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MEDIA RELEASE

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**ACLU STANDS UP FOR RIGHT TO FLY FLAG UPSIDE DOWN
Crivitz Police Violated Free Speech Rights and
Unconstitutionally Seized Veteran's Flag
On the Fourth of July**

MILWAUKEE -- The American Civil Liberties Union of Wisconsin Foundation announced today that it will represent Vito J. Congine, Jr., the owner of a supper club, in his dispute with the Crivitz police department over the department's seizure of his American flag on the Fourth of July.

According to a press release by the Board of Trustees of the Village of Crivitz defending the department's actions, police officers setting up for the Fourth of July parade received "numerous complaints" about Mr. Congine's flag, which was flying upside down. Mr. Congine was flying the flag upside down to protest the Village's denial of a liquor license for his supper club after he believed he had the go ahead and had spent significant money on renovations. According to police, some of the parade-goers threatened "property damage and bodily harm to the property owner," who was not present at the time. Rather than protect Mr. Congine's First Amendment right to express disagreement with his local government and defend his property from would-be vandals, the police, at the direction of the Marinette County District Attorney, instead trespassed on Mr. Congine's property and confiscated his flag.

"I have a right, like every person in this country, to express myself, especially on my own private property," said Mr. Congine, an Iraq veteran. "I was shocked that the police would go onto my land without my permission and take my property because some people didn't like how I was expressing myself."

"Nothing could be more natural for free Americans than to protest when they believe that officials have treated them unfairly," said Chris Ahmuty, executive director of the ACLU of Wisconsin. "That's exactly what Mr. Congine was doing when he was flying his flag upside down. The U.S. flag is a symbol that belongs to all Americans, who frequently use it during

demonstrations, marches and other forms of protected free speech. It is the government's responsibility to protect such expression, not to enforce a 'heckler's veto' when people get upset about free speech."

Larry Dupuis, the ACLU of Wisconsin's legal director, added, "Crivitz should spend its time and resources protecting Mr. Congine from the criminals who continue to threaten his property, not making excuses for its un-American tactics on the Fourth of July."

The ACLU of Wisconsin is a membership organization dedicated to defending the civil liberties and rights of all Wisconsin residents.

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