Roxanne Maher

From: wrthorne@comcast.net
Sent: Monday, February 10, 2025 4:01 PM
To: Roxanne Maher
Subject: Third Party Flags

February 10, 2025

To: Chairperson, Ledyard Town Administration Committee

From: William & Gillian Thorne, 3 Adios Lane Ledyard, CT

Subject: Unofficial-Third-party Flags on Town Property

We are writing to express our concerns regarding the proposed ordinance allowing Third Party Flags to be flown on Town Property. As you are aware, this is a complicated and contentious issue that has led to several legal challenges and ultimately to the Supreme Court. The Supreme Court has made it clear that flags flown on Town Property are not Private Speech but Government Speech (i.e. the government is speaking for all of us through these flags). Separating Private Speech from Government Speech seems to be the only way to stay clear of Free Speech legal issues.

It is clear to us that as Americans and State of Connecticut residents, allowing our government to speak for us through the American Flag and State of Connecticut Flag is totally justified and proper. However, things get complicated beyond that. The town would have to frequently decide, as requests are made, what it wants to allow as Government Speech (i.e. speech representing the residents of the town).

The Town could designate a flagpole (such as the one on the Town Green) for private speech and allow flags to be flown that might not have majority support among town residents but that opens the town up to all kinds of issues when a flag is rejected for what seems like a logical reason (such as the Palestinian of Israeli Flag) but the town should be prepared to justify their rejection (possibly in court).

As things stand now, we have a simple and straightforward policy regarding flags flown on Town Property that has been around for decades. We shouldn't complicate things and open the town to litigation. Town residents, businesses and organizations are free to fly whatever flag they choose. In those cases, they are speaking for just themselves and not the town as a whole.

We vote for keeping things as they stand, simple and straightforward with little chance of legal complications.

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