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EFREN MONTIEL JIMENEZ

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION

ED CV 13 - 02163

DSF

RZX

EFREN MONTIEL JIMENEZ,

Case No.

Plaintiff,

v.

COUNTY OF SAN BERNARDINO,

Defendant.

**COMPLAINT FOR
DECLARATORY AND
INJUNCTIVE RELIEF**

1 **COMPLAINT**

2 Plaintiff Efren Montiel Jimenez, by and through his undersigned attorneys,
3 brings this action against defendant County of San Bernardino (the “County”) for
4 declaratory and injunctive relief and alleges as follows:

5 **NATURE OF THE CASE**

6 1. This action arises from the unconstitutional censorship of Mr. Jimenez’s
7 artwork by the County. The County unlawfully removed Mr. Jimenez’s paintings from
8 public display at the County of San Bernardino Government Center based solely on a
9 subjective dislike of the viewpoint and content of the artwork. These actions violate
10 Mr. Jimenez’s rights under the First and Fourteenth Amendments to the United States
11 Constitution and 42 U.S.C. § 1983, and the Liberty of Speech Clause of the California
12 Constitution.

13 2. Mr. Jimenez seeks injunctive and declaratory relief to remedy the
14 County’s wrongful actions to censor his lawful artistic expression.

15 **PARTIES**

16 3. Plaintiff Efren Montiel Jimenez is an individual residing in Rialto,
17 California.

18 4. Defendant County of San Bernardino is a duly organized public entity,
19 organized and existing under the laws of the State of California.

20 **JURISDICTION AND VENUE**

21 5. This action arises under 42 U.S.C. § 1983. Subject matter jurisdiction is
22 conferred upon this Court by 28 U.S.C. §§ 1331 and 1343(4) and 28 U.S.C. § 1367
23 (supplemental jurisdiction).

24 6. Venue is proper under 28 U.S.C. §§ 1391(b)(2) and 1391(c) because all
25 parties reside in this district and the events giving rise to the claims set forth below
26 occurred in this District.

FACTUAL ALLEGATIONS

The County's Hispanic Heritage Month Art Exhibit

7. The County of San Bernardino has invited various groups to display artwork at its Government Center, located at 385 North Arrowhead Avenue, San Bernardino, CA 92415, since the building first opened. The second-floor gallery of the Government Center, overlooking a central rotunda on the first floor, has been used as an exhibition space for various recurring art exhibits, including a "Recycled Art" show, "Young Artists' Gallery," Arts Council "Members' Exhibition," and exhibits in honor of Black History Month and Mental Health Month.

8. Each year, the County commemorates National Hispanic Heritage Month with an art exhibit at the Government Center. The Hispanic Heritage Month Art Exhibit is hosted by the San Bernardino County Hispanic Employees Alliance and the Inland Empire Latino Art Association ("IELAA"). It showcases the talent and diversity of local artists in an effort to educate the general public about the Hispanic creative experience.

9. The first Hispanic Heritage Month Art Exhibit was held in September – October 2009. It quickly became an important and beloved annual tradition within the San Bernardino community. The fifth annual exhibit in honor of Hispanic Heritage Month (the "2013 Exhibit") opened at the second-floor gallery of the Government Center on September 16, 2013, and is scheduled to run until November 29, 2013. It features over 75 different works of art. Local artists and County employees were invited to submit artwork for display at the 2013 Exhibit.

10. The County has no policy or written guidelines concerning what art can and cannot be displayed at the Government Center. A flyer and press release promoting the 2013 Exhibit and soliciting artwork from the community did not include any restrictions or guidelines regarding the content of artwork submitted. The County has never provided any restrictions or guidelines regarding the content of artwork in the Hispanic Heritage Month Art Exhibit, and the County has never pre-screened

