

The National Council on Identity Policy

Case Study: California State Polytechnic University, Pomona

NCIDPolicy.org

The National Council on Identity Policy (NCIDP) was born of the struggles of one tenacious survivor of domestic violence and stalking. The NCIDP continues her work with the help of many.

(Firewire News) - Through public sources publicizing the issue, The National Council on Identity Policy learned of violence perpetrated upon a student at California State Polytechnic University, Pomona (CSU), by the University and its staff. The violence had been perpetrated on an ongoing basis for three years when the NCIDP learned of the case.

The beleaguered victim in this case had been struggling with Pomona for some three years to secure honor of her rights from the public servants at Pomona - rights that Pomona and its administrators acknowledged were valid, but which they bizarrely claimed entitlement to dishonor, arrogate and trample upon.

Similar, and just as outrageously inane arguments had been defeated at another California State University (CSU) campus, San Francisco State University (SFSU), a decade earlier.

The victim's efforts were greeted by Pomona with entrenched and biased misconduct, and ever-shifting and irrational justifications for the malfeasances of Pomona and its administrators. The case is so hauntingly similar to the SFSU case that it is unbelievable that a CSU campus repeated the violence upon yet another victim after the SFSU case made the wrongdoing so clearly apparent then.

California State Polytechnic University, Pomona, California State University System, and the senior administrators thereof were sent the following legal brief. The brief informs them of the facts of law and propriety regarding their policies and attendant actions toward the victim of their misconduct.

This brief is a dispassionate but coldly blunt discourse packed with excellent information. A worthwhile read containing a great deal of legal information, often in technical terms, as well as precise clinical and technical terms from the fields of clinical psychology and sociology.

The National Council on Identity Policy sent this brief shortly after first learning of the victim's protracted plight and victimization. Within days, the victim filed legal proceedings against the perpetrators at Cal Poly Pomona. Reportedly, by the date of the initial hearing a few weeks later, Pomona capitulated and finally offered complete compliance with the law, but still refused to admit wrongdoing. After three years of brutalization, the victim understandably expressed grave dissatisfaction at that refusal to admit wrongdoing.

Note that the formal name of California State Polytechnic University, Pomona is often shortened to Cal Poly Pomona. This is noteworthy because a quick scan of the Cal Poly Pomona website (<http://www.csupomona.edu>) reveals that the longer formal name isn't readily apparent on that site.

Brief: In re [Victim]
To California State Polytechnic University, Pomona (CSU), et al.

[Public Servant 1]
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[Public Servant 10]

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[Public Servant 11]
[Public Servant 12]

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We, at the National Council on Identity Policy, have noticed your dispute with Madame Plaintiff. We have lengthy experience and expertise in this subject matter, and are herein providing you with additional insights and information.

We may, of course, dispense with discussions of the fact and legal validity of Madame Plaintiff's legal right to change Madame Plaintiff's identity by the Constitutionally defended method proscribed by English Common Law, which is through the simple act of self-determined common usage at will and the right to use and be known by such legal identity, as you have stipulated and averred that to be indeed Madame Plaintiff's right and that Madame Plaintiff's current legal identity is indeed her adopted identity and not her former identity. Madame Plaintiff argued in pro per that point, and you appropriately averred that argument to be correct.

For the moment, we shall also bypass discussions of the intent of the word "others" in the administrative (neither case law nor part of the rule of law) opinion of Lockyer (00-205 (2000)), which appears to be contested between you and Madame Plaintiff in relation to the matter at hand.

We begin, instead, very simply - merely examining the legal implication attached to the position that

you have adopted in relation to Madame Plaintiff's exercise of those rights to which you have averred. That is, you have adopted the position that, although it is indeed Madame Plaintiff's right to use and be known by any identity she chooses at will and solely by method of usage of that identity, it is your position that you have no obligation to correct your institution's administrative records to reflect Madame Plaintiff's current legal identity information, and you insist that you are entitled to maintain, in your official records, identity information that you admit is indeed not Madame Plaintiff's current legal identity.

