

**United States District Court  
District of Connecticut**

**Erin Quinn and Robert Marra,**  
*Plaintiffs*

No. 25-cv-\_\_\_\_\_

*v.*

September 16, 2025

**Garrett Eucalitto and Ronnell Higgins,**  
*Defendants.*

**Complaint**

Erin Quinn and Robert Marra became distressed at the direction of the country, and decided to do the most American of things about it: tell people in their part of Connecticut about their views. They chose southern Connecticut's de facto main street, I-95. Standing on local roads where they pass over the interstate, Ms. Quinn and Mr. Marra have held signs imploring their fellow Nutmeggers to think about the rule of law, reject fascism, and take action to save democracy. The defendant state officials have responded by prosecuting some of Mr. Marra and Ms. Quinn's fellow protesters, claiming variously that no signs may ever be shown to interstate traffic, or that sign-holders are criminally liable for drivers' reactions to the signs. Ms. Quinn and Mr. Marra now seek declaratory and injunctive relief confirming their right to speak.

**Jurisdiction and venue.**

1. The United States District Court has subject matter jurisdiction over this dispute because the plaintiffs' claims arise under the law of the United States. 28 U.S.C. § 1331.
2. Venue is proper in this judicial district because all of the events giving rise to the plaintiffs' claims transpired within it. 28 U.S.C. § 1391(b)(2).

**The parties.**

3. Plaintiff Robert Marra is a seventy year-old forest pathologist, and resides in the New Haven, Connecticut area.
4. Plaintiff Erin Quinn is a forty-six year-old primary caregiver of two children, and resides in the New Haven, Connecticut area.
5. Defendant Garrett Eucalitto is the current commissioner of Connecticut's Department of Transportation.
6. As commissioner, Mr. Eucalitto is in charge of the state's Department of Transportation, and may therefore enforce compliance with an injunction from this Court.
7. Defendant Ronnell Higgins is the current commissioner of Connecticut's Department of Emergency Services and Public Protection, which includes the Division of State Police.
8. The state police have statewide criminal and motor vehicle law enforcement authority.
9. As commissioner, Mr. Higgins has overall control of the state police, and may therefore enforce compliance with an injunction from this Court.

## **Facts**

### **Ms. Quinn and Mr. Marra Join the Visibility Brigade**

10. Early this year, plaintiff Erin Quinn became alarmed by what she views as the federal government’s newfound contempt for the rule of law.<sup>1</sup> She began thinking about how to voice her concern to her community, eventually meeting a group of people who informally got together to make and peacefully hold signs on interstate overpasses to the passing traffic.<sup>2</sup>
11. The group of people Ms. Quinn met called themselves the Visibility Brigade. Their signs—either letters on black Posterboard spelling out messages, or vinyl banners they get printed—contained messages like: “Due process is the law,” “These voices melt ICE,” “No kings,” “Love Liberty? Resist Tyranny,” and “Hands Off Our Judges.” She decided to join them in March.<sup>3</sup>
12. Between March 2025 and July 2025, Ms. Quinn joined about twenty sign-holding protests, mainly in West Haven. She has helped hold signs, as well as poles attached to larger banners.<sup>4</sup>
13. For Ms. Quinn, standing with the group’s signs and personally holding them up is a key part of trying to get her message across to people in the area. She believes that signs alone fail to convey her important message on a human level: “A poster or billboard could be paid for by who knows what organization, but when I’m holding my signs, you can see that it’s a real human behind it.”<sup>5</sup>

---

<sup>1</sup> Declaration of Erin Quinn (attached as Exhibit 1) ¶ 2.

<sup>2</sup> *Id.* ¶ 3.

<sup>3</sup> *Id.* ¶ 5; Declaration of Robert Marra (attached as Ex. 2) ¶¶ 11, 12.

<sup>4</sup> Ex. 1 ¶ 4.

<sup>5</sup> *Id.* ¶ 7.

