

From: Veldran, Katherine <KatherineVeldran@gov.sc.gov>
To: Kenneth A. Kenny BinghamKennyBingham@schouse.gov
Date: 7/23/2015 5:52:43 PM
Subject: Re: State House

Kenny,

Below is information I received today from Marcia Adams in response to a similar email from another constituent.

I will have more information on Monday.

Thanks, Katherine

The State House grounds are a public forum for purposes of the First Amendment of the United States Constitution. See, *Edwards v. South Carolina*, 372 U.S. 229 (1963). The United States Supreme Court has concluded that in a traditional public forum, such as the State House grounds, the rights of the state to limit expressive activity are sharply circumscribed. Limitations on the First Amendment rights to free speech and assembly in a public forum must be content neutral and must provide ample channels for those exercising their First Amendment rights. *Perry Education Assn. v. Perry Local Educators Assn.*, 460 U.S. 37 (1983).

The Division of General Services frequently receives reservation requests from individuals and/or groups to use the State House grounds to exercise their First Amendment rights to free speech and assembly. However, it must be noted that an individual or group may gather on the State House grounds to exercise their First Amendment rights without submitting a reservation request or prior notification to the Division of General Services or the Bureau of Protective Services (BPS). The reservation process is beneficial because it provides notice to the state of the potential need for additional public safety and other services. Reservation requests are scheduled and spacing designated on a first-come, first-served basis. BPS addresses public safety concerns with the requestor. All persons and/or groups that access the State House grounds must abide by all applicable state laws. If any laws are broken, then such violations are addressed by BPS.

The Division of General Services consulted with BPS regarding the July 18th events. The groups requesting to reserve space to express their First Amendment rights were scheduled at different locations on the State House grounds. Another group was denied a reservation following review by BPS due to public safety concerns.

As it relates to the residency of the two organizations, the addresses given on the reservation request forms indicate the Loyal White Knights of the Ku Klux Klan were from Pelham, NC and the Black Educators for Justice were from Jacksonville, FL.

Thank you,
Marcia

Marcia S. Adams
Executive Director

On Jul 23, 2015, at 2:59 PM, Kenneth A. Kenny Bingham <KennyBingham@schouse.gov> wrote:

Katherine, FYI.....see the below email and my response. This is indicative of numerous calls and emails I've had on this subject.

Kenny

Begin forwarded message:

From: "Kenneth A. \"Kenny\" Bingham" <KennyBingham@schouse.gov>
Date: July 23, 2015 at 12:49:27 PM EDT
To: C Speight <speight@sc.rr.com>
Subject: Re: State House

Charlie, I met with the Governor's staff yesterday about this very issue. They are looking into this situation to see if there is anything that needs legislative action or if it can be handled administratively. I don't think we will see this happen again.

Thanks!
Kenny

On Jul 23, 2015, at 12:09 PM, C Speight <speight@sc.rr.com> wrote:

Kenny,

Since the two hate groups that protested on the State House grounds last weekend we're from out-of-state, is it possible to restrict demonstrations to SC-based groups or citizens? The grounds belong to the people of South Carolina and for "outsiders" to come onto our property and complain or protest OUR policies, laws and practices is wrong. There are other places they can go for their demonstrations, but the State House grounds shouldn't be one of them.

Yeah, they'll holler about denying freedom of speech, but there are enough lawyers in the legislature to figure out the nuances. Another detail is what if such a ground is made up of people mostly from out-of-state, but the permit is applied for by a citizen.

The Black Panthers and KKK made the state look bad and lost in the non-SC media is that we're NOT from here. As despicable as those groups are, if they were SC groups, there

would be a legitimate reason to allow them to voice their hate on the property because they would be citizens.

Charlie Speight