

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

<p>LOUISE BROWN, THOMAS DIXON & WILLIAM J. HAMILTON, III</p> <p style="text-align:right">Plaintiffs,</p>	<p>CASE # <u>2:25-cv-02649-DCN-MHC</u></p>
<p style="text-align:center">vs.</p>	<p style="text-align:center">COMPLAINT AND MOTIONS</p>
<p>CITY OF CHARLESTON, an incorporated municipality and political subdivision of the State of South Carolina & WILLIAM S. COGSWELL, JR., Mayor of the City of Charleston, in his official capacity,</p> <p style="text-align:right">Defendants.</p>	<p style="text-align:center">JURY TRIAL NOT DEMANDED</p>

1. This is an action seeking injunctive relief, declaratory judgement and attorney's fees regarding free speech and demonstration activities in the City of Charleston including a motion for judicial authorization of a demonstration planned for April 5, 2025 which will require an expedited hearing.

PARTIES AND JURISDICTION

2. The Plaintiff, Louise Brown, is a Citizen and resident of Charleston County, South Carolina and the United States. Louise Brown has been a social justice activist since she began working with her mother during the cigar factory strike of 1945-46. She later was one of twelve nurses to lead Charleston's most consequential Civil Rights era social justice actions, the MUSC Hospital Strike of 1969. She was arrested (peacefully as planned) during the Moral Monday

demonstrations at the SC Statehouse in 2014 fighting to expand medicaid. At the age of 81, she led the 5 mile March to the Sea over the IOP connector in 90 degree heat to restore public transit bus service to the beach at the Isle of Palms in July 2015.

3. Brown is known and recognized as the local activist community's "Mother of the Movement" and is an inspirational source of courage and determination to all involved.
4. The plaintiff Thomas Dixon is an activist of over 20 years experience who has held dozens of demonstrations and protests in the Charleston area and participated in hundreds more. He was the featured speaker at the rally in Hampton park during which he was denied use of an effective PA system and forced to attempt to address over 400 people with an underpowered bullhorn in March 2025.
5. Dixon participated in the effort to contain an outbreak of violence in Charleston in June 2020 in which he and other leaders assured young and less experienced protesters that they could make the political system respond to their priorities through the safe and lawful use of First Amendment rights.
6. Dixon has been a candidate for the Mayor of North Charleston and the US Senate. A member and leader of several significant political and social justice organizations, Dixon appears in this action in his individual capacity as a citizen and not as an agent or representative of any of those organizations. Dixon is a citizen and resident of the County of Charleston, State of South Carolina and the United States. The Plaintiff, William J. Hamilton, III, is a Citizen and Resident of Charleston County, the State of South Carolina and the United States. He resides in Mt. Pleasant, SC and had engaged in free speech activities in the City of Charleston for over 40 years including serving at the organizer of the Gage Hall Debates (1986 to 1991); the Hyde Park Debates in Hampton Park (1987 to 1990); resistance to Unity City (2024) and over 50 free speech actions in the City of Charleston. He also organized the Memminger Millennium Manufactory children's activity center for the 1999/2000 Millennium First Night Celebration in the City of Charleston.
7. As an attorney activist responsible for over 100 organized social justice actions, no participant in any protest, demonstration or assembly he has ever organized has been arrested or injured.
8. Hamilton leads Petigru Free Speech Defense, a project of Lowcountry Up is Good, PAC, Inc. a progressive political action committee founded in 2016.
9. The Defendant, City of Charleston is an incorporated municipality and a political subdivision of the State of South Carolina.

10. William S. Cogswell Jr. is the Mayor of the City of Charleston and is sued here in his official capacity as Mayor.
11. This court has jurisdiction over this matter because all three candidates reside within the district and the State of South Carolina and because the issues herein and the rights sought to be protected are recognized by the First and Fourteenth Amendments to the Constitution of the United States and 42 U.S.C. § 1983.

FIRST CAUSE OF ACTION

VIOLATION OF CIVIL RIGHTS AND MOTION FOR MANDATORY INJUNCTION AND TEMPORARY RESTRAINING ORDER

12. Each and every statement made in the preceding paragraphs is restated here and incorporated by reference.
13. In 2020 in response to protests associated with the George Floyd shooting The City of Charleston adopted a new, and far more restrictive ordinance regulating free speech in the City. This ordinance was adopted during the Pandemic and did not have the benefit of full public discussion and hearings.
14. Since the election of Mayor Cogswell in 2023, the City of Charleston Police Department has become increasingly restrictive in issuing permits for free speech activity under the new ordinance. Customary locations in the city long associated with freedom of assembly such as the Custom House Steps and Marion Square are no longer regularly approved for use.
15. The use of PA systems has been denied, forcing groups to use inadequate bull horns to address groups of hundreds of people.
16. On Feb 28, 2025 at 1:30 PM Plaintiff Hamilton informed officer Timothy Dasher of the City of Charleston Police Department, who he had worked with on permitting free speech actions in Charleston in the past, that he was planning a demonstration on Daniel Island for April 5, 2025. A copy of that email and linked announcement are attached as exhibit "A" Hereto.
17. The email of Feb. 28 and attached document contained most of the significant details about the location and time of the demonstration.
18. There was no response from the City of Charleston.
19. The date selected for the demonstration is the most significant tourism weekend of the year, chosen because Rep. Mace's lack of attention to her district and relevant federal legislative issues such as transit and affordable housing threatens the variability of the region's critical tourism and medical industries. The Congresswoman's refusal to pay adequate attention to these

quality issues is contributing to a declining quality of life for working people in the SC Lowcountry in these industries.

