

What to do if you are stopped by the Police  
In Salt Lake City, you can be charged with disturbance of the peace if you refuse to comply with an order of the police. Remember the following if you are stopped by the police:

- Think carefully about your words, movement, body language and emotions.
- Don't get into an argument with the police.
- Remember, anything you say or do can be used against you.
- Keep your hands where the police can see them.
- Don't run. Don't touch any police officer.
- Don't resist, even if you believe you are innocent.
- Don't complain on the scene or tell the police they're wrong or that you're going to file a complaint.
- Ask for a lawyer immediately upon your arrest.
- Remember officer's badge and patrol car numbers.
- Write down everything you remember ASAP.
- Try to find witnesses and their names and phone numbers.
- If you are injured, take photographs of the injuries as soon as possible, but make sure you seek medical attention first.
- If you feel your rights have been violated, file a written complaint with the police department's internal affairs division or civilian complaints board.

This brochure outlines your First Amendment right to protest and describes restrictions on peaceful speech activities that the government may enforce. This advice is not intended to deter you from cooperating with law enforcement.

Freedom of speech is not only the hallmark of a free people, but is, indeed, an essential attribute of the sovereignty of citizenship; however, free speech must be balanced against the values protected by the law of defamation, invasion of privacy, and abuse of personal identity. **I.M.L. v. State, 2002 UT 110, 61 P.3d 1038, 1043 (2002).**

**For more information:**

Salt Lake City Special Events Office  
1965 West 500 South  
Salt Lake City, UT  
801-972-7800

On the web you may go to  
[www.slcgov.com/publicservices/parks](http://www.slcgov.com/publicservices/parks)  
for permit application forms;  
Or

[www.ci.slc.ut.us/attorney/freespeech.htm](http://www.ci.slc.ut.us/attorney/freespeech.htm)  
for the Salt Lake City Attorney's Guidelines on  
Free Speech.

**Contact Us:**

ACLU of Utah  
355 North 300 West  
Salt Lake City, UT 84103  
Phone: 801-521-9289  
Email: [aclu@acluutah.org](mailto:aclu@acluutah.org)  
[www.acluutah.org](http://www.acluutah.org)

The American Civil Liberties Union (ACLU) is a nationwide, nonpartisan, membership organization dedicated to working in the courts, legislatures, and communities to defend and preserve the individual rights and liberties guaranteed to all people in this country by both the Constitution and the laws of the United States. Founded in 1920, the ACLU now has over 550,000 members and supporters (more than 2,500 live in Utah) as well as affiliate or national chapter offices in all fifty states and Puerto Rico.



Protecting Constitutional  
Freedoms in Utah Since 1958

## Your Right to Protest in Salt Lake City



## The right to protest

You have a constitutionally protected right to engage in peaceful protest in “traditional public forums” such as streets, sidewalks or parks. Other public places such as the plazas in front of government buildings and the legislature may also be available for free speech activities.

Police and government officials are allowed to place certain non-discriminatory and narrowly drawn “time, place and manner” restrictions on the exercise of First Amendment rights - this is done by imposing permit requirements.

A regulation meets content-neutral time, place, and manner requirements, for purposes of the First Amendment, if it (1) is content neutral; (2) is designed to serve a substantial government interest; and (3) does not unreasonably limit alternative avenues of expression.

## Forms of Communication

The First Amendment covers all forms of communication including music, theaters, film and dance. The Constitution also protects actions that symbolically express a viewpoint. However, actions that involve illegal conduct may fall outside of constitutional protections.

Protests must not amount to a breach of the law of defamation, invasion of privacy, or abuse of personal identity.

## Do I need a permit before engaging in free speech activity or public protests?

If your march or protest is held on the sidewalk and obeys traffic signals, their activity is constitutionally protected even without a permit. It

is important that marchers allow enough space on the sidewalk for normal pedestrian traffic and don't maliciously obstruct or detain passers by.

In Salt Lake City, you are required to obtain a permit for any formation, procession or assembly upon any public street, park or other public way that has the purpose of engaging in constitutionally protected speech or assembly.

Permits are obtained from the Salt Lake City Corporation Special Events Office (see back for details or on the web at [www.slcgov.com/publicservices/parks](http://www.slcgov.com/publicservices/parks)). Permits can be sought as “Advance planned free expression activities” or “Short notice free expression activities”. A permit cannot be denied because the event is controversial or will express unpopular views.

**“Advanced Planned Free Expression Activities”** refers to protests that are scheduled sufficiently in advance of its occurrence to reasonably require compliance with permit application process. A permit must be filed with the City no less than 30 days prior to the event. The application must specify details such as the organization or individual organizing the protest and details of the protest including location/s, anticipated number of people participating in the event. The City will provide basic city services for advance planned free expression activities free of charge, however you will incur a \$5 permit processing fee.

**“Short Notice Free Expression Activities”** include protests arising out of or related to events or other public issues which cannot be reasonably anticipated far enough in advance to reasonably comply with the permit requirements for Advance Planned Free Expression Activities (above).

## Distributing leaflets/brochures

Pedestrians on public sidewalks may be approached with leaflets, newspapers, petitions and solicitations for donations. Tables may also be set up if there is sufficient room remaining for pedestrians to pass.

## Picketing

You are entitled to conduct peaceful picketing, except in unusual circumstances, under the Utah and Federal constitutions. Picketing should be done in an orderly non-disruptive fashion so that pedestrians can pass by and entrances to buildings are not blocked. Picketing a particular residence or home of an individual (other than the Governor of Utah) is not permitted.

### It is against the law to...

- Hold a protest directed to a ‘captive audience’: meaning the audience cannot conveniently avoid the speech by turning their heads or walking away. This will include protests near hospitals, courthouses, and private residences.
- Engage in picketing within 100 feet of a “targeted residence” i.e. outside a selected person’s home.
- Create a ‘hazardous condition’ or intentionally cause inconvenience, annoyance or alarm.
- Intentionally incite another to crime. ‘Obscene speech’, however is not prohibited by the Utah or Federal Constitution. Even words that are very insulting or highly offensive or arouse some people to anger do not violate the law unless they intentionally induce crime.
- Intentionally disrupt a lawful meeting. This can include meetings of the legislature, or court proceedings.