercion to ensure compliance. This would ensure funding metrics could be met by prolonging the local emergency until at least the end of the Federal Fiscal year which ends in October, hence the repeated extensions of the proclamation until October 15th.

Voluntary compliance from “Non-essential” business owners and individuals were not happening as expected in spite of what was stated publicly. This is when it was decided to intentionally “dress up” the July proclamation to give a legal “tone” which continues to confuse both business owners and citizens to this day. Besides, if everyone is still walking around with masks, there must still be an emergency, right?

Pay close attention to the language in **the July 1st 2020 proclamation** where the Mayor and County Supervisors had mask proclamations delegated to them by Governor Ducey.

“On or about June 12, 2020 a study was published that demonstrated the effectiveness of face coverings in preventing the transmission of COVID-19.” Please provide the citizens of Lake Havasu with the source for this assertion.

“Whereas, per the authority mentioned previously, the Mayor of Lake Havasu City has determined that there continues to be a risk to the safety of people and property.”

NOTICE the criteria has changed from conditions of disaster or of **extreme peril** to the safety of person or property to **“A RISK”**. Most importantly, observe the changes from the original proclamation where businesses and citizens “are urged” and “are asked” for compliance and the July 1st proclamation:

“Effective July 3, 2020, all individuals within the jurisdiction of Lake Havasu City “ARE REQUIRED” to wear face coverings in all places of public accommodation where social distancing cannot be maintained”.

“Businesses that interact with the public MUST require employees to wear face coverings.”

“For individuals congregating outdoors with other people not within a small group of people they are closely and frequently associated with, FACE COVERINGS ARE REQUIRED when physical distancing is not maintained.”

“Private businesses and venues SHALL enforce this proclamation by asking any person failing to comply with the emergency proclamation to leave their premises.”

The term “REQUIRED” means: “To ask for authoritatively or imperatively; demand”. - (Dictionary.com)

The term "MUST" means: "To be required or compelled to, as by the use or threat of force". - (Dictionary.com).

When Mayor Sheehy and City Manager Knutson still did not get the level of compliance necessary, Officers were sent out to those businesses that failed to close and coerced these owners/managers into compliance **UNDER THE COLOR OF AUTHORITY**.

Section 242 of Title 18 U.S.C. makes it a crime for a person acting under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

No matter how professional and courteous the officers were, no matter how much they expressed regret for their involvement and lack of authority to enforce the closure- they ACTED UNDER THE COLOR OF AUTHORITY. This was done at the direction of the City Manager's office.

Under color of authority is a legal phrase used in the US indicating that a person is claiming or implying the acts he or she is committing are related to and legitimized by his or her role as an agent of governmental power, especially if the acts are unlawful.-(Wikipedia)

After moving the metric goalpost numerous times, the only metric that has been quantified and glorified by the CDC, Health Departments, media and Mayor Sheehy is "Positive Case Numbers". This is a contextless and absurd metric and which ensures a return to pre-Covid-19 conditions will never happen unless you stop testing. To illustrate this point, testing is now a requirement in many cases to meet elective surgery requirements, remain at work/return to work, and to visit elderly patients in care homes. Testing requirements will ensure positive case numbers continue to feed this false metric.

REMEMBER: The justification for the local emergency declaration and mitigation efforts was always "Hospital Strain". Remember, "15 days to flatten the curve"? State and Government officials and specifically, Mayor Sheehy and City Manager Knutson have been intentionally ignoring this metric in favor of one that has and will forever prevent "a return to pre-Covid life". Hospitals, State and Municipal governments, corporations, chosen businesses and the media have all been **monetarily incentivized** to continue this political scaremongering charade at the expense of its citizens and their Constitutional rights under the guise of an emergency that no longer exists.

Hospital Strain and other necessary metrics were intentionally ignored because an investigation into the financial and operational conditions of Havasu Regional Medical Center to date would reveal:

1. Havasu Regional likely never reached a critical level of resource scarcity or available beds that lasted for more than several days, even with whole wards dedicated to Covid-19 patients.

2. Intermittently furloughed nurses and other medical personnel during the Covid-19 outbreak.
3. Received and admitted patients from regional hospitals outside of Lake Havasu due to available bed space.
4. Failed to follow CDC and other best practices by ensuring nurses, doctors, and staff who tested positive for Covid-19 (or were suspected of having Covid-19) were medically cleared before returning to work. An investigation will reveal these health care providers were NOT required to produce a negative test for Covid-19 before returning to care for patients. How is this possible?

Mayor Sheehy and the City Manager's authority to implement and enforce Covid-19 mitigation measures must be revoked and rescinded **until it can be determined that conditions exist which are beyond the control of services, personnel, equipment, and facilities of Lake Havasu City per the proclamation.**

Moreover, the citizens of Lake Havasu have every right to demand answers to these questions since the truth has been willfully obfuscated, omitted, and dressed up to give a legal appearance through deceptive language and coercion under the color of law. As a politician, the Mayor has coerced compliance, then will point to the great job the City and businesses did in VOLUNTARILY reducing the number of "positive cases." Sorry Mayor, that is not voluntary compliance and moreover, correlation does not mean causation!

