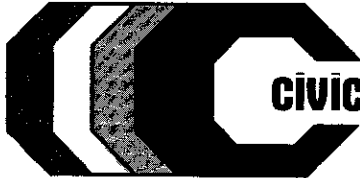


**rushmore plaza**



**civic center**

444 Mt. Rushmore Rd., North, Rapid City, South Dakota 57701-1197 • 605/394-4115

To: Jason Green, City Attorney's Office  
From: Brian Maliske, Rushmore Plaza Civic Center  
Date: April 1, 2005  
Re: RPCC Petitioning Policy

The RPCC has had the same policy concerning petitioning and protesting for approximately fifteen years. We specifically ask petitioners and protestors to either approach the lessee and become a part of their event or to be fifteen feet away from the main entrances of the building. The distance is for emergency exiting purposes. They can essentially be anywhere on the outside of the property and on any of the four sides of the facility. This policy is in place for a number of reasons. Foremost, is the protection of the rights of the lessees of the facility to ensure that the space they paid for will be utilized in a manor consistent with their business rights.

The following are a few examples of why we have the existing policy in place. During the National Bovine Convention several years ago, we had PETA petitioners and protestors. Due to our policy the PETA protestors and petitioners were able to conduct their business outside of the main entrances while the Bovine Convention was able to conduct their business inside the portion of the facility they were leasing. Another instance occurred during the Focus on the Family Action with Dr. Dobson. Pro-Choice and NOW groups were able to protest and petition outside of the entrance while Dr. Dobson was inside of the leased arena. During the recent weekend of March 19<sup>th</sup>, 2005, there were approximately four petitioners within the RPCC. Several customers complained to the front office of being harassed and vocally chastised by petitioners for not signing their forms. The manager on duty (MOD) was informed and looked into the situation. The RPCC policy was explained to two of the petitioners who were inside of the leased portion of the building, they readily agreed to comply with the policy. A third petitioner had booth space rented at one of the events, but was outside of his assigned area. In speaking with the coordinators of the event they expressed frustration and felt somewhat intimidated by the petitioner. After finding out that they preferred he be within his rented booth space, not at the base of the elevator, the petitioner was approached by the MOD and told of the policy. The petitioner was very dissatisfied and had a one sided heated discussion with the MOD and the coordinator of the event, but did eventually go back to his designated booth space.

If the RPCC is required to allow protestors and petitioners inside of the space leased by third party clients it will most likely have a negative impact on the events as perceived by the lessee. I am unsure as to how much of an impact it would have on the actual number of rental days and events that we do.