

ACLU Ohio

Criminal Justice Issues and Prisoners' Rights

<https://www.acluohio.org/en/press-releases/summit-county-repeals-unconstitutional-panhandling-ordinance-following-aclu-ohio>

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[Skip to main content](#)

AKRON On Monday November 18th, Summit County Council repealed an anti-panhandling law that unconstitutionally burdened free speech by criminalizing the act of giving or receiving donations near roadways; the council members also passed a *new* law declaring no one in a township right-of-way is allowed to impede or obstruct vehicular traffic. The revised ordinance further states that no one is allowed to knowingly touch or grab another person or their property without their consent.

The ACLU of Ohio sued the County earlier this year, challenging the constitutionality of the now-repealed anti-panhandling ordinance. As part of the settlement, the County agreed to pay damages to the ACLU's client, Mr. Wilson, as well as attorneys fees and costs.

The County's laws now reflect the constitutional reality that panhandling is completely legal, said ACLU of Ohio Staff Attorney Elizabeth Bonham. We hope this settlement sends a message to counties and cities across Ohio: government entities cannot silence people whose only crime is to ask for money.

This latest policy change is Summit County's third attempt to regulate panhandling. In December of 2018, County Council repealed a 2013 anti-panhandling ordinance as a result of an ACLU study identifying existing unconstitutional ordinances in Ohio and urging cities and counties to repeal said laws.

Shortly after repealing the 2013 law, Summit County Council introduced a new law, disguised some of the language, but continued to criminalize panhandling anyways, added Joe Mead, cooperating attorney for the ACLU of Ohio. We are glad that version 2.0 has now been repealed as an unconstitutional violation of the First Amendment.

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