Once this deception is revealed to Lake Havasu citizens who can think clearly and see through the scare tactics being thrust on them by a complicit media and a tyrannical government, I suspect they will demand more than an Individual Development Plan for the City Manager and Mayor.

Evidence and testimony are available to support these allegations.

Written on behalf of concerned Lake Havasu City citizens

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Lake Havasu City Counsel Meeting 10/13/2020

Mayor Sheehy et al on Notice

Introduction:

Since the emergence of the covid 19 virus in late 2019, local, state and federal elected officials have struggled with how to assess and address the threat this virus presents their citizens. The United States of America is founded on the principles of God given individual liberty and it guaranteed them in the Constitution to the citizens of this great nation. The Constitution of the United States of America is the supreme law of the land and not elected government officials who are sworn to protect and uphold the Constitution. This fact should be foremost in the minds of our elected officials when they attempt to balance the legitimate authority granted to them in a state of emergency with the Constitutional Rights of their citizens, which protects them from governmental tyranny. When elected officials in good conscious violate the Constitutional Rights of their citizens it is imperative when confronted with this fact, immediately remedy the situation. In the case of the Mayor Cal Sheehy's response to the alleged threat that the Covid 19 virus represented I believe he tried to act proactively to protect the citizens of Lake Havasu but did not see the trap that had been set to ensnare him and the city government in if he ignored the fraudulent and unconstitutional nature of such a proclamation and restrictions imposed on his citizens. I believe in his meeting with Governor Doug Ducey he was persuaded that it was in his cities best interest to declare a state of emergency prior to there actually being any cases of covid 19 in Mohave County to assure that needed funding would be available in the event there was a widespread outbreak in this city. This decision no matter how well meaning was not in the best interest of the people and businesses of Lake Havasu and illegal. The economic, educational and psychological impact of this decision has been catastrophic. The various violations of rights and laws that followed are the direct result of what happens when elected officials are unaware of or ignore their sworn duty to uphold the Constitution.

The following is a citation of the legal authority for why the mayor should immediately rescind his emergency proclamation and declare Lake Havasu City a Constitutional Sanctuary City where law and order will prevail.

1. The Supremacy Clause of the Constitution Article 6, Paragraph 2

(The Constitution is the supreme Law of the Land)

2. Supreme Court Ruling Marbury vs Madison 1803 5US 137 Vol 5 Page 137

(Supremacy of the Constitution and anything in conflict null & void)

3. AM Juris Prudence, Constitutional Law, Vol 16 Sec 98

(No emergency allows for the violation of Constitutional Rights)

4. US Dist Court Western Penn Case 2:20-CV-00677 WSS Doc 79 Filed 9-14-20

County of Butler vs Gov Thomas Wolf (Covid 19 restrictions are a violation of 1st & 14th Amendments)

5. Title 18, US Code, Sec 2381 (Willful failure of sworn official to protect and uphold the Constitution is capital treason.)

Summary:

1. The Residents and Businesses of Lake Havasu City et al are demanding you uphold your sworn duty to uphold the Constitution and rescind Mayor Cal Sheehy's Emergency Proclamation in response to the alleged Covid 19 Pandemic which was originally declared prior to any known cases of Covid 19 in the city and revoke all mandates regarding: Restricting public gatherings, Shut down of non-essential or life sustaining businesses, directives for citizens or visitors to stay at home. the mandatory wearing of masks in public. The use of mandatory Covid 19 testing to return to work or any other reason. cease and desist in the illegal use of the police to enforce the violation of citizens constitutional rights by closing businesses that did not comply with illegal mandates, the stopping of the use of any metric/test that insures that there would be a high number of false positives and does not accurately identify sick individuals and therefore the ongoing threat to the citizens of Lake Havasu.

2. The use of any and all funds collected for fighting the Covid 19 Virus be designated as reparations to the businesses and citizens effected as a result of illegal mandates issued by the mayor.
3. Establishment of a government oversight committee to ensure the Constitutionality of any law or executive order given on a local, state or federal level prior to enforcement.
4. Immediate cooperation in the filing of a suit Lake Havasu vs Governor Doug Ducey to establish the unconstitutional nature of his response to the alleged Covid 19 threat and manipulation of state and local governments to be complicit in fraudulent declarations of emergency.
5. Resignation or suspension pending criminal investigation of the mayor, city manager and city counsel for the above violations of the constitution and violation of the public trust.

The citizens of Lake Havasu demand immediate action on the part of city government or legal action will follow 10-15-2020 as a result of your willful disregard of your sworn duty to protect and uphold the Constitution of the United States of America.