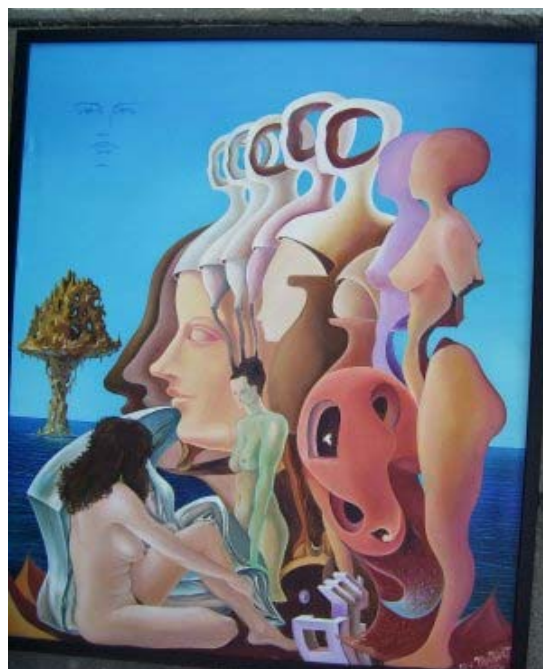
works displayed in the exhibit. Indeed, for the past five years, *all* pieces submitted by artists have been included in the exhibit.

Unlawful Censorship of Mr. Jimenez's Paintings

11. Mr. Jimenez is an accomplished and respected artist in the community. His paintings have been displayed at numerous art exhibitions throughout California, and he has received several prizes and accolades for his work. Five of Mr. Jimenez's paintings were initially displayed in the 2013 Exhibit – "Connection," "Allegory and Fantasy," "Enigma," "Natural Beauty," and "Day After."

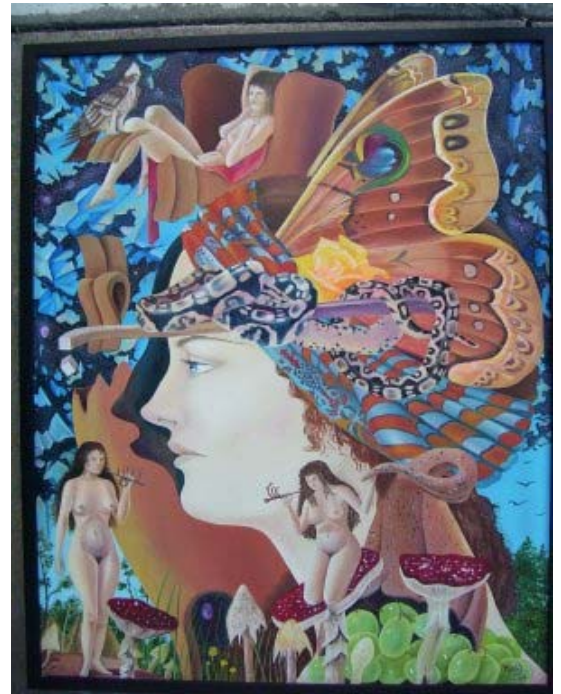
12. Shortly after the 2013 Exhibit opened on September 16, 2013, the County demanded that three paintings – two paintings by Mr. Jimenez and one painting by artist Armando Aleman – be removed from display in the second-floor gallery of the Government Center.

13. On or about September 17 or 18, 2013, Falisa Cardona, Deputy Public Information Officer at the County, informed IELAA President Rudy Ramirez and IELAA member Brad Borerro that three paintings must be removed from the 2013 Exhibit because "someone complained." Ms. Cardona identified the three paintings – "Connection" and "Allegory and Fantasy" by Mr. Jimenez and "Prayers to the Gods" by Mr. Aleman. Each of the paintings that was removed depicts a nude human figure. When asked who said the paintings needed to be removed, Ms. Cardona named Dena Smith, Deputy Executive Officer of the County of San Bernardino. At Ms. Cardona's direction, Mr. Ramirez removed the paintings from display and returned them to the artists.



"Connection" by Efrén Montiel Jimenez

14. Mr. Jimenez's painting "Connection" portrays the nude figures of two women. The image of a woman sitting with her right arm holding her bent left leg and her head faced toward the ocean appears in the lower right-hand corner of the painting. A sculpture behind her mimics her form. Another woman's figure appears behind that sculpture, with the lower part of her body partially obscured. There are a row of sculptures – profiles of a woman's face and silhouettes of a woman's body – behind the second woman's figure. The faint image of a woman's face in the sky appears in the upper left-hand corner of the painting. The work explores the connection between the female form and its representation in modern art.



"Allegory and Fantasy"
by Efren Montiel Jimenez

15. Mr. Jimenez's painting "Allegory and Fantasy" also depicts nude female figures. At the center of the painting is the profile of a woman's face, with a snake around her ears and butterfly wings coming out of her head. The image of a woman sitting appears above this central image, and two women playing the flute among oversized mushrooms and grapes appear below it. This allegorical painting explores the concepts of nature and beauty.



