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August 25, 2026

VIA EMAIL

Chief of Police Keith Williams
Bellmawr Police Department
21 E Browning Road
Bellmawr, NJ 08031
police@bellmawr.com

Re: Citations on Cooper River Indivisible Protestors and Supporters

Dear Chief Williams,

The American Civil Liberties Union of New Jersey has been contacted by several Cooper River Indivisible (“Indivisible”) members regarding being targeted by members of the Bellmawr police department for municipal court citations while they are engaged in free-speech activities. As I understand the facts, officers have been issuing traffic and criminal citations –for honking, jaywalking, and other offenses –to participants and supporters during lawful roadside rallies held on Sundays at the intersection of Black Horse Pike and Gloucester Road in Bellmawr.

The sidewalks on which the protestors assemble, and the streets on which sympathetic motorists are driving, are traditional public forums. Accordingly, if Bellmawr officers are targeting participants and supporters of lawful protests with citations, Bellmawr is interfering with their constitutionally protected activities and violating their civil rights. Retaliating against people engaged in protected expressive activities violates the First Amendment to the United States Constitution and Art 1, para. 6 and para. 18 of the New Jersey Constitution.

The right to assemble, particularly in a public forum, is entitled to the highest degree of constitutional protection, only subject to content-neutral time, place, or manner restrictions. “Streets and parks are held in trust for use of public.” *Hague v. Comm. for Indus. Org.*, 307 U.S. 496 (1939). The First Amendment rights of speech and assembly “cannot be curtailed by the government.” *King v. S. Jersey Nat’l Bank*, 66 N.J. 161, 177, (1974).

In fact, pursuant to the New Jersey Attorney General's directive, *Guidance on Interactions Between Law Enforcement and Press at Public Protests*, "it is critical that law enforcement officers use restraint in the enforcement of generally applicable laws whenever First Amendment protected conduct is implicated....[and] should generally refrain from enforcing every possible violation, unless action is necessary to maintain public or officer safety, or protect property from destruction, and there are no alternative means to accomplish those goals."¹

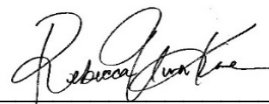
Furthermore, honking during a protest is expressive conduct that conveys a message to protestors and the public. Expressive conduct is equally protected under the First Amendment and its state constitutional analog. "The government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable." *Texas v. Johnson*, 491 U.S. 397, 414 (1989).

Freedom of assembly and expression, particularly when content-based, warrants the highest degree of protection against state government infringement. When the government restricts speech "the Government bears the burden of proving the constitutionality of its actions." *United States v. Playboy Entm't Grp. Inc.*, 529 U.S. 803, 816 (2000).

The ACLU-NJ has long defended the expressive rights of New Jerseyans under both the state and federal constitutions, and we remain committed to protecting those free-speech activities. I trust you will investigate the conduct of your officers and ensure that the Bellmawr Police Department is supporting Indivisible protestors and supporters and not targeting them, on the basis of their speech's content or otherwise.

I would welcome an opportunity to discuss these issues with you and request that you provide a response by September 11, 2026. Feel free to contact me if you have any questions or concerns, or if you wish to discuss the matter further.

Sincerely,



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¹ <https://nj.gov/oag/newsreleases21/AG-Guidance-Press-and-Police-Intractions-During-Protest-Events.pdf>