



AMERICAN CIVIL LIBERTIES UNION OF  
ALASKA FOUNDATION  
1057 W. Fireweed Lane, Suite 207  
Anchorage, AK 99503  
(907) 258-0044  
(907) 258-0288 (fax)  
[www.akclu.org](http://www.akclu.org)

# NEWS

**FOR IMMEDIATE RELEASE**

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*CONTACT: Jeffrey Mittman, ACLU of Alaska, (907) 263-2002 or (907) 230-0665*

**Artists, Political Activists, Labor Leaders and Others Unite to Challenge  
Unconstitutional “Sidewalk Sitting” and Panhandling Ordinances  
*Sullivan Administration Refuses Compromise and Vetoes Assembly Repeal  
of Restrictions on Speech and Assembly, Requiring Litigation***

Anchorage, AK — A performance artist, labor unions, peace activist group, former political candidates, and others filed a lawsuit today to protect the free speech and protest rights of Anchorage residents.

In November 2011, the Anchorage Assembly passed an ordinance restricting the right to protest and to engage in constitutionally protected speech throughout Anchorage. Passage was predicated on erroneous information provided to the Assembly that the ordinance was constitutional. In December 2011, and again in May 2012, the American Civil Liberties Union (ACLU) of Alaska provided the Municipality of Anchorage with detailed analyses of the ordinances’ constitutional shortcomings, and offered to work cooperatively to craft acceptable language.

In September 2012, portions of the unconstitutional provisions were repealed by the Assembly, but Mayor Sullivan issued a veto.

Teeka Ballas, lead plaintiff in today’s suit stated: “I am a strong proponent of freedom of expression and our right to dissent. Having traveled, studied and worked in many countries abroad, I have experienced life without these rights and passionately abhor the idea – let alone laws – that strip Americans of fundamental liberty on our own soil. These two municipal codes not only restrict freedom of expression and the exercising of dissenting opinion in visible, highly trafficked thoroughfares, they redefine public spaces by stating who does and who does not have access. As a musician, a performance artist and a journalist, I am offended and outraged by these ordinances.”

“Of the many failings in these laws, two should be particularly troubling to Alaskans. AO 2011-112 prohibits the Salvation Army from seeking alms for the poor, a firefighter trying to Fill the Boot, or a street musician asking listeners to throw coins in her guitar case, anywhere on downtown sidewalks. Courts reviewing these broad anti-speech clauses have consistently found them to be unconstitutional,” stated Joshua Decker, Staff Attorney with the ACLU of Alaska, who represents the plaintiffs. “The ordinance perversely elevates commercial activity over protest. Courts reject government action that prefers iPhones over ‘I Have a Dream,’ and we repeatedly told the Municipality that this law flies in the face of clear constitutional precedent,” continued Decker.

“The ACLU is honored to represent this diverse and courageous group of Alaskans taking a stand for liberty, thereby protecting all of our freedoms,” said ACLU of Alaska Executive Director Jeffrey Mittman. “While we always prefer to work collaboratively with our elected officials, when every attempt at compromise is rejected, our members and the public rightly expect the ACLU to fight for our fundamental freedoms which – once taken away – are rarely restored.”

A copy of the lawsuit, *Ballas, UNITE HERE Local 878, Kohlhaas, Sheridan, Alaskans for Peace and Justice, Alaska AFL-CIO, Bright, and Moe v. Anchorage*, No. 3AN-13-\_\_\_\_\_ CI, along with supporting documentation and background material, is available on request from the ACLU of Alaska, and will be posted to our website at: [www.akclu.org](http://www.akclu.org).

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