

City of Thornton

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June 30, 2009

Taylor Pendergrass
Staff Attorney
American Civil Liberties Union of Colorado
400 Corona Street
Denver, CO 80218

Re: The City of Thornton City Council Sale or Distribution of Materials at City Events

Dear Mr. Pendergrass:

This correspondence is in response to your email of June 9, 2009 requesting clarification of the above-referenced City of Thornton ("City") policy. The City's policy solely restricts the sale or distribution of materials at City events. It does not attempt to restrict conversations, between people, in any way. With that in mind, I would like to address several of your specific questions.

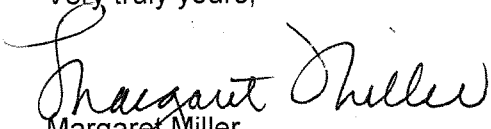
1. ThorntonFest and Harvest Fest. If a person or entity does not obtain a booth, the person or entity representative is free to talk to people and distribute materials anywhere outside the sidewalk surrounding the festival. If a person were to be inside of the festival trying to talk to people about religious beliefs and perhaps carried a sign saying "Jesus Saves" or "Impeach Obama," he would not be in violation of the policy. It is only if the person attempts to distribute materials that he would be in violation if he did not have a booth. People may attend festivals wearing t-shirts with slogans, buttons, balloons or carrying signs, for example. The key is they may not distribute materials outside of a booth.
2. Winterfest and July 4th Celebration. Anyone speaking with others regarding their cause or issue inside the festival is not in violation of the policy. It is only if they attempt to distribute materials.
3. Ward Meetings, Concerts in the Park, and Ice Cream Socials. No one is prohibited from speaking with other people regarding their causes or issue at meetings, concerts and ice cream socials.
4. Campaign Exception. City Council is currently reviewing the campaigning/distributing business card exception. I will follow up with you on that issue when the City receives the Council's direction.

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I hope that this clarifies the application of the City's Sale or Distribution of Materials at City Events policy. If you have any other questions, please do not hesitate to contact me.

Very truly yours,



Margaret Miller
Senior Assistant City Attorney

MM/dg