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The non-partisan New York Civil Liberties Union (NYCLU) has served as one of the nation's foremost organizations devoted to protecting and promoting civil liberties and civil rights of individuals for more than 50 years. Founded as the New York affiliate of the American Civil Liberties Union in 1951, the NYCLU is supported by more than 33,000 caring and generous members, contributors and foundations.

The core mission of the NYCLU is to defend the traditional and fundamental principles and values embodied in the Bill of Rights and the Constitution, including freedom of speech and religion, the right to privacy, equality and due process.

Accordingly, the NYCLU works to address such civil liberties issues as reproductive rights, racial and ethnic discrimination, police abuse, the death penalty and education reform. The NYCLU fulfills its critical mission through litigation, public policy, legislative lobbying, advocacy, education and community organizing.

Throughout the NYCLU's history, it has fearlessly fought for the rights and well-being of the dispossessed, the disadvantaged, the dissenters and the disenfranchised.

Photo by Peter Holderness



KNOW YOUR RIGHTS:

Demonstrating in New York City

Republican National Convention Edition

Demonstrating in New York City

New Yorkers have the right to engage in peaceful, protest activity on public sidewalks, in public parks, and on public streets in New York City. This includes the right to distribute handbills or leaflets; the right to hold press conferences, demonstrations, and rallies; and the right to march on public sidewalks and in public streets. The City can and does impose certain restrictions on these activities, and in some instances one must obtain a permit before engaging in certain activity. This brochure is intended to inform New Yorkers of the basic rules governing demonstration activity, particularly at the Republican National Convention.

Do I Need a Permit?

It depends on what you want to do. If you want to distribute handbills on a public sidewalk or in a public park, have a demonstration, rally, or press conference on a public sidewalk, or march on a public sidewalk and you do not intend to use amplified sound, you do not need any permit. If you want to use amplified sound on public property, want to have an event with more than 20 people in a New York City park, or wish to conduct a march in a public street, you will need a permit. If you wish to have an event on the steps of City Hall or in the plaza in front of the steps, you need to make special arrangements with the Police Department.

If I Want to Distribute Handbills; Have a Demonstration, Rally, Press Conference; or March on a Public Sidewalk, What Do I Need to Do?

Nothing but plan your event. If you want, you can notify the Police Department, but that is not required. If you do notify the Police Department, officers may appear at the event; if your event involves a significant number of people, the Police Department may set up a “pen” in which they will ask you to stand.

In conducting your event, you cannot block pedestrian passage on a sidewalk, and thus should leave at least one-half of the sidewalk free for use. You also cannot block building entrances.

What If I Want to March in a Public Street?

You may be able to march in a public street (as opposed to on a sidewalk) in some circumstances. In every instance, you must apply and obtain a permit from the Police Department. If you expect to have fewer than 1,000 people in your march, you can apply for a permit at the precinct in which the march will originate. If you expect 1,000 people or more, you must apply at Police Headquarters (1 Police Plaza, Room 1100A) in lower Manhattan. There is no fee to apply for a parade permit.

As a general rule, the Police Department will only allow marches to take place in the street if the group has enough people so that it is not safe or otherwise reasonable for the

group to march on the sidewalk. In those instances in which a group is allowed to march in the street, the police will close a portion of the roadway for the group.¹

What If I Want to Use Amplified Sound?

If you want to use amplified sound in a public place, you must receive a permit from the Police Department. You apply for the permit at the precinct within which you wish to use sound, and in most precincts you obtain the application from the precinct’s Community Affairs Office. The fee for a one-time sound-amplification permit is \$45.00. Though City rules specify that permits must be sought at least five days before the event, you are entitled to

receive a permit even if you apply less than five days before your event. City rules prohibit the use of amplified sound within 500 feet of a school, courthouse or church during hours of school, court or worship, or within 500 feet of a hospital or similar institution. In many instances, the permit may specify a decibel limit on the level of permissible sound. City rules also prohibit the use of amplified sound between 10:00 p.m. and 9:00 a.m. in nonresidential areas; in residential areas, amplified sound is not permitted between 8:00 p.m. or sunset, whichever is later, and 9:00 a.m. on weekdays and between 8:00 p.m. or sunset, whichever is later, and 10:00 a.m. on weekends.

Finally, if you intend to use

amplified sound that requires electricity, you are not allowed to tap into public power (e.g. a light pole) unless you have made specific arrangements with the City to do so.²

What If I Want to Have a Rally, Press Conference or Demonstration in a City Park?

You are entitled to distribute expressive materials or to have a rally, press conference, or demonstration in a City park. If the event will include more than 20 participants, you must obtain a Special Events permit from the Parks Department. You can obtain a permit application, which contains the general rules governing the permit process, from the Department’s main office in the borough

where the park is located or you can apply online at the Parks Department’s website (<http://nycgovparks.org>). The fee for applying for a permit is \$25.00.

You also are entitled to use amplified sound at an event in a City park. As with amplified sound in other public places, you must obtain a permit from the Police Department to use amplified sound in a public park. Generally, the Police Department will not issue a sound permit until you obtain your Parks Department permit.³

What If I Want to Have an Event in Front of City Hall?

You are entitled to have a rally, press conference, or demonstration on the steps of City Hall or in the plaza directly south of the steps. (City Hall Park also is

open for such events, but these are subject to the normal rules for Parks events.) You do not need a permit for events in front of City Hall, but you do need to schedule your event with Police Department officials at City Hall. To schedule an event, call the Police Desk at (212) 788-6688.

Though you are entitled to have an event, there are certain restrictions at City Hall. Groups are limited to 300 people, and only a portion of the steps is available for events. All persons attending such events must pass through a metal detector.⁴

What Else Do I Need to Know?

The most important thing you can do to ease the permit process is to apply for your permit as early as possible. Be persistent in pursuing the

process, keep copies of any paperwork you submit, and have the names of the public officials with whom you deal.

In many instances groups holding events on public property in New York City, whether with a permit or otherwise, will receive a phone call from the Intelligence Division of the Police Department seeking general information about the event. The Police Department is entitled to ask such questions, but you are entitled not to answer them, if you choose not to.

You are free to use signs at your event, but the Police Department does not want them affixed to wooden sticks; use cardboard tubing or hold them. Signs are not permitted to be affixed to public property, such as light posts or police barriers.

¹ The official rules governing parades can be found at section 110 of title 10 of the Administrative Code of the City of York and at section 19 of title 38 of the Rules of the City of New York.

² The official rules governing the use of amplified sound can be found at section 108 of title 10 of the Administrative Code of the City of New York and in chapter 8 of title 38 of the Rules of the City of New York.

³ The official rules governing demonstration activity in City parks can be found in sections 1-05 and 2-07 of Chapter 56 of the Rules of the City of New York.

⁴ The official rules governing demonstration activity at City Hall can be found at chapter 10 of title 55 of the Rules of the City of New York.

Need Help or More Information? Visit our web site at www.nyclu.org

or contact the NYCLU at 125 Broad Street, 17th Floor New York, N.Y. 10004 (212) 344-3005 (212) 344-3329 (fax)