



First Amendment Assembly and Procession Laws, Policies, and Practices

A Session

Presented by Andy Segovia, City Attorney

City Attorney's Office

Thursday, March 1, 2018

“Two things form the bedrock of any open society – freedom of expression and rule of law. If you don’t have those things, you don’t have a free country.”

-- Salman Rushdie

Timeline

Date	Event
February 2, 2017	CCR submitted by Councilman Treviño
August 2, 2017	Governance Committee Meeting
September 21, 2017	1 st meeting with Coalition
October 6, 2017	2 nd meeting with Coalition

Timeline

Date	Event
November 3, 2017	3 rd meeting with Coalition
December 5, 2017	4 th meeting with Coalition & community at Esperanza Center
December 11, 2017	SAPD meeting with Coalition; CAO meeting with community members

Timeline

Date	Event
December 12, 2017	Conference call with Coalition
December 13, 2017	B Session
January 4, 2018	Conference call with Coalition
January 29, 2018	Conference call with Coalition

Timeline

Date	Event
February 9, 2018	SAPD meeting with International Women's Day March Planning Group and Coalition
February 20, 2018	Airport Advisory Commission Meeting - attended by Coalition and CAO
February 22, 2018	Conference call with Coalition
March 1, 2018	A Session

B Session – Recap and To-Do's

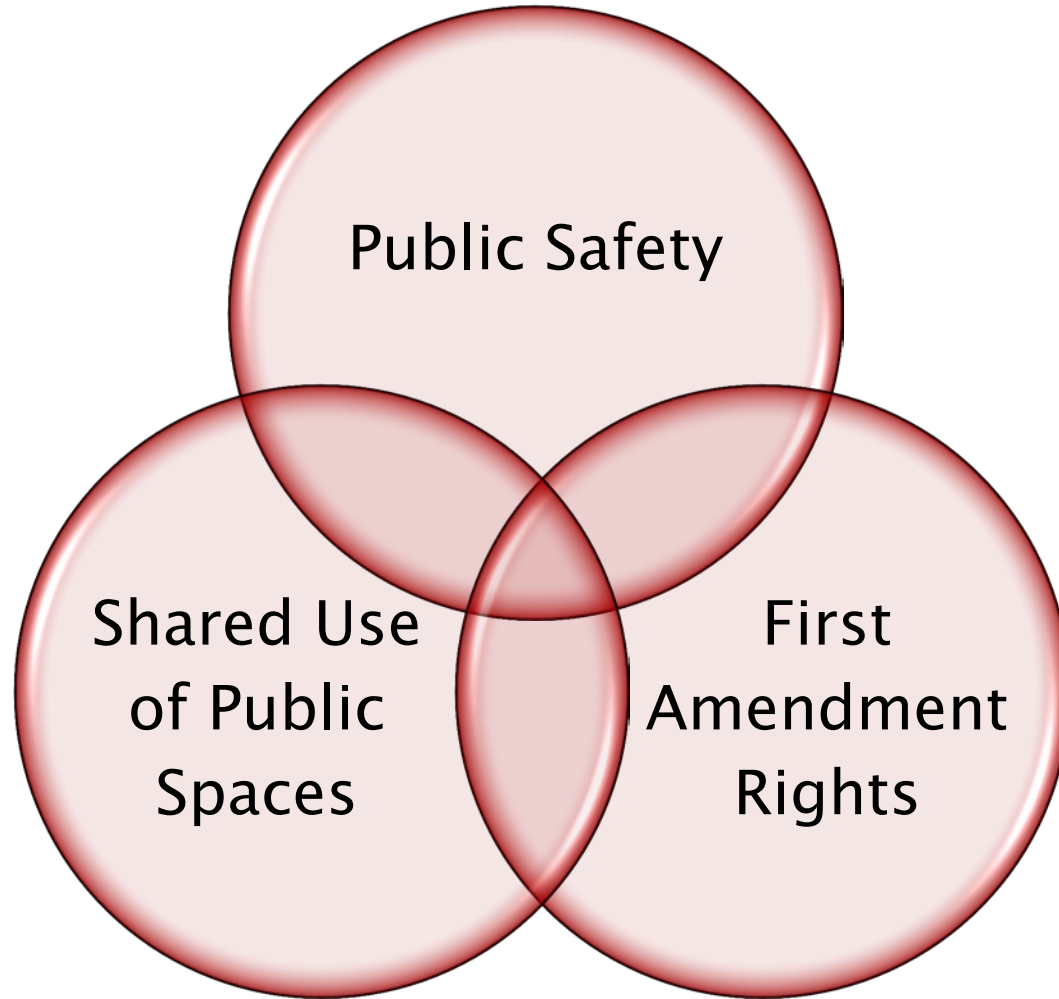
- ▶ City Council concurred with most staff recommendations.
- ▶ Direction from City Council:
 1. Consider additional changes that address potential barriers – revisit Airport, Convention Center, Alamodome.
 2. Minimize SAPD interaction:
 - Use a department other than SAPD as an applicant's first point of contact.
 - Use a liaison to interface between event organizers and SAPD for the route-planning portion of the procession application process.

