

# **FREE SPEECH RIGHTS & COURT RULINGS RELATING TO STREET PREACHING**

I. Open air preaching is protected by the United States Constitution: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

II. We have the right to pass out literature, preach, and display signs on public areas (*Coates v. Cincinnati* 402 U.S. 611 / *Edwards v. S. Carolina*, 372 U.S. 299 / *Furr v. Town of Swansea*, F. Supp. 1543).

III. We have the right to exercise our religion and speak in all quintessential public forums (*Frisby vs. Schultz*, 487 U.S. 474 / *U.S. v. Grace*, 461 U.S. 171, 176).

IV. We have a “guaranteed access” to streets, parks, and other “traditional public forum” and mere inconvenience to the government will not outweigh our free speech interests (*Hague v. C.I.O.* 307 U.S. 496).

V. Our freedom of speech may not be prohibited merely because it offends some listeners (*Cantwell v. Connecticut*, 310 U.S. 296 / *Simon & Shuster v. New York State Crime Victims Bd*, 502 U.S. 105 / *N.Y. Ties v. Sullivan*, 376 U.S. 254).

VI. A city may not consider the listener's reaction when permitting free speech activity (*Forsyth County v. The Nationalist Movement*, 505 U.S. 123).

VII. Hecklers do not have veto power over a speaker's right of free speech but Police must control a crowd rather than arrest the speaker in order to maintain order (*Cox. v. Louisiana*, 379 U.S. 536).

VIII. We have the right to be loud enough to be heard (*Saia v. New York*, 334 U.S. 1943).

IX. We have the right to be protected by law enforcement if the crowd is offended by what we are preaching and becomes hostile (*Hedges v. W.C.U.S.D. No. 118, et al.* 9F.3d 1295).

X. Permits are not allowed to be used to restrict a speaker's right of free expression and permits may not be used as a prior restraint on free speech (*Kunz v. New York*, 340 U.S. 290).

XI. A free speech lawsuit is a Federal case and allows us to sue Policemen and guards in their official capacity and as individuals (Freedom Restoration Act, Title 42, Section 2000aa.).

XII. A freedom of speech lawsuit will subject them to pay our damages and all our attorney fees (42 U.S.C. §§ 1983 and 1988).