

## A Guide for Volunteer Anti-Petitioning the Abortion Amendment

Canvassers across Arkansas are working hard to collect signatures to place the Abortion Amendment on the ballot in November. One way we can work to stop by them is by being present during canvassing and discouraging people from signing the petition. This document is a general guideline on your rights to do so and best practices on doing this in an effective manner.

Some basic definitions:

Canvasser – Someone who is collecting signatures.

Petitioner – Someone who is signing or interested in signing the petition.

The location you attempt to discourage petitioners from signing plays a big role in your rights. There are three primary types of locations.

**Private Property** – If you are on private property owned by a business, it is up to the owner or employees of that property to determine if you can discourage people from signing the petition. If they are for the amendment, it is very unlikely they'll allow you to stay. Usually your best bet to make progress at these locations is to call the owner of the business or land to see if they know what's going on there, and encourage them to disallow the canvassing at this location.

Another option is to stand outside of the business on a public sidewalk and discourage people signing from a distance.

**Restricted Public Property** – This would include locations like a public library or community center. These are public places where you do have a right to discourage signing the petition. The director or governing body of these locations does have the right to set reasonable guidelines for what can be done on the relevant property. If they give you a directive or there is a certain rule to follow, it must be followed, BUT you have a right to make sure that rule/directive is applied equally to yourself as well as those collecting signatures. You must be allowed to be within sight and sound of the canvassers.

**Unrestricted Public Property** – This would include locations like a public sidewalk, public easement, town squares, or public parks. Here you have the most rights. There is no governing official who can tell you to leave, as long as you are not breaking any laws and are not obstructing a sidewalk, driveway, or building entrance.

### Best Practices

Be mentally prepared for hateful speech from the other side. This is the most contentious issue in our society, and there are a lot of people on the other side who will say anything to get you to go away. We must be bold and brave in these scenarios while still keeping love as the primary motivator behind our actions and responses. Have your phone ready and take videos of any situations you think are unfair, aggressive, or threatening.

Bring pro-life signs and/or fliers with information about the amendment. Signs are a good way to catch people's attention. Just don't stand too close to the canvassers as people might get confused and think they are signing a pro-life petition. Handing out pro-life materials to people can be a great way to get information out there.

Stand nearby and attempt to discourage people from signing verbally. Stand at least five feet away, and still close enough that you don't have to yell to say things to people signing. Try and catch their attention by giving them information about the abortion amendment such as,

- “Even if you're pro-choice, this amendment is extreme. It allows abortion up to 5 months for any reason.”
- “Don't sign this extreme petition, it allows abortion up to birth in some scenarios.”
- “Did you know that this amendment would allow abortions up to 5 months for any reason? At this point the baby can feel pain.”

- “This amendment would allow minors to get abortions without their parent’s permission. Do you think that’s okay?”

The canvassers will likely try to discourage you from being there by telling you that you aren’t allowed. You have a constitutional right to free speech. As long as you are on public or city-owned property, you have just as much of a right to be there as they do. Some common things canvassers might say to you are,

- “You can’t interrupt me. If I’m talking to someone then you can’t say anything.”
  - You still have a right to free speech. As long as you are being polite, you can say something to someone who has already started engaging with the canvassers. If they aren’t interested in talking to you then don’t pursue it any further. If they are interested in listening to you, feel free to continue talking to them.
- “You can’t stand anywhere near me.”
  - As long as you aren’t harassing or blocking petitioners from getting to them, you are fine. As a good rule of thumb, stand at least 5 feet away from them. Directors or people in charge of government buildings may have a right to tell you certain things about where you can stand or how to conduct yourself, but that rule has to be equally applied to the other side as well. If you feel you are being treated unfairly, get a video of it and share it with us. If there is a case of unfairness, we can pursue legal means of addressing the situation.
- “Stop doing that or I’m going to call the police on you.”
  - Don’t be intimidated by the threat of calling the police. One job of the police is to ensure we have our rights protected, and the right to free speech is one of them. As long as we are following the law and these guidelines, we have no reason to fear. If the police are called, be respectful and follow any directions they give you. Also ask questions about why you need to do something. If they tell you to do something you don’t think is right, get it on video and do what they ask. If what they told you to do is unfair or isn’t actually against a law or city ordinance, we can address it from a legal perspective. You can also ask for a citation which is just the law/ordinance that applies to this situation.
  - Police must treat both sides equally. Police are permitted to keep antagonistic groups separated but must allow them both to be within sight and sound of one another.

Additionally:

- Do your best to work in groups of two or more.
- Do not talk or interact with canvassers.
- Remain, peaceful, calm and orderly at all times – especially if police show up.

**If at any point you feel threatened or unsafe, be sure to film the situation, call the police, and if needed leave the location.**

If you have any questions, videos to share, or important feedback, send an email to [ozarkrtl@gmail.com](mailto:ozarkrtl@gmail.com).

NOTE: This is not legal advice. This is information I have learned from consulting with various parties who are familiar with the topic as well as my own experience.

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