Staff Action Since B Session

- ▶ Met with community several times
- ▶ Addressed questions from councilmembers in coordination with City departments
- ▶ Modified proposed ordinance to incorporate most recommendations

Staff Recommendations: Procession and Assembly Ordinance

Striking the Right Balance in Public Spaces



Staff Recommendation #1

Coalition Request	Staff Recommendation
Include explicit protection for spontaneous assembly	Recommended

Staff Recommendation #2

Coalition Request	Staff Recommendation
<p>Remove the \$75 permit fee; no cost to event organizers for traffic safety and barricades (for First Amendment processions)</p>	<p>Recommended</p>

Staff Recommendation #3

Coalition Request	Staff Recommendation
No procession during morning or evening rush hour on weekdays; no procession or assembly on state or federal highways	Recommended

Staff Recommendation #4

Coalition Request	Staff Recommendation
Allow procession marshals to control and direct traffic	Not recommended; voluntary use of inward-facing procession marshals recommended

Staff Recommendation #5

Coalition Request	Staff Recommendation
<p>Remove SAPD from route/traffic safety process; less interaction with SAPD</p>	<ul style="list-style-type: none">• CCDO as central point of contact• Permitting official within CCDO will serve as liaison• Contact with SAPD directly still available

Staff Recommendation #6

Coalition Request	Staff Recommendation
<p>Take out requirement for forward movement & allow for distribution of literature</p>	<p>Recommendation to permit reasonable pauses and allow distribution of literature</p>

Staff Recommendations:
Airport, Henry B. González
Convention Center, and
Alamodome

Striking the Right Balance in Non-Public Spaces

Airports

First Amendment activity and access to desired audience

Safe and efficient operations

Operational needs

Convention Center and Alamodome

First Amendment activity and access to desired audience

Revenue generation

Operational needs

Staff Recommendation #1

Coalition Request	Staff Recommendation
Explicitly identify the airport as a limited public forum	Not recommended

Staff Recommendation #2

Coalition Request	Staff Recommendation
Identify spaces in airport where demonstration/protest/speech activity is not allowed	Not recommended – Recommendation to identify spaces where demonstration/protest/non-commercial speech activity is allowed

Staff Recommendation #3

Coalition Request	Staff Recommendation
<p>Identify spaces in airport where demonstration/protest/speech activity is not allowed</p>	<p>Allow applicants to apply for permit to use a non-pre-designated space within airport at Director's discretion.</p> <p>Director will consider safe and efficient operations.</p> <p><u>Director will <i>not</i> consider content.</u></p>



