

Your Rights When Street Witnessing

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Where do you stand with the law when you take the gospel to the streets? There is much confusion even in the minds of the authorities about witnessing rights in public.

The American Center For Law and Justice (ACLJ) on their web site at: www.aclj.org states, "When you give away gospel tracts in public places... streets, sidewalks, and parks - you are engaged in a form of speech and publication protected by the United States Constitution and civil rights laws. When you speak with someone about the gospel while in a public place, you enjoy constitutional protection."

In addition, the Constitutions of every state include guarantees of free speech. Of course, our freedom to present the gospel cannot restrict anyone else's freedom of movement. Common courtesy dictates that no behavior by a soulwinner should be rude or offensive.

Blocking sidewalks, excessive noise from preaching or PA systems only bring offense to the gospel being presented. The quiet hospital and school zones should also be respected.

Do "no soliciting" signs apply to handing out gospel tracts?

ACLJ says, "No." Soliciting usually involves a request for money or assistance of some kind. Passing out tracts, on the other hand, is the giving out of information. The Supreme Court has drawn a clear line between the two.

In the Korkinda case, it stated: "One need not ponder the contents of a leaflet or pamphlet in order mechanically to take it out of someone's hand, but must listen, comprehend, decide and act in order to respond to a solicitation."

"As long as you are not requesting donations, but simply offering information, you are engaging in the most protected form of speech," says the ACLJ.

As long as the soulwinners confine their activities to places defined as "Traditional Public Forum," and are not discourteous or disruptive, their witnessing is fully protected.

Traditional Public Forums include all public streets, parks, and sidewalks. Other public places such as airports, bus and train stations and walkways and sidewalks around government owned stadiums and coliseums are also appropriate. Many tourist attractions, such as monuments and memorials are protected free speech public forums.

Sometimes officials will try to use “No Loitering” regulations to stop street witnessing. ACLJ says that “Loitering” is defined as having no legitimate purpose or business for being in a certain place. Street witnessing does not fit that definition since presenting the gospel is a legitimate purpose.

If you are approached by police or other authority, they should be treated with courtesy and respect. If their approach is clearly in violation of what you know to be your free speech rights, respectfully explain your understanding of these rights.

SEE ALSO: What laws protect my right to take the Gospel to the streets?