14. Plaintiff Robert “Bob” Marra is a seventy-year-old tree pathologist who works as a research scientist. Mr. Marra has become similarly alarmed by the behavior of the current executive branch, and hoped to do something tangible to show his disagreement with the direction of the country.<sup>6</sup> He joined the Visibility Brigade’s sign-holding protests in late January or early February 2025, and began attending about one sign protest per week.
15. During protests, Mr. Marra typically stands and waves while others hold signs, although he has helped hold poles to which larger banners are attached. At times, Mr. Marra also holds up the Ukrainian flag to show his support for that country.<sup>7</sup>
16. For Mr. Marra, the protests taking place on top of highway overpasses is key. He views I-95 as a kind of main street for Southern Connecticut, and believes the volume of the vehicles that pass by is an unparalleled opportunity to get his message across to different groups of people.<sup>8</sup>
17. Between them, Mr. Marra and Ms. Quinn have attended approximately fifty sign-holding protests, mainly in New Haven, West Haven, and Branford. Before state troopers started detaining, citing, and arresting sign-holders, both plaintiffs planned to continue joining the sign-holding protests for as long as they took place.<sup>9</sup>

---

<sup>6</sup> Ex. 2 ¶ 2.

<sup>7</sup> See *id.* ¶¶ 10, 11, 14.

<sup>8</sup> *Id.* ¶¶ 18, 19.

<sup>9</sup> See Ex. 1 ¶ 4 & 2 ¶ 6.

### **Connecticut state highways, overpasses, and sign regulation**

18. Connecticut’s Department of Transportation constructs and maintains a highway system linking various points in the state. Conn. Gen. Stat. § 13a-14. That system includes the roads commonly referred to as “interstates.” *Id.* § 13a-15.<sup>10</sup>
19. Defendant Eucalitto “ha[s] jurisdiction over” and “general responsibility for” the state highway system. *Id.* § 13b-24.
20. Overpasses spanning state highways are often owned by the state. Regardless, any portion of a road passing over a state highway is, by law, “state highway property,” with an automatic easement to the municipality for travel, if the traversing road is a municipal one. *Id.* § 13a-99a(a).
21. Limited access highways are a subset of state highways. They are specifically designated state highways that can be entered and exited “only at highway intersections or at designated points.” Conn. Gen. Stat. § 13b-27. Entering a limited access highway at a point other than one of the designated entrances is a finable infraction, *id.* § 14-238a, as is use of a limited access highway by a pedestrian in contravention to the posted prohibition. *Id.* § 53-182. Mr. Eucalitto is obligated to revise and publish a list of all limited access highways annually. Conn. Gen. Stat. § 14-298.<sup>11</sup>
22. Overpasses spanning limited access highways are not necessarily limited access highways themselves. For example, Woodward Avenue in New Haven is a city street with sidewalks on both sides as it passes over I-95. Like Woodward Avenue

---

<sup>10</sup> Federal and Connecticut law sometimes use the more formal title, “the National System of Interstate and Defense Highways,” but the names are interchangeable. Conn. Gen. Stat. § 13a-15.

<sup>11</sup> Connecticut Dep’t of Transportation, *2025 Limited Access State Numbered Highways* (Dec. 31, 2024) (attached as Exhibit 3).

itself,<sup>12</sup> the overpass portion of Woodward Avenue is also not a limited access highway, and so pedestrians and bicyclists are free to use it. By contrast, the overpass by which Interstate 84 traverses Interstate 91 in Hartford is a continuous part of I-84, and the overpass itself is therefore a limited access highway.

23. Limited access highways are a very narrow exception to Connecticut's otherwise-permissive view of pedestrian road use. Ultimately, pedestrians are allowed on all roads other than limited access ones. Where a road has "a sidewalk adjacent to such roadway is provided and the use thereof is practicable," a pedestrian must walk on the sidewalk. Conn. Gen. Stat. § 14-300c(a). Where there is no sidewalk or using it is impracticable, a pedestrian may walk "on the shoulder [of the road] and as far as practicable from the edge of such roadway." *Id.* And where there is neither a sidewalk nor shoulder, a pedestrian may "walk as near as practicable to an outside edge of such roadway." *Id.* The only thing pedestrians may *not* do is enter the traveled portion of a road negligently or recklessly, which is a finable offense. *Id.* § 53-182.

