



State of Tennessee
DEPARTMENT OF GENERAL SERVICES
Office of General Counsel
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March 4, 2008

Tricia R. Herzfeld, Esq.
American Civil Liberties Union Foundation of Tennessee
P.O. Box 120160
Nashville, Tennessee 37212

Transmitted via facsimile
(615) 320-7260
Hard copy to follow

Dear Ms. Herzfeld:

Thank you for your letter of February 26, 2008, in which you expressed the concerns of the ACLU of Tennessee over the Department of General Services' reserved event policies and procedures.

After careful review and consideration of your request that the Department amend its reserved event policies and procedures to remove our seven (7)-day notice provision, security fee (if applicable) and liability insurance requirements, the Department has decided to decline to make the requested changes. I wish to assure you, however, that any person or organization is free to engage in any activity protected by the Constitution on the War Memorial Plaza without having to provide the State of Tennessee with advance notice, obtain liability insurance or pay event and security fees. Only if a person or organization seeks an exclusive and reserved right to use the Plaza would such requirements apply.

I have attached a copy of a letter I am sending to [REDACTED] in response to his letter of February 12, 2008. Please be assured that we wish to work with [REDACTED] and all groups and individuals seeking to use State premises as a forum to exercise free speech.

Thank you for your interest in this matter.

Sincerely,

Thaddeus E. Watkins, III
General Counsel

TEW:ksb

cc: Gwendolyn Sims Davis, Commissioner, Department of General Services
William Rusie, Assistant Commissioner, Department of General Services
Steve Elkins, Legal Counsel to the Governor
David Coenen, Assistant Attorney General, Attorney General's Office

