

April 24, 2008

Robin Lawson, Editor
Tidewater Review
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West Point, VA 23181

Dear Editor:

Mr. Luchessi is perhaps a bit coy when he could not state whether or not election signs are exempt from the county ordinances. I sincerely hope he is not wasting more taxpayer dollars reviewing the ordinance. In fairly plain English, the ordinance exempts real estate signs and builders signs, among others, but does not mention political signs. One would wonder why politicians would not exempt themselves from such a law?

Perhaps Mr. Luchessi is simply unaware of the unanimous Supreme Court decision of *City of Ladue v. Gilleo* in 1994 that struck down a law prohibiting signs at private residences. Margaret Gilleo ran afoul of a Missouri city law with signs in her front lawn and window that protested the Gulf War.

The court recognized that displaying a sign in front of a person's residence was a cost effective manner of communication, and the added cost and time of other forms of communication "may make the difference between participating and not participating in some public debate."

Maybe Mr. Luchessi has not been informed that this precedent has been used numerous times in lower courts to overturn local bans on yard signs related to political speech. The county may regulate certain aspects of political signs such as size, shape, and location, especially as it relates to safety and general welfare of the citizens of the county, but they cannot ban them outright, especially for content. It should be obvious that the author of the zoning code was familiar with this precedent, and therefore did not see the need to include a provision to exempt political signs.

Mr. Luchessi said "I'm trying to be as neutral as I can." When it comes to upholding the provisions of the county zoning ordinances as an official of the county, he has a duty to be neutral, and fair, to all citizens. There is no "try."

Mr. Luchessi has apparently forgotten that the citizens of King William County are also citizens of the United States of America, whose right to unabridged freedom of speech is contained in the very first amendment to the Constitution. "Unabridged" is the founding fathers way of saying "No permits required."

Best regards,

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