"Prayers to the Gods" by Armando Aleman

16. A painting by Armando Aleman entitled "Prayers to the Gods," which depicts a nude figure kneeling before the sun, also was removed at the County's insistence.

1 17. The nude figures in the paintings of Mr. Jimenez and Mr. Aleman are
2 artistic and beautiful depictions of the human form and are a constitutionally protected
3 form of artistic expression.

4 18. The removal of Mr. Jimenez's and Mr. Aleman's paintings marks the first
5 time that art has been removed for being "inappropriate" for display in a government
6 building, according to the County, in the five-year history of the Hispanic Heritage
7 Month Art Exhibit.

8 19. The removal of the paintings has had a chilling effect on free expression
9 in the community. Local artist Brad Borrero censored three of his own paintings on
10 display at the 2013

11 Exhibit after learning
12 about the removal of
13 Mr. Jimenez's and
14 Mr. Aleman's
15 paintings to ensure
16 that his would not be



“Who Demonized the Female Form?” by Brad Borrero

18 **County's Failure to Restore Censored Artwork**

19 20. After learning of the removal of Mr. Jimenez's and Mr. Aleman's
20 paintings, the National Coalition Against Censorship ("NCAC") and the American
21 Civil Liberties Union of Southern California ("ACLU") sent a letter of complaint to
22 the County Board of Supervisors. The letter, dated September 25, 2013, informs the
23 County that its removal of the paintings violates the free speech rights of the artists and
24 urges the County to restore the paintings to the 2013 Exhibit. A copy of the letter is
25 attached as Exhibit A.

26 21. The County has not replied in writing to the NCAC or the ACLU
27 regarding this matter. The County has also failed to put Mr. Jimenez's and Mr.
28 Aleman's paintings back on display.

1 22. The ACLU has made several attempts to contact the San Bernardino
2 County Counsel regarding the County's removal of the paintings but has been unable
3 to discuss the matter with the County Counsel.

4 23. County Spokesperson David Wert has made several statements to the
5 media regarding the County's removal of the paintings. Mr. Wert's statements
6 indicate that the County fails to recognize the removal of the paintings as unlawful
7 censorship. Rather, his statements indicate that the County believes the removal of the
8 paintings protects County employees and members of the public who may find the
9 images offensive.

10 24. For example, on September 26, 2013, CBS Local News quoted Mr. Wert
11 as stating, 'I don't know that I'd refer to it as a censorship more than I'd refer to it as
12 discretion.' On September 27, 2013, ABC Local News quoted Mr. Wert as stating, "If
13 this were an art gallery it would be one thing, but it's a government building and
14 people come here to work and to do business, and we don't feel they should be
15 confronted with images that offend them." On September 25, 2013, *The Sun*, a San
16 Bernardino County news publication, quoted Mr. Wert as stating, "The county doesn't
17 believe it's censorship because the county isn't an art gallery. People don't go to the
18 Government Center to see art." The County, however, has regularly invited the public
19 to art exhibits at the Government Center and specifically issued a press release entitled
20 "County Government Center showcases local Latino artists, hosts exhibit" to promote
21 the 2013 Exhibit. These news articles concerning the removal of Mr. Jimenez's and
22 Mr. Aleman's paintings are attached as Exhibit B. A copy of the press release is
23 attached as Exhibit C.

24 25. The Government Center in fact houses several permanent art
25 installations. The balcony above the first floor rotunda is lined with relief tableaus
26 depicting California history and various County departments. There are two large
27 paintings of the American West on either side of the entrance to the Government
28 Center on the first floor. The foyer houses a memorial sculpture, entitled "Officer

Down,” depicting an officer cradling the fallen body of a fellow officer. Inside the rotunda, there is a sculpture of a woman dressed in historic garb and armed with a shotgun, protecting her young son and dog from an unknown danger. There are also several abstract sculptures on display on the front lawn directly outside the Government Center.

FIRST CAUSE OF ACTION

Unlawful Abridgment of Freedom of Speech in Violation of the First and Fourteenth Amendments of the United States Constitution and 42 U.S.C. § 1983

26. Plaintiff reasserts the allegations contained in paragraphs 1 through 25 of this Complaint as if specifically set forth herein.