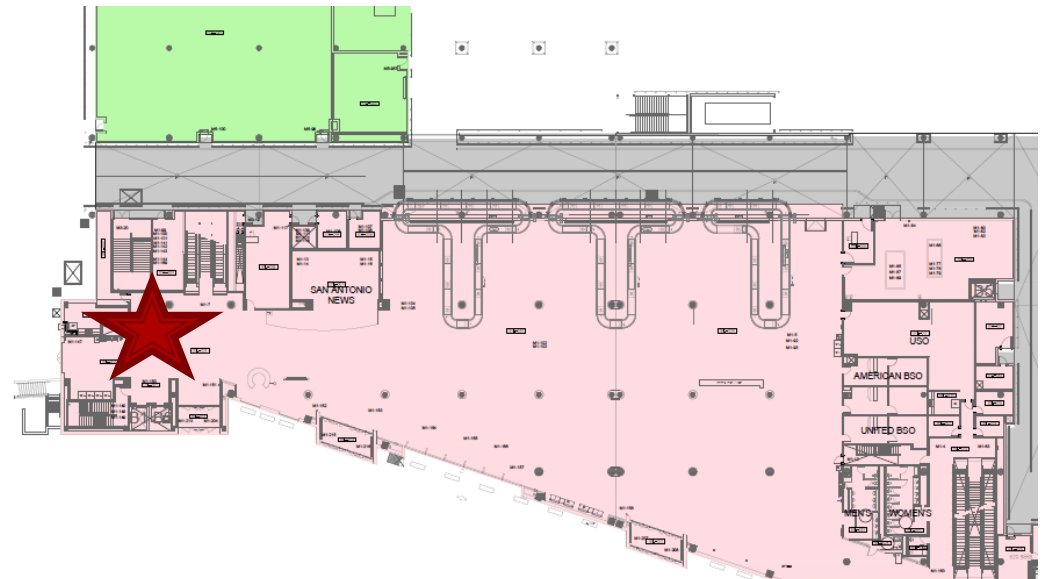
Terminal A Baggage Claim

- Freedom of Information Booth

Terminal B Baggage Claim

- Freedom of Information Booth

- Up to 5 protestors at each location



Small-Sized Group: Existing Locations

Terminal A Booth







Employee Parking

Texas Monthly

Terminal B

- Arrivals level—past terminal, under upper roadway
- On grass, off sidewalk

Large-Sized Group: Exterior Location



Staff Recommendation #3

Coalition Request	Staff Recommendation
Increase sign size from 24"x <u>28</u> " to 24"x <u>36</u> "	Recommended

Staff Recommendations: Convention Center & Alamodome

- ▶ Ensure draft policy is implemented
- ▶ Recommend full implementation of use of Public Assembly Areas (“PAAs”)
- ▶ Utilize new procession and assembly website to process applications for Convention Center and Alamodome PAAs

CSF Policy for the Convention Center & the Alamodome

PROTECTED SPEECH POLICY FOR THE HENRY B. GONZALEZ CONVENTION CENTER AND ALAMODOME

Purpose:

This policy informs those interested in engaging in first amendment protected speech or holding public assemblies, rallies, and/or gatherings ("Assemblies") on the grounds of the Henry B. Gonzalez Convention Center or the Alamodome of the locations, times, and manner in which such actions may be conducted by groups.

This policy is intended to provide for the safety and care of those groups seeking to assemble and applies to groups seeking to assemble/congregate on the grounds of the Henry B. Gonzalez Convention Center or the [Alamodome](#).

Policy Statement:

The staff of the Convention and Sports Facilities Department has designated specific Public Assembly Areas ("PAA's") as locations for Assemblies on the grounds of the Henry B. Gonzalez Convention Center and the Alamodome. These PAA's may be used by the general public to assemble and engage in protected speech.

In order to prevent scheduling conflicts of any kind and to provide staff an opportunity to facilitate any necessary safety resources, City staff shall be notified by groups seeking access to the PAA's as early as possible, and at least two (2) days prior to the date of desired use. Upon being notified by the requesting group, the City shall issue an acknowledgement permit from the Department Director. Such permit shall be at no cost to the requesting group and the need for such is at the discretion of the Department Director.

Notification allows the City to maintain a safe and secure public environment, provide ample space for expressive group actions, and maintain safe traffic flow and safe access to buildings.

Please direct all questions to:

Henry B. Gonzalez Convention Center (210) 207-____ or email to _____.

[Alamodome](#) (210) 207-____ or email to _____.