20. The Congresswoman has refused to attend Town Halls planned and conducted so she would hear from her constituents including one scheduled for March 28, 2025 at Mt. Pleasant, Town Hall.
21. The date was also chosen because it falls during the annual professional tennis tournament on Daniel Island and Mace has pursued inconsistent policies towards the rights of women in sports and society as well including a superficial and divisive approach the gender fluidity in women's sports and rejection of Diversity, Equity and Inclusion programs for women and the disabled.
22. After gathering community support for the demonstration, Hamilton filed an application on Behalf of Lowcountry Up is Good, Inc. for a permit for the Demonstration, now called "Ace Mace, Chip and Charge" on March 18, 2025.
23. A copy of that application is attached as exhibit "B" hereto.
24. Receipt of the application was not acknowledged by the City of Charleston.
25. On March 24, 2025 Hamilton informed agents of the City that Unless he received a response to his permit application by the end of business, March 26 that he would file an action in Federal Court to compel issuance of a permit as requested.
26. On March 25, Hamilton received a response from the City offering to issue a permit for April 12 at a different location. A copy of that response is attached as Exhibit "C" hereto.
27. The city's permit offer significantly reduces the utility and value of the planned demonstration and conflicts with another demonstration planned for April 12 along Folly Road on James Island.
28. A demonstration on April 12 will not reach a national audience and will take place on a date when Rep. Mace will likely not be out in public in Daniel Island. The number of people who will be exposed to the demonstration will probably be less than 10% of those who would see a demonstration on April 5.
29. The location proposed for the April 12 alternative date is on a significantly less visible road and is believed to be private property not owned by the City. It also exposes the demonstrators to approach from all directions, whereas the space South of the building in which the Congresswoman's office is located shields the Northern side of the April 5 location, limited directions of approach and has a clear field of view for police surveillance along the roadway.
30. The City's determination that use of a small 10 x 10 foot pop up tent is onerous because most of the local activists are older and many are senior citizens. The leader of the April 5 protest,

Louise Brown, a plaintiff herein is 89 years old. Many of the people planning to attend are over sixty years old.

31. The popup tent will be used to provide sun shelter for the unshaded, open area along the road chosen for the demonstration. Seating will be provided for those needing care and hydration. It will also be used as a social media studio and operations center where liaison with the police can be effectively conducted using the organization's radios, or if necessary face to face meetings. Except for a sun shade on the West side, this tent will be fully open to police observation and the police are welcome to visit and avail themselves of the drinks and snacks provided if they wish.
32. The tent will also function as a puppet theater on one side where demonstrators wearing Trump, Putin and Musk costumes will manipulate a Nancy Mace marionette. The actors manipulating the puppet will be masked, but their identities will be known to the police supervising the demonstration and they won't leave the location of the protest with their masks on.
33. Unfortunately, younger residents of the Lowcountry have, with notable exceptions, either left the area or chosen not to participate in social justice actions like this one so the obligation to maintain a witness for decency, peace and equality falls increasingly on older citizens.
34. It is believed that restrictions like those the Charleston Police Department are attempting to impose are calculated to make demonstrations appear ineffective and unattractive to the public. This is particularly impactful on younger citizens who do not have the benefit of having experienced demonstrations which have contributed to positive social change as those associated with the Civil rights movement of the 1950s and 60s or the Peace demonstrations of the 1960s and early 70s.
35. The Plaintiffs have requested use of a small Fender 150 PA system as part of the demonstration. A copy of the owners manual for this system (Page 1-10) is attached as Exhibit D.
36. The Fender 150 is a smaller PA system which produces much higher quality sound than the bull horns the Police Department has been willing to approve. It can be used to transmit speeches by the demonstration leaders and music. It is not believed that even at maximum volume that the one speaker pointed East will produce sound audible more than 150 feet away. The fender 150 is also capable of being patched into a small sound board, which will support the connection of wireless microphones, electrical instruments and outputs to transmit a live stream of the event.
37. The right to assemble and demonstrate peacefully is essential to maintaining good public order and safety in the City of Charleston, a community deeply divided by historic and now newly aggravated separations by race, class and sex.

38. Granting permits for such peaceful demonstrations legitimizes progressive social leadership which focuses on working towards peaceful solutions to social problems. It helps create a positive organizing focus for the community separate from, but complementary to the entrenched aristocracy which has historically controlled the city and the rising class of multimillionaires replacing them.
39. Such demonstrations provide an opportunity to recruit, engage and train a new, younger generation of leaders to assure that the loyalty and imagination of younger Charlestons does not devolve to socially destructive purveyors of civic vandalism and crime.
40. This demonstration militates against the rising perception that the residents of the city and region are increasingly subservient to the interests of tourism and real estate development and helps the city correct the inevitable tendency to perceive itself through the desires of visitors instead of the eyes of its own people.
- Peaceful demonstrations of the kind requested invigorate the local, indigenous progressive civic leadership which has always been a part of (if officially unacknowledged) City character, distinguishing Charleston from more rigidly racist and authoritarian Southern cities such as Mobile, Jackson, Montgomery, Macon and Greenville/Spartanburg.
41. The perception that the Constitutional rights of citizens of the Lowcountry to peaceably assemble, demonstrate, speak, perform and petition their government for a redress of grievances is secondary to the priorities of visitors is corrosive to the City's sense of community and social coherence. Unless citizens believe their community belongs to them, they are not inclined to defend or preserve it.
42. Charleston which has survived pestilence, warfare, earthquake, hurricane, fire and economic privation can not survive in its historic character unless the constitutional rights of her citizens are preserved. Without such, the city devolves to "Confederate Disneyland", a hollow shell of the community it once was.

**MOTION FOR TEMPORARY RESTRAINING ORDER AND
MANDATORY INJUNCTION**

43. Each and every statement made in the preceding paragraphs is restated here and incorporated by reference.
44. The requested permit is a reasonable use of the rights of the Citizens of the City and region as found under the First and Fourteenth Amendments to the Constitution of the United States.
45. The City's attempt to restrict and frustrate the use of such rights through the arbitrary and

capricious application of an overbroad and unnecessarily restrictive ordinance is unconstitutional.

46. The Plaintiffs would ask that this court issue a temporary restraining order and mandatory injunction requiring the City of Charleston to issue a permit for the demonstration as requested by the plaintiffs and to provide reasonable levels of police protection for such demonstration and to maintain good civic order in the immediate vicinity.
47. The Plaintiffs would further ask for a permanent injunction prohibiting the City of Charleston from denying them and others the right to peaceably assemble on public property in reasonable numbers, to chose, within reasonable limits, areas which are visible to the public and effective for communication at times when the public may be present, to use public address systems in accordance with the applicable noise ordinance, to use tents to shelter equipment and people during demonstrations.

