SUPREME COURT RULINGS ON STREET PREACHING AND PUBLIC SPEECH IN GENERAL

U.S. Iowa, 1969: Undifferentiated fear or apprehension of disturbance is not enough to overcome right to freedom of expression. U.S.C.A. Const. Amend. I (Tinker v. Des Moines Independent Community School Dist. 89 S. Ct. 733, 393/ U.S. 5()3/21 L. Eid. 2d. 731).

Also, see identical ruling, Federal District Court, Texas, 1969: (Calbillo v. San Jancinto Junior College, 305 F. Supp. 857, cause remanded 434 F. 2d. 609, appeal after remand 446 F. 2d. 887).

Federal Court of Appeals, Florida, 1972: Hostile audience is not basis for restraining otherwise legal first amendment activity. U.S.C.A. Const. Amend. I (Collie v. Chicago Park Dist., 460 F. 2d. 746).

Federal Court of Appeals, Florida, 1974: Public expression of ideas may not be prohibited merely because ideas are themselves of offensive to some of their hearers. West's F.S.A. 877.03; U.S.C.A. Const. Amend. I (Wiegand v. Seaver, 504 F. 2d. 303).

Federal Court of Appeals, Indiana, 1974: Freedom of expression (does not mean freedom to express only approved ideas; it means freedom to express any idea. (Perry v. Columbia Broadcasting System, Inc. 499 F. 2d. 797).

Federal Court of Appeals, District of Colubia, 1977: The Constitution mandates that access to the streets, sidewalks, parks, and other similar public places for purpose of exercising first amendment rights cannot be denied broadly and absolutely. U.S.C.A. Const. Amend. I (Washington Mobilization Committee v. Cullinane, 566 F. 2d. 107, 184 U. S. App. D. C. 215).

United States District Court, E.D. Wisconsin, April 30, 1970: An ordinance that proscribes conduct that tends to "disturb or annoy others" is both vague and overbroad. I he constitutionally protected exercise of free expression frequently causes a disturbance, for the very purpose of the first amendment is to stimulate the creation and communication of new, and therefore, often controversial ideas. The prohibition against conduct that tends to disturb another would literally make it a crime to deliver an unpopular speech that resulted in a "disturbance." Such a restriction is a clearly invalid restriction of constitutionally protected free expression. (Gardner v. Ceci, 312 F. Supp. 516/ see also Landry v. Daley, 280 F. Supp. 968, N.D. 111. 1968).

Federal District Court, Tennessee, 1978: The fact that persons might express their religious views at some place other than the public streets, sidewalks, and other areas of the city does not have any consequence in determining the validity of permit requirements with respect to the use of such public areas. U.S.C.A. Const. Amend. I (Smith v. City of Manchester, 460 F. Supp. 30).

Federal Court of Appeals, Virginia, 1982: Reasonable time, place, and manner restrictions on free expression and their enforcement cannot he based on content of speech thereby restricted.

A compelling governmental interest unrelated to speech must he served by restriction on speech.

Ordinance containing restrictions on free expression must be drawn with narrow specificity to be no more restrictive than necessary to secure such interest.

Adequate alternative channels of communication must be left open by restrictions on free expression. Davenport v. City of Alexandria, Virginia, 683 F. 2d. 853, on rehearing 710 F. 2d. 148. Also, see Salahuddin v. Carlson, 523 F. Supp. 314.).

Federal Court of Appeals, Virginia, 1973: The first amendment protects from state interference the expression in a public place of the unpopular as well as the popular and the right to assemble peaceably in a public place in the interest and furtherance of the unpopular as well as the popular. U.S.C.A. Const. Amend. I (National Socialist White People's Party v. Ringers, 473 F. 2d. 1010).

Federal Court uf Appeals, Virginia, 1972: Government may not favor one religion over another. U.S.C.A. Const. Amend. I (U.S. v. Crowthers, 456 F. 2d. 1074).

U.S., Arkansas, 1968: The freedom of religion provision of the first amendment forhids alike the preference of a religious doctrine or the prohibition of a theory which is deemed antagonistic to a particular dogma. The state has no legitimate interest in protecting any or all religions from views distasteful to them. U.S.C.A. Const. Amend. I (Epperson v. State of Arkansas, 89 S. Ct. 266).

Federal Court of Appeals, Texas, 1972: "Controversy" is never sufficient in and of itself to stifle the views of any citizen. U.S.C.A. Const. Amend. I (Shanlcy v. Northeast Independent School Dist., Bexar County, Texas, 462 F. 2d. 960).

U.S, California, 1971: As a general matter, the establishment clause of the first amendment prohibits government from abandoning secular purposes in order to put an imprimatur on one religion, or on religion as such, or to favor the adherence of any sect or religious organization. U.S.C.A. Const. Amed. I (Negre v. Larsen, 91 S. Ct. 828).