



FOUNDATION

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Dear School Officials:

On behalf of the ACLU of New Jersey and the Central New Jersey Chapter of the National Organization of Black Law Enforcement Executives and the Greater Long Branch NAACP, we write to express our concern about the rally being held at this evening's football game at Middletown High School South.

As initially described, the event appeared to honor police officers, veterans, service members, and first responders. According to press reports, however, the event is being used to intimidate and ostracize people who express their views about systemic racism and social justice. We were shocked to read that the deputy police chief explained that this event was a counter-protest to NFL player Colin Kaepernick's peaceful and silent effort to raise awareness of police violence and social oppression in communities of color. Law enforcement officers are sworn to protect the constitution, and it is a disservice to the students and players that an event that should focus on them, their families, and their communities is being used to send a message that people who express concerns about disparities in the criminal justice system are unwelcome, disloyal or unpatriotic.

Please know that no students – including football players – can be required to participate in the event or stand for the national anthem. The First Amendment protects their right to kneel, sit or stand, and they may not suffer adverse consequences for doing so. We understand that the national anthem raises strong feelings, but for more than 70 years, the law has been clear that students may not be compelled into patriotism by their government. We encourage you to educate students about their rights and advise you not to punish or otherwise penalize students for expressing their viewpoints.

While we understand that the actions of the police department may not be something you can influence, you do have an extraordinary influence over your students and players. We hope that you can seize this troubling event as an opportunity for learning and discussion on free speech, criminal justice, the historical role of protest in our country, and the racial divides splitting our nation.

Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

Jeanne LoCicero
ACLU-NJ Deputy Legal Director

Eugene Stewart
President, Central Jersey Chapter of National Organization
of Black Law Enforcement Executives

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ACLU-NJ Policy Counsel

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