Public Assembly Area Locations:

Subject to availability and in accordance with the Henry B. Gonzalez Convention Center or the Alamodome's requirements of time and manner by which Assemblies are to be conducted, groups may use any of the following Public Assembly Area locations:

Henry B. Gonzalez Convention Center – Exhibit A

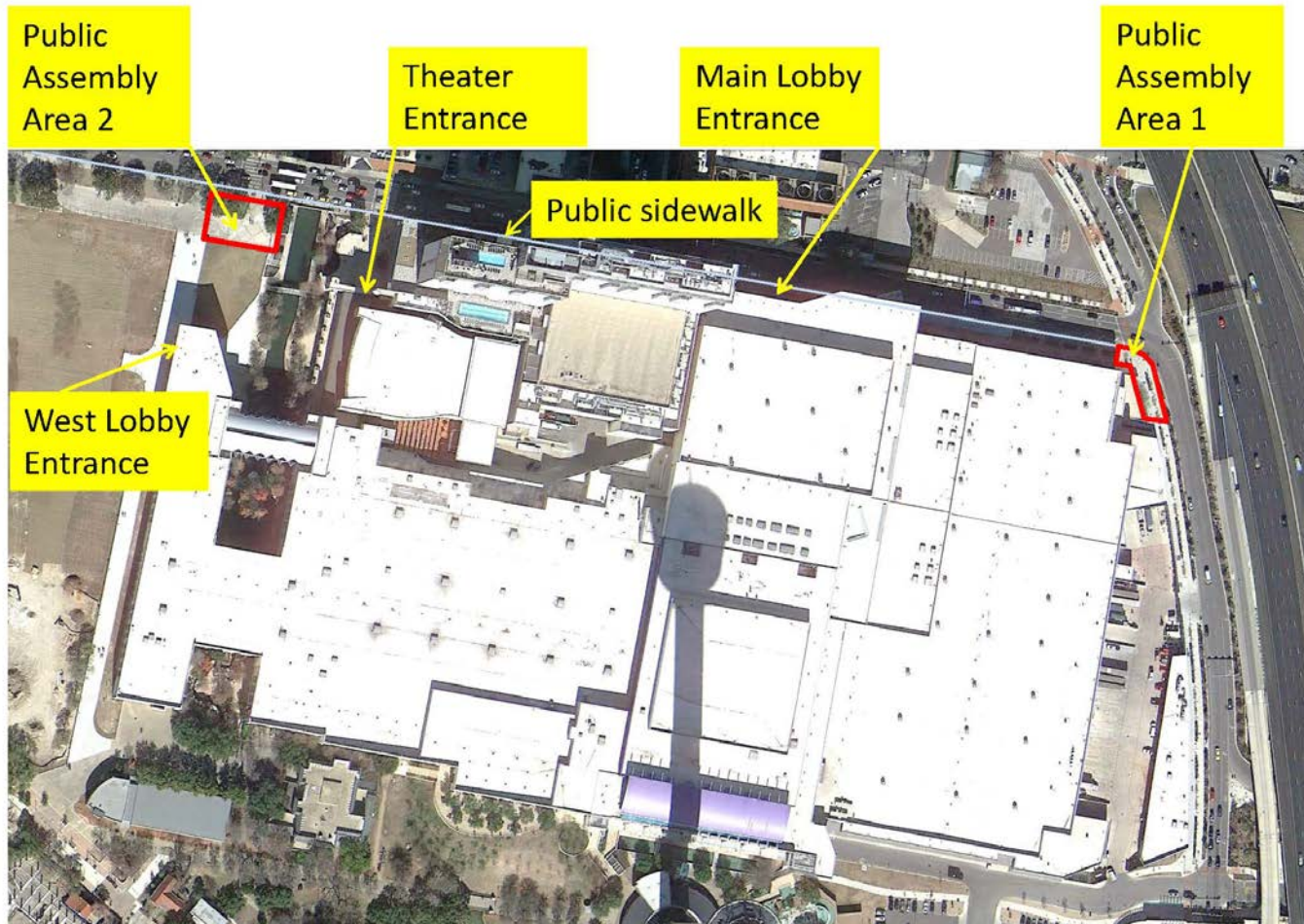
Alamodome – Exhibit B

Use of any outdoor spaces not identified above may be prohibited. Use is subject to construction and maintenance requirements. City staff may relocate any Assemblies to another similar area, if necessary, based on construction, maintenance, accessibility or public safety reasons.

