OFF-DUTY DEPUTY ATTACKS VIDEOPHHER FILMING PUBLIC EVENT

Ralston Law Attorney Instigates Attack, Web Sites Changed to Hide Connections
Sheriff’s Office Returns Confiscated Video with Gap Eliminating Screams for Help

By Garland Favorito
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WHO IS NYDIA TISDALE?
Nydia Tisdale is a non-partisan videographer who owns AboutForsyth.com. She records a variety of political events, government meetings and candidate forums. I know her personally from all of the wonderful coverage she gave us in our successful efforts to remove the GA Hwy. 400 toll. She represented one of many professional media outlets who helped us explain to the public that former Governor Sonny Perdue extended the toll in violation of the agreement with the City of Atlanta after construction costs had been recovered. Nydia’s work is special because she posts her “Nydeo” videos on her website with no filtering and no political commentary. Candidates truly appreciate her free publicity. But things went wrong on Saturday, August 23:

Left: David Ralston law attorney, Clint Bearden, kicks off event, then has officer initiate attack

Right: Non-partisan, videographer, Nydia Tisdale, attacked for recording public Republican event

THE FACTS ACCORDING TO VIDEO, AUDIO & WITNESSES
Nydia accepted an invitation to attend a public rally for Republican candidates held on August 23, 2014 in Dawsonville, Georgia. The event took place at Johnny and Kathy Burt’s Pumpkin Farm and the public invitation was extended on the Deal for Governor Facebook page and at least two local newspapers. Dawson County Republican Chairwoman, Linda Clary Umberger, later explained: "This meeting was advertised as ‘Open to the Public’ and there were no announcements or signs requesting recording devices to be put away."
One of the advertisements shown below identified Clint Bearden as the point of contact. Nydia actually helped promote the event through her normal social media news outreach by forwarding Twitter tweets and Governor Deal’s Facebook Event invitation:
When Nydia arrived she introduced herself to Kathy Burt, told Kathy she would record the governor and they had a pleasant conversation. She recorded the pumpkin farm sign, David Perdue’s arrival and other activities to give viewers a sense of being there in person. Nydia sat on the same front row as Governor Deal and his wife Sandra. The organizer, Clint Bearden, a former Dawson County Republican Chairman, kicked off the event that included nearly every statewide Republican candidate in Georgia. Nydia, who sat immediately in front of Bearden, began recording along with another journalist and the Burts had no reason to care.

About ten minutes into the presentation, Matt Burgess and then, Clint Bearden told Nydia to cut the video camera off or leave. She explained that she was invited and it was a public event. Bearden, an attorney from Speaker David Ralston’s law office, was then seen speaking to Johnny Burt. He returned in a couple of minutes with Dawson County Captain Tony Wooten, who was off-duty and retained to provide security for the event. Sheriff Billy Carlisle originally claimed that Wooten was acting in his official capacity. Wooten told Nydia to turn the camera off or leave and then grabbed her before she had a chance to respond.

As Labor Commissioner Mark Butler was speaking, Wooten began physically removing Nydia from the event. At 12:30 into the audio at the FetchYourNews link below you can clearly hear Nydia state repeatedly to Wooten: “What is your name, identify yourself, who are you?” Wooten, who carried a gun and wore a shirt with a police logo, did not respond. By about 14:20, Nydia had been dragged off and was bent over with her arm twisted behind her. She begins screaming “Help!” at the top of her lungs six times, while you hear chilling sounds of some Dawson County Republicans laughing and Butler trying to make light of the situation.

- Republican Candidates at Burt’s Pumpkin Farm - Audio, Pictures from FetchYourNews.com - 08/23/14

CONFISCATED VIDEO RETURNED WITH GAP AND MISSING SCENES

Wooten confiscated Nydia’s camera, arrested her and filed charges of criminal trespassing and obstruction. [O.C.G.A. § 16-7-21, O.C.G.A. § 16-10-24] The obstruction charge contends that Nydia Tisdale elbowed Wooten in the cheek and kicked him in the shin. Tisdale contends that never happened because Wooten was always behind her, holding one of her arms behind her back and she was holding the camera with her other hand. Wooten never mentioned either of these acts on Nydia’s returned video and no witnesses have publicly corroborated the charges so far.