**SECOND CAUSE OF ACTION
DECLARATORY JUDGEMENT**

48. Each and every statement made in the preceding paragraphs is restated here and incorporated by reference.
49. The City Ordinance is vague, overbroad and grants an intolerable level of unfettered discretion to the police department in the issuance of permits.
50. The Court should declare the entire new ordinance as being unconstitutional, null and void and authorize temporary arrangements for permitting until such time as a new ordinance can be adopted by the city.

**THIRD CAUSE OF ACTION
ATTORNEY'S FEES & COSTS**

51. Each and every statement made in the preceding paragraphs is restated here and incorporated by reference.
52. William J. Hamilton, III is an attorney of 39 years experience and continues in good standing as a member of the SC Bar. He was admitted to practice on November 25, 1985 and has been in active practice since that time.
53. Hamilton has appeared in hundreds of Civil and Criminal cases, including *Burke v. Charleston* (1994) in this court, litigating free speech issues in the city.
54. Hamilton is a recognized author and teacher in the areas of civic activism, public transit, and

Lowcountry history. He has written and published over a million words and over 1000 published articles about these and other topics in the SC Lowcountry. He has presented at conferences at national gatherings at the National Labor College in Maryland and Transit Center Training Conference in Seattle Washington.

55. Hamilton was President of the 175 year old Clariosophic (Debating and) Literary Society and founder of the Athenian Literary and Debating Society at the University of South Carolina.
56. Hamilton is a recipient of the 1994 Civitas Award from the I'On Community and the one of the 2019 Spotlight Awards for civil leadership presented by the City of Charleston.
57. Preparation of presentation of this action has required Hamilton's time and effort to protect the constitutional rights of those planning to participate in the demonstration referenced in this action and many other peaceful demonstrations planned in the city which it is the right of the citizens to conduct and which rights the City has begun to practice the regular and cynical effort to undermine such rights and render the voice and presence of its own citizens ineffective in a time of great and warranted concern and unrest associated with a movement to abandon the traditional norms of democratic government and civil mercy which have long preserved the freedom and decency of the City of Charleston.
58. Hamilton would ask that this court award him the costs and disbursements of this action and a reasonable fee for his services as an attorney herein and that the amount of his fee be multiplied by a reasonable factor to reflect the value of this action to the community.

Wherefore the Plaintiffs would demand that this court order, adjudge and decree that:

59. Hold an emergency expedited hearing and issue an immediate Temporary restraining order and mandatory injunction issue requiring the City of Charleston to issue a permit allowing the Ace Made April 5 demonstration on Daniel Island as applied for by the Plaintiffs and to see that a responsible amount of police protection is provided for the same.
60. Declaring the City Ordinance regulating free speech activities to be Unconstitutional, Null and Void.
61. Granting Plaintiff and Attorney Hamilton his costs and reasonable attorney's fees herein with fees to be multiplied by a factor reflecting the difficulty and importance of this action.
62. Granting such other and further relief as this court, in this case may consider just and proper.

Respectfully submitted.

/s/ William J. Hamilton, III

William J. Hamilton, III

Mount Pleasant, SC
March 28, 2025

SC Bar #2632
32 Sowell St.
Mount Pleasant, SC 29464
Ph (843) 870-5299
Email wjhamilton29464@gmail.com

Exhibits -  Exhibits package for ace mace action.pdf

- A. copy of that email and linked announcement are attached as exhibit “A” Hereto.
- B. copy of that application (including site maps) is attached as exhibit “B” hereto.
- C. copy of that City’s response and counterproposal.

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

<p>LOUISE BROWN, THOMAS DIXON & WILLIAM J. HAMILTON, III</p> <p style="text-align:right">Plaintiffs,</p>	<p>CASE # _____</p>
<p style="text-align:center">vs.</p>	<p>Exhibits to Complaint</p>
<p>CITY OF CHARLESTON, an incorporated municipality and political subdivision of the State of South Carolina & WILLIAM S. COGSWELL, JR., Mayor of the City of Charleston, in his official capacity,</p> <p style="text-align:right">Defendants.</p>	<p>JURY TRIAL NOT DEMANDED</p>

A. Email and linked announcement, pp. 2 - 4

B. copy of that application (including site maps) pp. 5 - 16

C. copy of that City's response and counterproposal. Pp. 17 - 19

Respectfully submitted.

s/ William J. Hamilton, III

William J. Hamilton, III

SC Bar #2632

32 Sowell St.

Mount Pleasant, SC 29464

Ph (843) 870-5299

Email wjhamilton29464@gmail.com



William Hamilton <wjhamilton29464@gmail.com>

Daniel Is. Demonstration April 5

William Hamilton <wjhamilton29464@gmail.com>

Thu, Mar 13, 2025 at 1:54 PM

To: "Dasher, Timothy" <DASHERT@charleston-sc.gov>

Please send me the current form to apply for a demonstration permit.

It would be nice if the form was set up so you could fill it in by typing. That has been possible for over 20 years. All my forms for my organization work that way. You get a clean, typewritten form.

You can even set it up so the contents are automatically accessioned into your database.

We're planning 100 demonstrators on the public right of way outside the Office of Nancy Mace on Daniel Island in two shifts of 100, 1 pm to 2:30 and 2:30 to 4 pm. on April 5, 2025. I have Erin McKee, a 65 year old Union Organizer with 40 years experience managing safety and permit compliance. I'll be present as well. Speakers and program will be under the management of Merrill Chapman.

There shouldn't be any problems.

Facebook event link at <https://www.facebook.com/share/1ZF7MUBBHf/>

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William J. Hamilton, III
Attorney at law
843-870-5299

Content of Facebook Event Page Linked to Email sent to City of Charleston Police Department on March 13

31 people responded

Event by **Lowcountry Up is Good PAC**

900 Island Park Drive Suite 260 Daniel Island, South Carolina 29492

Duration: 3 hr

Public · Anyone on or off Facebook

Demonstration action being planned for Saturday, April 5 near the Daniel Island office of US Representative Nancy Mace. The demonstration will include delegations from a coalition of human rights and economic justice organizations from the 1st Congressional District and Lowcountry including those committed to healthcare, reproductive rights, civil rights, the living wage, education, affordable housing and transit. The demonstration will prove local opposition to the devastating cuts planned to these programs in the Trump/Musk budget which Mace has voted for in a preliminary bill.