Manner of Conducting Assemblies on the Grounds of the Henry B. Gonzalez Convention Center and the Alamodome:

1. All Assemblies on the grounds of the Henry B. Gonzalez Convention Center or the Alamodome, regardless of purpose/content, should be conducted in a manner that complies with the following provisions:
 - a. Assemblies must be conducted in such a way that traffic (both pedestrian and motorized) is not impeded and normal business activity in the Henry B. Gonzalez Convention Center or the Alamodome and their administrative offices are not disrupted.
2. Assemblies are to be held outdoors and must not interfere with the day-to-day business operations inside of the Henry B. Gonzalez Convention Center or the Alamodome.
3. All assembly activities must be concluded prior 10 p.m. Overnight assembly is not permitted.
4. All applicable state and federal laws and city ordinances must be complied with by the group.

Convention Center: Map Overview



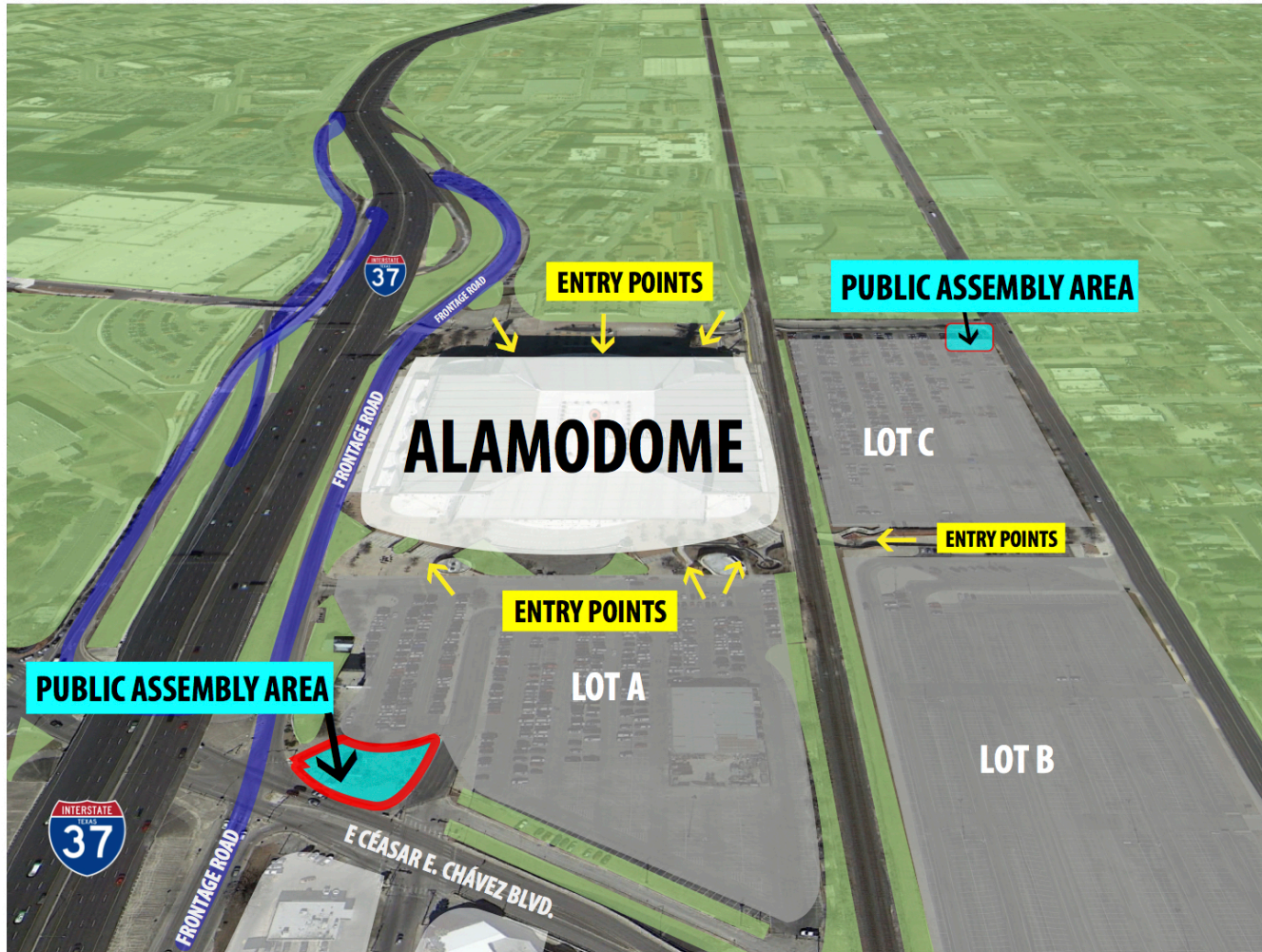
Convention Center: PAA 1



Convention Center: PAA 2



Alamodome: Map Overview



Alamodome: One of the PAAs



Additional Improvements

Striking the Right Balance: Accessibility & Service

- ▶ How do we make this process **easier** for our citizens?
- ▶ How do we make this process **clearer** for our citizens?
- ▶ How do we use **feedback mechanisms** to monitor **effectiveness**?

Additional Improvements

- ▶ Procession and Public Assembly application and information website (in English and Spanish)
 - Basic website structure ready
 - Applications will now be processed online
 - FAQ
 - Mapping feature (Google maps)
 - Contacts
 - Phase II: A more robust website with more data collection and more payment processing

PROCESSION PERMIT

- CCDO HOME
- ABOUT >
- DOWNTOWN VENDING >
- INCENTIVES & PROGRAMS >
