

News from the Helotes Heritage Association

Balous Miller vs. The First Amendment

July 4, 2007

Last year, Balous Miller sued the past Mayor and City Council Members of Helotes, and the Helotes Heritage Association, alleging interference and conspiracy to deny him of profits from the sale of his property at the corner of Scenic Loop and Bandera Rd in Helotes for the construction of a Wal-Mart Super Center.

It's fitting to give an update on the lawsuit today, on the 4th of July, 2007, the 231st anniversary of the Declaration of Independence which severed the ties with the English monarchy and formed the basis upon which our Constitution and the Bill of Rights were written. It is the First Amendment, that the Founding Fathers gave us to protect our right to Peacefully Assemble, Petition our Government, and which guarantees our Freedom of Speech.

The Helotes Heritage Association was founded to preserve the environmental, historical, and cultural heritage of our community. To do this, we met for discussions, appealed to our elected officials, and clearly voiced our strong opinion to achieve our goals. For that, we were sued. .

By including the Helotes Heritage Association in his lawsuit, Balous Miller has attempted to quiet our voices by the threat of financial ruin. Why would he do so in light of the fact that we have no assets? Perhaps to force us to close by making the cost of defending the allegations so onerous that it becomes a punishment for having voiced our opinions. We are fortunate that our insurance policy has paid the bulk of our legal fees, but it alone does not cover all of our costs. These costs would have been much more were it not for the pro bono assistance provided by two fine lawyers: George Brin and Jay Petterson. We recognize and thank them for their efforts

Today, as we celebrate the founding of our great country and the precious rights and freedoms protected by our Constitution, we are reminded that exercising these rights and freedoms can come at a cost. But we should also be reminded that as great as these costs may be, the cost of not exercising these rights is greater.

Just as our Founding Fathers did, we will continue to stand for the principals of free speech and the right to petition our government so that our voices are heard. Neither the threat of war nor the prospect of financial ruin deterred them from their purpose: neither shall this lawsuit, regardless of the outcome, still the voices raised for the good of our community, our families and our future generations.

Sincerely,
Ron Green
HHA, President