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Re: Public Statement from Naples Pride After Naples City Council's 1/15/25 Vote to Approve the 2025 Naples Pride Festival with Limitations

1/16/25

Naples City Council's Vote and Imposed Limitations on Pride Festival

While the Naples, Florida City Council voted 5-2 to approve the 2025 Naples Pride Festival on June 7 in Cambier Park, we are saddened that the five council members who voted in favor of the event also imposed a caveat: drag performances must occur indoors, in the dark, and be restricted to 18+ audiences. Additionally, they refused to negotiate the excessive fees for hosting the event.

Rather than defer to the Naples Police Department's expert opinion that the Naples Pride Festival, including drag performances on Cambier's main stage in the center of Cambier Park, could be safely held under their security plan based on nationwide standards and best practices, the City still refused to allow it.

Issues with Security Fees and Viewpoint Discrimination

Additionally, the City has declined to negotiate the exorbitant security fees of \$30,600, the quote given to us to host the drag show inside. Yesterday, Naples Pride demonstrated how the Supreme Court case *Forsyth County v. Nationalist Movement* struck down an ordinance that allowed fees to vary based on crowd reactions or subjective criteria like perceived security needs. The Court ruled that such discretion enables viewpoint discrimination and amounts to a "heckler's veto," where hostile audiences suppress speech by driving up costs. The ruling established two key principles: (1) Fees cannot be tied to content or public reaction, and (2) governments must ensure public safety without penalizing speakers.

Here, Naples Pride is being asked to pay for hostility toward LGBTQ+ inclusivity, which is a textbook example of viewpoint discrimination—essentially placing a "price tag" on free speech.

The NPD has stated that one criterion for determining security fees is the "potential for conflict or protests" based on "political" or "controversial" issues. While we agree that this is necessary to ensure the safety of our event, we believe that, under the *Forsyth County* ruling, passing this specific portion of the fees onto us constitutes viewpoint discrimination and violates our free

speech rights. We will continue to request that City Council remove the fees associated with this specific piece of criteria from the fees imposed on Naples Pride. While we are dismayed that the burden of this portion of the security fees may fall back on the City, we cannot, as a 501(c)(3) nonprofit, divert funds from our mission to serve our community to cover a portion of the security fees that the law states the City does not have the right to pass onto us.

Naples Pride's Commitment to Fair Security Fees

Naples Pride understands that fees are rising for all events, and we want to make it clear that we are committed to paying our fair share of the security fees based on objective, legal criteria that all other City special events are subject to, such as venue size, location, expected crowd size, and event particulars (e.g., time of day, alcohol, street closures, etc.).

Balancing public safety with First Amendment rights is undoubtedly challenging, but it is vital Naples City Council protect both to uphold democracy. However, by tying fees to anticipated crowd responses, such as potential protests over controversial issues, the City shifts its responsibility to maintain neutrality and fairness onto the speaker. This makes the ability to express free speech contingent on the popularity of the message or the speaker's ability to pay for potential disruption.

Why is Drag so Important to Naples Pride?

We long for the days when we hosted our festival with drag performances on stage and no protests, but sadly, that is not the reality of the world we live in—one that Naples Pride is working to change.

From 2017 to 2022, Naples Pride held its annual festival with family-friendly drag performances on Cambier Park's main stage. Two years ago, a Florida law forced us to move the drag show indoors, but now that the law has been ruled unconstitutional, we are working to reinstate outdoor performances once again. We are changing the format from 2023-2024 because the law has changed. Unfortunately, we were not successful yesterday.

Naples Pride promises that one day we will celebrate again in Cambier Park with family-friendly drag on stage. As with many social issues, acceptance takes time, and while it did not happen this year, we believe the misinformation surrounding drag will eventually be cleared up, and it will be embraced as a vital part of Pride. Sadly, that day is not today in Naples.

Somewhere along the way, the importance of drag in our Pride Festival seems to have been lost to City Council. Drag performances aren't just for entertainment; they're a core part of Pride's history. Drag performers were central to the first Pride event in 1970, a protest police brutality toward the LGBTQ+ community. That's why we include drag in our festival—it's integral to the spirit of Pride. Excluding drag erodes the values of authenticity, visibility, and the freedom to

express oneself without fear of discrimination. Whether people attend, or parents bring their children to a drag show should be their choice.

We also asked City Council to consider whether their views on drag were shaped by misrepresentation or bias. In 2023, several government agencies investigated our drag performances and found them not harmful to children under the law. Unfortunately, the City Council chose to let its subjective views overshadow this objective information.

The sad truth is that drag is controversial largely because of the gender identity of the performers, which, in some cases, is expressed only during the performance. Many who oppose drag do so because they reject the idea that someone can be born one gender and, whether during a performance or in life, choose to express themselves as another. This opposition reflects a broader denial of transgender existences and strikes at the very core of what Naples Pride stands for and fights to protect.

Next Steps for Naples Pride

Naples Pride will take City Council's decision—limiting our Pride Festival on June 7, 2025, to drag performances hidden away, for adults only, and burdened with excessive security fees—back to our board and supporters to decide whether we should continue with the event in this format. We invite our supporters to share your thoughts with us at info@naplespride.org. We will share our decision as soon as one is reached.

Thank you for standing with us as we continue our journey toward equality and understanding.

Sincerely,
Naples Pride