



Yamhill County  
DEMOCRATS

# Resolution

## **Yamhill County Democratic Central Committee** **Yamhill County Fair Free Speech**

**WHEREAS** the Yamhill County Fair (the "Fair") is a public event on public property by a public entity and in reference to the Fair and its rules and/or policies and/or interpretation of those rules/policies (the "Rules") and certain events at the 2008 Fair, notably:

- preventing Senate candidate Jeff Merkley's campaign (Democrat) from distributing literature except in a concession booth, and similar actions against US Congressional District 5 candidate Mike Erickson (Republican) at other fairs with substantially similar Rules, and
- preventing anti-dump-near-waterways petitioners from gathering signatures except in a paid concession booth;

**WHEREAS**, in apparent violation of the Constitution of the United States, Fair Rules allow verbal political speech by candidates while roaming the grounds but do not also permit written speech such as distribution of literature by those same candidates, as demonstrated by Fair requests to the Merkley campaign to stop distributing literature and similar restrictions reported for the Erickson campaign at other fairs;

**WHEREAS**, in apparent violation of the US and Oregon constitutions, Fair Rules do not allow petitions outside of booths, which cannot always reasonably be secured by a petitioner for time or availability constraints, such as the anti-dump-near-waterways petition which was approved only days before the Fair, well after booth space had long been sold out;

**WHEREAS** Fair Rules equate political and commercial speech, applying the same, very limited, commercial speech rules to political speech even though political speech has substantially higher protections in the US Constitution;

**WHEREAS** these Rules are largely the same for most Oregon county fairs and the problem is significant across Oregon;

**WHEREAS** these Rules have created obstacles across the political spectrum of political speech by multiple different candidates of different parties and for initiatives;

the Yamhill County Democratic Central Committee **DETERMINES**, that there appear to be significant and widespread infringements of constitutionally protected free speech by the Fair and by other county fairs in Oregon.

**NOW, THEREFORE**, the Yamhill County Democratic Central Committee(YCDCC):

**Authorizes** the YCDCC Executive Committee and its officers to pursue remedies with the Fair Board and the Yamhill County Board of Commissioners, and such other entities as they may deem appropriate, including rule and policy changes, litigation and other avenues they may consider effective in expanding and restoring political free speech; and

**Urges** all Yamhill County Democrats to actively support and work for the correction of the Rules to ensure the greater protection of political speech at the Fair.

**ADOPTED** by the Yamhill County Democratic Central Committee on the 18th day of September, 2008.