

HANDLING POLICE ENCOUNTERS DURING PUBLIC EVANGELISM

1. Before you go, be prepared.

- If you have reason to expect a conflict, contact authorities ahead of time to resolve issues.
- Check ordinances regarding noise, permits, public assemblies, distribution of literature.
- Bring documentation (letter from City Attorney, copy of Ordinance, 1st Amendment research).

2. Be calm. Be polite and respectful. Do not crowd around the Officers.

- Do not escalate the conflict or make the Officers feel threatened.
- Remember that you represent Jesus Christ.

3. Let them know that someone in your group is videorecording the interaction. [*See our publication, “The Right To Record Police In Public Places”]

- A video of the interaction is better evidence than what someone claims they remember.
- Officers tend to be more careful and professional when they know they are being recorded.
- In some states it may not be legal to record secretly.

4. **ASK: “I/We do not intend to break the law. It is our understanding that we have a Constitutional Right to preach/hold signs/distribute literature here. What law or ordinance prohibits us from doing this here?”**

- Lets them know that you are aware of your rights and that you will not be bullied into giving up your right to Free Speech without legal justification.
- It is important to determine the legal authority by which they are trying to suppress your right of Free Speech.

5. Determine if the restriction on your activities is a clear violation of your rights. Refer to the Free Speech materials published by Gospel Advocates, Inc. or call us at (386) 804-1020.

- Not every restriction on speech violates the Constitution.
- If the restriction is unconstitutional, try to reason with the Officers or their supervisors to allow you to continue. Show documentation.

6. **REQUEST: “I/We request to speak to your supervisor. Please have a supervisor respond to this location.”**

- Police Sergeants and higher ranking supervisors are typically more knowledgeable of the First Amendment and more professional in their demeanor than the average Officer.
- Often the supervisor will indicate the Officer was wrong and you may continue with your activities.
- A statement from a police supervisor is more likely to be accepted as a statement of the City or County policy than a statement from a street level Officer.

7. **ASK: “Are you telling us that you will arrest us if we continue to preach/hold signs/distribute literature here?”**

- It is important to clearly distinguish between a command that the Officer intends to enforce (which may violate your rights) from a mere suggestion or request (which you can decline to follow without penalty).
- Often the Officer will back off and say he was just making a request, or will say he needs to check with someone higher up the chain of command (and you can resume your activities).
- If there was not a clear command with threat of enforcement, the police department, city officials and the legal system will be less likely to acknowledge a violation of your rights.

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