First Amendment Basics
Kathy Adams Riester
Associate Dean of Students
kriester@email.arizona.edu
520-626-0053

UA Mall – Designated Public Forum
- Government intentionally designates and opens non-public forum to expressive activity by class of speakers
- Neither content nor viewpoint discrimination are allowed
- Time, place, manner restrictions permissible

Free Speech Test
- Is it compatible with the environment/activity?
- If it isn’t – offer alternatives

What is Disruptive Behavior?
- Behavior that is incompatible with the activity
- Heckling to extent that speaker/audience can’t hear
- Provocation
- Harassment (severe, pervasive, repetitive to ONE PERSON)
- Threatening
- Incitement
- Imminent violence

What about Hate Speech?
- 1st Amendment restricts UA from placing selective limitations on speech/expression if it is insensitive, boorish or expressive viewpoints on disfavored subjects
- 1st Amendment forbids University from regulating or punishing speech or expression of ideas/messages because they are offensive or controversial

What Can We Address?
- Speech which is likely to incite imminent lawless action
- Speech which is harassing (severe, pervasive, persistent, hateful toward 1 person)
- Speech which is disruptive/not appropriate to the forum
- Discrimination, harassment, retaliation against an individual based on a protected class.

What Should Your Actions Be?
- If you think someone (or a group) is being disruptive and/or blocking access to (in or out) of a tent, building or room – Call UAPD and/or the Dean of Students Office at 520-621-7057
- Trained DOS staff person will address the situation and confer with UAPD and your event staff.