

## PRESS RELEASE

For more information, contact  
Stephen Bergstein, Esq. (845) 469-1277

### **ADVOCACY GROUP SUES CITY OF KINGSTON OVER FIRST AMENDMENT EXCLUSION**

KINGSTON – A local advocacy group has filed a First Amendment lawsuit against the City of Kingston which prohibited the organization from protesting in a public park on the day that the City co-sponsored an event celebrating the 60<sup>th</sup> anniversary of the founding of the State of Israel. The lawsuit was filed on June 30, 2008 in Federal court in Albany.

On May 4, 2008, members of Middle East Crisis Response, an unincorporated organization that is protesting the policies of Israel and the United States in the Middle East, were expelled from T.R. Gallo Memorial Park in City of Kingston where they sought to protest Israeli policies towards the Palestinians. On that date, Ulster County Jewish Federation was celebrating the 60<sup>th</sup> anniversary of founding of the State of Israel, an event that was open to the public and included speeches and proclamations by public officials. This event was co-sponsored by City of Kingston.

When plaintiffs gathered outside the park to leaflet and display signs, police officers employed by the City expelled them from this public forum and situated them in a designated protest area that was ill-suited to engage the public in meaningful dialogue about this important matter of public concern. The plaintiffs were also prohibited from assembling on a nearby sidewalk. The lawsuit alleges that the City cannot under the First Amendment allow one organization to use a public park to the exclusion of all others. Plaintiffs further allege that when they returned to the park afterwards to observe the celebration, they were again expelled by the police.

“The one bedrock principle of American constitutional law is that public parks and sidewalks are free-speech zones. The government cannot pick and choose which advocacy groups may use these areas and which cannot,” said Stephen Bergstein, the group’s lawyer. “There was ample room for the plaintiffs to peacefully assemble at Gallo Park, and the City had no right to expel them.”

A PDF copy of the Complaint is available by calling Stephen Bergstein, Esq. at (845) 469-1277.