The Organizers, Best Friends of Lowcountry Transit, Inc. and Lowcountry Up is Good, PAC, Inc. plan to seek a permit for the demonstration from the City of Charleston Police Department. No violence or destruction of property is planned as part of this peaceful demonstration. Participants will be required to sign up online prior to participating. An overflow standby area will be established, and the demonstration will be three hours long, conducted in two 90 minute shifts. An after event is being planned. Posts regarding this action will include hashtag #chsresist

Education advocates will be asked to wear red; healthcare & reproductive rights advocates, blue; Transit advocates green; housing advocates brown; labor advocates yellow (reflective vests) and gender identity advocates pridewear.

This demonstration is scheduled to take place during the finals of the Credit One Charleston Open, the largest women's only tennis tournament in North America. It will be conducted on public property in accordance with the rights and privileges reserved to citizens under the First and Fourteenth Amendments to the Constitution of the United States and with the supervision and help of a team of Experience, SC Licensed Attorneys trained in Civil Rights and Social Justice Advocacy issues, led by William J. Hamilton, III, Lowcountry Attorney, activist and writer.

The name of the Demo comes from Tennis Nomenclature. An Ace is a shot the opposing player can't return and chip and charge is an aggressive move where a player hits the ball and charges towards the net. We plan to be strong in our support of social justice.

This demonstration is scheduled to commemorate the 158th anniversary of a demonstration in downtown Charleston where African Americans and their supporters confronted a city guard (the police department of that era) composed of former Confederate soldiers at the four corners of law. This confrontation was a part of the two month long successful struggle to desegregate Charleston's then new, horse drawn streetcars. During the demonstration (also called a riot by some observers) the US Army of Occupation turned out a company of Black Federal soldiers to protect the African Americans and preserve order. No one was killed during the tense confrontation, which took place in the first weeks of Federally enforced reconstruction. Mary Bowers, the Rosa Parks of Charleston would go on to help lead the struggle, demanding the right to ride on Meeting street two weeks later and ultimately winning it for all Charlestonians in early May.

You can read a detailed account of this and other related events in spring of 1867 in Voices of Black South Carolina by Damon L. Fordham, pp. 29-33, History Press, 2009.

For more information contact

William J. Hamilton, III, Ex. Dir.

Best Friends of Lowcountry Transit, Inc. & Lowcountry Up is Good, PAC, Inc.

wjhamilton29464@gmail.com, (843) 870-5299 Bluesky at <https://bsky.app/profile/wjhamilton29464.bsky.social>

See less

Charleston, South Carolina



FIRST AMENDMENT DEMONSTRATION PERMIT APPLICATION

Permit requests must be submitted for approval by the Chief of Police at least 3 days prior to the event.

First Amendment demonstration means any demonstration, assembly, picketing, speechmaking, marching, protesting, vigil or religious service, and all other like forms of conduct, in or upon any street, including the sidewalk area thereof, park or other public place in the city, that involve the communication or expression of views or grievances, engaged in by one or more persons, the conduct of which is reasonably likely to draw a crowd or onlookers. City Code § 25-36.

No person shall engage in, participate in, aid, form or start any First Amendment demonstration, consisting of twenty-five (25) or more persons, unless a First Amendment demonstration permit shall have been obtained from the chief of police. Any person engaging in any First Amendment demonstration for which a First Amendment demonstration permit has been issued shall not violate any of the conditions or provisions of such permit. This shall not apply to: A First Amendment demonstration consisting of less than twenty-five (25) persons or a spontaneous gathering. Organizers of a First Amendment demonstration consisting of less than twenty-five (25) persons or a spontaneous gathering are encouraged to give as much advanced notice as reasonably possible to permit the city to provide services necessary to promote, protect, and assure the safety and convenience of citizens in their use of city streets, sidewalks, parks, and of city property. Nothing in this subsection shall preclude the city from enforcing other laws, ordinances, rules, regulations, conditions or provisions, adopted to provide for the health, safety, and welfare of the city and its citizens. City Code § 25-39

*** Depending on the size and scope of the event, you may be referred to the Special Events permit process, which requires a minimum of 45 day notice. City Code § 25-40

Upon completion, please return this form to offduty@charleston-sc.gov.

Contact the CPD Special Events Office at 843-720-2459 with questions.

TITLE OF EVENT: Ace Mace DATE OF EVENT: April 5, 2025

APPLICANT:

Applicant Name: Lowcountry Up is Good, PAC, Inc.
 Address: 32 Sawell St. Mt. Pleasant, SC 29464
 Telephone number (primary): (843) 870-5299 secondary: (843) 870-4276
 E-mail address: wjhamilton29464@gmail.com

*If parade is designed to be held by and on behalf of, or for any person other than the applicant, the applicant shall file along with this application a communication in writing from the person proposing to hold the parade, authorizing the applicant to apply for the permit on his or her behalf. Absent such written authorization the applicant will be deemed to have applied for the permit in their own name and shall be deemed the responsible party.

ORGANIZATION (if applicable):

Name of Organization: Lowcountry Up is Good, PAC, Inc.
 Head of Organization: William J. Hamilton, III
 Address: 32 Sawell St, Mt. Pleasant, SC 29464
 Telephone number (primary): (843) 870-5299 secondary: (843) 870-4276
 E-mail address: wjhamilton29464@gmail.com

RESPONSIBLE PARTY:

Responsible Party Name: Lowcountry Up is Good, PAC, Inc.
 Address: 32 Savell St. Mt Pleasant, SC 29464
 Telephone number (primary): (843) 870-5299 secondary: (843) 870-4276
 E-mail address: wjhamilton29464@gmail.com

EVENT:

Location(s): 700 Island Park Dr. Charleston, SC ^{Daniel's}
 Hours of event: 1 - 2:30 and 2:30 - 4 pm
 Estimated number of attendees: 150 per, Shift, 2 shifts
 General Description of Event: See attache memorandum

If more than one location or a walk/march, list starting point, termination point, detailed description of route to be traveled, and when the walk/march will begin and end:

Waiting overflow area at Governor's party,
No protest there.

GENERAL CONDITIONS:

City Code § 25-44 unless otherwise noted.