If indeed, as you claim, you are so entitled to Madame Plaintiff's non-legal former identity information as to retain it in your agency's records adversely to Madame Plaintiff's position, this creates obvious legal implications for you and your agency. First, without correcting your agency's records to reflect Madame Plaintiff's current legal identity, your records now contain misrepresentation of Madame Plaintiff's current legal identity. Information from her records, then, can no longer be redisclosed to any other parties at any time, or in any way, without you and your agency violating Madame Plaintiff's rights to to be known by her legal identity and therein violating numerous laws.

For example, it is Madame Plaintiff's right to use and be known by her current legal identity, and disclosure by you and your agency of former identity information violates that right and, thereby, 18 U.S.C. §§ 241, 242, 245, 1028, 20 U.S.C. § 1232g, et al. Thereby, you are then no longer able to supply Madame Plaintiff's academic transcripts to third parties, publish class lists to professors with Madame Plaintiff's former identity information, or make any other disclosure at any other time or to any other party without accruing additional counts of violations of these several statutes and more. The Lockyer administrative opinion in which you seek defense, itself makes no attempt to claim that disclosure of former identity information is ever legitimatible - as indeed, it runs afoul of these Federal laws herein cited. This, of course, is only the proverbial tip of the iceberg. You cannot even supply Madame Plaintiff with a valid student identification card, thereby depriving her further of equal access to the services and benefits of your institution, again in violation of 18 U.S.C. §§ 241, 242, 245, 20 U.S.C. § 1232g, et al. for each and every denial of service or service made contingent upon arrogation of her right to be known by her current legal identity.

Disclosures of former identity information to third parties, being such felonies as above, as well as "dishonest service" (18 U.S.C. § 1346), constitutes counts of mail and wire fraud (18 U.S.C. §§ 1341 & 1343, respectively, and also violations of 18 USC 2314) for each such improper transmission of such misinformation by mail or wire, respectively. These counts in addition to those just enumerated above.

Counts of violating 18 U.S.C. § 1001 additionally accrue for each such disclosure or transmission that is made to, or in turn received by, a Federal agency, such as, among others: the National Student Record Database; the Federal Student Aid guarantor; Federal law enforcement agencies; the State Department; or any other Federal agencies or agent. Again, such counts are in addition to those just enumerated above.

Further, your insistence upon a position that prohibits such disclosures has the real effect of prohibiting yourself from verifications and validations of Madame Plaintiff's academic achievements, thereby depriving Madame Plaintiff of the benefits of her own education (violating again 18 U.S.C. §§ 241, 242, 245, et al.), for which she paid tuition and fees (bringing you into violation of 18 U.S.C. § 1957, et al.). In such cases wherein a student is so deprived of such benefit of her education, the student loans provided to such students are dismissed, forgiven, and rendered permanently uncollectible - in this case

a result of your own direct and willful actions that give the student loan guarantor(s) ample cause of action against you and your institution seeking your criminal prosecutions (18 U.S.C. §§ 371, 641, 666, 1341, 1343, 1951, 1952, 1957; et al.) and civil restitution from you for the losses of those loans. Once again, cumulative accruals of felony counts added to those enumerated just above.

Given that, as you have disclosed, this action is taken as a matter of documented policy, with numerous prior cases of exercising this policy, the number of criminal counts available for your prosecutions are clearly numerous. Your historical, documented administrative policy is, of course, no defense, but rather firm documentation of the systematic, willful and repeated violations of law that you propose, subjecting you further to prosecution pursuant to 18 U.S.C. §§ 1961-1968 (statutes designed and imposed for the very purpose of ending organized perpetrations exactly such as you propose to perpetuate and as Cianci (U.S. v. Cianci (2004)) discovered, "RICO does not require intentional or 'purposeful' behavior by corporations charged as members of an association-in-fact," United States v. Feldman ..." as quoted in U.S. v. Cianci (2004)). That you and your associates have not long ago been given a lease of several centuries to life in a room at a Federal penitentiary is an embarrassing disgrace upon the U.S. Attorneys' Office in your region and other Federal authorities. Once again, these are cumulative charges available in addition to all those just enumerated previously, above.