27. The County has provided the second-floor gallery of the Government Center as a forum for public display of local artists’ work on numerous occasions, including in honor of National Hispanic Heritage Month. The Government Center is a designated public forum. In the alternative, it is a designated public forum at least for the duration of the Hispanic Heritage Month Art Exhibit.

28. The County, acting under the color of state law, improperly censored Mr. Jimenez’s artwork by removing two of his paintings from public exhibition at the Government Center.

29. By refusing to display Mr. Jimenez’s artwork based on subjective dislike of the content and viewpoint of the censored work, the County has deprived Mr. Jimenez of his right to free expression under the First and Fourteenth Amendments of the United States Constitution, in violation of 42 U.S.C. § 1983.

SECOND CAUSE OF ACTION

Unlawful Abridgment of the Liberty of Speech Clause of the California Constitution, Article I, Section 2

30. Plaintiff reasserts the allegations contained in paragraphs 1 through 29 of this Complaint as if specifically set forth herein.

31. The County has opened the second-floor gallery of its Government Center for display of a wide variety of artistic expression on numerous occasions. By removing paintings from an art exhibit after it had opened based on the hostility of some users of the building to the content and viewpoint of the art, the County violated Mr. Jimenez's right to Liberty of Speech guaranteed by the California Constitution.

PRAAYER FOR RELIEF

WHEREFORE, Plaintiff Efren Montiel Jimenez, respectfully requests that this Court award the following relief:

1. A declaration that the forced removal and refusal to exhibit the artwork at issue herein in the Government Center constituted improper censorship by the County and violated the rights of Mr. Jimenez under the First and Fourteenth Amendments to the United States Constitution and 42 U.S.C. § 1983, and the Liberty of Speech Clause of the California Constitution;

2. Injunctive relief, including, but not limited to, a temporary restraining order, preliminary injunction, and permanent injunction against the County:

a. Restraining the County from refusing to exhibit the artwork at issue herein; and

b. Extending the duration of the Hispanic Heritage Month Art Exhibit by the number of days that Mr. Jimenez's paintings were unlawfully removed from the exhibit so that the censored works can be publicly displayed for the full period of time originally afforded by the County;

3. An award of Mr. Jimenez's reasonable attorney's fees and costs, pursuant to 42 U.S.C. §§ 1983 and 1988, California Code of Civil Procedure § 1021.5 and any other applicable provision of law; and

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1 4. Such other and further relief as this Court deems just and proper.
2
3

4 Dated: November 22, 2013

JENNER & BLOCK LLP

5
6 By: 

Andrew J. Thomas

8 ACLU FOUNDATION OF
9 OF SOUTHERN CALIFORNIA

10 By: 

Peter J. Eliasberg

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12 Attorneys for Plaintiff
13 Efren Montiel Jimenez
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EXHIBIT A

National Coalition Against Censorship

September 25, 2013

Robert A. Lovingood
First District Supervisor

Janice Rutherford
Chair
Second District Supervisor

James Ramos
Third District Supervisor

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Joan E. Bertin
Executive Director

NCAC PARTICIPATING ORGANIZATIONS

Actors' Equity Association
American Association of
School Administrators
American Association of
University Professors
American Association of
University Women
American Booksellers Foundation
for Free Expression
American Civil Liberties Union
American Ethical Union
American Federation of Teachers
American Federation of Television
& Radio Artists
American Jewish Committee
American Library Association
American Literary Translators
Association
American Orthopsychiatric Association
American Society of Journalists
& Authors
Americans United for Separation of
Church & State
Association of American Publishers
Authors Guild
Catholics for Choice
Children's Literature Association
College Art Association
The Creative Coalition
Directors Guild of America
The Dramatists Guild of America
Educational Book & Media Association
First Amendment Lawyers Association
International Reading Association
Lambda Legal
Modern Language Association
National Center for Science Education
National Communication Association
National Council for the Social Studies
National Council of Churches
National Council of Jewish Women
National Council of Teachers of English
National Education Association
The Newspaper Guild/CWA
PEN American Center
People For the American Way
Planned Parenthood Federation
of America
Screen Actors Guild
Sexuality Information & Education
Council of the U.S.
Society of Children's Book Writers
& Illustrators
Student Press Law Center
Union for Reform Judaism
Union of Democratic Intellectuals
Unitarian Universalist Association
United Church of Christ
Office of Communication
United Methodist Church
United Methodist Communications
Women's American ORT
Writers Guild of America, East
Writers Guild of America, West

