

**From:** [REDACTED]  
**To:** [City Council](#)  
**Subject:** Regarding the Revised Resolution calling for a Cease Fire  
**Date:** Tuesday, April 2, 2024 3:59:25 PM

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Dear Mayor, Vice Mayor, and Council Members,

As a member of the public and an attorney, I urge you to vote against the proposed Revised Resolution Calling for a Ceasefire. It is divisive within the community, contributes to racism and hate, and is outside of your jurisdiction to adopt.

The city has no authority to adopt the resolution because it takes an attitude in foreign affairs, aiming to affect the U.S. relationship with Israel. Foreign affairs are within the exclusive domain of the federal government. City government statements promulgated to effectuate the foreign policy goals of city governments are void; they are unconstitutional (U.S. Constitution, Art. 1, Sec. 10; See, *e.g.*, *Zschernig v. Miller* (1968)).

The proposed ceasefire resolution is itself racist and anti-Jewish. Jewish people living in the State of Israel is a central tenet of Judaism. The long proclaimed goal and pursuit of Gazans, Palestinians and their supporters, is the genocide of Israelis to conquer Israel; they are Jihadists. The proclamation intrudes into religious and sectarian issues and is discriminatory against Jewish persons. It is unconstitutional.

In targeting the war in Israel for a resolution, and in proclaiming, in effect, that Israel should cease defending itself militarily against military and terrorist attacks by its surrounding enemies, the Resolution is racist, antisemitic, and an unconstitutional intrusion into sectarian and religious matters.

The resolution fails to mention that most Gaza Palestinians voted for and support Hamas, the Government in Gaza, which is a U.S.-designated terror organization. The proclamation lists numbers of Gazans displaced and killed, without including the numbers of Israeli's displaced and killed other than on the day that Hamas initiated this present war. The proclamation fails to note that the source of the numbers it uses, the Ministry of Health in Gaza, is part of Hamas, the terrorist organization.

It does not proclaim that the hundreds of thousands of suffering Israelis have not received large scale humanitarian relief. It does not note that the 12/12/2003 UN resolution was opposed by our country, the U.S. It falsely says that "citizens of the world everywhere" are calling for an immediate ceasefire and that not all world or religious leaders support a ceasefire.

Without saying that it happened in the course of less than one day in a terrorist attack, the

resolution says that the lives of over 1,200 Jews in Israel were claimed, and that some of them were combatants, without saying that none of those who were killed that day by Hamas were combatants when they were killed.

While individuals have the right to call on members of the federal government to act about foreign affairs, state and local governments as entities do not have that right under our Constitutional law. The proclamation exceeds the authority and constitutes a misuse of public resources and an abuse of power.

Emails or public hearings do not establish that the majority of the citizens or residents of Sebastopol favor this resolution or the City government taking a position on this foreign war. The City should also consider the impact of having to incur litigation to defend this resolution in a court of law given the legal restrictions on the council's authority in the realm of making statements concerning foreign relations. The City should reject this proclamation regardless of whether some hapless cities or districts adopted such.

Sincerely,  
Ester Adut  
Attorney at Law