



**Town of Arlington
Office of the Town Manager**

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Dear Arlington Community,

It has come to my attention that a "Back the Blue" rally to support police officers is being planned for Town Hall Plaza on Thursday, September 10th. It has further come to my attention that the organizers of this event are affiliated with "Act for America," an organization that has been designated as a hate group by both the Southern Poverty Law Center and the Anti-Defamation League. The Town of Arlington strongly condemns any group that stands for and encourages hate and racist views toward any members of the Arlington community. Protests sponsored by groups like this are often focused on stoking civil unrest and creating fear in order to gain media attention and followers.

I believe that it is important to support the Arlington Police Department (APD), but I do not believe this is the appropriate way to do it. I sincerely believe that the APD embodies a model for what police departments should be across the nation. The APD is a true community policing department that understands that it is the community that "authorizes" its policing authority. The APD has for many years been a national leader in the offering of a jail diversion program, having a clinician on staff and also offering a nationally recognized opiate outreach initiative that has helped countless people suffering from opioid addiction as well as their families. More recently, the APD has been an integral part of a multi-disciplinary team that works with homeless populations in Arlington.

At the same time, I believe that we need to take seriously the calls for police reform that are being demanded across the nation. I hear and appreciate the anger, upset, and concern that is being expressed about policing in America and more specifically about police violence against people of color. I firmly believe that many aspects of policing need to change and that we need to all be advocates for change at the federal, state, and local level. APD is not immune to this need for change. We need to consider body cameras and dashboard cameras and we will do that. We need to provide even more training and we will do that. We need to assess our staffing models and ensure that they continue to meet the demands of Arlington in 2020 and beyond, and we will do that.

I implore people of all opinions and perspectives to actively engage in this discussion with the community as opposed to participating in a rally like the one planned for Thursday which I fear will only exacerbate tensions and move us further away from the path of progress.

I have also been hearing from Arlington residents asking the Town to prevent the rally planned for Thursday. In this regard, it is critical for the Town to uphold the balance between its support for messages consistent with the values of the Town, its residents, volunteers, committees and commissions, and elected leaders, alongside its support for fundamental values of American Democracy, including the right to Free Speech.

These values have different dimensions in different contexts. We affirm that the Town has the right to decide which messages it will display on its buildings, what flags shall be raised on its poles as representations of what this government has to say to the people who it serves.

On public sidewalks and street corners, however, we affirm the right to peaceful and orderly assembly of those who criticize, petition, and assemble relative to, united with, or even against the government.

In these most traditional of public forums, however vehemently the Town's government disagrees with those who assemble, however poorly conceived or ugly a message - this government does not deny the right to assemble in orderly lawful fashion and it does not allow or disallow speech in public forums based on agreement.

We are not alone in walking what can be an arduous path in a free society. Cities and towns across the country have weathered rallies and marches by groups with hateful messages on their sidewalks and streets. Yet civic groups like the ACLU have reminded us of how delicate free speech becomes when we make exceptions to the rule of law for those we disagree with most.

For those interested in learning more, we invite anyone to read the First Circuit Court of Appeals' decision in *Shurtleff v. City of Boston*, 928 F.3d 166 (1st Cir. 2019), which outlines both the importance of Free Speech in public forums and the government's right to its own message without quashing messages it disagrees with.

In that case, a group known as "Constitution Camp" petitioned the City of Boston to fly a "Christian" flag outside City Hall and hold an event in City Hall Plaza. The Court affirmed the City's refusal to fly a flag that did not comport with its general values of not displaying a purely religious symbol, but grant of an event permit. This local decision highlights well context specific rights and responsibilities of the government relative to speech and significantly, that the speech of the members of the public is not synonymous with the speech of a democratic government.

To reiterate, the Town stands ready and willing to both support the women and men of the Arlington Police Department while simultaneously engaging in community dialogue about valid concerns and needed reform. However, the Town equally stands ready to denounce messages of hate that are brought to the community.