



ROGER BALDWIN FOUNDATION
OF ACLU, INC.

Illinois

ROGER BALDWIN FOUNDATION OF
ACLU, INC.
150 N. MICHIGAN AVENUE
SUITE 600
CHICAGO, ILLINOIS 60601-7570
(312) 201-9740
FAX (312) 201-9760
WWW.ACLU-IL.ORG

October 3, 2022

Via Electronic Mail

Awake IL, Inc.
Shannon Adcock, President
shannon@awakeil.com
Josh McBroom, Vice President
joshm@awakeil.com
Steve Lucie, Director
stevel@awakeil.com

Dear Officers of Awake IL, Inc.:

We write on behalf of Maggie Romanovich in response to your September 4, 2022 letter threatening to sue her for defamation. Ms. Romanovich will not accede in any way to your attempts to suppress her constitutionally protected speech. The materials you attached do not contain any defamatory statements. Ms. Romanovich will not “cease and desist” or “remove” this material, all of which is protected by the First Amendment of the United States Constitution.

Your boilerplate letter to our client attaches two items: Ms. Romanovich’s letter to the editor published in the Daily Herald on August 12, 2022 and a tweet containing a link to the letter. Your letter does not specify which parts of these materials are defamatory, nor could it. The letter to the editor, which urges residents not to vote for Keith Pekau because of his “alarming” association with your organization, is core political speech on a matter of public concern, receiving the highest constitutional protection.

An ample public record supports all factual statements in Ms. Romanovich’s letter to the editor, and those statements are therefore not actionable. The bulk of the letter merely expresses the writer’s opinion about Mr. Pekau and Awake Illinois. Neither the First Amendment nor the common law of Illinois allows Awake Illinois to recover damages or other relief against Ms. Romanovich for expressing her opinion that Awake Illinois is appalling, extremist, homophobic, racially insensitive, and otherwise objectionable.

Awake Illinois and its leaders frequently accuse their opponents of nefarious motives or deeds and use hostile epithets—such as “groomers,” “hateful,” “perverts,” and “criminal lying bastards,”—to characterize those who disagree with them. Yet when others express their frank opinions about Awake Illinois, it responds with demands for silence. The contrast is striking.

The First Amendment is the cornerstone of democracy because a self-governing people cannot make wise decisions without a free exchange of ideas. Organizations that thrust themselves into the center of public debate on matters of grave political and social consequence must be prepared to weather criticism. When organizations choose instead to make baseless threats against their critics, they impoverish the marketplace of ideas and undermine public debate.

As part of that debate, Ms. Romanovich expressed a dim view of Awake Illinois. She made no threats, incited no violence, and told no lies. Her speech is not grounds for liability, and she will neither cease nor desist.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca K. Glenberg". The signature is written in a cursive, flowing style.

Rebecca K. Glenberg
Senior Staff Attorney

cc: Kevin Fee