Nor is any argument that because other agencies may be in violation of similar laws a defense for your own violations, but instead treads dangerously close to joining your racket with theirs. Here again, Cianci instructs that the progenitors and directors of such activities are in violation of RICO even if the vast majority of agents of that racket are ignorant dupes to the purposes and crimes of the racket. That you argue that, because other civil servants at other agencies have not yet executed their duties within the law, that therefore University is entitled to act contrary to the law, is also absurd beyond belief. Again, that is argument so hollow as to have no possibility of intent but to serve as spurious argumentativeness willfully adverse to the classes against whom you discriminate.

That you argue that, because University has always discriminated with such racket, it is proper for University to continue discriminating with perpetuation of such racket, is absurd beyond belief. That is argument so hollow as to have no possibility of intent but to serve as spurious argumentativeness willfully adverse to the classes against whom you discriminate. By that logic Native Americans would still be hunted in the woods as if they were game animals, and "separate but equal" would still be the law of the land. Your stated policy exerts clear, undeniable, unavoidable, and potentially lethal disparate impact upon individuals of Madame Plaintiff's class, against whom your stated threats of retaining, and inferred threats of disclosing, former identity information are "...the insulting or 'fighting' words-those which by their very utterance inflict injury..." (Chaplinski v. New Hampshire (1942))

One individual's comment in the matter: "I had the miraculous, fateful privilege of meeting, by random chance, the young teenager [Murder Victim #1] immediately before her now-infamous brutal murder. From a place of her own sweet disposition, she invited me, a perfect stranger and yet seemingly newfound friend, to go with her to that very party at which she was later murdered. If [Murder Victim #1]'s brutal murder, arising merely from the disclosure of personal, private identity information, failed to inform the administration at University of the dangers faced by women such as [Madame Plaintiff], we can only conclude very poorly about the members of that administration and their contact with reality. If for any instant they believe that their own threats to retain or disclose [Madame Plaintiff's] former identity information and, indeed, substitute it for her actual legal identity information, is anything short of tantamount to threats of jeopardy to her personal welfare and safety,

then we must conclude equally ill of their purported good will. These are the epitome of "fighting words" described in Chaplinski."

It is a tragic, undeniable, well-known reality within this state, this nation, and this world, that disclosure of former identity information of individuals within Madame Plaintiff's class serves the direct risk of egregious harm to those individuals. The murders of [Murder Victim #1] and [Murder Victim #2] here in California, and innumerable others statewide, nationwide and worldwide, aptly attest to this extraordinary risk. In states such as California, so called "felony states", your own felony arrogations of the rights of individuals in Madame Plaintiff's class leave you all personally vulnerable to the addition of murder charges. That is, if you or University or any other member or your racket, or any joining racket, enacted disclosures prohibited by law, as discussed above, and such disclosure, due to your racket of refusing to honor Madame Plaintiff's rights, resulted in an act of violence against Madame Plaintiff resulting in her death by first degree murder with hate crime enhancements, you and your fellow racketeers would all be equally guilty of first degree murder with hate crime enhancements. Without statute of limitation upon murder charges, you could find yourselves facing such charges decades from now in any event where your activities or racket can be identified as precipitous to such murder.

