

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. If you are stopped by the police, remember to do the following:

- 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, but also make sure to seek medical attention as soon as possible.
- 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 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. You have a constitutionally protected right to engage in peaceful protests. This pamphlet outlines your First Amendment right to protest and describes restrictions on peaceful speech activities that the government may enforce.

For more information:
Salt Lake City Events
Gallivan Center 239 South Main Street
Salt Lake City, Utah 84111
801.535.6110

On the web you may go to:
<https://www.slc.gov/eventpermits/demonstration-permit-instructions/for-permit-application-forms>;

For events at the Utah Capitol, apply for a permit here: <https://utahstatecapitol.utah.gov/scheduling/event-applications>

For large events in Salt Lake County, apply here: <https://slco.org/health/special-events>

Contact Us: **ACLU of Utah**
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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 1.3 million members and supporters (more than 6,500 live in Utah) as well as affiliate or national chapter offices in all fifty states and Puerto Rico.

ACLU

Utah

Your Right to Protest and Engage in Other Free Speech Activities in Utah



Keep Families Together Rally
June 1, 2018

Where can I protest?

- **Public forums:** You have a constitutionally protected right to engage in peaceful protest in public forums such as streets, sidewalks, or parks. You may also be able to protest in front of government buildings and the legislature. Salt Lake County has designated protest zones, areas that are specifically designated for public demonstrations and protests. There may be restrictions on the time, place, and manner of how you exercise your free speech rights. However, these restrictions must serve a substantial government interest (like traffic safety), and they must be narrowly tailored to serve that interest. They also may not unreasonably limit alternate avenues of expression. Finally, the government may not place greater restrictions on anyone because of their point of view.
- **Non-public forums:** In other venues, your rights are less clearly protected. For example, reasonable restrictions may be allowed at military bases, airport terminals, or the entrance to a post office as long as they do not favor one side of an issue over the other.
- **Private Property:** In general, private property owners may set rules limiting your free speech. If you disobey the property owner's rules, they can order you off their property (and have you arrested for trespassing if you do not comply).
- **Courthouses:** Under Utah law, you may not picket inside or near a court with the intent to block access to the court or affect the outcome of a case that is pending before that court.

What can I say and do?

- In addition to verbal and written speech, the First Amendment covers all forms of expressive conduct, including music, film, dance, and clothing. The government may not restrict your right to protest because your views are controversial, unpopular, or

offensive. The government may place certain restrictions on the time, place, and manner of how you exercise your free speech rights. You should look up the local ordinances in your area before you plan a protest. For example, there may be restrictions on volume or playing music, or the route of a march.

- You are entitled to approach pedestrians on public sidewalks with leaflets, flyers, newspapers, petitions, and solicitations for donations as long as the pedestrians have room to pass. You may set up tables on public sidewalks if there is enough room for pedestrians to pass. You may not purposely physically detain pedestrians.
- You are entitled to picket on public sidewalks, but you must picket in an orderly, non-disruptive fashion so that pedestrians can pass. You may not block entrances or exits to buildings.
- You can advocate government overthrow or taking over the streets, so long as your speech is not aimed at inciting listeners to imminent lawless action or encouraging people to commit violence.

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, that activity is constitutionally protected even without a permit. But local governments may require a permit in the following circumstances:

- If your march or protest will not stay on the sidewalk, or if it will require blocking traffic or street closure.
- A large rally requiring sound amplifying devices
- A rally at certain designated parks or plazas

Many areas require organizers to get permits in advance for large demonstrations, and some charge processing fees. In Salt Lake County, you should submit an application to the permits section at least 30 days before the event is scheduled to take place for groups of more than 50 people. However, the First Amendment prohibits advance notice requirements from being used to prevent rallies or demonstrations that are rapid responses to unforeseeable and recent events. In Salt Lake County, political events are exempt from fee requirements.

What activity is not protected?

- **Defamation:** Under Utah law, you can be sued for purposely making false statements that were intended to damage a public figure's reputation. But you cannot be sued for statements of opinion, parodies, jokes, or discussions of public controversies.
- **Fighting words:** The government may restrict speech that is personally abusive and very likely to provoke a violent reaction. But the fact that certain speech angers some people does not necessarily mean that the government may restrict it.
- **Obscenity:** In Utah, local governments may restrict speech that uses obscene or profane language, but only in situations involving a breach of the peace.
- Intentionally inciting another to crime
- Picketing a targeted residence, outside a selected person's home (except the Governor of Utah's home).