

CITY OF ROCKVILLE, Plaintiff.

vs.

TONY C. JONES, Defendant.

TYPE OF CASE

Prosecution for City Ordinance violation
Defense: First Amendment - Freedom of Speech
Jury Trial
District Court [State Court]

NATURE OF THE LEGAL CLAIMS

This is a prosecution for the violation of a city ordinance. The prosecution claims defendant congregated with others and refused "to disperse when requested to do so by the police" and that there was a danger of a breach of the peace. Defendant claims his/her conduct was an exercise of his/her First Amendment right to freedom of speech.

SUMMARY OF FACTS

Defendant and others organized a protest of the Rockville City Council's decision not to authorize Rockville Rock Day 1986. A group of supporters of Rock Day, with a permit, marched to Town Square and held a rally to protest the decision. The rally attracted a large group of others, who were vocal in their opposition to the demonstrators. They called the Rock Day supporters "freaks" and the Rock Day supporters called them "Neanderthals!" Tension was high.

Defendant was one of the speakers on the platform. The police, saying they feared violence, ordered the speakers to stop. When they refused, the police arrested them and ended the rally.

LIST OF MATERIALS

Rules of Law, p. 1
Stipulations, p. 2
Statement of Police Chief Kim Laski [Prosecution Witness], p. 3
Statement of Chris McPhee [Prosecution Witness], p. 4
Statement of Billy Smith [Prosecution Witness], p. 5
Statement of Tony C. Jones [Defendant], p. 6
Statement of Sandy Goldman [Defendant's Witness], p. 7
Statement of Micky Nelson [Defendant's Witness], p. 8
Nowak and Rotunda, Constitutional Law, 4th ed., (Sections 16.38 - 16.40),
pp. 9- 13*