

Mayor Goodwin and members of the Charleston City Council:

The undersigned organizations write in opposition to Bill No. 7889, a proposed ordinance that will limit speech at certain intersections and highways in Charleston. The proposed ordinance is not only unconstitutional—it's bad public policy. We urge the City Council to reject this proposed ordinance.

The ordinance, if enacted, would restrict at intersections or highways that fall within the scope of the ordinance the following conduct:

- Picketing
- Panhandling
- Striking
- Protesting
- Newsgathering
- Politician honk-and-waves
- Fundraising by booster clubs, schools, and other local or civic organizations

These are only a few examples. The proposed ordinance is so broad that it would be impossible to list all of the conduct that would be prohibited.

The ordinance, if enacted, will criminalize free speech at locations within the proposed ordinance's scope. Many individuals and groups that would be convicted under this ordinance would not have the means or ability to pay up to \$500 in fines. To imprison a person who has incurred two or more convictions under this ordinance for up to ten days for picketing, protesting, fundraising, or panhandling is unconscionable under any circumstance, and even moreso in the midst of a pandemic.

We share the city council's interest in public safety. However, evidence has not been put forward to demonstrate that the passage of this proposed ordinance would address any existing public safety issue, or that it would be effective in ensuring public safety going forward.

Community members and organizations, including the undersigned, are entitled to constitutional protections when they engage in protected speech in public forums. We are steadfastly opposed to efforts that seek to curtail the exercise of our First Amendment rights.

The city council should vote “no” on this proposed ordinance.

Sincerely,

ACLU-WV

Black By God - THE WEST VIRGINIAN

Fairness WV

Morgantown/Kingwood Branch of the NAACP

Mountaineers for Progress

Mountain State Justice

National Association of Social Workers West Virginia Chapter

Planned Parenthood South Atlantic

Rise Up WV

Women’s March West Virginia

WV Center on Budget and Policy

WV Citizen Action Group

WV Family of Convicted People

WV FREE

WV NOW

WV Working Families Party

WV Sierra Club

Rev. Cindy Briggs-Biondi, St. Marks United Methodist Church

Rev. Bradley Davis, Nighbert Memorial UMC of Logan

Pastor Bob Roberts, First Christian Church of Morgantown

Rabbi Victor Urecki

Rev. Jenny Williams, Avery United Methodist Church