

Alta-Aurelia Community School

Tom Hinkeldey, President of School Board

Alta, Iowa

Dear Mr. Hinkeldey;

We received your voicemail message of April 30, 2024, 10:10pm. In the future, feel free to call earlier in the day as we'd like to visit with you.

We are concerned that you are not taking this situation with the Former High School seriously. Your hasty response to our March 14th letter did not include explanations for the evidences we presented. In your voicemail, when you refer to our flier as a "postcard cute letter kinda", are you attempting to trivialize the situation? You owe it to the citizens to properly and respectfully assume the duties of your office.

Your voicemail stated that you won't be contacting Sheriff Elston to investigate the matters our flier mentioned.

As your initial response was that it was "unreasonable", you have decided that the criminal activity is not worth investigating? Now it's clear you think it's best "for the kids" that the building be torn down? How about we show the kids good stewardship and take care of the buildings that we have? Alta has lost a daycare and (as announced at the recital) a dance studio because of the events in January. Do you think the public is satisfied with the very limited explanation to these events they have received?

We are disappointed with the board's stubbornness. We do plan to attend your meeting, even knowing that with all the rules governing public comment, (i.e. time limits and that you personally control the meeting, etc.), we don't expect to have our questions answered. We understand it will likely be followed by the local media parroting your position. Note: please advise the board members, themselves, to be careful during the meeting of their own personal defamation or slander of any members of the community present.

Due to your insufficient responses so far, we are going to host our **own community meeting**. We will be inviting all the school board members to be present and answer to the community on a much fairer paying field than what school board "public" meetings permit. We will keep you posted on the details of our meeting, and we urge you to attend ours. To accommodate your calendar, please advise us which days (Monday through Saturday evenings) between now and **June 15, 2024**, would **not work** for you.

As to your defamatory statements about defamation and illegal use of the district's logo posted on FB, may we provide you with a suggestion? One of the nation's Federal Court champions on protected speech is retired U.S. District Judge of Northern Iowa, Mark Bennett. He is now on the faculty of your law school alma' mater, Drake Law School. Feel free to give him a call and ask for a refresher on the 'Fair Use' doctrine when a government body's (or even a corporation's) logo is not being used by their critics for commercial profit purposes.

Further, feel free to read to him what you believe are some of the most defaming statements in our flier and see if he concurs that they include the elements of defamation under Iowa or Federal law. He can be reached at: 515-271-2908, Email mark.bennett@drake.edu

Do listen carefully if, and when, he reviews this US Supreme Court decision of ***New York Times v. Sullivan*** which ruled:

“Thus, we consider this case against the background of a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials. See *Terminiello v. Chicago*, 337 U. S. 1, 337 U. S. 4; *De Jonge v. Oregon*, 299 U. S. 353,”
<https://supreme.justia.com/cases/federal/us/376/254/>

Thank you, Tom.

Alta-Aurelia Citizens for Progress

Pam Henderson and David Fordyce, Co-Chairs