Thus are the facts of law of the circumstances that you and University have proposed to maintain. Supposing without ourselves averring that your position is legally tenable, since the day that Madame Plaintiff presented herself to University for updating of her records in late May, 2005, you and University have been completely unable to disclose to any party but Madame Plaintiff, for any purpose, any data or documentation or other information regarding Madame Plaintiff containing, referring to, or linked to Madame Plaintiff's personal identity information in any way or of any kind - and University may never again do so. You and University have correctly averred that Madame Plaintiff's current identity is indeed her legal identity. Yet, you and University generally interact with other agencies and organizations structured under law regarding student information and through multiple systems organized and maintained under law. In any case of law, legal identity is the only identity information tenable for use, except in circumstances where an individual has been convicted of adopting a name specifically for the purpose and with the specific intent of committing fraud, in which very specific cases Plaintiff's adopted identity may be designated as an alias and its validity as a legal name abrogated by law. You have stipulated to Madame Plaintiff's current legal identity as valid without cause for abrogation due to conviction for fraudulent intent in that identity. Consequently, any such disclosure of former identity in the stead of proper legal identity unavoidably creates a rampant crime spree by you and University, as outlined above. Only by sealing your records against absolutely all disclosures can you maintain any hope of preserving your legal position - to which we ask, what do you propose to do in the admittedly unlikely event of a court warrant mandating disclosure to some Federal agency, whereupon disclosure will automatically run you afoul of 18 U.S.C. § 1001, abridging the seal upon which your and University's legal impunity arise according to your own scheme of it?

You and University have proposed that you may divorce the legal identity information of Madame Plaintiff from your system of legal records and documents. By unavoidable extension then, you thereby also propose to divorce your system of records and documents from the legal system itself. The consequences are grave.

Madame Plaintiff's right to privacy is her right, strongly protected by the Constitution and the courts. Whatever the "encouragement" to make public record of a change in identity that the courts of

California have suggested, no power to force by brute abuse of power such usage of the courts was thereby vested in you or your agency, and the right to avoid such publicity firmly remains entrenched in the rule of law and, indeed, the lives and survival of many survivors of violence and the lives and survival of the majority of Madame Plaintiff's class depend entirely upon that right. That same ruling that you quote (*In re Useldinger*), and indeed the very words that you quote ("...the courts should encourage rather than discourage the filing of petitions for change of name...to the end that such changes may be a matter of public record."), from that California court indeed acknowledges that identity change by common law method preserves every right to privacy surrounding such change that is sacrificed by the publicity demanded by the court method. To infringe upon such rights is contrary to the law and the Constitution, and is just plain cruel, inhumane and tantamount to a threat to life and limb upon individuals of Plaintiff's class or anyone seeking to survive severe forms of violence. It is not your business, or within your legal authorities, to impose upon Madame Plaintiff so onerously.

As Lockyer points out in the opening paragraph of his analysis, and as the courts have statedly found, an individual's identity information is the personal property of that individual, the most personal and valuable personal property any individual can have, "[one's own personal identity] 'is owned by those who possess nothing else'". The right to care and control over that information remains firmly that of the individual, and is empowered by all of the rights and protections of property ownership protections and privacy rights protections enshrined in the rule of law, in addition to the very specific added protections in law of identity rights.

Your and University's insistence that you have any entitlement to Madame Plaintiff's former identity, or any entitlement to demand any public court proceeding made available by California statute is direct and obvious contravention of that statute's mandate that "...nothing in this title shall be construed to abrogate the common law right of any person to change his or her name." (California Civil Code § 1279.5) Your mere insistence upon the court method for identity change assumes grant, by the very existence of that statute, your power by that statute to abrogate Madame Plaintiff's right. That is, if the court method were not created by that statute, the only method available would be the common law method used by Madame Plaintiff, who has the right to use that method as if, indeed, that statute did not exist at all. University failed its duty to promptly and accurately document Madame Plaintiff's legal identity on that day in late May, 2005 when Madame Plaintiff first gave proper, appropriate, substantive and adequate notice to University. You and University, instead of correcting that error, have indulged in cruel, inhumane, systematic and felonious activities to persist in that error rather than simply and promptly correcting that error. You cannot in any way whatsoever indicate the existence of the court method, and then in turn its disuse, as cause for not treating Madame Plaintiff's current legal name as such and as though it were her birth name. The mere fact of your disparate treatment of the two methods is, alone, contravention of the statutory clause quoted above. To do so is such clear and obvious contravention of the statement within that statute, quoted above, as to again represent clearly and knowingly spurious argumentativeness on your part. You cannot possibly be that irrational.