The video in Nydia’s camera was returned to her from the Dawson County Sheriff’s Office six days later on August 29. However, when she uploaded it just hours later she found that the original video was returned from the Sheriff’s office with a gap in the recording. Missing from the confiscated camera video is the key segment that contained Nydia’s blood-curdling screams of “Help!” at least six times on the Fetch Your News audio. (14:20-14:30)
The forced removal occurs at 12:30 on the Fetch Your News audio and 14:15 on Nydia’s video, which contained extra preliminary recordings of the farm and candidate arrivals. At about 15:50 on Nydia’s video, 1:35 later, there is an interruption and gap in the recording where the action, conversation and scene all change abruptly. The gap is less than 15 seconds before Nydia’s screams of “Help” that can be heard from a distance on the Fetch Your News audio. Her screams and the activity that occurred before them are missing on the confiscated video returned from the Dawson County Sheriff’s office. Did the Sheriff’s Office alter the video while it was in police custody? Start the Fetch Your News audio beginning at 12:30 and Nydia’s video beginning at 14:15 in two separate browser windows. Play them concurrently to watch and listen to her removal and then reach your own conclusions.

NYDIA’S CAMERA SHUT OFF DURING STRUGGLE
Some key conversations that occurred are now missing because of the gap and a struggle that caused the camera to shut off when Wooten attempted to wrest it away from Tisdale. After Butler spoke, he came over and was heard telling Wooten that he had no objections to being recorded. Johnny Burt was heard telling Wooten he could let Nydia leave. Kathy Burt was heard stating that they did not want to press charges. Wooten ignored them and made the arrest.

Nydia’s recording shows Bearden present while she continually explains to Wooten that it was a public event and she had already talked to the owner, Kathy Burt. Johnny Burt then says, “I am the owner.” Linda Clary Umberger, chair of the Dawson County Republicans, apologized to Nydia and told Wooten that Nydia helped publicize the public event. After he ignored her, Linda exclaimed: “This is wrong” and walked out. Moments later, Nydia then screams several times: “You are hurting me, you are hurting me!” before the camera is shut off.

- Video of Burt’s Pumpkin Farm incident from Nydia’s confiscated camera - 08/23/2014

SAM OLENS DEFENDS TISDALE
At 24:00, it was time for Attorney General Sam Olens to speak and he now seems to be the only statewide Republican left who cares about freedom of speech and freedom of the press. Olens defended Nydia but it was 13 minutes too late and he did not seem to realize that the event was advertised as public in Deal’s social media and a local Dawsonville paper. He explained:

“Let me be possibly politically incorrect here for a second. If we stand for anything as a party what are we afraid of with the lady having a camera filming us? What are we saying here that shouldn't be on film? What message are we sending? Because it’s private property they shouldn't be filming? What is the harm? The harm that this poses is far greater than her filming us. What are we hiding? If we are telling you why we are running and what we stand for, what are we hiding? There is no reason for that. That is not right. It is private property. The private property owner has the right to not have the person there. Who is the winner in the long run? Not a good move.”
Olens did not tell the audience that just two days earlier he had won a case against City of Cumming and Mayor H. Ford Gravitt when the mayor refused to allow Nydia Tisdale to video record a public meeting and had her forcibly removed. The Mayor and the City of Cumming were assessed $12,000 in penalties to be paid to the state plus attorneys’ fees. However, Nydia has gotten no compensation for the violation of her rights since her lawsuit is still pending. Here is Nydia’s video of Mayor Gravitt violating the Open Meetings Act [O.C.G.A. § 50-14-1]:

