

Via email and U.S. Mail

September 17, 2024

Sheriff Bruce Zuchowski
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Dr. Ebony Speakes-Hall, LISW-S
President

J. Bennett Guess
Executive Director

It has come to our attention that, on or about September 14, you posted a message on your official Portage County Sheriff Facebook page encouraging people to “write down all the addresses of the people who had [Presidential Candidate Kamala Harris] signs in their yards.” You also posted an identical message on your personal X account.

With these messages, you, a government official, have made an impermissible threat against Portage County residents who wish to engage in protected First Amendment activity by displaying political yard signs. Many have reasonably understood your posts to be a threat of governmental action to punish them for their expressed political beliefs and have been coerced to take down or refrain from putting up a yard sign.

Your threats are unconstitutional. The First Amendment’s protection is at its zenith with regard to “core political speech,” which includes communications about political candidates and campaigns. *E.g., McIntyre v. Ohio Elec. Comm’n*, 514 U.S. 334, 347 (1995). Certainly it prohibits government officials from relying on the “threat of invoking legal sanctions and other means of coercion . . . to achieve the suppression” of disfavored speech. *Banton Books, Inc. v. Sullivan*, 372 U.S. 58, at 67-68, *National Rifle Association v. Vullo*, 602 U.S. 175 (2024).

We insist that you take down these messages immediately and issue a clear retraction in their place.

Yours truly,

A handwritten signature in black ink, appearing to read "Freda J. Levenson", with a long horizontal line extending to the right.

Freda J. Levenson
Legal Director
ACLU of Ohio