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Plaza guards bounce students

By Heather May and Linda Fantin

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You can't speak freely on the Main Street Plaza. And, it turns out, you can't speak about speaking freely, either.

ACLU Executive Director Dani Eyer was supposed to talk to 25 West High students about free speech during a Wednesday morning field trip at the LDS Church-owned plaza in downtown Salt Lake City.

But formal meetings and lectures aren't allowed there without permission. Church security guards told the group to go to a nearby public park if they wanted to have such a gathering.

"I'm sure you wouldn't say anything wrong," Eyer quoted a guard as telling her, "but we have to control what is said."

Church spokesman Dale Bills said the church invites people to "enjoy the serene beauty of the plaza, but we don't allow formal meetings or lectures to take place there."

Instructor Jay Wilgus couldn't have planned a better lesson on free speech if he tried. He didn't realize he needed church permission for the outing.

"We thought we were going to talk about these issues on the plaza and we ended up becoming the issue," said the second-year University of Utah law student who teaches a survey-of-law class at the Salt Lake City high school.

"The security guard told us, 'In groups this size, we can't control what's being said . . . [but] feel free to walk around a while and enjoy it.' "

The class strolled through the plaza and then wandered over to City Creek Park to discuss the morning's events. Wilgus said some students were upset and confused. Others understood that since the plaza is now private, the church decides what is allowed.

"It was an emotional issue for some of them," he said.

For a time, the plaza was an emotional issue for much of the state. The church built the plaza in 1999 on what was formerly Main Street between South Temple and North Temple. The American Civil Liberties Union sued over free-speech restrictions and won the case in 2002. The plaza was then open to free speech, including anti-Mormon protests.

But last year the city bargained away its interest on the plaza, making the plaza entirely private. The ACLU sued again. A ruling is pending.

"They're OK for people to come and go. They wanted the message to be their message only," Eyer said. "I'm not going to say they can't do that. It's private property."

If the plaza was under the city's control, the school group would have been allowed to stay, she said.

Danielle Vialpando, 18, thought the experience was "crazy."

"I'm LDS and I thought, 'Wow, I'm being kicked off and I'm part of that [church] too.' "

She didn't think the group should have been asked to leave. "We were just learning about [free speech]. We weren't going to do anything."

Trent Escandon, a 17-year-old senior and LDS Church member, said that being asked to leave the plaza was "a little awkward." But he said the church has the right to control speech there. "I understand the difference between private property and public property. It's private. They can discriminate all they want."

Bills said the West High group was not disrespectful. "We appreciate very much that [they] conducted themselves respectfully while visiting the plaza and graciously accepted a security guard's suggestion that they hold their class meeting in nearby City Creek Park."

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