

FOUNDATION

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VIA FACSIMILE (908) 289-4230

July 30, 2009

Robert E. Barry, Esq.
County Counsel
Union County Administration Bldg.
Elizabethtown Plaza
Elizabeth, New Jersey 07207

Re: Public Comments about County Employees at Freeholder Meetings

Dear Mr. Barry:

The American Civil Liberties Union of New Jersey has recently been in contact with Bruce Paterson regarding the Union County Freeholders' policy of prohibiting the public, during the public comment period of the public meetings, from speaking about county employees that are related to Freeholders or other officials.

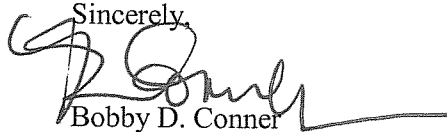
After viewing the video of the meeting, it is clear that on June 25, 2009, Mr. Paterson was stopped from speaking about a public employee, her salary, and potential nepotism affecting the hiring process of county employees, simply because the named employee is related to an official. Chairman Sullivan specifically stated that he was "not going to tolerate [the public] talking about family members" and instructed Mr. Paterson to "go on" to another topic. During the same meeting, the Chairman instructed another member of the public to not comment on public employees related to Freeholders, and warned that if anyone did, they would be removed from the public meeting.

Public employees, their salaries, and the hiring processes of public employees are matters of public concern. We write to inform you that this prohibition violates Mr. Paterson's right to free speech as guaranteed by the First Amendment to the U.S. and New Jersey constitutions.

To ensure that no further action is necessary, we ask that the Freeholders take the following steps: (1) provide us with a written assurance that going forward Mr. Paterson and other members of the public will be allowed to speak about public employees, regardless of their relation to Freeholders or other officials; (2) correct the impression that members of the public cannot speak about county employees by instructing the public of their right to do so at the next regular Freeholder meeting; and, (3) publicly apologize to Mr. Paterson for not being allowed to speak about these issues at the June 25th meeting.

If we do not hear from you by Wednesday, August 5, 2009, we will take legal action. Please contact me if you would like to discuss the matter in more detail.

Sincerely,


Bobby D. Conner
Staff Attorney



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FAX TRANSMITTAL FORM

DATE: 07/30/09

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FROM: Bobby Conner

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If you have questions, please contact me at 973-642-2086.

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