

Your Rights to Demonstrate and Protest

Can my free speech rights be restricted because of what I want to say – even if it’s controversial?

No. The First Amendment prohibits restrictions based on the content of speech. Police and government officials are allowed to place non-discriminatory and narrowly drawn “time, place and manner” restrictions on the exercise of First Amendment rights.

Where can I engage in free speech activity?

Generally, all types of expression are constitutionally protected in traditional “public forums” such as public sidewalks and parks. Public streets can be used for marches subject to compliance with the City’s permitting process.

Do I need a permit before I engage in free speech activity?

Certain types of events require permits. Generally, these events include:

1. a march, parade or stationary event which causes an interruption in the normal use of the public streets or sidewalks (i.e., blocking pedestrian or vehicle traffic or partial / full street closures);
2. marches, parades or rallies at City parks.

For information on parade permits or event permits within the City and County of Denver, please contact the Denver Office of Cultural Affairs at (720) 865-4311 or www.denvergov.org/specialevents.

Pursuant to an ordinance, the City’s permit process allows for the imposition of certain conditions on permits granted for events, pursuant to ordinance.

A permit cannot be denied based on the content of the speech even if it is controversial or expresses unpopular views.

If organizers have not obtained a permit, where can a march take place?

If marchers stay on public sidewalks and obey traffic and pedestrian signals, their activity is constitutionally protected even without a permit. Marchers may be required to allow enough space on the sidewalk for normal pedestrian traffic and not unreasonably obstruct or detain passersby.

Can a speaker be silenced for provoking a crowd?

Generally, no. Inflammatory speech that merely arouses the audience is generally protected by the First Amendment. A speaker can be arrested and convicted for incitement if he or she specifically advocates violence or illegal actions and where those illegalities are imminently likely to occur.

Do counter-demonstrators have free speech rights?

Yes. Police are permitted to keep opposing groups separated but should allow them to be within the general vicinity of one another.

What other types of free speech activity are constitutionally protected?

The First Amendment can, under certain circumstances, protect communication such as theater, music, film and dance. Symbolic acts and civil disobedience that involve illegal conduct may be outside the realm of constitutional protection and may lead to citation and/or arrest. This may include, but is not limited to, blocking streets, sidewalks or parades or disrupting public assemblies.

What should you do if an unlawful assembly is declared and a dispersal order given?

Listen carefully to any police order to disperse. Even if you are not engaged in unlawful activity, you are subject to citation and/or arrest if you do not leave the area defined by the police in their lawful order to disperse. For example, in a situation where some individuals are blocking a street and some individuals are walking on the sidewalk, the police may order everyone to leave the area.

Am I able to use signs during a demonstration?

Generally, yes. The Denver Revised Municipal Code section 54-549 prohibits the posting of banners and signs on all overpasses.

Can I be cited or arrested during a demonstration?

Yes, if you engage in unlawful behavior including, but not limited to, such as blocking streets, sidewalks or parades, disrupting public assemblies or ignoring lawful orders to disperse.

Important Contact Information

Denver Police Department
Non-emergency Line
(720) 913 – 2000
Emergency Line
911

City and County of Denver
Parade, March, Event Permitting
Denver Office of Cultural Affairs
(720) 865 – 4311

or
Parks and Recreation Permits
(720) 913 – 0700

www.denvergov.org/specialevents

The Agency for Human Rights and
Community Relations
201 W. Colfax Ave. Dept 1102
Denver, CO 80202
P: (720) 913 – 8450
F: (720) 913 – 8470
TTY: (720) 913 – 8475

Denver Police Department



Your Rights to Demonstrate and Protest



DENVER
THE MILE HIGH CITY