



**ACLU**

AMERICAN CIVIL LIBERTIES UNION  
of LOUISIANA

FOUNDATION

P.O. BOX 56157  
NEW ORLEANS, LA 70156  
P: (504) 522-0617

MARJORIE R. ESMAN  
EXECUTIVE DIRECTOR

May 6, 2010

via email and regular mail  
[cityclerk@ci.thibodaux.la.us](mailto:cityclerk@ci.thibodaux.la.us)  
Ms. Jenny Morvant  
Council Administrator  
City of Thibodaux  
310 West Second St.  
P.O. Box 5418  
Thibodaux, Louisiana 70302

RE: signs on private property

Dear Ms. Morvant:

I write in response to the story in Houmatoday.com concerning the legality of the sign in Harley Gros' front yard. As Mr. Gros recognizes, the First Amendment to the United States Constitution protects the right of free speech, including political signs. Mr. Gros, like anyone else in the United States, has the Constitutional right to display any sign on his property, and particularly political signs because of the extreme importance of the right of political speech.

The U.S. Supreme Court has held that "the First Amendment has its fullest and most urgent application to speech uttered during a political campaign." *Eu v. San Francisco Democratic Central Committee*, 489 US 214, 223 (1989). Any restriction on political speech must be narrowly tailored to meet a compelling governmental interest. Cluttering the community, which appears to be the basis for the 1992 law prohibiting signs more than 120 days prior to an election, is not a compelling interest sufficient to justify a ban. In fact, several courts have struck down ordinances that place time constraints on political signs. *Curry v. Prince Georges County, Maryland*, 33 F.Supp 2d 447 (D.Md. 1999) is one example.

For these reasons, the ACLU of Louisiana urges the City of Thibodaux to recognize Mr. Gros' right to keep the sign in his yard, and to cease enforcement of the 1992 ordinance or any other law that would restrict his right and the right of others to engage in protected speech on private property.

If you have any questions, please feel free to contact me at any time.

Sincerely,

Marjorie R. Esman

cc: Harley Gros  
Christopher Riviere by mail and fax (985) 447-3233