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Dear Warwick City Council Member:

I understand that at your next City Council meeting, you will be considering passage of a resolution that would ban the display of signs or posters at such meetings. On behalf of the Rhode Island ACLU, I am writing to express our organization's deep concerns about this proposal, and to urge you not to adopt such a ban.

The proposed resolution, in seeking to justify this prohibition, asserts that "signs and posters detract from the deliberative manner in which City Council meetings should be conducted," and that a ban on signs would "enhance proper decorum at the meetings." With respect, we simply cannot understand how the peaceful display of a sign detracts from either the decorum or deliberations of the Council. To the contrary, we believe such displays represent a core exercise of free speech rights that strengthens the democratic process as it is represented by the meetings of elected public bodies.

We certainly recognize the Council's right to deal with disruptions and disruptive conduct at its meetings. But the passive display of a sign is qualitatively different from an audience member speaking out of order, interrupting others or otherwise creating a disturbance. Indeed, the mere display of signs is not only non-disruptive, but allowing audience members to express their views in this fashion may actually *reduce* disruption as well as the number of people who feel a need to speak out at a meeting. Of course, City Council members may sometimes disagree with the message being imparted by a sign, but the same is true with the verbal comments made by some residents during the public comment period. Yet disapproval of the content of their comments would hardly serve as a reason to ban them from speaking.

We have not attended recent meetings of the Council, but in reading news reports, it strikes us that this proposed ban, in seeking to blame sign displays for decorum problems at meetings, masks more relevant causes for concern. At the City Council's last meeting on September 19th, the date this resolution was introduced, a *Providence Journal* article summed up the meeting's tenor this way:

More than 200 people showed up for the meeting only to find that their place on the agenda was not reached until about two hours after the 7 p.m. start of the session. When their turn did come, they found that the council was limiting how long they could speak and would not allow them to ask questions of city department heads. The result was a meeting that started out very orderly, despite the large size of the audience, but began to fall apart as some residents expressed their frustration with catcalls and boos. When the crowd grew too raucous the City Council would call a recess, and that too upset some residents as the meeting went on for nearly five hours.

In quoting this article, we are not suggesting that the Council acted improperly in the way it conducted that meeting. The Council certainly may limit the time period for speakers and discourage colloquies between the audience and city officials. But if Council members believe they are having difficulty with decorum, it is evident that the quiet display of signs and posters is not the root of the problem.

It is worth briefly noting that other problems follow from a ban on sign displays. If approved, this resolution would bar City Council members, municipal administrators and members of the public from presenting charts or other graphic information to elucidate points while speaking before the Council. For example, displaying to the Council a spread sheet from a PowerPoint presentation that shows changes in a city budget line item would be out of order.

At bottom, allowing the display of signs and posters at City Council meetings is good public policy. It also reflects a commitment to core First Amendment principles, for signs provide an important, if silent, means for members of the public to make points and express views. We believe that the government can, even if it is not the intent, inappropriately stifle residents' speech as much by tying their hands as by gagging their mouths.

In short, if the Council sincerely feels the need to deal with issues of decorum, there are many avenues for doing so short of restricting the peaceful and silent exercise of First Amendment rights by city residents. We therefore urge you to reject this proposal.

If you have any questions about this, please feel free to let me know. Thank you in advance for your attention to our views.

Sincerely,

Steven Brown
Executive Director

cc: The Hon. Scott Avedisian
Marie Ahlert, City Clerk
Rob Cote