



MOUNTAIN
STATE
JUSTICE



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**Mountain State Justice and the ACLU-WV Condemn the Monongalia County Commission's
Decision to Ban Panhandling and Infringe upon Residents' First Amendment Rights**
Organizations announce intent to challenge the ordinance

Morgantown, WV: Today the Monongalia County Commission voted 3 – 0 to enact the “Ordinance Regulating Pedestrian and Vehicle Safety,” an infringement upon free speech dressed up in language meant to obscure the Commission’s intent: to ban panhandling, for solicitors and drivers alike, on county roadways.

Mountain State Justice (MSJ) – a statewide non-profit legal services and advocacy organization – and the American Civil Liberties Union of West Virginia (ACLU-WV) condemn the Commission’s action as both a cruel attempt to punish those experiencing poverty and a controversial enactment of a law that clearly runs afoul of the First Amendment. Despite overwhelming public opposition and admonitions that the ordinance – oft described publicly as a comprehensive panhandling ordinance by Commissioner Tom Bloom – will draw a legal challenge, the Commission elected to move forward.

“We know that ordinances like the Commission’s create more interactions with law enforcement and the criminal punishment system, in turn making it harder and harder to claw one’s way out of poverty – punishing homelessness just begets more homelessness,” said MSJ Staff Attorney Lesley Nash. “The legal precedent on the matter is clear: folks in Monongalia County have a constitutionally protected right to ask for charity and sweeping ordinances like the Commission’s likely can’t survive judicial scrutiny,” said ACLU-WV Staff Attorney Nick Ward.

You can slap a horn on a pony and call it a unicorn, but a unicorn this does not make. The Commission’s ordinance is equally fantastical, premised on the idea that sweeping bans on speech make a community safer or more inclusive. We tried to tell them; now we’ll see them in court.

Please direct media inquiries to MSJ Staff Attorney Lesley Nash at lesley@msjlaw.org.

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