

# THE RUTHERFORD INSTITUTE

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“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

—The First Amendment to the United States Constitution

December 10, 2009

The Honorable Tom Perriello  
313 2nd Street, SE, Suite 112  
Charlottesville, VA 22902

**Re: Petitioning Activities / City of Charlottesville Office**

Dear Representative Perriello:

The Rutherford Institute has been contacted by a number of your constituents concerning restrictions imposed upon their ability to exercise their constitutional rights at your office in the City of Charlottesville.

Specifically, representatives of the Jefferson Area Tea Party and the University of Virginia College Republicans have been prohibited from engaging in peaceful petitioning activities at this office. They were also informed that they will be deemed trespassers if they dare to demonstrate on political issues while in the parking lot to your office. In fact, the College Republicans were met by the police and informed that they could not have access to the parking lot. This has resulted in restricting and suppressing speech on issues of pressing importance, including the reform of the nation's health care system.

Although the decision to forbid any demonstrations was made by the landlord of the property, the root of the problem lies in your decision to locate your local office in a place where public petitioning and demonstrations may be restricted by those protecting their private property interests. And, of course, The Rutherford Institute believes as well that private property interests must be protected.

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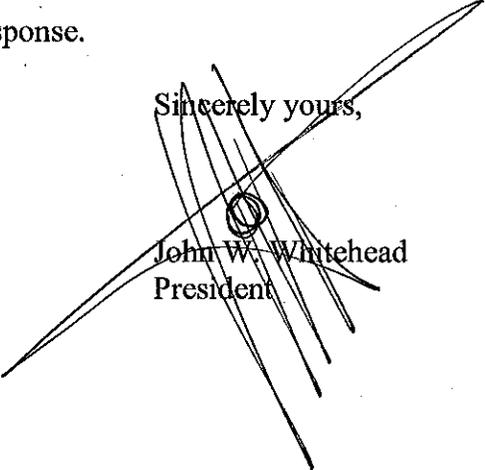
The First Amendment clearly guarantees individuals the right to speak out publicly and address their government representatives on the important issues of the day—that is, the First Amendment guarantees citizens the right “peaceably to assemble, and to petition the government for a redress of grievances.” As an elected official who has taken an oath to “support and defend the Constitution of the United States,” it is crucial that your actions serve to facilitate your constituents in exercising their rights to petition, speak and demonstrate.

Unfortunately, it is your choice of office location that has hindered the ability of citizens to effectively communicate concerning issues of the utmost importance to you, Congress and the people of the Commonwealth of Virginia and the United States.

We strongly recommend that when your lease expires you rectify this situation by relocating your Charlottesville offices to a place where citizens’ rights to petition and demonstrate may not be squelched by the fiat of an individual or individuals who are attempting to protect their private property interests or who, on occasion, may act on the basis of disagreement with the message being communicated. Relocation will not only further the salutary purposes of the First Amendment but will serve to alleviate any conflict between these activities and the rights of private property owners who may be inconvenienced by the presence of demonstrations.

I look forward to your response.

Sincerely yours,



John W. Whitehead  
President