Returning, then, to the administrative (neither case law nor part of the rule of law) opinion of Lockyer (00-205 (2000)), to claim that Lockyer intended his interpretation to confer immunity to any governmental or governmentally regulated body, agency, agent, or public entity is tantamount to accusing Lockyer of gross legal incompetence. Neither his opinion nor the opinions of the courts that he quoted made any effort to state that such bodies, part and parcel of the rule of law, could be immunized from making exclusive use of a legal identity for any purpose of or related to law, the legal system, or administration thereof or thereunder. Lockyer made no effort to address beyond the right of

the individual to such self-determination at will and the caveat that other private persons with personal prior knowledge of, for a very extensive length of time, such individual's former identity information might be exempt from any forcible effort from such individual to recognize such legal identity. Lockyer made no effort to argue beyond the expansive freedoms and liberties that individual persons are entitled to in this nation of liberty, that are reserved to them under the Constitution; made no effort to argue onward to the bounded privileges that the types of entities above, that include you, are granted with great restriction by those individual persons through the democratic process. Lockyer, addressing state law, made no effort to state defense of criminal rackets under Federal law, or even to offer justification of such actions by organizations of such types as above under state laws.

Again, the statute (California Civil Code § 1279.5) is quite clear in prohibiting the fact of the existence of that statute from undermining the validity and recognition of common law changes of identity. Madame Plaintiff and others have no obligations to you, University, or any other agency or organization or anyone else to use or rely upon the existence of that statute for recognition of their legal identities as self-determined at will. You may not deny Madame Plaintiff's request for correction of University's records. It is University's duty to document promptly and exclusively Madame Plaintiff's (and that of all others of similar circumstance) proper legal identity upon Madame Plaintiff's statement of it. Your refusal to do so is to arrogate Madame Plaintiff's rights directly, incurring counts of violations of the numerous statutes cited previously for each such refusal well before the potentiality for illegal disclosures, as noted previously, are realized.

Your arguments regarding Social Security Number validity verification are so hollow, and so thoroughly and correctly debunked already by Madame Plaintiff in pro per that we are loathe to revisit. However, given your willful disregard for all logic, we repeat the facts: no part of the cited statute whatsoever discusses any part of identity information beyond the Social Security Number whatsoever; the statute mandates strictly and exclusively verification that the Social Security Number is indeed a valid and issued Social Security Number. If any transmission of additional identity information whatsoever is made in the company of such verification on any occasion whatsoever, it is clearly *not* done pursuant to that code you cite, and is a clearly illegal and criminal violation of other laws already cited (and additional) in every single instance, whether a described individual has enacted a change of identity or not.

Meanwhile, the United States Supreme Court has already made numerous pertinent findings, though we must first address a another falsity that you have advanced regarding the case law citations previously provided by Madame Plaintiff. That is, Madame Plaintiff's citations are 'on spot' (to adopt your phraseology), and your flippant dismissal of them is in gross and obvious error.

The courts, in writing their opinions, often make numerous statements regarding the rights of individuals according to the Constitutions and the prevailing rule of law. Those rights are just that, rights as they stand and as applicable in all cases to the expansive, boundless rights of individuals in a nation of individual liberty governed by the rule of law. It is the infringements upon those rights of individual freedoms that the court finds for each case that are tightly bounded and constrained to the narrowest application in cases subsequent to expression of such findings. The case of Abdul-Jabbar v General Motors that you attempt to dismiss incorporated just such findings of rights: "California has long recognized a common law right of privacy . . . [which includes protection against] appropriation, for the defendant's advantage, of the Plaintiff's name or likeness." Eastwood v. Superior Court for Los Angeles County... The protection of name and likeness from unwarranted intrusion or exploitation is

