

To: Editor – My View by Michael Sussman

I am appalled at the editorial which appeared in the Times Herald Record this morning. It minimizes the violation of the First Amendment committed by Superintendent Kenneth Eastwood and Board President Geiger and focuses on the wrong issue: “the dissidents” – as if this were the Soviet Union.

Since your paper chose not to report what I said at the Democratic Alliance press conference this past Monday, I wanted to present those comments for the consideration of your readers:

“As Easter approaches, we are here to at once mourn and resurrect – the First Amendment took a serious hit last Thursday night right here in Orange County – what is ok for Middletown is ok for America. We are here today to resurrect the First Amendment against the following attitudes:

“We are not in Agreement; we are enemies so you can’t speak.”

“I know what you want to say in advance of your saying it and since I disagree, shut up I have the power and you need to bow to my censorship.”

“This is not about the First Amendment; I am head of a public corporation and the First Amendment does not apply to us tonight. Why? Because I said so and I have power.

“People here like me and think I am doing a good job. Why should you tell them about my past? “

“Since the commissioner found you, Mr. Hoefler, were unfit to serve as a school board in Oswego, you have no right to speak in Middletown...” Really? Was this a punishment the Commissioner education imposed? Did he cut out Hoefler’s tongue or revoke his right to free speech under the First Amendment?

“Since you are really crazy, anyway, Mr. Hoefler, you are not allowed to speak.”

“We are having a public meeting and there are no proscribed limits on speech; this does not matter since I can impose limits whenever I want to and there is no process needed.”

“Listening to you for four minutes will ruin my day or evening; therefore, you cannot speak at the public session of our board meeting.”


The Democratic Alliance is not here because we agree or disagree with Fran Hoefler who we barely know. I do not vouch for the truth of what he says any more than I can vouch for the truth of what Ken Eastwood says. None of that is relevant to the First Amendment. If Fran Hoefler slanders Ken Eastwood and speaks untruths, Ken Eastwood has civil remedies. He cannot stop his speech, in advance, however...If Ken Eastwood

can stop this speech, can Ed Diana shut me up if I want to say that the Peter Principle would never be more applicable than if he ran for any higher office. That is my opinion and I am allowed to express it to the legislature and the public whether Ed likes it or not...

Ken Eastwood is supposed to be an educator who swore to uphold our Constitution. He has engaged in behavior which devalues our entire educational system at its core and he has defiled our Constitution. Board members, particularly the President, who went along with Eastwood's agenda and shut Mr. Hofer up and had him arrested. should be ashamed of themselves and should be held legally liable.

Why does this matter? Because Middletown is not an island unto itself with its own rules and laws. It lives in our nation and the First Amendment, once devalued and once that devaluation is accepted, has lost its import and we are a different nation...That's why.

It is a darn shame that your newspaper did not write that as its editorial and instead chose to again attack "the dissidents," an issue of no relevance to this matter whatsoever.

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