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The Southampton Six Return Freedom of Speech & Religion to Long Island, New York

Local Citizens Take on Local Government, Protect Freedoms for All

Southampton, New York — The Town of Southampton has changed its course after being sued in federal court for allegations of multiple aggressive rights violations after threatening six Long Island residents, including a pastor and five members of three diverse local churches. Under a settlement agreement entered last week, the Southampton Board of Supervisors agreed to: repeal a Town resolution which created a constitutionally problematic “Bias Free Zone” at the front steps of the Town Hall, physically remove all of the large “Bias Free Zone” signs marking multiple public areas, and to pay attorneys fees and legal costs.

In entering the settlement, the six plaintiffs refused to personally accept any monetary damages, which they would have been entitled to under the law. “This has been about the violation of individual rights,” Pastor Donald Havrilla said, “not about money. We don’t want others to suffer at the hands of their local government.”

After almost a year of litigation at taxpayer expense, Southampton officials including Anna Throne-Holst (Southampton Town Supervisor) and Robert Pearce (Southampton Chief of Police) signed the settlement, bringing closure to an event that started with blatant violations of the Constitutional freedoms of this small group of mostly Senior Citizens, as alleged in the lawsuit. On July 26, 2011, the first date on which Southampton Town could legally solemnize same sex marriages under the New York Legislature’s recent Act, this handful of local citizens gathered at the Southampton Town Hall on this unique date in New York history to peacefully stand for traditional marriage.

“I was shocked at how quickly we were forced, under threat of arrest, to move and stay clear of the front steps, and fearful of what that meant for the future of free speech here in my hometown of 40 plus years,” said Pastor Havrilla. “I thank God for this victory, and for safeguarding the rights of all citizens and groups, regardless of their beliefs. This is protection for everybody, liberal or conservative, from the abuse of power by a local municipality.”

These six individuals are common citizens, most between the ages of 53 to 76 and not part of a large, formal organization. Two are military veterans, one is a Bible College student in his 30s, and all are active in their local churches. The six had gathered on the sidewalk near the front steps of the Town Hall. Immediately they were forced by the Town’s police to relocate to a confined area flanked by seven-foot tall bushes that kept them from legally, conversationally interacting with others on the Town Hall steps. The Town blatantly discriminated having previously allowed much larger groups without religious affiliations to completely occupy and even block those same steps while exercising their free speech rights. These six people were threatened with arrest if they did not remove themselves from the Town’s “Bias Free Zone” and relocate to the Town’s imposed “free speech zone.”

The sheer volume of violations is staggering. The Complaint filed in Federal Court asserts multiple rights violations by Town officials, including the individuals’ rights to freedom of speech, free exercise of religion, equal access, equal protection under the law, and the right to due process. The irony of the experience was not lost on these citizens: Southampton, settled in 1640, historically began with a small group of English Puritans fleeing from religious persecution in England and who landed in the Hamptons at what is now known as Conscience Point. It is the oldest English settlement in the State of New York.

When D.C.-based trial attorney Stephen Dunn met with the victims and heard their story, he knew he had to take action. “Local public officials do not have the constitutional authority to relegate people to the back of the bus in the public forum because of their religious views,” states Dunn. “It’s no accident that the First Amendment first and foremost protects the free exercise of religion, even before freedom of speech and freedom of the press. The tragedy here is that it took the filing of a lawsuit in order to arrive at this victory, but it proves that freedom truly is never more than a generation from extinction. Repealing the resolution that created the Town’s selectively enforced ‘Bias Free Zone’ was clearly the right course of action, and we commend the Town for doing so.”

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NOTE TO EDITORS: For more information, please visit FrontGateMedia.com/Newsroom/SouthamptonSix.
Resources include:

- Photos: Southampton Six, "Bias Free Zone" sign
- Plaintiffs - Brief Bios
- Preliminary Injunction Filing with Arguments & Case Law
- Complaint Filing
- Settlement
- Founding of Southampton

To schedule interviews with these individuals and legal counsel Stephen Dunn, please contact:

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