the heart of the law of privacy. *Lugosi v. Universal Pictures*... As set out in *Eastwood*, a common law cause of action for appropriation of name or likeness may be pleaded by alleging '(1) the defendant's use of Plaintiff's identity; (2) the appropriation of Plaintiff's name or likeness to defendant's advantage, commercially or otherwise; (3) lack of consent; and (4) resulting injury.'..." (*Abdul-Jabbar v General Motors* (1996)). The fact of privacy findings in favor of a public figure is instructive and remarkable in this context as public figures are consistently found by the courts to have lesser rights to privacy than non-public figures, and your disregard for this finding is another gross and obvious error, and the citation by Madame Plaintiff was appropriate, relevant and instructive to the matter at hand.

"In every case the power to regulate must be so exercised as not, in attaining a permissible end, unduly to infringe the protected freedom. ... A statute authorizing previous restraint upon the exercise of the guaranteed freedom by judicial decision after trial is as obnoxious to the Constitution as one providing for like restraint by administrative action. ...personal abuse is not in any proper sense communication of information or opinion safeguarded by the Constitution, and its punishment as a criminal act would raise no question under that instrument." (*Cantwell v. Connecticut* (1940)). So sayeth the Supreme Court, many times in many ways. Your and University's stated policy, however, does not even rise to the level of a "statute authorizing previous restraint upon the exercise of the guaranteed freedom...", but is, in fact administrative regulation bearing no weight of law and, indeed, contrary to the weight and body of law, that yet is just such prohibited "previous restraint upon the exercise of the guaranteed freedom". The privileges of public entities are inferior and subservient to the rights of individuals. Your "previous restraint" upon the exercise of right by Madame Plaintiff is an onerous perpetration against Madame Plaintiff that is indeed "obnoxious to the Constitution".

Continuing, "constitutional deprivations may not be justified by some remote administrative benefit to the State." (*Harman v. Forsenius*, (1965)); and "both the common law and the literal understandings of privacy encompass the individual's control of information concerning his or her person." (*Department of Justice v. Reporters Committee for Freedom of the Press* (1989)). Your and University's stated policy are just such "remote administrative benefit" depriving Madame Plaintiff of Constitutional rights, including the right of privacy "encompass[ing] the individual's control of information concerning his or her person." You have no legal authority to control Madame Plaintiff's legal identity or representations thereof contrary to Madame Plaintiff's true legal identity. You have no privilege of administrative convenience or historical administrative policy to defend such errant actions against Madame Plaintiff's exercise of rights.

Also, "a strong privacy interest inheres in the nondisclosure of compiled computerized information is the Privacy Act of 1974, codified at 5 U.S.C. 552a (1982 ed. and Supp. V). The Privacy Act was passed largely out of concern over "the impact of computer data banks on individual privacy." H. R. Rep. No. 93-1416, p. 7 (1974). The Privacy Act provides generally that "[n]o agency shall disclose any record which is contained in a system of records . . . except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains." 5 U.S.C. 552a(b) (1982 ed., Supp. V)." (*Department of Justice v. Reporters Committee for Freedom of the Press* (1989)). You and University, by retaining information other than, and in the place of, legal identity information appear virtually unavoidably likely to violate such privacy interest given the rampant automation of the systems you are likely using, again in violation of the numerous statutes listed above. Frankly, we doubt any claims you might make that you haven't already breached Madame Plaintiff's rights in this matter and earned entitlement to many years in a Federal penitentiary. We advocate for your prosecution for such.

A favored and an oft repeated sentiment of the Supreme Court, "choices central to personal dignity and autonomy, are central to the liberty protected by the Fourteenth Amendment. At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life. Beliefs about these matters could not define the attributes of personhood were they formed under compulsion of the State." (Planned Parenthood of Southeastern Pa. v. Casey (1992), borrowing from Entick v. Carrington and Three Other King's Messengers (1765); reiterated in Lawrence v. Texas (2003)). You and University have stated your intention to define Madame Plaintiff's existence within your records by just such "compulsion of the State", in clear, radical contravention of the rule of law.

