

FOR IMMEDIATE RELEASE

August 8, 2018

Civil Rights Groups Challenge Greensboro's Unconstitutional Panhandling Ordinance

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GREENSBORO, N.C. – Three people who have experienced homelessness and a national advocacy group today filed a federal lawsuit seeking to block a Greensboro ordinance that criminalizes “aggressive” panhandling and many activities protected by the First Amendment.

The plaintiffs are being represented by the American Civil Liberties (ACLU) of North Carolina, Legal Aid of North Carolina and the National Law Center on Homelessness & Poverty. The groups say that Greensboro’s ordinance violates the free speech, equal protection, and due process rights of people who ask for contributions in public places in the city.

The organizations will hold a press conference to discuss the lawsuit:

WHO: ACLU of North Carolina, Legal Aid of North Carolina, and advocates for people experiencing homelessness

WHAT: Press conference to discuss federal lawsuit seeking to block a Greensboro ordinance that criminalizes “aggressive” panhandling and other activities protected by the First Amendment.

WHEN: Wednesday, August 8, at 2:30 p.m.

WHERE: Legal Aid of North Carolina, 122 N Elm St., Suite 820, Greensboro, NC 27401

“I ask for donations only because I need the money,” said Terry Lindsay, a plaintiff in the lawsuit, who is legally blind and regularly panhandles in downtown Greensboro and on Gate City Boulevard. “This law will only make it more likely that I will become homeless again. I need help keeping my housing and providing for myself, not more obstacles that will keep me from having a better life and being able to have clothes, food, and a place to live.”

“Asking people for money in public spaces is protected by the First Amendment, and the right to free speech applies equally to everyone in Greensboro,” said Emily Seawell, staff attorney for the ACLU of North Carolina. “Criminalizing unpopular or uncomfortable speech violates the Constitution, and taking a punitive approach to poverty does nothing to address the root causes of why people in Greensboro are resorting to asking strangers for help providing for their basic needs.”

“We all agree that no one wants to see people begging for help, but the answer is to remove their need to beg, not to punish them for asking,” said Eric Tars, senior attorney at the National Law Center on Homelessness & Poverty, the lead plaintiff in the lawsuit. “We told the city council that 100 percent of similar ordinances have been struck down by courts—25 of 25 since 2015. Greensboro residents who want to see something done about panhandling should be outraged that, rather than implementing housing strategies that work, their councilmembers are wasting time and resources passing unconstitutional laws that don’t.”

“No one wants to have to stand in the heat or cold along a city street to ask for donations,” said Janet McAuley Blue, Managing Attorney for the Greensboro Office of Legal Aid of North Carolina. “The City Council’s ordinance makes a bad situation worse for the most vulnerable poor people in our community. The new ordinance is confusing at best, and many poor people can find themselves facing fines for violating the law because they didn’t understand what was required, or they may be so fearful of being charged that they stop asking for the help they need. Free speech is a right for everyone, regardless of their economic status.”

Greensboro’s “aggressive” solicitation ordinance makes it a crime to engage in certain behaviors in public places, but only for people asking for money or contributions. The restrictions do not apply to anyone engaged in any other activity or any other kind of speech in public places.

The plaintiffs in this lawsuit, the National Law Center on Homelessness & Poverty and three residents of Greensboro who have experienced homelessness and have engaged in panhandling to pay for their basic needs, are asking the federal court in Greensboro to block the city from enforcing the ordinance until its constitutionality can be determined in court, and to ultimately strike down the ordinance as an unconstitutional violation of free speech.

A copy of the lawsuit is available at https://www.acluofnorthcarolina.org/sites/default/files/de.1_complaint.pdf.

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For nearly 100 years, the ACLU has been our nation’s guardian of liberty, working in courts, legislatures, and communities to defend and preserve the individual rights and liberties that the Constitution and the laws of the United States guarantee everyone in this country. The ACLU is a nonprofit, nonpartisan organization. For more information, visit www.acluofnorthcarolina.org.

[Legal Aid of North Carolina](http://www.acluofnorthcarolina.org) is a statewide, nonprofit law firm that provides free legal services in civil matters to low-income people in order to ensure equal access to justice and to remove legal barriers to economic opportunity.

The [National Law Center on Homelessness & Poverty](http://www.acluofnorthcarolina.org) (the Law Center) is the only national organization dedicated solely to using the power of the law to prevent and end homelessness. With the support of a large network of pro bono lawyers, we address the immediate and long-term needs of people who are homeless or at risk through outreach and training, advocacy, impact litigation, and public education.