

Following the lead of Occupy Wall Street protestors, a group organized Occupy Baltimore and set up tents and other encampment structures in McKeldin Square. The stated purpose of at least some of the occupiers was to protest abuses of corporate “Wall Street” types.

Freddie the Freeloader, a homeless man with no particular agenda, joined the group and set up a make-shift tent in the grassy area and took advantage of free food and other amenities offered. Several of Freddie’s acquaintances joined him. Soon the area became occupied by more homeless persons than those there for the original “occupy” purpose. The homeless group however did participate in displaying protest signs and protest marches.

None of the protestors applied for permits to occupy McKeldin Square. They asserted their first amendment rights of speech and assembly as authority to stay in the public park as long as they want.

After several days, a few of the original protestors asked the homeless group to leave as they were undermining their cause. The homeless group refused causing a few fights to break out. Police intervened and quelled the violence.

A few days later, city officials intervened and ousted everyone and arrested those who resisted. The city cited violations of city ordinances as their authority.

The protestors claim city officials have abused their authority and violated their constitutional rights.

You are to answer the following question based on your research: Have the protestors right to freedom of speech and freedom of assembly been violated?