



December 16, 2025

Tim Stopp
Recreation Director
City of Wickliffe
28730 Ridge Road
1st floor
Wickliffe, Ohio 44092

Sent via U.S. Mail and Electronic Mail (tstopp@cityofwickliffe.com)

Dear Mr. Stopp:

The Foundation for Individual Rights and Expression (FIRE), a nonpartisan nonprofit that defends free speech, is concerned by reports that the municipally operated Wickliffe Community/Senior Center prohibits the collection of initiative petition signatures. The prohibition is an unreasonable restriction on speech in a public forum and therefore violates the First Amendment.

We understand the Community/Senior Center permits community members to set up informational tables in the lobby.¹ This practice of providing space for community members to engage in inherently expressive activity establishes that the lobby is, at a minimum, a limited public forum under the First Amendment.² Speech restrictions are permissible in a limited public forum only if they are viewpoint-neutral and reasonable in light of the forum's purpose.³

The reportedly long-standing but informal practice of prohibiting community members from collecting signatures while permitting expressive interaction at tables violates the reasonableness requirement. No reasonable justification for the restriction appears to exist. In terms of maintaining order and public access, collecting signatures does not materially impact

¹ The narrative in this letter represents our understanding of the pertinent facts, but we appreciate that you may have additional information to offer and invite you to share it with us.

² A limited public forum is government property "limited to use by certain groups or dedicated solely to the discussion of certain subjects." *Ison v. Madison Local Sch. Dist. Bd. of Educ.*, 3 F.4th 887, 893 (6th Cir. 2021) (quoting *Pleasant Grove City v. Summum*, 555 U.S. 460, 470 (2009)).

³ *Good News Club v. Milford Cent. Sch.*, 533 U.S. 98, 106–7 (2001); *Summum*, 555 U.S. at 470; *Rosenberger v. Rector & Visitors of Univ. of Virginia*, 515 U.S. 819, 829 (1995). If Wickliffe has intentionally opened up the Community/Senior Center lobby for public discussion generally, it likely qualifies as a designated public forum, where speech restrictions must pass the more stringent standard of strict scrutiny. *Summum*, 555 U.S. at 469–70.

foot-traffic congestion beyond that created by informational tables on their own. If community members may staff tables, distribute information, and engage passers-by in discussion, the additional act of requesting a signature does not meaningfully alter the nature or impact of their expressive activity.

To the extent the restriction means to restrict political petitions specifically, that justification would make it more constitutionally problematic, not less, as “circulation of a petition involves the type of interactive communication concerning political change that is appropriately described as ‘core political speech,’”⁴ and “First Amendment protection for such interaction . . . is ‘at its zenith.’”⁵

Moreover, the practice’s informal nature undermines any argument as to its reasonableness. If the prohibition were serving an important purpose, one would expect it to be memorialized in some fashion. Without any form of publication, there is increased risk of it being enforced arbitrarily in an ad hoc manner, which is in tension with the Constitution’s requirement that speech restrictions “provide explicit standards for those who apply them” to prevent “arbitrary and discriminatory enforcement.”⁶

To comply with constitutional principles, Wickliffe need not open the Community/Senior Center lobby to new categories of speakers, such as commercial entities. It need only stop prohibiting the collection of initiative petition signatures by speakers already permitted to use the space. Should Wickliffe want to adopt a more formal, constitutionally sound policy for the forum, FIRE would be happy to work with the City—at no cost—to assist in that effort.

We respectfully request a substantive response to this letter no later than January 5, 2026.

Sincerely,



M. Brennen VanderVeen
Program Counsel, Public Advocacy

Cc: Karrie Hopton, Administrative Assistant

⁴ *Meyer v. Grant*, 486 U.S. 414, 421–22 (1988).

⁵ *Buckley v. Am. Constitutional Law Found.*, 525 U.S. 182, 187 (1999) (quoting *Meyer*, 486 U.S. at 425).

⁶ *Grayned v. City of Rockford*, 408 U.S. 104, 108 (1972).