

## President's Letter

As HOA President, my responsibilities are legally defined by the Association's Bylaws, as well as various county, state, and even federal statutes. Beyond these general rules there is little specific guidance. Some people believe I should be an upbeat cheerleader for the community at large, and I am certainly willing to acknowledge that more has to be done to promote a positive view of Sudden Valley. It is, I admit, very difficult to keep this in mind, and be fair and dispassionate, when some folks seem to be trying their hardest both online and in direct confrontation to provoke a heated response. Nonetheless, I believe that my essential responsibility is to tell the truth at all times – as best as I am blessed to be able to do so – without fear of, or favor toward, anyone.

Despite whatever exchanges have occurred, I want to say to the community that I know for a fact that the Board and Staff have demonstrably done their best to openly and honorably govern and oversee the functioning of the Association, and to provide the greatest good for the greatest number of property owners and residents. You may hear assertions to the contrary from some very vocal people, but they do not always seem to be willing to do the work necessary to inform themselves of the facts. The truth is, when confronted with complex problems and divergent, competing needs, the Board and Staff take their responsibilities fully to heart. They make every effort to do what is best for the community as a whole.

Differing opinions are always welcome when they are sincere and based on facts. None of us is perfect, and the only way we grow and learn is by remaining open to criticism. Three hundred and fifty years ago, the great philosopher Spinoza said that no government can last if it tries to control the thoughts and speech of its people. It is an idea embodied in the U.S. Constitution, guaranteed by the First Amendment among the original Bill of Rights. It is also an idea embraced by the Board in its practice of allowing property-owner comments at both the beginning and end of Board meetings. It is also embodied in the Bylaws requirement that the Views publishers have complete, independent editorial control of Views content.

With all rights, however, there are limits. Though the Constitution guarantees free speech, speech may be curbed if it is likely to incite unlawful action, or action that will clearly have a harmful effect. Speech that is malicious or that violates other legally recognized rights (such as copyright) can also be prohibited, and the Constitution does not limit the ability of corporations like Facebook or the Sudden Valley Community Association to control speech. However, the question is: *who is authorized* to judge what speech should be controlled, under what circumstances, and *according to what standards*. Though the courts might ultimately be called upon to rule in any particular situation, until then it is an appropriate topic for public debate. As with all controversial topics, there will be different opinions in this respect, and they can be strongly expressed. What one person sees as obnoxious, unfair heckling, another will regard as an honestly stated position. There is no clear-cut right or wrong until (if it is a matter worth litigating) a court decides.

Over the past few years, across the nation and in Sudden Valley, for-profit “social media” corporations have come to provide very effective, simple platforms for conducting ongoing “public” dialogue, with very few restrictions other than those concerning violations of commercial copyright and trademark. The problem, however, is that there is no simple way to determine — given everything posted or published online — what is on the one hand truthful, honest opinion or well-informed disagreement, and what is on the other hand purely political or vicious polemic, having little or no basis in fact. The Association, like the nation, has no easy way to make that determination.

What I can do is to remind the community that the Association publishes facts on its website, with notices on social media, that can be checked. Important documents are available to all, and are usually published. The SVCA website is an upgrade of a prior, very outdated website. However, it is still in need of further updating and revision in order to make information even easier to locate and retrieve. This is being worked on. If you cannot find what you are looking for, please just ask. Staff and Directors will be happy to help.

And, remember that comments made on social media are not rigorously vetted, and too often are not based on the facts reflected in Sudden Valley’s official, publicly available documents. Such comments should be treated with skepticism. Indeed, comments on social media are quite frequently based on mere gossip. At worst, they are intended to silence thoughtful discussion through unfair mischaracterizations, personal denigration, and even subtle threats.

Let us continue the open discussion about how best to go about improving our beautiful and unique, though aging, community. Constructive criticism is welcome, but such comments will be well-informed and sensitive—not divisive or demeaning. Let us, too, remember that we are all just fallible humans, and assume good will until bad will is demonstrated or proven.

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