24. By virtue of his control over the state highway system, Defendant Eucalitto also administers Connecticut's highway sign-permitting scheme. The relevant statute forbids the "*erection of outdoor advertising . . . signs . . . within six hundred sixty feet of the edge of the right-of-way, the advertising message of which is visible from the main traveled way of any portion of*" an interstate. *Id.* § 13a-123(a)(1) (emphasis added).

---

<sup>12</sup> See Exhibit 3.

25. The state similarly forbids displays farther than 660 feet from the edge of the right-of-way that are “located outside of urban areas, visible from the main traveled way of the system and erected with the purpose of their message being read from such main traveled way.” *Id.*
26. The permitting statute is broadly interpreted by its implementing regulations, which define § 13a-123’s use of the word ‘sign’ to include “any outdoor sign, display, . . . message . . . poster . . . which is designed, intended or used to advertise or inform.” Conn. Agencies Regs. 13a-123-2(h). The regulations define ‘erect’ as meaning “to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish . . .” *Id.* 13a-123-2(b).
27. An interlocking statute controls the content, rather than the placement, of signs within 300 feet of any state highway. That statute—titled “unauthorized signs”—forbids signs using the words “[s]top,’ ‘caution,’ ‘danger,’ ‘dangerous,’ ‘warning,’ or ‘slow.’” Conn. Gen. Stat. § 13a-124. It also bars “any . . . word or character or any . . . symbol intended to give or capable of . . . interfering with traffic.” *Id.* But it exempts certain favored messages, such as signs pointing traffic to “agricultural tourism” sites, places where Connecticut-made beer is made or sold, and any farm within ten miles where Connecticut-made wine is made or sold. *Id.*

**Defendant Higgin's escalating detentions of overpass speakers.**

28. Starting in February, state police employees began showing up at protests and detaining sign-holders.<sup>13</sup>

29. On or about February 14, 2025, one of Defendant Higgins's employees, a state trooper named Joshua Jackson, stopped a Visibility Brigade group lawfully standing on the side of Cherry Hill Road overpass in Branford. Cherry Hill Road is a quiet municipal road that is not a limited access highway. No barriers or signs bar pedestrians from walking on the overpass.

30. On February 14, some of the group were holding signs on Cherry Hill Road. Others had secured posterboards to the inside of the overpass chain-link fencing with bungee cords. Jackson demanded the group take the signs down. As described in a later arrest warrant, though, he went further, claiming "it is unlawful to . . . display any type of sign, in any way, to (sic) any property owned by [the Department of Transportation] including overpasses."<sup>14</sup> He also claimed that "it is unlawful to create distraction for . . . traffic that results in a public disturbance . . . in the form of traffic congestion," and told the group that any sign would distract motorists.<sup>15</sup>

31. In April, another state police employee detained a different group of sign-holders on Cherry Hill Road. The employee similarly claimed it was illegal to display any signs at all (attached or not) on an overpass, and that the sign-holders could be criminally prosecuted for creating traffic congestion.<sup>16</sup>

---

<sup>13</sup> See Information and Arrest Warrant App., *State v. Hinds*, No. N23N-CR25-0261993-S (Conn. Super. Ct. Aug. 6, 2025) (attached as Exhibit 4).

<sup>14</sup> *Id.* 2.

<sup>15</sup> *Id.* 5.

<sup>16</sup> *Id.* 2.



32. In May 2025, Ms. Quinn and Mr. Marra both joined a sign-holding protest on the Howard Avenue overpass in New Haven. Howard Avenue is a broad residential street that has sidewalks on both sides and is not a limited access highway. The portion of Howard Avenue crossing above I-95 has no barriers or signs barring pedestrians from using its sidewalks.

33. On May 19, the plaintiffs and the others in the group stood on the portion of Howard Avenue that passes over I-95 and displayed signs. Some in the group had again bungee-corded posterboards to the inside of the chain-link fencing.

