**Constitutional Law I**

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Free Speech Hypotheticals: Part 4, Content Neutral Restrictions of Speech

Discuss the arguments likely to be advanced by both sides in the following situations. Consider what additional facts might be important.

(1) The City of Los Angeles, concerned about “visual clutter” from signs on public property, enacts an ordinance prohibiting anyone from attaching signs to any public property such as fences, street signs, lampposts, etc. Taxpayers for Vincent, a citizens group supporting the election of Mr. Vincent to the City Council, wants to put up signs in violation of the ordinance to advertise its candidate. It challenges the City ordinance as contrary to the First Amendment.

(Adapted from *City Council v. Taxpayers for Vincent*, 466 U.S. 789 (1984), in which the Court held for the City by a 6-3 vote.)

(2) The City of Ladue, Illinois, concerned about “visual clutter” throughout the City, enacts an ordinance prohibiting anyone, including the property owner, from posting signs on public or private property in the City (subject to some very narrow exceptions for advertising a business or property for sale). Ms. Gilleo posts a small anti-war sign on her property in front of her house in Ladue. The City demands that she remove it and she defends on First Amendment grounds.

(Adapted from *City of Ladue v. Gilleo*, 512 U.S. 43 (1994), in which the Court unanimously held for Gilleo, stressing the lack of alternatives.)

(3) Federal law prohibits protests on the public sidewalk in front of the U.S. Supreme Court building in Washington DC. The government’s explanation is that it wants to avoid the public impression that the Court is influenced by popular protests. Ms. Grace wants to protest on the sidewalk in front of the Court by holding a sign containing the text of the First Amendment. She challenges the law on First Amendment grounds.

(Adapted from *United States v. Grace*, 461 U.S. 171 (1983), in which the Court unanimously held for Grace.)

Bonus Question: Suppose the government in *Grace* defends on the ground that it wants to assure that the public sidewalks are not blocked by protesters. Would that have helped its case?