- 1) The event will not begin before 8:00 a.m. and must terminate before 8:00 p.m. *City Code § 25-37*
- 2) The conduct of the demonstration will not substantially interrupt the safe and orderly movement of other traffic, pedestrian and vehicular, contiguous to its route. It shall be unlawful for any person to point or present a firearm (as defined in S.C. Code § 16.25.10(7)), or to brandish a weapon (as defined in City Code § 21-219), while participating in or attending a First Amendment demonstration as defined in this article. All signs must be hand-held. *City Code § 25-38*
- 3) The conduct of the demonstration will not require the diversion of so great a number of police officers of the city properly to police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city.
- 4) The concentration of persons at assembly points of the demonstration will not unduly interfere with proper fire and police protection of areas contiguous to such assembly areas.

Telephone number (primary): (843) 870-5299 secondary: (843) 870-4276

Email address: wjhamilton29464@gmail.com

Event: Daniel I
Location(s): 700 Island Park Dr. Charleston

Durations of event: 1 - 2:30 and 2:30 - 4 pm

Estimated number of attendees: 150 per shift, 2 shifts

General Description of Event: See attache memorandum

If more than one location or a walk/march, list starting point, termination point, detailed description of route to be traveled, and when the walk/march will begin and end:

Waiting overflow area at Governor's park
No protest there.

GENERAL CONDITIONS :

Code § 25-44 unless otherwise noted.

- 1) The event will not begin before 8:00 a.m. and must terminate before 8:00 p.m. *City Code § 25-37*
- 2) The conduct of the demonstration will not substantially interrupt the safe and orderly movement of other traffic, pedestrian and vehicular, contiguous to its route. It shall be unlawful for any person to point or present a firearm (as defined in S.C. Code § 16.25.10(7)), or to brandish a weapon (as defined in City Code § 21-219), while participating in or attending a First Amendment demonstration as defined in this article. All signs must be hand-held. *City Code § 25-38*
- 3) The conduct of the demonstration will not require the diversion of so great a number of police officers of the city properly to police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city.
- 4) The concentration of persons at assembly points of the demonstration will not unduly interfere

- 5) The conduct of such demonstration will not interfere with the movement of firefighting equipment enroute to a fire.
- 6) The conduct of the demonstration is not reasonably likely to cause injury to persons or property, or to provoke disorderly conduct.
- 7) The demonstration is scheduled to move from its point of origin to its point of termination expeditiously, without unreasonable delays enroute and without passing by any location more than once.
- 8) If the demonstration is to be solely on the sidewalk areas of the city, the demonstration shall be in single file only of persons participating, with no animals, vehicles or other nonhuman objects except reasonably sized signs individually carried in the line of procession.

REGULATIONS:

City Code § 25-52 unless otherwise noted.

Notwithstanding the twenty-five (25) person threshold for First Amendment demonstration permits required in Division 2 of this article, the following regulations shall apply to First Amendment demonstrations and spontaneous gatherings of any size:

- 1) It shall be unlawful for demonstrations to disrupt, block, obstruct or interfere with pedestrian or vehicular traffic or the free passage of pedestrian or vehicular traffic on or into any driveway, sidewalk, public right-of-way, building, pedestrian entrance, stairway, ramp, or other access to buildings, which abut the public sidewalks.
- 2) It shall be unlawful for a demonstration to occur within fifteen (15) feet from the outermost edge of any monument or memorial, to include fountains, sculptures, plaques, statues, markers, gazebos, objects and other architectural elements or structures with commemorative, historical, symbolic, aesthetic, or artistic significance in order to preserve the intended use of a monument or memorial and to ensure all persons' use and enjoyment and safe and unimpeded ingress and egress to and from such property.
- 3) It shall be unlawful for a demonstration to remain stationary in front of or to pass repeatedly by an individual's residence or dwelling.
- 4) It shall be unlawful during a demonstration to place any structure, enclosure, tent, tables, chairs, bicycles, motor vehicles, golf carts, mopeds or other equipment on any city property, or park any bicycles, motor vehicles, golf carts, mopeds or other equipment, except in designated parking spots and except as specifically authorized by the permit.
- 5) It shall be unlawful during a demonstration to remove, deface, damage, or otherwise injure any structure, sign, fence, equipment, improvement, monument or memorial, to include fountains, sculptures, plaques, statues, markers, gazebos, objects and other architectural elements or structures, including hanging, attaching or placing signs, flags, placards or any other object of any kind on such city property.
- 6) It shall be unlawful during a demonstration to walk, stand, sit, lie, or climb upon any wall, fence, shelter, tree, shrub, or other vegetation, or any structure, monument or memorial, to include fountains, sculptures, plaques, statues, markers, gazebos, objects and other architectural elements not designed or intended for such purposes.
- 7) It shall be unlawful during a demonstration to damage landscaping, plantings, flowers, trees, shrubs, grass, ground cover or other vegetation located on city property.
- 8) It shall be unlawful during a demonstration to enter onto private property without prior written permission from the property owner.
- 9) It shall be unlawful during a demonstration to enter onto federal, state, or county property without prior written permission from the applicable governmental agency.

including ingress or egress to or from any city building, driveway, stairway, ramp, sidewalk, public gazebo, objects and other architectural elements or structures.

- 11) Participants of a demonstration shall comply with lawful directions or instructions set forth on any sign posted pursuant to law or by the city for or in connection with the event.
- 12) Participants of a demonstration shall abide by city park rules if the demonstration is held in a city park and shall not interfere with the intended use of the park or interrupt the reasonable use and enjoyment of the park by non-participants.
- 13) Participants of a demonstration shall abide by and be subject to all local, state and federal laws, ordinances, and regulations and any directions given by a law enforcement officer.
- 14) It shall be unlawful for any person(s), participating in a First Amendment demonstration for which a permit has been issued, to openly carry a firearm. Organizers may be directed to post signs indicating the specific area open carry of firearms are prohibited. *City Code § 25-38b*

Nothing in this section prohibits a law enforcement officer from issuing a command to disperse in the event of a riot, breach of the peace, disorderly conduct or other unlawful assembly.

Nothing in this subsection shall preclude the city from enforcing other laws, ordinances, or regulations.

Nothing in this section is intended to restrict free speech or any other constitutional right.