Jackson, appearing irate, arrived and tore down the signs on the fence. However, he did not limit his allegations of illegality to bungee cords. Instead, according to an arrest warrant he later wrote out, he alleged the protesters were “trespassing” because all overpasses are “private property” of the State; any display of signs is illegal; and the protesters would be responsible if any drivers were distracted and got into an accident.<sup>17</sup>

34. Jackson then demanded identification from everyone in the group, including the plaintiffs, in order to check for outstanding warrants. However, after discussion with a colleague, Jackson announced that he had received “an emergency call” requiring him to move on, and left.<sup>18</sup>

35. Ms. Quinn was shaken by this encounter. She continued to attend a few sign protests, but not nearly as many. Others in the group also started to limit their overpass protests.<sup>19</sup>

---

<sup>17</sup> See Ex. 1 ¶ 14, Ex. 2 ¶¶ 23-31.

<sup>18</sup> Ex. 2 ¶¶ 27-31.

<sup>19</sup> Ex. 1 ¶ 17.

36. On a Saturday morning in July, Mr. Marra and a group of others stood on the Stevens Avenue overpass in West Haven. Stevens Avenue is a short municipal street, and not a limited access highway. The portion of Stevens on which the plaintiffs stood has a sidewalk, and they stood on it. Mr. Marra and the others on the sidewalk held up signs to the traffic below on I-95, and did not attach anything.<sup>20</sup>

37. The West Haven police appeared, explaining that the state police asked them to break up the demonstration.<sup>21</sup>

38. Eventually, two state police employees arrived and asked the group to stop displaying their signs. Mr. Marra did not believe that the state police order comported with the First Amendment. But it was obvious to him that the lawfulness of his speech “was not going to be resolved” on a sidewalk with line-level cops, and he was shaken by the “fluid reasoning” in the state police’s cited authority for breaking up the sign-holding protests.<sup>22</sup>

39. The plaintiffs’ fears proved founded. On July 19, 2025, state police arrested another sign-holder, 71-year-old Katherine Hinds, as she held signs with a group on the Stevens Avenue overpass.

40. On July 19, Ms. Hinds was arrested for displaying signs from the overpass sidewalk and charged with breach of peace; trespass—purportedly because the state police had verbally barred her from displaying signs from overpasses on an earlier occasion; as well as violating the ‘unauthorized signs’ statute, Conn. Gen. Stat. § 13a-124 (barring signs “capable of . . . interfering with traffic”).

---

<sup>20</sup> Ex. 2 ¶¶ 32-37.

<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

41. Both Mr. Marra and Ms. Quinn know Ms. Hinds, who is retired and has been a frequent sign-holder at overpass protests. The plaintiffs quickly learned of her arrest.

42. On August 8, 2025, the state police arrested Ms. Hinds again.

43. This time, they showed up at her home, pounding on her door at 6:00 a.m. in a “show of force” that her counsel described as only necessary for “taking down a gang or drug related operation,” when the arrestee is “a dangerous target.”<sup>23</sup>

44. In order to arrest her the second time, the state police combed Ms. Hinds’s Facebook account and obtained an arrest warrant for two earlier protests she posted about, alleging in relevant part that it is illegal to display *any* sign from an overpass sidewalk.<sup>24</sup> The police used the dawn apprehension of Ms. Hinds in her pajamas to again charge her with breach of peace (purportedly for causing traffic on I-95), trespass, and violating the unauthorized sign statute, § 13a-124.

45. For the plaintiffs, Ms. Hinds’s arrests were the last straw. They fear that if they continue to hold signs, they too will be arrested. As the primary caretaker of two children, Ms. Quinn feels she can no longer tolerate the risk of being harassed or potentially arrested by police for her protest activities. Mr. Marra similarly feels that the variability of the police response to the demonstrations, and reasoning given, means anything could happen.<sup>25</sup>

---

<sup>23</sup> Stephen Underwood, *A 71-year-old CT Activist has Been Arrested Twice by State Police. Her Lawyers Allege Retribution*, Hartford Courant, <https://www.courant.com/2025/08/20/a-71-year-old-ct-activist-has-been-arrested-twice-by-state-police-her-lawyers-allege-retribution> (Aug. 20, 2025).

<sup>24</sup> Ex. 4 at 7-8.

<sup>25</sup> Ex. 1 ¶¶ 18-19; Ex. 2 ¶¶ 38-41.

