

**Willaterra County v. Ricks**  
No. 121-097  
SUPREME COURT OF THE UNITED STATES

**In Brief**

Petitioner Alicia Ricks, a resident of Willaterra County, brought suit concerning the constitutionality of a law passed in Willaterra County 14 months ago. This law, Willaterra County code ~ 456A entitled “The Urban Safety Measure”, was challenged by Ms. Ricks as unconstitutional and was heard by both The District Court and The Court of Appeals.

Willaterra County code ~ 456A reads as follows “A gathering of people, determined to be openly hostile in intention, and meaning harm to property or persons, may be subject to forcible disbanding, or arrest in the interest of public safety.”

**Background:** This law was enacted due to a riot in Willaterra County in which a great deal of property damage was done and a number of people injured in a large urban center several years ago. Lawmakers argued that if the police had been allowed to disband or arrest the leaders of the protest when they were stirring up the crowd and encouraging them to “Take back their city!” the damages and injuries would have been avoided. The law was challenged when Ms. Ricks and nine others were arrested while leading a march which was protesting a county government budget cut in child care funding. The group had obtained the necessary permits to conduct the march. Ms. Ricks has accused the government of passing a law the purpose of which is “to muzzle those who do not support government policy.” The county’s argument is that Ms. Ricks and the other defendants were engaged in inciting a riot and breaking the law in question by “meaning harm to property or persons.” Federal court records show that no property damage was done or persons harmed during the course of the protest. However, the county stipulates that this is due to police intervention when the protesters were “determined to be openly hostile in intention...” and that several bystanders testified that they felt threatened by the “tone and aggressive attitude” of the protestors.

The District Court held that no First Amendment violation had occurred. The Court of Appeals reversed.