By initialing each page of this application and signing below, as the applicant, I hereby agree to the above general conditions, regulations, and any other special conditions imposed as part of the approval process. Failure to follow the conditions of this permit or violations of related ordinances is a criminal violation subject to arrest and/or citation. *City Code § 25-55*

William F. Romate, III
Applicant

March 17, 2025
Date

Upon completion, please return this form to offduty@charleston-sc.gov. A member of the CPD Special Events Office will acknowledge receipt of applications submitted within one business day.

The chief of police shall act upon the application for a First Amendment demonstration permit within one (1) week after the filing thereof, or, if the application was filed less than seven (7) days before the proposed demonstration, then within two (2) days after the filing thereof. If the chief of police disapproves the application, he shall provide written notice to the applicant within two (2) days after the date of his determination, or within a reasonably practical time period, a notice of denial, stating the reasons for his denial of the permit.

Contact the CPD Special Events Office at 843-720-2459 with questions.

-----CPD SPECIAL EVENT OFFICE USE ONLY:-----

Ace Mace Demonstration, Location View

Sat. April 5, 2025 (1 to 4 pm) on public right of way in front of office of US Rep. Nancy Mace



Demonstration Location

Clawson & Staubes

Publix Super Market at Daniel Island...

Central Island Square Apartments

New Realm Brewing Co

Seven Farms Drive

Credit One Stadium

Vespa Pizzeria

Grove Cemetery

Teeth | Dentists & Specialists

Trammell Crow

Blondies Bagels & Cafe

Tmmart

Google Earth

© 2025 Google

700 ft



Ace Mace Demonstration, Overhead View

2:25-cv-02649-DCN-MHC

Date Filed 03/28/25

Entry Number 1-1

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Sat. April 5, 2025 (1 to 4 pm) on public right of way in front of office of US Rep. Nancy Mace



Charleston Flight Doc

Demonstration Location

River Landing Dr

Island Park Dr

Daniel Island Lashes

100 ft

Google Earth

Image Landsat / Copernicus



Ace Mace Demonstration

Sat. April 5, 2025 (1 to 4 pm) on public right of way in front of office of US Rep. Nancy Mace



Ace Mace Demonstration Apr. 5, 2025 Safety Plan

Safety and Operation Plan by Demonstration Sponsor
Lowcountry Up is Good, PAC

Written by William J. Hamilton, III,
Attorney at Law, SC Bar #2636, Admitted Nov. 25, 1985
Executive Director, Lowcountry Up is Good, PAC, Inc.



Mar 17, 2025 7:00 AM GMT-12

This document should be reviewed with site maps in hand. Both the [orientation map showing the surrounding area](#) and [the one block site map](#) are online for open share. We also have a [street level view](#) online.

Demonstration will take place from 1 to 4 pm on Saturday, April 5, 2025, with two shifts of 90 minutes. It will take place in the public right of way in front of the local office of US Representative Nancy Mace at 900 Island Park Drive on Daniel Island in Charleston, SC. The demonstration will actually front on River Island Drive. This is on the main road out of downtown Daniel Island, the busiest road on the Island. Setup should begin about 12 noon and the site should be clear and clean by 4:30.

It is believed that Nancy Mace removed her local office to this remote location to reduce the amount of contact she had with her constituents. Her previous office location was on Coleman Blvd. in urban Mt. Pleasant on the CARTA #41 Bus Line and in the midst of the largest concentration of her constituents within the district. Her staff actively discourages visits to the office, which is very poorly located, but is within walking distance of Mace's Home, a convenience most of her constituents, trapped on weak transit or in congested traffic up to hours a day, would envy. It is emblematic of her self-absorbed approach to serving in Congress, which is increasingly about her personal priorities and needs.

Demonstration Details

The demonstration space (see attached maps) is approximately 100 feet long and runs from a point 10 feet from the corner North. The public right of way space is approximately 20 feet wide (undoubtedly planned for future road expansion) and consists of grass. Landscaping and a brick wall delineates the privately owned property of the real estate company which leases office space to Mace. We'll demonstrate in a ten foot wide area centered in the public right of way, designated by traffic cones on the South End and landscaping flags along the edge. We'll stay 5 feet from the roadway. There is no sidewalk and no real reason for pedestrians to transit this area.

The police can designate a location for counter protesters across either street near the demonstration, which will provide separation of over 30 feet.

A 10x10 foot pop up tent will be positioned in the center of the demonstration space. This will provide rest and wellness care for elderly and disabled participants in the demonstration and hydration and snacks for all participants. A cot and chairs will be located within the tent. The tent will be held down with weight bags, not stakes. It will also serve as the studio space for the live stream and PA management. The litter collection receptacles for the demonstration will be positioned here.

Participants will be asked to bring a full, reusable water bottle for hydration.

Sound reinforcement will consist of one Fender 150 passport conference sound system with speakers facing North and South from the tent. A sound board will be used to patch that into the live stream sound feed. Emergency sound reinforcement will be provided by a 15 watt handheld megaphone. The Fender 150 is a fairly small system and won't be audible 200 feet from the demonstration site. It won't interfere with traffic. Use of this system is considered essential to maintaining an effective and safe demonstration and permission using it will be litigated in Federal Court if necessary.

Legal support will be provided by members of Petigru Free Speech Defense, which will be reactivated for this event and resume local operations. Lawyers will be SC Licensed and consist of onsite monitors coordinating with event staff and offsite support. The entire demonstration, including setup, will be video recorded.



Image, Left - Our Mary Flag, which will fly over the Demonstration honors the late Mary Smith, a supporting member of Lowcountry Up is Good, an activist who died of poorly treated chronic disease in fall 2019 after a years long struggle with illness, inadequate transit, lack of affordable housing, problems with climate, inadequate wages and inequality. She appeared as Syphide, the Spirit of Motion, the fairy mascot of Best Friends of Lowcountry Transit for two years before becoming too ill to continue.

Participants will be asked to wear a color corresponding with their cause:

- Green for Transit,
 - Brown for Affordable Housing;
 - Red for Education
- Orange reflective work vests for Labor Advocates
 - Blue for Women's rights,
 - Yellow for healthcare and reproductive rights advocates
 - Pridewear/rainbow for LGBTQ issues.

