

# STUDENTS' RIGHT TO ASSEMBLE

January 2017 - Super Bowl Edition



As the Patriots advance in the playoffs on their way to another Super Bowl victory, your attorneys at the **Student Legal Services Office** want to be sure you understand more about your **Constitutional rights to assemble**:

- You have a First Amendment right to **peaceably** assemble on public property to express your views.
- The police and the University are unlikely to interfere with a peaceable gathering on public property that is not disrupting anything. **Don't just take our word for it** - read what they have to say: [www.umass.edu/umpd/safe-celebrations](http://www.umass.edu/umpd/safe-celebrations)
- A peaceable gathering is one that does not disrupt the comfort and safety of others. **The police can intervene** if members of a group are throwing things, damaging property, or acting in a menacing or threatening way. Remember that alcohol impairs judgment and under the influence you may be less able to keep yourself from getting in trouble.
- The behavior of a minority of students can strip post-game celebrations of First Amendment protection. **It takes only 5-10 people creating trouble in a crowd to transform a protected gathering into a 'riot' under Massachusetts law. Rioting is a criminal act.**
- **Once the police have given an order to a group to disperse, which may be via megaphone or other mass communication, the whole group must leave in the manner directed by the police.** Failing to leave an area when ordered to do so can subject you to arrest, which in turn will likely result in you being charged under the UMass Code of Student Conduct.
- Depending on several factors, **potential consequences** of arrest or criminal charges include:
  1. Time in jail, payment for lawyers, court costs, restitution and fines;
  2. Publication of behavioral information/pictures in media and on social media;
  3. Parental Notification;
  4. Conduct charges resulting in Housing Removal, Suspension or Expulsion;
  5. Loss of tuition, room and board paid for Spring 2016;
  6. A criminal record, which can impact financial aid, future employment and graduate school.
- **Please stay aware of your surroundings and walk away if you sense the celebration is getting out of control or if the police are telling people to leave.** If you do get arrested or charged under the Code of Student Conduct, make an appointment to receive free legal advice from one of the lawyers at the SLSO.

For more information about the Student Legal Services Office,  
please visit: [www.umass.edu/slso](http://www.umass.edu/slso) or call (413) 545-1995.

**We're here to help you!**