- NEWS & EVENTS >
- PARKING DOWNTOWN >
- PARKS & FACILITIES RESERVATIONS >
- RESOURCES >
- RIVER WALK OPERATIONS >
- CONTACT US**

Mailing Address
 PO Box 839966
 San Antonio, Texas 78283

Development Division
 210.207.1041

Operations Division
 210.207.3677

Parking Division
 210.207.8266



English

Espanol

PROCESSIONS & PUBLIC ASSEMBLIES

BRIEF OVERVIEW	DEADLINE TO SUBMIT APPLICATION	APPLICATION PERMIT FEE	INSURANCE REQUIREMENT	COST
First Amendment	15 business days before the event	\$0	Encouraged, but not required	\$0
Commercial (Non-First Amendment)	15 business days before the event	\$75	Required	Varies on event

Applicant will be notified within 3 calendar days to acknowledge receipt of application

FAQs

Permitting Process & How to Apply

Special Events

Resources

FREQUENTLY ASKED QUESTIONS(FAQS)

[Collapse All](#)

[Expand All](#)

- ⊕ [How do I obtain an application?](#)
- ⊕ [How do I submit an application?](#)
- ⊕ [For which types of activities are permits needed?](#)
- ⊕ [Will I get everything I ask for in my application?](#)

City of San Antonio Processions & Public Assemblies Office
Oficina de Procesiones y Asambleas Publicas de la Ciudad de San Antonio

Email
(correo electrónico)

Ex: email@domain.com

Password
(contraseña)

Log In

(Iniciar sesión)

[Register](#)
(Registro)

[Forgot Password?](#)
(¿Se te olvidó tu contraseña?)

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Additional Improvements

- ▶ Satisfaction questionnaire for processions
- ▶ Quarterly public meetings
- ▶ Print materials (in English and Spanish) at branch libraries
- ▶ Periodic reports to City Council
- ▶ Develop data collection tools

Recommendations

- ▶ Adopt revised assembly and procession ordinance
- ▶ Adopt revised airport ordinance
- ▶ Staff implementation of process improvements