Groups will be positioned along the road, within the demonstration space by die roll shortly before the demonstration begins. The order will be reversed for the 2nd shift. Participants will be asked to wear close toed shoes, a hat and bring a full, reusable water bottle. They'll be asked to go to the bathroom prior to attending the demonstration. We have the capability to deploy a camp toilet in a small tent if permitted. We do not plan on using bathrooms owned by local businesses. Participants will be asked to carpool or rideshare from CARTA bus stops in N. Charleston and Mt. Pleasant. Participants will not be allowed to use sticks to support their signs per state law. Participants who may need it will be encouraged to bring their own folding chairs.

The Demonstration will be limited to 150 participants per shift. Participants can sign up online prior to the demonstration or come to the site for admission and granting of participant credentials (a custom made sovereign button) during the demonstration. If the maximum number of participants is exceeded, a waiting area will be established nearby at Governor's Park, one block South of the Demonstration site. As people leave, we'll call those on the waiting list signup to come up and participate. There will be no demonstration at the park to minimize the areas the police need to patrol.

There will be a change of the participants at 2:30 with those leaving departing for their cars while handing their signs and other demonstration equipment over to the people coming in. This will be done in phases, by affinity group, starting at 2:30.

The demonstration will end at 4:00 pm, with pickup and litter clean up to immediately follow.

Charleston is rated the best place in the US to vacation, but low wages and a rising cost of living drive citizens to desperation. Working residents spend hours snarled in traffic, missing time with their children who struggle alone to learn through homework what their schools seem incapable of teaching. Mace ignores her constituents and these issues while pursuing the Republican nomination for Governor of SC and seeking profile on right wing media through sexuality connected culture war issues. On the only weekend of the year when every Charleston area hotel room is full, we will point out the lack of focus leaders like Rep. Mace have on issues like reliable transit, affordable housing, a living wage, education, healthcare and human rights.

As progressive South Carolinians we accept the reality of living in a red state, however, that does not mean it is acceptable for a US Representative to dodge contact with the people she represents while they stagger under collapsing federal safety net programs, a rapidly rising cost of living and the loss of the cultural and environmental opportunities which once made living in the SC Low Country more attractive than it is now. Our position as working citizens here is unsustainable, even for conservative Republicans.

Our Congresswoman should be holding town halls, connecting with the people she represents and working towards a better future for all our children, red and blue. While we cannot hope to find common cause with MAGA Trumpublicans, it is the duty of our Congresswoman to hear and represent us all. In areas where our interests coincide such as cost of living, traffic and housing, it continues to be her duty to act in the Congress in the best interest of our entire district.

More Information, Contact

Prepared by

William J. Hamilton, III

Attorney at Law

32 Sowell St.

Mt. Pleasant, SC 29464

(843) 870-5299

wjhamilton29464@gmail.com

Follow on Blue Sky at <https://bsky.app/profile/wjhamilton29464.bsky.social>

Pursuant to Charleston City Code, Article III. Demonstrations, Sections 25-36, et seq., the application for a demonstration permit you filed for April 5, 2025 has been granted in part, and denied in part. An alternate date, time, and location for the denied portion of your permit was selected and returned for consideration.

Please refer to the demonstration permit section of the Charleston City Code, which can be found at:

https://library.municode.com/sc/charleston/codes/code_of_ordinances?nodeId=CICO_CH19MOVETR_ARTIXPA_DIV2PE

The following portions of your application have been approved:

Time: 1:00 p.m. to 4:00 p.m.

Estimated number of attendees: 150 participants per shift\Two shifts of 90 minutes each.

The following portions have been denied, for the reasons set forth below. Should you wish to appeal the denial, please refer to Charleston City Code, Section 25-45.

Date: April 5, 2025

Location: Public right of way at 900 Island Park Drive, along River Landing Drive.

Utilization of a 10x10 tent. (See page 2, City Code 25-51, #8)

Reason for denial: Pursuant to Charleston City Code Sections 25-53(a) and (b), the chief of police has the authority to restrict First Amendment demonstrations to certain areas if conditions present a potential harm to public safety and make reasonable adjustments to the time and location of a First Amendment demonstration when it is in the best interest of the public health, safety and welfare of the city and its citizens. Pursuant to Charleston City Code Sections 25-44 (2) the chief shall issue a permit only if he finds that the demonstration will not require the diversion of so great a number of police officers as to prevent normal police protection. The requested demonstration will require a number of Charleston Police Officers to ensure the safety of all participants as well as the general public which are not available on the date requested due to other events occurring on that same date in the City (Cooper River Bridge Run and Credit One Charleston Open). The location requested will not safely accommodate the number of participants expected given the proximity to congested roadways and lack of barriers between participants and the roadway which poses a public safety concern for participants. Use of a tent should be requested and authorized by the City of Charleston Special Events Committee.

Pursuant to Charleston City Code Sections 25-40 the city reserves the right to require a person seeking a First Amendment demonstration permit to obtain a special events permit issued pursuant to [section 2-189](#) when the duration of the demonstration is proposed to be more than three (3) hours, when a request is made to reserve a particular public area for use, when frequent requests are made for a particular public area, when the demonstration will require any use of city resources, staffing or departments beyond the scope of the police department,

and when the city finds that requiring such special events permit is in the best interest of the public health, safety, and welfare of the city and its citizens.

Pursuant to Section 25-47 of the Charleston City Code, the chief of police, in denying an application for a demonstration permit, shall be empowered to authorize the conduct of the demonstration on a day, at a time, or over a route different from that named by the applicant. The following alternate time and location is authorized:

Location Alternate: Public parking spaces (map attached) in yellow, across from 895 Island Park Drive, Charleston, SC 29492

Date Alternate: April 12, 2025.

Pursuant to Charleston City Code, Section 25-51, a permittee shall comply with all permit directions and conditions and with all applicable laws and ordinances. Additional conditions are as follows:

- 1.) While at the alternate location, group must remain in designated area (see attached map).
- 2.) Event begins at 1:00 p.m. and concludes at 4:00 p.m.
- 3.) No open carry or display of deadly weapons, including firearms.
- 4.) No climbing on, standing on, or manipulation of monuments or structures.
- 5.) No attaching or hanging of signs or coverings on monuments or structures.
- 6.) No vandalism, defacing, or destruction of monument.
- 7.) Flags must be controlled in a manner not to impede pedestrian or vehicle traffic or held in a manner to intimidate or threaten individuals.
- 8.) No setup of tables, chairs, tents, or other equipment.
- 9.) Permit holder must remain on site.

