

SEEKING ASSISTANCE IN PUBLIC SPACES

The right to panhandle/solicit money is constitutionally protected. The information contained in this brochure contains general information about where you can panhandle, what you may and may not do while panhandling, and what to do if you are confronted by a police officer or public official while panhandling. Laws vary across cities and counties, so for specific legal advice you should contact the ACLU or a private attorney.

Your Rights as a Panhandler

- Panhandlers can ask for money and may hold up signs asking for money. Panhandling is a recognized form of free speech, therefore, it is protected by the First Amendment to the United States Constitution.

Where You May Panhandle

- Panhandlers may solicit money in public spaces and rights of way. Public sidewalks, public squares, public parks and parking lots, and including shoulders of roads so long as not obstructing traffic and other public areas immediately adjacent to public streets, are all examples of public spaces.
- Panhandling on private property, such as a business, is not usually protected unless you have permission from the owner or operator.

Limitations on Panhandling

- Panhandling that blocks traffic is illegal.
- If you assault someone while panhandling, you can be arrested. Assault is defined as, “the threat or use of force on another person that causes that person to have a reasonable apprehension of imminent harmful or offensive contact.” Being forceful when soliciting can get you arrested.

Encounters with Police

- If you are confronted by the police, try not to escalate the situation.
- If you are arrested, do not run or resist even if you believe the arrest is unlawful.
- Contact the ACLU of Arkansas if you are pushed out of public space or cited or arrested for asking for assistance.

To get help from the ACLU of Arkansas: www.acluarkansas.org/get-help