- Cumming Mayor kicks citizen & camera outta City Hall chambers - 04/17/12

Here is Olens’ press release and the judgment along with a picture of Olens and Nydia at Burt’s Pumpkin Farm just before the attack:

- AG Summary Judgment against Mayor of Cumming - 08/21/14
- Olens Prevails Defending Open Government in Nydia Tisdale Case - Press Release - 08/26/14

PREVIOUS ATTACK ON TISDALE BY REPUBLICAN WOMEN OF FORSYTH COUNTY

Nydia did not believe Bearden nor Wooten since she knew Kathy Burt was aware of her activities and Nydia had been lied to similarly earlier in the year. On April 16, she was at Norman’s Landing Restaurant recording a Republican Women of Forsyth County meeting that was covered by two news reporters. But before she could record the candidate who was scheduled to speak she was told on camera by Forsyth Republican Women member, Peggy Green, that “You are not welcome here … the person who owns this building asked you to leave.” Peggy Green was apparently upset about Nydia filing a state ethics complaint that found Forsyth County Commission candidate Pete Amos had failed to declare on his financial disclosure over 70 properties in which he or his family had ownership.

At about the 7:00 mark in the video below, you can see Peggy Green punch Nydia in the arm and grab her camera. To protect herself and her property, Nydia decided to leave. On her way out, Nydia got a recording of Forsyth County Commissioner Todd Levent apologizing for what happened. She filed battery charge the following day. When Forsyth Detective Kim Reed
contacted restaurant owner Bill Norman, she discovered that Peggy Green had lied. Norman told a Forsyth detective at about a minute into the April 21 audio below that he refused to get involved, that some Republicans wanted Nydia to stay and he thought some media coverage was better than none. Peggy Green repeats the same false story about Bill Norman wanting Nydia to leave three times in just over three minutes beginning at 11:10 in the April 30 video below recorded by the Forsyth detectives. Green was never charged with lying to them:

- Republican Women of Forsyth County meeting at Normans Landing Restaurant - 04/16/14
- Bill Norman, owner of Normans Landing Restaurant - Audio with Detective Reed - 04/21/14
- Peggy Green interview by Forsyth County detectives - 04/30/14

REVENGE FOR RALSTON?
If you have been concerned enough to read this far you are probably wondering: “Why would Clint Bearden get Wooten to remove Nydia Tisdale while at least one other journalist was recording and Nydia has given many local Republican candidates free publicity with her unfiltered videos?” There were no signs posted, no announcement made and no concern on the part of Bearden when the event started with cameras rolling from the front rows.

Bearden was reportedly nervous after the first speaker, Insurance Commissioner Ralph Hudgens, mused at the 3:50 mark that he almost puked when listening to Michelle Nunn during her recent debate with David Perdue. But nausea is a condition that many Georgians might suffer listening to Nunn, Perdue or any other candidate for that matter. In addition, Hudgens was smiling and joking while on camera; therefore, it is clear that Hudgens was not at all intimidated. On the contrary, there is a more logical reason for Clint Bearden to target Nydia.

Bearden, an attorney in the office of David Ralston, had a logical political motive once he realized what Nydia Tisdale had previously recorded. Tisdale, in her efforts to record a wide variety of events, was one of the videographers who covered the call for David Ralston’s removal as speaker at the Capitol on April 29. That day, civic leaders including some key Republicans, gathered at the Capitol and called for a new speaker after pointing out evidence of how Ralston runs the House as a dictatorship. They also explained how he uses a leadership funding scheme to subvert the will of Georgia voters by sending huge sums of money to selected candidates in Republican primaries.