Any "governmental purpose to control or prevent activities constitutionally subject to state regulation may not be achieved by means which sweep unnecessarily broadly and thereby invade the area of protected freedoms." NAACP v. Alabama, 377 U.S. 288, 307 "We deal with a right of privacy older than the Bill of Rights - older than our political parties, older than our school system." (Griswold v. Connecticut (1966)). University is such a regulated governmental purpose (to provide education) that "may not be achieved by means which ... invade the area of protected freedoms." You have proposed that University may, indeed, "invade the area of protected freedoms" in such bold and arrogant contravention of the rule of law and defiance of the Supreme Court that we are dismayed by you and your wild and onerous contraventions.

Your stated position adopted in re Madame Plaintiff, that Madame Plaintiff has the right that you do not have to recognize or honor in administering your duties to her and her records, is quintessential sociopathy in every sense of it. You maintain legal documents that cannot be rationally or successfully divorced from the legal system, as you demand entitlement to do. What you have proposed to maintain, and the underlying policy that you seek to preserve, are both clearly contrary to the rule of law, and it is your duty to correct both errors, not defend those errors with abuses and perpetrations of felonies upon the person of Madame Plaintiff. There is no greater crime against a society than a crime of corruption. There is no greater crime against an individual than a crime of violence. You and University have clearly and undeniably done the former, and arguably done the latter in re Madame Plaintiff and her exercise of her rights, with your abuses of power and use of "fighting words".

Your fundamental argument, that Madame Plaintiff has rights that you need not respect or honor in administration of her records, is nothing different from the failed arguments of [Former Civil Servant A], and of San Francisco State University, a decade ago. We at the NCIDP had believed that CSU had learned its lessons on these matters of identity information rights, property rights, and privacy rights a decade ago. Instead, we find you making the same set of hollow, superficial, and outright patently fallacious arguments that [Former Civil Servant A], and San Francisco State University made then. Are memories of that failed argument, made adverse to the exercise of rights by a student, already lost within the CSU system and to University? Those arguments, lost (administratively) against the Constitutional protections offered to that student, were of near identical nature a decade ago. The Constitution of this nation has not changed in this intervening decade, and neither has the fallacy of those arguments against them.

Our sitting President and Commander-In-Chief has declared our nation, and every facet of our government, to be at war with "the enemies of freedom" that would see our democratic freedoms undermined and destroyed. Your actions, the actions of University, are just such destruction of freedoms; just such actions in service and aid to just such "enemies of freedom". If we at the National

Council on Identity Policy were in the same rush to give up freedoms as you are to arrogate and destroy them, we'd move to totalitarianist North Korea.

Your abuses of power and authority, and of the trust invested in you by the people, to the detriment of freedom and liberty, and in service to the oppression of Madame Plaintiff and many others, is despicable criminal behavior constituting the highest form of crime against a free nation and a free society. Your abusive mistreatment of Madame Plaintiff, and your arrogation of her rights based upon irrational and sociopathic arguments is such gross cruelty upon the person of Madame Plaintiff that we cannot regard your humanity as credible. You have done as wrong as wrong could be in this matter. We ardently advocate for your prosecutions for these egregious crimes against this nation and Madame Plaintiff.

You and University have gone out of your way to breach the rule of law, the accreditation standards of your institution, and every tenet of human conscientiousness to oppress Madame Plaintiff and preserve your position of oppressing all of like class. You hardly "...promote a positive open environment conducive to effective learning..." and hardly make it "accessible", as you and CSU falsely claim, respectively.

We provide stern caution to you in this matter. We state the facts without sugar coating. We have trod this path well before. We generally find that only such bluntness pierces the clouds. Certainly Madame Plaintiff's polite and gentle arguments to date have not - you still cling to your fatally flawed position. The facts are clear, and you are in the wrong. It is your duty to make right.