Key Legal Cases Regarding Public Preaching/Handing out Literature:

Hague v. C.I.O., 307 U.S. 496 (1939).

The United States Supreme Court held that citizens have a "guaranteed access" to streets, parks, and other "traditional public forum." The privilege to use the streets and parks for communication of views may be regulated in the best interests of all, but it must not, under the guise of regulation, be abridged or denied. Mere inconvenience to the government will not outweigh free speech interests. The government must use the least restrictive means of achieving legitimate, content neutral objectives.

Ward v. Rock Against Racism, 491 U.S. 781 (1989).

Time, place and manner regulations must be narrowly tailored and must not be substantially broader than necessary to achieve a significant government interest.

Schneider v. State, 308 U.S. 147 (1939). The United States Supreme Court did not allow cities to completely forbid leaflet distribution in order to prevent littering. The objective of keeping the streets clean does not outweigh the right to distribute literature in public.

Cox v. New Hampshire, 312 U.S. 569 (1941). The United States Supreme Court permitted a city to require a permit for parades as a reasonable means of maintaining public order.

Freedman v. Maryland, 380 U.S. 51 (1965). Public officials may not be given overly broad discretion to grant or deny permits or licenses for free speech.

*Cantwell v. Connecticu*t, 310 U.S. 296 (1940). Speech may not be prohibited merely because it offends some listeners.

Kunz v. New York, 340 U.S. 290 (1951). The United States Supreme Court did not allow a permit to include any restrictions on a speaker's right of free expression. Permits may not be used as a prior restraint on free speech activities. Inappropriate or illegal activities may only be punished after they have occurred.

Forsyth County v. The Nationalist Movement, 112 S.Ct. 2395 (1992). A city may not consider the listeners' reaction to a speaker when permitting free speech activities.

Cox v. Louisiana, 379 U.S. 536 (1965). Hecklers may not be allowed to veto a speaker's right of free speech. Police must control a crowd rather than arrest the speaker in order to maintain order. Regulations may be imposed on free speech to control traffic flow.

Gregory v. City of Chicago, 394 U.S. 111 (1969). Peaceful marching, chanting, and singing is protected by the First Amendment.

Grayned v. Rockford, 408 U.S. 104 (1972). Free speech expression may be regulated for noise content in appropriate places such as hospitals or schools while classes are in session. The general test is to ask whether the expressive activity is basically incompatible with the normal activities of a particular place at a particular time. Unamplified speech is permissible for "street preachers" on public streets.

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