- Watchdog Group Leaders Call for Ralston’s Resignation – 04/29/14

Bearden’s actions intentionally or unintentionally served as retribution for his law partner, Speaker David Ralston. Need more? Consider this: To hide the direct connection between Speaker Ralston and himself, Clint Bearden removed his biography from the ClientBearden.com web site. It was replaced by the statement: “My Site is Coming” even though his site already existed at the time of the attack on Nydia Tisdale. Fortunately, you can
click on the link below to find an archived version of his internet site prior to the attack on Nydia. I also saved the top part of his home page before it was removed and you can see below how it touts his relationship with Speaker David Ralston:

Clint Bearden.com top portion of home page before attack on Nydia Tisdale

[Image of Clint Bearden.com top portion of home page before attack]

Still not convinced? Here is a clincher. The David Ralston law offices password protected their public site to hide the relationship between Bearden and Ralston since the attack on Nydia. Why would a business password protect the public web site that it uses to attract clients? I just happened to capture their home page before it was password protected and you can see the answer. It shows somewhat dated pictures of law partners, Ralston and Bearden side by side:
If David Ralston and Clint Bearden have nothing to hide, why are they in major cover-up mode?
JOHNNY BURT’S CONFLICTING STATEMENTS

Remarkably, Nydia Tisdale has continued to speak positively about the Burts throughout her entire ordeal. However, Burt’s Farm owner Johnny Burt did not return the favor. Burt has refused interviews or to answer questions other than those from the Dawson News and Advertiser publications. He was quoted in them with a variety of statements that contradict witnesses, videos and other evidence:

- Burt stated that Nydia “misrepresented herself” to his wife as being associated with Governor Deal. Kathy Burt has not corroborated that claim and Nydia’s video shows her identifying herself correctly to the Perdue campaign.

- Burt stated that Nydia “was making everybody uncomfortable.” Nydia’s video shows that the first three speakers were not uncomfortable. The first speaker, Ralph Hudgens, joked about her video recording and the third speaker, Mark Butler, told her and Capt. Wooten that he had no objection to her camera.

- Burt stated: “She tried to hit Tony with the camera and he had to remove the camera from her hand” and “she slapped him in the face.” Tisdale denies these claims and her video shows the camera in her possession until it was shut off. Wooten never listed either claim in the obstruction charge and would have done so if they occurred.

- Burt said that he told Wooten “have her cut the recorder off” and then “to get her out” although Nydia explained to Burgess and Bearden that she had talked to Kathy Burt. Johnny Burt also confirmed that: “He did everything I asked him to do.” The problem with these statements is that witnesses saw Wooten talk only with Bearden and no one is known to have seen Wooten talk to Burt just prior to the attack. Burt later changed his story to say he gave Wooten a signal to remove her from the property.

- Burt stated that Nydia “was here to make trouble and that’s what she did.” The following evidence shows that Nydia had no inclination whatsoever to cause any type of trouble and it indicates that Johnny Burt knowingly or unknowingly is lying about that:
  
  o Nydia Tisdale promoted the event beforehand on her web page and in tweets: [Nydia’s Facebook page](#)

  o Nydia Tisdale has already made this professional recording of Governor Deal speaking recently and posted it on About Forsyth:
Nydia Tisdale received this press pass from the campaign of U.S. Senate candidate David Perdue, a Burt’s Farm speaker, when she previously recorded him on Election Night of the Primary Run-Off.

Nydia Tisdale made many other professional recordings of Republican candidate speeches on www.AboutForsyth.com with no filtering or political commentary.

Nydia Tisdale has never been known to disrupt an event in progress at any time while she is recording or even ask a question for that matter.

Nydia Tisdale, prior to being attacked, was sitting quietly filming at this event no differently than she has done at many other events.

