

Where Your Tolls Go: Fighting Freedom of Speech

The Golden Gate Bridge District could lower fares and tolls with the hundreds of thousands of dollars it has wasted on lawyers attempting to restrict the public's basic freedom of speech, and then unsuccessfully defending those restrictions in court.ⁱ Now, it will likely have to also pay the plaintiffs' lawyers hundreds of thousands of dollars too.

If you know even a little about the First Amendment, you will recognize that the restrictions on speech in the District ordinance are unconstitutionalⁱⁱ:

1. **You cannot carry a protest sign without first having filed a permit application at least 4 business days in advance**, even if you want to hold a demonstration about late-breaking news. (These types of advance notice requirements have consistently been held unconstitutional going back at least 30 years to *Rosen v. Port of Portland*, 641 F. 2d 1243 (9th Cir. 1981)).
2. **You cannot handbill or otherwise engage in free speech activities for more than two hours a day**. (Imagine if the bridge were only open two hours per day!). **You cannot do any protest after 2pm on weekends. You cannot use a bullhorn.**
3. **You are prohibited from carrying a sign with a stick. You cannot use a sign larger than 3 feet X 2 feet. You are prohibited from holding a banner between two or more persons even if you are not in anyone's way.** These last two requirements make it almost impossible to make sure passing motorists are able to read your message.

The American Civil Liberties Union warned the District in writing in 2007 that much of its speech restrictions violated the First Amendmentⁱⁱⁱ. The District, however, did not listen, but instead lawyered up. The Court then invalidated several of the restrictions listed above, but has not yet been asked to deal with them all. The District has taken no visible action in response to requests from the public to lower the remaining barriers to speech noted above – does it just plan to spend more money on lawyers?

In the past months, [Golden Gate Waste](#) has repeatedly shown the wasteful mismanagement of the Golden Gate Bridge under the leadership of its Bridge Manager, Kary Witt. Besides wasting hundreds of thousands of your toll dollars fighting freedom of speech, here a few other things happening under Witt's management:

- **[Toll Increases](#)**: Golden Gate Bridge Tolls went up 100% in 2010 from \$3 to \$6, and carpoolers tolls went from \$0 to \$3 in 2010.
- **[Costly Management Travel](#)**: Witt and other top managers have taken business trips world-wide on the District's dime. Witt's travel has cost the Bridge District \$20,000 just in the last three years alone.

- [Highly-paid Workers Asleep on the Job](#): Golden Gate Bridge painters, some of the highest-paid industrial painters in the nation, have recently been found sleeping on the job.
- [Lead Contamination](#): Golden Gate Waste has uncovered evidence that ongoing lead scraping projects on the Bridge have repeatedly failed to meet lead removal specifications, putting the public's health at risk.
- [Possible Recontamination After Costly Cleanups](#): In October 2011, eyewitnesses saw painters pouring or dropping contaminated materials off the northwest tower of the bridge, even after the bridge spent \$13.8 million for lead remediation.

In fact, while Witt's track record as the Manager of the Bridge can be characterized as absentee at best, he was on the job harassing peaceful handbillers (including shoving their videographer and urging him to take a swing back) at the Bridge's 75th Anniversary celebration earlier this month, as evidenced in [This Video](#).

It is high time that Kary Witt and the Golden Gate Bridge District stop interfering with free speech rights and start managing the Golden Gate Bridge in a way befitting such a historic and well-known landmark. Bridge users are tired of our toll dollars being wasted and are ready for a change.

Please [read new articles](#) each week as we unfold the wasteful practices at the Golden Gate Bridge.

ⁱ *Turner v. Lafond*, Case No. C09-0683, United States District Court, Northern District of California (Order of Jan. 7, 2011)(available on Google Scholar).

ⁱⁱ Golden Gate Bridge Highway and Transportation District Master Ordinance 2010, Section I(F) & changes detailed in 1/14/11 Lisa Locati Memorandum, "Interim Enforcement of Master Bridge Ordinance 2010"

ⁱⁱⁱ <http://bit.ly/NOSnKx>