46. Both Mr. Marra and Ms. Quinn decided to stop holding signs until this Court rules on the legality of the sign-holders' peaceful demonstrations.<sup>26</sup>

47. A week after Ms. Hinds's second arrest, on August 14, state police ticketed seven people displaying signs from an overpass spanning the Merritt Parkway, in Fairfield. Once again, the state police charged the protesters with violating the unauthorized sign statute, § 13a-124.

48. Although they don't know the Fairfield protesters personally, the plaintiffs heard of this incident, which only added to their fears.

49. Without access to overpasses, Mr. Marra and Ms. Quinn cannot reach their intended audiences.

50. While large advertising billboards, up to 900 square feet, line Connecticut's highways, renting billboard space is not an option for the plaintiffs. First, it misses the human connection that both plaintiffs prioritize. Second, according to an industry veteran, advertising space on Connecticut's interstates ranges from "\$400 to \$1,700 per week billed on a 4-week period." The price varies by "the [a]verage [d]aily [t]raffic, the demography of the traffic ([a]ge and income of the passengers), the geographic reach of the traffic (where the vehicular trips originate and terminate) and the frequency that the traffic passes the location in a week."<sup>27</sup>

51. Mr. Marra and Ms. Quinn—as well as all the people who joined them in New Haven, West Haven, and Branford—have stopped protesting on overpasses

---

<sup>26</sup> *Id.*

<sup>27</sup> Declaration of John Barrett (attached as Exhibit 5) ¶ E.

entirely. Were they to get a favorable ruling from this Court, they would resume immediately.<sup>28</sup>

**The defendants choose not to enforce the sign-regulation scheme against advertisers, other protesters, and pro-government groups.**

52. Defendant Higgins has told lawmakers that, in his view, overpass demonstrators may be held criminally liable for “distracting motorists,” indicating that he thinks that a speaker may be held responsible for a listener’s reaction, and, that a speaker’s criminal liability can vary with the contents of their speech.<sup>29</sup>
53. Defendant Higgins’s employees have told protesters that “it is unlawful to . . . display *any* type of sign, *in any way*, to (sic) any property owned by [the Department of Transportation] including overpasses,” and, that “it is unlawful to create a distraction for . . . traffic that results in a public disturbance . . . in the form of traffic congestion,” echoing the theory that a speaker may be held liable for a listener’s reaction.<sup>30</sup>
54. But although the defendants have vigorously advanced their hard-line and unconstitutional views of Ms. Quinn and Mr. Marra’s signs, they and their predecessors in office have taken a hands-off approach to others’.
55. During President Obama’s tenure, for example, protesters dissatisfied with the federal government’s actions erected signs along the Howard Avenue overpass in New Haven without incident. As reported by the New Haven Register in 2013, the

---

<sup>28</sup> See Ex. 1 ¶ 19; Ex. 2 ¶¶ 41-42.

<sup>29</sup> Letter from Ronnell Higgins to Sen. Bob Duff and Rep. Anne Hughes 2 (Aug. 19, 2025) (attached as Exhibit 6).

<sup>30</sup> See Exhibit 4 at 5.

protesters attached signs to the fencing along the overpass while waving to traffic below.<sup>31</sup>



56. By contrast, Ms. Quinn and Mr. Marra have engaged in similar protest actions to wildly different results.<sup>32</sup>