If Johnny Burt is telling the truth that he told Wooten to get her out, then he was the one who made the trouble for everyone involved, including all statewide Republican candidates. Political Vine editor Bill Simon stated that he believes Burt offered a cover story to protect Bearden, Wooten and House Speaker David Ralston. You can contrast the evidence presented in this document with Burt’s statements in the following articles and draw your own conclusion:

- Dawson News – 08/26/14
- Dawson News – 08/28/14
- Dawson Advertiser – 08/29/14

GOVERNOR DEAL’S PUBLIC FACEBOOK EVENT

Governor Deal’s spokesperson, Jen Talaver, said that “…this incident was in no way related to Deal for Governor....” On the contrary, it has everything to do with Deal for Governor. The event was advertised on the Deal for Governor Facebook Event page as a public event that he was hosting and updates were made in his name. Here is the page link and images of the updates:

- Governor Deal’s Facebook Event Page Updates - 08/21/14
MORE VIOLATIONS OF GEORGIANS’ RIGHTS THIS YEAR
Lack of consideration for the public rights of Georgia citizens has become common place in Georgia this year under Governor Deal’s leadership.

On May 28, a 19-month-old toddler, Bou Bou Phoncesavanh, was critically injured in an unwarranted drug raid at a Habersham County home when police used a no-knock warrant and a flash-bang grenade that landed in his crib. Governor Deal responded that we should look at Georgia law but made no effort to enforce the Constitutional rights of the child.

On January 14, Sandy Asbill was stopped without probable cause at a vehicle checkpoint, pulled from his vehicle by federal agents, and arrested while traveling on U.S. 76 in the Chattahoochee National Forest. Asbill said he learned later that Governor Deal authorized federal agents to stop citizens there even without probable cause. Both incidents seem to be obvious unreasonable searches and seizures according to the clear plain text of the 4th Amendment.

WHAT WE CAN DO
Governor Deal and nearly every other statewide Republican candidate were present at the publicly advertised event in Dawson County. They all watched the attack on a non-partisan journalist unfold and did nothing to prevent it. This entire ticket proved on Saturday what some have said all along. Georgia Republican leadership has no intention of protecting public rights of Georgia citizens and there are not enough Georgia Republicans who care. This time the leadership has actually devoured one of their non-partisan supporting news sources.
Furthermore, House Speaker David Ralston and the House Republican leadership are conducting a **systematic purge** of Republican candidates and office holders who support liberty causes and Constitutional rights. A letter was delivered to Governor Deal during the April 29 press conference to take action concerning Speaker Ralston but Governor Deal did not respond.

Nydia is now facing two criminal charges and will have to defend herself because the Georgia Open Meetings Act applies only to government agencies. Justice in Dawson County may be hard to come by since Governor Deal’s son, Jason Deal, was the former Dawson County Attorney and is now a Northeastern District Superior Court judge. The parents of an attorney who appeared before him in a case against the City of Flowery Branch requested the GBI to investigate whether or not Judge Deal had a role in their daughter’s 2012 death and the 2013 death of the supervisor in the Dawson County District Attorney office. The GBI, whose director was appointed by Governor Deal, does not investigate government officials:

- Lawyer’s death and wrongful accusation by Alabama State Bar – 10/29/12
- Citizens call for probe of Judge Jason Deal in two lawyers death – 1/15/13

So here is something you can do to protect your rights. Instead of giving money to the Republican Party, Republicans or Democrats, why not contribute to Nydia Tisdale’s defense fund? She has already spent tens of thousands to secure our rights to record public government meetings like the one in the City of Cumming. **Nydia’s court cases may do more to protect the rights of Georgians than all of the candidates on the Republican and Democrat statewide tickets of the combined.** Please join me in donating to her defense fund at AboutForsyth.com.

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**AUTHOR’S HISTORICAL NOTE:** Few Americans realize that the Republican Party ascended from a sectional to a national power after the Lincoln administration arrested over 200 northern news editors and publishers for opposing the invasion of their fellow Americans who had voted to join the Confederate States of America. Those imprisoned for years without a trial include Frances Key Howard, a news publisher and grandson of Star-Spangled Banner author Francis Scott Key. Also imprisoned was George Armistead Appleton, grandson of Major George Armistead, the commander who defended Baltimore against a British fleet during the key battle that won the War of 1812. Both were imprisoned 47 years later at Fort McHenry exactly where their respective grandfathers had defeated the British and penned the Star-Spangled Banner.