



April 19, 2024

Lauren McLean
Mayor
City of Boise

Ron Winegar
Chief
Boise Police Department

Re: Boise City Code § 5-7-3

Dear Mayor McLean and Chief Winegar:

After the Federal District Court of Idaho's decision earlier this week granting our organization protection from police action for simply using a megaphone during public protests in downtown Boise (related to Boise City Code § 5-7-3), we are now writing to ask that the City of Boise grant the same protections to *all protesters* in downtown Boise, regardless of organizational affiliation.

The federal court's decision to grant this partial injunction indicates that Boise City Code § 5-7-3 is likely *unconstitutional*, and it would behoove the City to halt *all* police enforcement of that ordinance to protect the constitutional rights of *all* its residents and avoid further costly lawsuits.

We urge you to recognize the very real legal and moral implications of continuing to threaten and/or enact enforcement of this ordinance against other individuals while this case is ongoing. With the myriad issues our communities are currently facing, and the valiant efforts of local groups to try to raise awareness and create positive change through public demonstrations, it would be shameful for the City to knowingly continue to chill those activities for groups other than Sierra Club after the judge's decision this week.

Please direct law enforcement not to ticket, arrest, or harass *any* protesters in downtown Boise simply for using a megaphone through the duration of this case, and offer a public assurance to Boise residents that the constitutional protections Sierra Club now has will be enjoyed by *all*.

We look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read "L. J. 3" with a long, sweeping flourish extending to the right.

Lisa Young
Director, Idaho Sierra Club
lisa_young@sierraclub.org