



Dale A. Miller

Cuyahoga County Council President, District 2

Committee Member: Public Works, Procurement & Contracting

Committee Member: Economic Development & Planning

Committee Member: Education, Environment & Sustainability

February 7, 2025

The Honorable Bernie Moreno
SR-B33 Russell Senate Office Building
Washington, DC 20510

Dear Senator Moreno,

I received your recent correspondence. I think back to better days when we discussed things like blockchain and economic development in a positive and collaborative manner. I accept that times have changed and will do my best to address your concerns.

It has become more and more difficult to accomplish anything through reason, kindness, and negotiation. It has become all about brute force. My primary goal is creating an open and vigorous democratic process where people of differing views can express their opinions in an atmosphere where everyone in the Council Chambers feels safe and comfortable. Achieving that balance requires sensitivity and more than one meeting.

I'm going to divide my response into two parts—what happens at the podium and what happens in the audience. I take my oath of office very seriously, and it requires both upholding the Constitution and Council rules. The First Amendment clearly gives public comment from the podium wider latitude than is envisioned in County Council Rule 8. Respecting free speech is not always pretty. My approach will include both enforcement and informal admonishment to obtain the best possible result.

Regarding audience behavior, any intimidation or harassment of other participants is totally unacceptable. We have dealt with these problems for several months and have taken corrective action, including the removal of offenders. However, we can only respond to what we see and hear. We have had several meetings with our Law Department and the Sheriff's Office to identify strategies that are legal, constitutional, and effective. This is an ongoing process of continuous improvement.

I now respond to questions not specifically answered above:

Disruption of the Pledge of Allegiance is a violation of Council rules and unacceptable. Prior to receiving your letter, we developed a strategy that will allow the Pledge to be recited without interference.

Antisemitic or discriminatory statements against any group violate Council rules of decorum, and I will do everything possible to address them. However, some of these statements do not rise to the level of hate speech and are protected by the First Amendment.

When speaking from the podium on public comment, profanity violates Council rules of decorum but is protected by the First Amendment if not threatening or intimidating. Obscenity violates decorum and is not protected by the First Amendment but is difficult to define. Either is an enforceable violation when it comes from someone in the audience not speaking on public comment.

Regarding our federal funding, we are grateful for this support which helps thousands of your neighbors and constituents in many ways, and we ask for your continued partnership to serve our community.

I hope this response is helpful. My appeal to you is not to deal with this issue with a sledgehammer but be mindful of the challenges. We can achieve goals that we both share—where democracy is open and vibrant and everyone at Council is treated with respect and kindness.

Sincerely yours,

A handwritten signature in blue ink that reads "Dale A. Miller". The signature is written in a cursive, flowing style.

Dale Miller, President
Cuyahoga County Council