**[Date]**

**[Addressee]**

Re: Panhandling Ordinance

Dear \_\_\_\_\_\_\_\_\_\_,

**[Individual/Organization name]** writes today to urge **[recipient]** to comply with recent developments in state constitutional law and repeal **[anti-begging ordinance/proposal/statute].** By criminalizing the act of asking for money in traditionally public spaces, the law violates citizens’ rights to free speech.

Washington law does not recognize as legitimate ordinances that single out and criminalize begging. The Washington Supreme Court recently decided in *City of Lakewood v. Willis* that panhandling ordinances are unconstitutional insofar as they seek to restrict a specific type of speech in traditionally public forums, or places historically used for public access, speech, and assembly.[[1]](#footnote-1)

The Lakewood ordinance in *Willis* applied to a wide range of traditionally public spaces, including freeway on- and off-ramps and major intersections.[[2]](#footnote-2) The court agreed that limiting specific types of speech in these spaces, while permitting others, disregards the right to free speech on a great deal of public property.[[3]](#footnote-3)

Much like the unconstitutional Lakewood ordinance, the **[anti-begging ordinance/proposal/statute]** is unconstitutional. In **[municipality],** the ordinance applies to **[location of restriction].** The location is traditionally public in that **[explanation].**

**[Municipality]** is permitted to narrowly restrict the time, place, and manner of speech in **[public forums].** By singling out panhandling, however, **[the ordinance]** restricts the content of speech. Under the *Willis* decision, content-specific panhandling ordinances are recognized as unconstitutional in this state.[[4]](#footnote-4)

Anti-panhandling ordinances are not productive tools. Without any demonstrable effect on public safety, they require municipalities to expend resources for arrests and judicial proceedings. The criminalized act is speech, rather than unsafe physical actions or their potential effect. These ordinances are designed and applied in a manner that unfairly targets and isolates persons suffering from poverty.

We urge you to comply with this State’s recent *Willis* decision and to repeal **[ordinance].**

Sincerely,

(Your Name Here)
(Your Position Here)

Enclosures: (if any)

cc: (if any)

1. *City of Lakewood v. Willis*, Case No. 91827-9, slip op. (2016) (attached to this letter). [↑](#footnote-ref-1)
2. *Id.* at 13-16. [↑](#footnote-ref-2)
3. *Id.* at 16-18. [↑](#footnote-ref-3)
4. *Id.* at 18. [↑](#footnote-ref-4)