Dear Ms. Welch and Board of Supervisors,

As organizations dedicated to promoting the First Amendment right to free speech, including freedom of artistic expression, we were deeply concerned to learn that officials at the San Bernardino County Government Center ordered the removal of at least three paintings from an exhibition held at the Center because they considered them "inappropriate". This action, based on a subjective dislike of the viewpoint and content of the work, raises serious First Amendment concerns. We urge the Government Center to immediately put the work back on display and, in the future, draft exhibition policies that are consistent with First Amendment principles.

It is our understanding that the Hispanic Heritage Art Exhibit, which showcases artists associated with the Inland Empire Latino Art Association and has been sponsored by the Hispanic Employees Alliance in honor of Hispanic Heritage

Month, opened September 16th. Soon after the opening, Government Center spokesperson Susan Cary requested the removal of one painting by Armando Aleman, and two by Efren Montiel Jimenez. Apparently some visitor to the space had found the works “offensive.”

While every single visitor may not necessarily like all of the work in an exhibition, they should also be made aware that, as a public space opened to exhibiting artwork, the Government Center is ruled by the free speech clause in the First Amendment, meaning that government officials cannot arbitrarily impose their prejudices on a curated exhibition.

In removing the work the Government Center is not only violating the free speech rights of the artist and the exhibiting organization, but is also exposing the county to legal liability. Our courts have time and again reaffirmed that the First Amendment prohibits public officials from censoring art they find offensive or provocative. The case of *Hopper v. City of Pasco* (2001) in the Ninth Circuit Court of Appeals is a case in point. There, the plaintiff artists were invited to display their work at the City Hall, and were then precluded from doing so because the work provoked controversy and public officials considered it “sexually suggestive.” The Court noted that Pasco, by opening its display space to expressive activity has evinced “an intent to create a designated public forum.” In such a forum, the court concluded, the content-based removal of work would only be justifiable if there is a “compelling state interest and is narrowly drawn to achieve that end.”


It is unclear to us what could be “offensive” or “inappropriate” in any of the paintings removed in San Bernardino but, based on our experience, it is likely to be the presence of nude or semi-nude figures. If that is the case, please note that there are representations of nudes in many public places—by far not only in galleries and museums. There are nude sculptures in the capital's public squares and nudes in the friezes of government buildings.

The U.S. Supreme Court has specifically declared that simple representations of nudity are a constitutionally protected form of artistic expression. As the Court has noted multiple times, “‘nudity alone’ does not place otherwise protected material outside the mantle of the First Amendment.” *Schad v. Mount Ephraim* (1981), *Jenkins v. Georgia* (1974), *Osborne v. Ohio* (1990). Nor is nudity in art “harmful to minors.” Subjective concerns about what children would see do not provide a basis for refusing to exhibit art work: “[R]egardless of the strength of the government’s interest’ in protecting children, ‘[t]he level of discourse reaching a mailbox simply cannot be limited to that which would be suitable for a sandbox.’” *Ashcroft v. ACLU* (2002), and cases cited therein.

The arbitrary and subjectively determined decision to exclude the three paintings from public view fulfills no compelling (or even rational) state interest. No one is well served by this violation of expressive freedom, certainly not the San Bernardino County public, which is illegitimately deprived of the opportunity to view and evaluate artistic work for itself.

We urge you to make sure the work is restored to the exhibition as soon as possible. Please let me know if you would like to discuss this matter further.

Sincerely,



Svetlana Mintcheva
Director of Programs
National Coalition Against Censorship
New York

Peter J. Eliasberg,
Legal Director
ACLU Foundation of
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EXHIBIT B

LOCAL

San Bernardino Co. Officials Under Fire For Removing Paintings Showcasing Nudity From Government Center

September 26, 2013 11:05 PM

6

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Artist: Efrén Montiel Jimenez

SAN BERNARDINO (CBSLA.com) — San Bernardino County officials have been accused of violating artists' First Amendment rights after three paintings were removed from the Government Center.

Officials said one painting by Armando Aleman and two by Efrén Montiel Jimenez, which showcased nudity, were taken down after some people were offended.

"We didn't think it was fair for people in their workplace to be subjected to something that they felt was offensive," said city spokesman David Wert.

