

First Amendment Activities at Fort McHenry National Monument and Historic Shrine and Hampton National Historic Site

- Defined in the United States Constitution, the First Amendment reads: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."
- Management Policy dictates that First Amendment activities range from public assemblies, meetings, demonstrations, religious activities and other public expressions of view, in accordance with 36 CFR 2.51. These activities are viewed as *rights*.
- A right is defined in Directors Order #53 Section 7 as "property ownership, statutory or treaty entitlement, or Constitutional guarantee". It goes on to state that "In general, citizens must be afforded the opportunity to exercise their rights; however, a Superintendent may establish permit conditions to protect park visitors, resources, and values."
- 36 CFR 2.51 defines what a demonstration is as "picketing, speechmaking, marching, holding vigils or religious services, and all other forms of conduct that involve communication or expression of views or grievances, engaged in by one or more persons", and declares that any activity that is defined under a demonstration are "allowed within park areas designated as available under paragraph (c)(2) of this section, when the superintendent has issued a permit for the activity, except that: (1) Demonstrations involving 25 persons or fewer..."