

FREEDOM of SPEECH



The University of California, Santa Barbara recognizes the rights of individuals to engage in constitutionally protected free speech and public safety.

The UCSB Police Department also accepts responsibility to uphold and protect these rights as long as individuals conduct themselves in a **REASONABLE** manner.

When persons exercising these freedoms infringe on the rights of others, the activity loses constitutional protection and may in fact result in a violation of law or University policy.

The University, as awarded by the court, has the right to set its own set of codes and regulations governing the time, place, and manner for the exercise of free speech and public assembly.

These codes and regulations of the University of California, Santa Barbara will be enforced by the UCSB Police Department, as necessary, and are described inside for your information.

For additional information please call the University of California, Santa Barbara Office of Student Life 805-893-4569

UCSB POLICE DEPARTMENT
574 Public Safety Building
Santa Barbara, Ca. 93106
(805) 893-3446
(805) 893-8569 FAX
www.police.ucsb.edu

UNIVERSITY OF CALIFORNIA, SANTA BARBARA POLICIES AND REGULATIONS

PRINCIPLES OF COMMUNITY

Tolerance, civility, and mutual respect for one another's gender, ethnicity, race, religion, sexual orientation, political beliefs, and physical abilities.

USE OF HARASSING WORDS PROHIBITED

"Harassing words," are words that when directed at ordinary individuals are meant to inherently provoke a violent reaction. Such words include terms which are widely recognized to victimize or stigmatize individuals on the basis of race, ethnicity, religion, sex, sexual orientation, and other characteristics associated with past and present discrimination.

TIME, PLACE, AND MANNER REGULATIONS

Orderly behavior and the normal conduct of University affairs shall govern time, place, and manner of exercising free speech and advocacy. Regard for other's privacy shall be observed, and reasonable precautions shall be taken against practices that would make persons on campus involuntary audiences.

AREAS FOR PUBLIC GATHERINGS

Specific areas are designated for public meetings and are assigned through the appropriate scheduling office on a first come, first served basis.

NON-UNIVERSITY SPEAKERS

Non-University persons are permitted to speak in areas of campus open to the public without invitation; however, a reservation is advised since such areas are limited.

NON-AFFILIATE CONDUCT

No non-affiliate shall wear a mask, personal disguise, or otherwise conceal his/her identity with the intent of intimidating any person or group, or for the purpose of evading or escaping discovery, recognition, or identification in the commission of violations of University policy, University regulations or municipal, state, or federal laws

UCSB

*DEPARTMENT OF
PUBLIC SAFETY*

FREEDOM OF EXPRESSION

**"A RIGHT WITH
RESPONSIBILITIES"**



DUSTIN OLSON
CHIEF OF POLICE

Your Department, Our Community



CALIFORNIA PENAL CODE

- ◆ **148 PC Resisting, Delaying, or Obstructing officers or medical technicians in the discharge of their duties.**

(a) Every person who willfully resists, delays, or obstructs any public officer, peace officer or an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797) of Health and Safety Code, in the discharge or attempt to discharge any duty of his or her office or employment, when no other punishment is prescribed, is punishable by a fine not exceeding one thousand dollars, or by imprisonment in a county jail not exceeding one year, or by both such fine and imprisonment.

- ◆ **407 PC Unlawful Assembly defined.**

Whenever two or more persons assemble together to do an unlawful act, or do a lawful act in a violent boisterous or tumultuous manner, such assembly is an unlawful assembly.

- ◆ **409 PC Remaining present at place of riot, etc. after warning to disperse.**

Every person remaining present at the place of any riot, rout, or unlawful assembly, after the same has been lawfully warned to disperse, except public officials and persons assisting them in attempting to do the same, is guilty of a misdemeanor.

- ◆ **647c PC Obstruction of street, sidewalk or other public place**

Every person who willfully and maliciously obstructs the free movement of any person on any street, sidewalk, or other public place or in any place open to the public is guilty of a misdemeanor.

- ◆ **404.6 PC Incitement to Riot**

- ◆ (a) Every person who with the intent to cause a riot does an act or engages in conduct that urges a riot, or urges others to commit act of violence, or the burning or destroying of property, and at a time and place and under circumstances that produce a clear and present and immediate danger of acts of force or violence or the burning or destroying of property, is guilty of a misdemeanor.

- ◆ **405a PC Lynching**

- ◆ The taking by means of a riot of any person from the lawful custody of any peace officer is lynching. **405b PC-Punishment**-Every person who participates in any lynching is punishable by imprisonment in the state prison for two, three, or four years.

CALIFORNIA PENAL

- ◆ **415.5 PC Disturbance of peace of school, community college, university or state university.**

- ◆ (a) Any person who (1) unlawfully fights within any building or upon the grounds of any school, community college, university or state university or challenges another person within any building or upon the grounds to fight, or (2) maliciously and willfully disturbs another person within any of these buildings or upon the grounds by loud and unreasonable noise, or (3) uses offensive words within any of these buildings or grounds which are inherently likely to provoke an immediate violent reaction is guilty of a misdemeanor punishable by a fine not exceeding four hundred dollars (\$400) or by imprisonment in the county jail for a period of not more than 90 days or both.

- ◆ **602 PC Trespassing**

- ◆ Notwithstanding Section 602.8, every person who willfully commits a trespass by any of the following is guilty of a misdemeanor.

- ◆ (j) Entering any lands, whether unenclosed or enclosed by fence for the purpose of injuring any property rights or with the intention of interfering with, obstructing, or injuring any lawful business or occupation carried on by the owner of the land, the owner's agent or by the person in lawful possession. (1) Entering and occupying real property or structures of any kind without the consent of the owner, the owner's agency, or the person in lawful possession.



CALIFORNIA PENAL CODE

- ◆ **626.4 PC Notice of withdrawal of consent; report; reinstatement or consent; hearing; unlawful entry upon campus of facility; punishment.** (a) The chief administrative officer of a campus or facility of the university, or an officer or employee designated by the chief administrative officer to maintain order on such campus or facility, may notify a person that consent to remain on the campus or other facility under the control of the chief administrative officer has been withdrawn whenever there is reasonable cause to believe that such person has willfully disrupted the orderly operation of such campus or facility.

- ◆ **626.6 PC Committing act, or entry upon campus or facility to commit act, likely to interfere with the peaceful activities; direction to leave, refusal to leave or reentry; punishment.** (a) If a person who is not a student, officer or employee of the university, and who is not required by his or her employment to be on campus or any other facility owned, operated or controlled by the governing board of the university, enters a campus or facility, and it reasonably appears to the chief administrative officer to maintain order on the campus or facility, that the person is committing an act likely to interfere with the peaceful conduct of the activities of the campus or facility, or has entered the campus or facility for the purpose of committing any such act, the chief administrative officer or his or her designee may direct the person willfully and knowingly reenters the campus or facility within 7 days after being directed to leave, he or she is guilty of a misdemeanor...

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