Wert said the county invited artists to submit their work without any stipulations for an annual art exhibition that highlights National Hispanic Heritage Month.

"In retrospect, I wish we had taken a look at the artwork [in advance](#)," he said.

Couldn't load plug-in.

Aleman, who created the work "Prayers to the Gods," was thrilled to have it accepted by the county until he received an [e-mail](#) asking him to pick it up.

"You encourage it and now it's almost like you're backtracking. It's a bit disappointing that at the first sign of fire, you run," he said.

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After hearing about the incident, the National Coalition Against Censorship and the American Civil Liberties Union sent the county a letter which said, in part, "...as a public space opened to exhibiting artwork, the Government Center is ruled by the free speech clause in the First



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Amendment, meaning that government officials cannot arbitrarily impose their prejudices on a curated exhibition."

The ACLU is also considering legal action.

Wert said he doesn't see the situation as a legal issue.

"I don't know that I'd refer to it as a censorship more than I'd refer to it as discretion," he said.

Meantime, Aleman allowed the county to keep two of his other paintings.

"I can put a time and place and emotion on every piece of work I've ever done," he said.

Inland Empire News 

Paintings removed from San Bernardino building after nudity complaints

Friday, September 27, 2013

TAGS: [san bernardino county](#), [inland empire news](#), [leticia juarez](#)[Comment Now](#) [Email](#) [Print](#) [Report a typo](#)

SAN BERNARDINO, Calif. (KABC) -- Three paintings on display this week at the San Bernardino County administration building have been taken down after complaints about nudity.

"If this were an art gallery it would be one thing, but it's a government building and people come here to work and to do business, and we don't feel they should be confronted with images that offend them," said David Wert with the County of San Bernardino.

One painting by artist Armando Aleman and two others by Efren Montiel were part of a display honoring National Hispanic Heritage Month.

This week, the American Civil Liberties Union sent a letter to the county, claiming removing the paintings was censorship and violated the artists' rights to freedom of expression. The organization wants the paintings back on display.

"The government doesn't now get to say, 'Gee, we've seen it, and someone's complained about it and they don't like it so we're taking it down,'" said Peter Eliasberg with the ACLU.

The National Coalition Against Censorship also sent a letter and issued a statement to Eyewitness News which reads, in part:

"San Bernardino County should show more respect for its citizens, who can make their own decisions to look or not to look at art and not yield to a heckler's veto."

One artist who spoke to Eyewitness News said he censored his own artwork after learning about the three other paintings to ensure his would remain on display.

Eyewitness News showed the paintings to several people. Aleman's painting shows a man's nude backside kneeling in front of a sun. The others by Montiel depict women in the nude.

"If it is artistic, I mean it's not like it's pornography, but I can see how they'd be worried about having it in a public building," said Jenny Aguilar of Yucaipa.

As for the artist themselves, they have not responded to requests for comment. And for now, the paintings will not be on display.

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29 comments



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Are you *** kidding me?? I've been all over the world and have seen statues of naked men and woman...Art! from

Removed paintings from San Bernardino County Government Center spur allegations of censorship

By Joe Nelson, *The Sun*

Wednesday, September 25, 2013

sbsun.com



The National Coalition Against Censorship and the American Civil Liberties Union have sent a letter of complaint to the San Bernardino County Board of Supervisors alleging censorship after three paintings depicting nudity were removed from an art display at the County Government Center.

County spokesman David Wert said Thursday that the letter, received Wednesday, is being reviewed by county counsel and it's uncertain whether the county will respond.

The paintings — one by artist Armando Aleman of Riverside and two by artist Efren Montiel Jimenez of Rialto — were part of a display in recognition of National Hispanic Heritage Month. They were removed after several visitors and county employees complained, Wert said.

The two groups are accusing the county of violating the artists' First Amendment rights and are asking that the board immediately restore the artwork to the display, located on the second floor of the Government Center, which houses county departments and where the board holds its regular meetings.

"When they decided to exhibit artwork there, it became subject to the 1st Amendment as a public forum," said Michael O'Neil, spokesman for the National Coalition Against Censorship.

O'Neil said his organization has been successful at getting artwork reinstated at galleries and is hoping it can resolve the problem with San Bernardino County officials without a legal fight.

"That is ideal because it's much quicker," O'Neil said.

