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15 November 2021

SENATOR TONI G. ATKINS  
SENATE PRESIDENT *PRO TEMPORE*  
STATE CAPITOL, ROOM 205  
SACRAMENTO, CA 95814

RE: REVISAL OF CAL. CIV. CODE § 841 (*as corrupted by AB 1404*)

Dear Senator Atkins,

I write this letter following the November 2021 election in which Democrats lost ground in the all-important suburbs, where a backlash against Donald Trump propelled Joe Biden into the presidency in November 2020. A year later, all that good will towards Democrats has been spent, and the Democrats' slimmest of majorities in the U.S. Congress are in jeopardy come November 2022. California remains a Democratic stronghold, of course, but when pro-government progressives like me are so alienated by the Democrats' rule at the state level that even we have started to vote for Republicans, this looks to be a nationwide trend. Suburbanites everywhere are concerned about our deteriorating quality of life, and even powerful California politicians will eventually bear the brunt of our escalating anxiety.

When last I wrote to you on 4 February 2021 —

[https://she-philosopher.com/SCCcase/dtp-to-SenatorAtkins\\_2021-02-04.pdf](https://she-philosopher.com/SCCcase/dtp-to-SenatorAtkins_2021-02-04.pdf)

(*note*: these and all subsequent URLs are case-sensitive)

— I again petitioned for a revisal of Cal. Civ. Code § 841, which I contend —

<https://she-philosopher.com/studies/California-AB-1404.html>

— was corrupted by California's *Good Neighbor Fence Act of 2013* (Assembly Bill 1404), which upended fundamental individual rights to property ingrained over the centuries through Anglo-American laws and customs.

I would again point out that there is plenty of historical precedent for my petition. State legislatures have been conducting revisals since 1619, when the first legislative assembly convened on the American continent at Jamestown, as part of the transition from martial law to civil government and civil law in Virginia.

More importantly, my ancient right “to petition the Government for a redress of grievances” is guaranteed by the First Amendment to the U.S. Constitution:

Petitioning may be a political privilege or a privilege of citizenship, but it is broader than that in its scope and was undoubtedly intended as one of the guaranteed civil rights. Those subject to law ought to have the opportunity, if they desire, to avail themselves of this right, in order to urge upon legislative bodies reformations or changes in the law, and upon the executive department the administration of the law in such a way as to protect personal and property rights. However, as no method of presenting or securing the consideration of such petitions is provided for, the duty to receive and consider is to be discharged in the exercise of discretion on the part of the legislative body or executive officer, and the right to petition will not justify violence or disorder or interference with the proceedings of any duly constituted body or authority.

(Emlin McClain, *Constitutional Law in the United States*, revised edn., 1910 [rpt. 1916], 309–310)

On what grounds, then, do you continue to ignore — as indicated by the multiple pointers for “No response from senator’s office” documented here:

<https://she-philosopher.com/SCCase/comments-on-AB1404.html>

— my petition? As I have said many times, you don’t have to conduct the requested revision, but you *do* have to make a decision on it, then formally notify me of your decision. And if you decide not to grant my petition, as my elected representative under California’s republican form of government, you need to explain why not.

Let me be perfectly clear, so that there’s no ambiguity in the historical record I’m compiling: by refusing to respond (yes or no) to my petition for a revision of Section 841 of the California Civil Code, the Democratically-controlled California State Legislature knowingly violates my constitutional right “to petition the Government for a redress of grievances.”

Is this really the message Democrats wish to communicate to the electorate in 2022?

Sincerely,

Deborah Taylor-Pearce  
Constituent  
California State Senate District 39 & California State Assembly District 77

cc: [duplicate mailing to San Diego District Office (because of past delivery problems)]

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