

## RESPONSE TO AMERICAN CIVIL LIBERTIES UNION REQUEST

WHEREAS, the Ann Arbor Transportation Authority (AATA) received correspondence (copy attached) from the American Civil Liberties Union (ACLU) objecting to the rejection of a proposed advertisement; and

WHEREAS, AATA has an Advertising Policy to govern the placement of advertisements on its buses and is under contract for Bus Advertising Services with the Transit Advertising Group to administer the placement of ads in accordance with the Advertising Policy; and

WHEREAS, the advisory AATA Performance Monitoring External Relations Committee (PMER) has reviewed the ACLU complaint with legal counsel, has found that at least the following stipulations from the Advertising Policy support the rejection of the advertisement in its proposed form, and has recommended that the ad continue to be rejected:

### 2.10 AATA ADVERTISING POLICY

- A. The AATA, by permitting commercial advertising in or on its vehicles, shelters, informational material, buildings, and benches, does not thereby intend to create a public forum. Further, AATA requires that such advertising comply with specified standards to further the purposes of providing revenue for AATA, increasing ridership, and assuring that AATA riders will be afforded a safe and pleasant environment. AATA reserves the right to approve all advertising, exhibit material, announcements, or any other display and their manner of presentation. All advertising must be in considered good taste and shall uphold the aesthetic standards as determined by AATA.
- B. Advertising in or on AATA vehicles, in AATA shelters, building[s], benches or informational material which does any of the following shall be prohibited.
  - 5. Defames or is likely to hold up to scorn or ridicule a person or group of persons.

NOW THEREFORE, BE IT RESOLVED that the AATA Board of Directors concurs with the recommendation of the Performance Monitoring and External Relations Committee, affirms the vendor's decision to reject the advertisement in its current form, invites the ACLU and its client to discuss the advertising policy with AATA, and requests AATA counsel to communicate the decision to the ACLU by appropriate letter.

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Jesse Bernstein, Chair

November 17, 2011

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Charles Griffith, Secretary

November 17, 2011