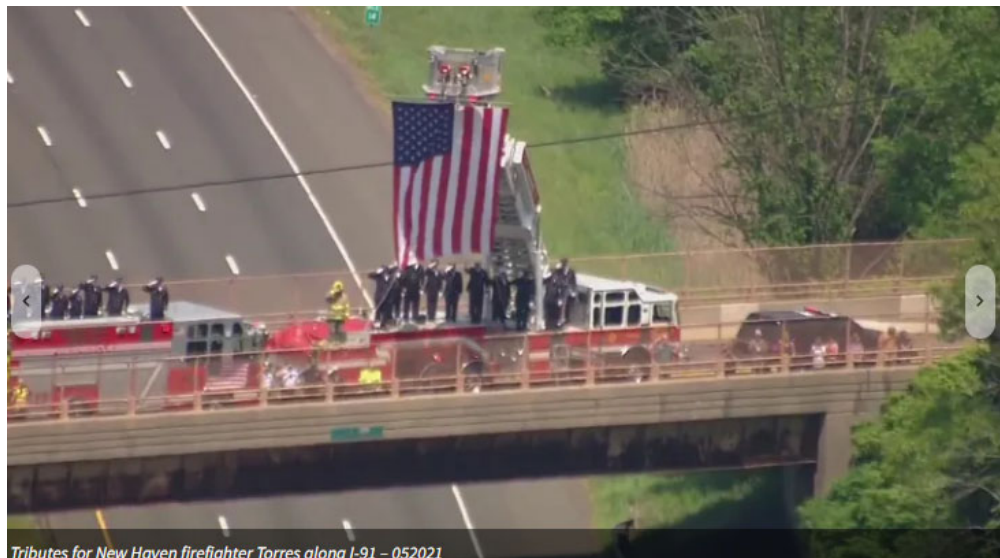
---

<sup>31</sup> New Haven Register, *Anti-Obama Protesters Rally on New Haven I-95 Overpass* (Aug. 20, 2013), <https://www.nhregister.com/connecticut/article/Anti-Obama-protesters-rally-on-New-Haven-I-95-11410723.php>.

<sup>32</sup> This photograph is an example of a banner held at one of the Visibility Brigade demonstrations.



57. American flags are frequently put up on Connecticut overpasses, without apparent repercussions. Overpasses are also used by demonstrators displaying solidarity with a public employee who has died on the job. In 2021, for example, firefighters stood on overpasses from New Haven to Hartford to honor a colleague, alongside large flags mounted to their rigs.<sup>33</sup>



---

<sup>33</sup> See, e.g., WTNH, *Firefighters Line overpasses on I-91 from New Haven to Hartford to honor fallen firefighter Ricardo Torres Jr.*, (May 20, 2021), <https://www.wtnh.com/news/connecticut/firefighters-line-overpasses-on-i-91-from-new-haven-to-hartford-to-honor-fallen-firefighter-ricardo-torres-jr/>.

58. Although one of the state statutes threatened against Ms. Quinn and Mr. Marra—and cited in the prosecutions of some of their fellow protesters—forbids signs with “capable of . . . interfering with traffic,” or containing the word “[s]top,” Conn. Gen. Stat. § 13a-124, Defendants Eucalitto and Higgins have not threatened or prosecuted a law firm whose electronic billboard on I-91 implores motorists with the forbidden word:



59. Nor have the defendants prosecuted advertisers displaying large billboards intentionally designed to attract passing drivers’ attention, like this one on I-95 north in Fairfield County:





60. Nor have they forced the removal of billboard structures close to elevated highways within Connecticut's cities, which place very large advertising at motorists' eye level, as does this example from I-95 south in Bridgeport:



61. They have also not taken any action against a Connecticut law firm's notable sequences of billboards, that spread a short sentence out over three billboards to create a message for motorists to follow as they drive I-91:



**The plaintiffs' count against the defendants: violation of the First Amendment.**

62. By threatening them with interruption of, arrest or citation for, and/or prosecution for their overpass sidewalk speech, the defendants violate the Speech Clause of the First Amendment to the United States Constitution.

**Request for relief.**

63. The plaintiffs therefore request that the Court:

- a. Declare that the plaintiffs may speak freely from overpasses traversing interstate highways on which overpasses the plaintiffs may otherwise lawfully be,
- b. Enjoin the defendants from restricting their speech on overpasses traversing interstate highways on which overpasses the plaintiffs may otherwise lawfully be,

- c. Order the defendants to reimburse the plaintiffs for the reasonable litigation costs and fees, and
- d. Order any other relief as the Court sees fit to ensure the plaintiffs' First Amendment rights remain unencumbered.

/s/ Dan Barrett

---

Dan Barrett (No. ct29816)  
Elana Bildner (No. ct30379)  
Jaclyn Blickley (No. ct31822)  
ACLU Foundation of Connecticut  
P.O. Box # 320647  
Hartford, CT 06132  
(860) 471-8471  
e-filings@acluct.org  
*Counsel for the plaintiffs*