

A RESOLUTION

15-85

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 1, 2003

To declare the existence of an emergency with respect to the need to have public parks and spaces in the District of Columbia open for public expression of free speech.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sense of the Council on Maintaining Open Spaces for Demonstrations in the District of Columbia Emergency Declaration Resolution of 2003".

Sec. 2. (a) In late 2001, the National Park Service, at the request of the Secret Service, closed Lafayette Park, in front of the White House, along with several other public parks, to all demonstrations.

(b) This closure to demonstrations has caused a severe problem in the District of Columbia.

(c) Each time a protest group wishes to demonstrate and is refused access to the public parks, they migrate into the streets to demonstrate. Just recently, a group migrated from Lafayette Park onto H Street, N.W. The street was closed for several hours during the protest.

(d) This migration of protestors has caused several serious problems with traffic flow in the District of Columbia .

(e) The prohibition against demonstrating in a public park is also a violation of the First Amendment right to free speech. This violation of the Constitution is a serious problem that should be remedied as soon as possible.

(f) Future demonstrators should be free to organize and protest in the public parks of their choice and should not be prohibited from undergoing such activities.

Sec. 3. The Council of the District of Columbia finds that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sense of the Council on Maintaining Open Spaces for Demonstrations in the District of Columbia Emergency Resolution of 2003 be adopted on an emergency basis.

Sec. 4. This resolution shall take effect immediately.