



March 20, 2018

Press Release

RE: Volusia County Coercing Private Owners Into Adopting "No Motorcycle Colors" Policies

---

The Daytona Beach News Journal recently reported that the Volusia County Sheriff's Department has been issuing prejudicial recommendations to privately owned businesses in Daytona Beach to implement a broad policy of discrimination against any individual wearing motorcycle club related insignia or colors.

Volusia County Sheriff Mike Chitwood publicly validates the department's policies relating to public establishments in Daytona Beach. The Daytona Beach News Journal reported on March 14, 2018, "*Chitwood said part of ensuring safety is the cooperation of bar owners to not allow colors in their businesses. Most motorcycle gang violence is know to happen over colors, the sheriff said.*"

These recommendations amount to coercive pressure from a government actor to implement policies of discrimination based on the judicially rejected "gang argument". Absent articulable proof that there is a specific threat of violence, a government actor participating in denying access based on unrelated history is strictly prohibited. It is settled law that motorcycle patches and colors are Constitutionally protected by the 1st Amendment from acts of government discrimination.

No agent of the government may pressure, recommend, or coerce any establishment to impose a dress code that prohibits attendees from wearing clothing displaying the name or symbols associated with a motorcycle organization. Prohibiting individuals from expressing themselves with patches or insignia exposes the government to liability under 42 USC §1983.

The National Council of Clubs, a movement representing the political, legal, and legislative interests of motorcycle clubs nationwide, is officially requesting that the Volusia County Sheriff's Department immediately cease and desist from any further discriminatory recommendations relating to motorcycle clubs and issue a statement informing the public.

Sincerely,

National Council of Clubs  
Public Relations  
[media@councilofclubs.org](mailto:media@councilofclubs.org)  
[councilofclubs.org](http://councilofclubs.org)