Aleman's painting depicts a nude man or woman in the foreground kneeling before the sun, buttocks protruding. Jimenez's paintings depict nude women sitting and standing, and one of the paintings depicts full frontal nudity.

Wert said the County Government Center has annually hosted the art display organized by the Hispanic Employees Alliance and the Inland Empire Latino Art Association.

He said the First Amendment rules that apply at museums do not apply at government centers.

"The county doesn't believe it's censorship because the county isn't an art gallery. People don't go to the Government Center to see art," Wert said. "When people come in with their children in tow to apply for a permit and they're confronted with images they find offensive, I think it's reasonable to ask the artists to display them elsewhere."

The rule also applies to county employees, Wert said.

“We do have personnel rules that guarantee employees a work environment where they’re not subjected to offensive images,” he said.

Not so, said Svetlana Mintcheva, director of the National Coalition Against Censorship, in a statement Wednesday.

“As a public space opened to exhibiting artwork, the Government Center is subject to the free-speech clause in the First Amendment,” Mintcheva said. “Government officials cannot arbitrarily impose their prejudices on a curated exhibition.”

The U.S. Supreme Court has specifically declared that simple representations of nudity are a constitutionally protected form of artistic expression, according to the letter, which cited several court cases. One of the cited cases was a U.S. 9th Circuit Court of Appeals ruling that the city of Pasco, Wash., erred when it invited artists to display their work at City Hall, thus creating a “designated public forum,” only to remove it after determining it was “sexually suggestive.”

Peter Eliasberg, legal director for the ACLU Foundation of Southern California, said the government, if it chooses to allow public art displays in its facilities, can establish rules and guidelines as to what can be displayed, but government cannot remove art after the fact once it has been allowed.

“Once you do that you can’t say, ‘Gee, we don’t like it, you have to take it down,’” Eliasberg said Thursday.

Board of Supervisors Chairwoman Janice Rutherford deferred comment to Wert, who said the matter was one for county administrative staff and not elected officials.

Wert said the county has no policy or written guidelines as to what art can and cannot be displayed at the Government Center.

Rudy Ramirez, president of the Inland Empire Latino Art Association, said his group has been displaying its art at the Government Center for the last five years, but this is the first time art had been removed that was considered offensive.

“I can understand if it was pornographic or something, but this is art,” Ramirez said.

He said if the county wants to ban certain art, it should have specific written guidelines on what it considers potentially offensive and what it doesn’t.

“If they had guidelines, I would have passed them on to the group,” he said. “I can work with that.”

He said the art display at the Government Center will run through November.

EXHIBIT C

NEWS

From the County of San Bernardino **Josie Gonzales Fifth District**

<http://www.sbcounty.gov/gonzales>



SEPTEMBER 17, 2013

**JGFDS-PR-301 COUNTY SUPPORTS LOCAL LATINO ARTISTS, HOSTS EXHIBIT
FOR MORE INFORMATION CONTACT
DAN FLORES AT (909) 387-4565**

FOR IMMEDIATE RELEASE

County Government Center showcases local Latino artists, hosts exhibit

SAN BERNARDINO – Local Latino artists can have their work displayed at the San Bernardino County Government Center beginning today. In commemoration of Hispanic Heritage Month, the center will host an art exhibit by the Inland Empire Latino Art Association (IELAA).

“Artistic expression is the soul of our culture. It has always helped bring people together and is a vital piece of our community. If we want to achieve our vision for San Bernardino County, it must include a broad and stable support for the arts,” said Supervisor Josie Gonzales.

The exhibit, located at 385 N. Arrowhead Ave. in downtown San Bernardino, is open until Nov. 29 from 8 a.m. to 4 p.m. Residents are encouraged to submit their artwork for display.

Rudy Ramirez, IELLA president, is a longtime local of the Inland Empire and retired painter.

“There’s a lot of good talent here in the Inland Empire. As a group we stress education, especially for the young kids—let them know they can make a living doing the arts. A lot of people try to say you can’t do this and that, but the way we see it is don’t let anybody tell you you can’t do it—because you can,” said Ramirez.

“If you have the desire, you can do anything.”

For more information about submitting artwork for display, contact Rudy Ramirez at (951) 544-1723, email: trampramirez@yahoo.com or Brad Borrero (909) 382-7626, email: bborrero@sbcda.org.