

## STATE OF FLORIDA

JAMES UTHMEIER  
ATTORNEY GENERAL

July 11, 2025

Julie Townsend  
Executive Director  
Lakeland Downtown Development Authority  
117 N. Kentucky Ave  
Lakeland, FL 33801

Dear Ms. Townsend:

My office has received reports concerning an incident that occurred at the Lakeland Downtown Farmers Market. Conservative journalist Kaitlin Bennett filmed herself interviewing marketgoers on political topics. This took place on a public street and sidewalk during an open, publicly accessible event. You—a government employee—approached Ms. Bennett and harassed her. You said, “I’m just going to disrupt you.” Then at your direction, law enforcement gave Ms. Bennett a trespass warning. Subsequently, you issued a letter stating, “the Market has always made efforts to have this community space be free of politics and religion,” and that the “[m]arket staff actively engages all persons who try to violate that spirit.”

This market “spirit” bears a startling resemblance to content-based speech restrictions, which are presumptively unconstitutional. When it comes to speech about “politics,” “[t]he Free Speech Clause [of the First Amendment] exists principally to protect discourse on public matters.”<sup>1</sup> And as for “religion,” “the Free Speech Clause provides overlapping protection for expressive religious activities.”<sup>2</sup>

The Florida Constitution, like the U.S. Constitution, guarantees citizens the right to free speech, safe from government infringement.<sup>3</sup> Public streets and sidewalks are traditional public fora—areas historically preserved for expressive activity.<sup>4</sup> When a government employee attempts to suppress (or succeeds in suppressing) free political or religious speech in

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<sup>1</sup> *Brown v. Entm't Merchants Ass'n*, 564 U.S. 786, 790 (2011).

<sup>2</sup> *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 523 (2022).

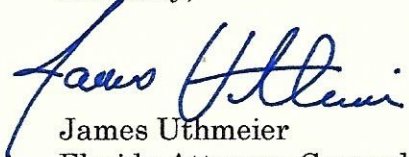
<sup>3</sup> Art. I, § 4, Fla. Const.

<sup>4</sup> *United States v. Grace*, 461 U.S. 171, 177 (1983).

a traditional public forum—such as a public street or sidewalk during a farmers market—it undermines basic constitutional rights we all share. In Florida, we don't silence political or religious speech, and we don't shout down conservative voices simply because a government employee, like yourself, disfavors the speech. That's what public spaces are for. That's what our Founding Fathers intended. And you have no authority to constitutionally stifle these freedoms—secured by the highest law of the land—simply because you don't like it.

Your recent actions flouted your constitutional obligations. Ms. Bennett deserved better. All citizens deserve better. You must cease attempts to discourage or restrict citizens from exercising their free speech rights. Any future attempts to suppress lawful speech may expose you and your department to legal liability.<sup>5</sup>

Sincerely,

A handwritten signature in blue ink, appearing to read "James Uthmeier", is written over the typed name.

James Uthmeier  
Florida Attorney General

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<sup>5</sup> § 760.51, Fla. Stat.