Pursuant to Charleston City Code, Section 25-39, any person engaging in a demonstration for which a demonstration permit has been issued shall not violate any of the conditions or provisions of such permit.

Pursuant to Charleston City Code, Section 1-16, violation of City ordinances may result in a fine not exceeding five hundred dollars (\$500.00) or a service of a term not exceeding thirty (30) days in jail, or both. The chief of police shall have the authority to revoke a demonstration permit upon the violation of the standards of issuance as set forth in the Charleston City Code. (Section 25-49).

Pursuant to Charleston City Code, Section 25-4 7, a written notice of acceptance of the alternate permit is required prior to issuance of a demonstration permit. As applicant, I hereby agree to the alternative location as authorized above and agree to all permit directions and conditions, the provisions of the original application, and all applicable laws and ordinances. (Charleston City Code, Section 25-51).

Applicant Signature

Date

Designated area for Demonstration on April 12 (area highlighted in yellow):



**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

LOUISE BROWN, THOMAS DIXON & WILLIAM J. HAMILTON, III Plaintiffs,	CASE # <u>2:25-cv-02649-DCN-MHC</u>
vs.	AFFIDAVIT OF WILLIAM J. HAMILTON, III
CITY OF CHARLESTON , an incorporated municipality and political subdivision of the State of South Carolina & WILLIAM S. COGSWELL, JR. , Mayor of the City of Charleston, in his official capacity, Defendants.	JURY TRIAL NOT DEMANDED

The Plaintiff, William J. Hamilton, III, After first being sworn, deposes and says as follows:

- 1.** The Plaintiff, William J. Hamilton, III, has drafted, read and reviewed the Complaint and Motion filed herein.
- 2.** He knows the content of the Complaint and Motion to be true based upon his personal knowledge, saving and except those matters therein stated upon information and belief and as to those, he believes them to be true.
- 3.** The Plaintiffs will be filing additional affidavits and exhibits, now being collected, addressing these same facts and issues and plans to devote most of the coming weekend to that effort, which will necessaries involve the expenditure of at least 10 additional hours of legal work, for which the Plaintiffs will be seeking compensation from the

Defendants.

4. The Plaintiff William Hamilton has read the above statements and knows them to be true, saving and accepting those matters alleged upon information and belief and as to those, he believes them to be true.

William J. Hamilton, III
SC Bar #2632
32 Sowell St.
Mount Pleasant, SC 29464
Ph (843) 870-5299
Email wjhamilton29464@gmail.com

Sworn to before me this _____ day of March, 2025

Notary public for South Carolina

My Commission Expires: _____

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

LOUISE BROWN, THOMAS DIXON & WILLIAM J. HAMILTON, III Plaintiffs,	CASE # <u>2:25-cv-02649-DCN-MHC</u>
vs.	AFFIDAVIT OF THOMAS DIXON
CITY OF CHARLESTON, an incorporated municipality and political subdivision of the State of South Carolina & WILLIAM S. COGSWELL, JR., Mayor of the City of Charleston, in his official capacity, Defendants.	

The Plaintiff, Pastor Thomas Dixon, after first being sworn, deposes and says as follows:

1. The Plaintiff, Pastor Thomas Dixon, has read and reviewed the Complaint and Motion filed herein.
2. He knows the content of the Complaint and Motion to be true based upon his personal knowledge, saving and except those matters therein stated upon information and belief and as to those, he believes them to be true.
3. To provide historic content, Pastor Thomas Dixon and other community leaders were instrumental in preventing destruction at the street level in the cities of North Charleston and Charleston in the aftermath of the 2015 murder of Walter Scott and the massacre inside of Mother Emanuel. Because of the racial overtones in each of these situations, neither law enforcement nor city officials had the ability to contain nor prevent what had the potential to be the worst destruction to befall these cities in peacetime. It was street people, community leaders like Pastor Thomas Dixon, who kept violence from erupting in the streets in both incidents that occurred within 3 months of each other, not the police.

4. In May 2020, in response to the murder of George Floyd, in Charleston, SC, the affiant, along with hundreds of others, engaged in a peaceful protest march. As this march dissipated, a large group of younger, inexperienced protestors, influenced by outside agitators, took to King Street causing considerable damage into the night. This was during the pandemic and after President Trump had made several incendiary statements about the death of George Floyd. The next morning following the vandalism, theft and break ins on King Street, the affiant and several other prominent senior progressive community leaders, including members of the State Legislature, stepped forward in an effort to rebuild relationships that had been broken by that one night of violence and to find a way to dispel the anger and frustration that drove these younger ones to hostility, even though their efforts in the past were successful, calming the storm before anything got out of control.
5. The young people were very angry and frustrated. They had lived their entire lives in the shadow of 9-11, the economic crash of 2008, right wing push back against President Obama and the election of Donald Trump. Many were veterans of the Occupy Walstreet and Black Lives Matter movement.
6. It was very apparent that many of them were exceptionally pessimistic about their future and the future of the society which surrounded them. They struggled against rising income inequality, staggering rents, low wages, student loan debt, a lack of reliable transit and low wages. They were unable to make economic progress within their lives. Public forums for creative citizenship were unavailable to them. Most worked full time or longer, but they were unable to match the economic and civic accomplishments of their

parents. They faced unwarranted insults and abuse from older conservatives locally who told them they were lazy and should leave Charleston.

7. These young people mostly worked in the local hospitality, medical and food and beverage industry where appearing happy and hospitable is a necessary skill needed to earn tips, which was the key to their survival. They are accomplished at presenting a happy face to tourists and local patrons. This professional mask hid an incredible amount of rage and frustration focused on their government, the city they see as exploiting them to entertain privileged tourists, the impossibility of home ownership or traditional family life, dependence on their parents for supplementary income and a concern about climate change and the future of the planet.
8. They were angry about the fact that they felt Charleston's culture and politics marginalized their involvement and voices. The most common response they received to their efforts was that this was a red state and they should leave. They did not believe traditional demonstrations would force the establishment to permit change.
9. We conducted most of our discussions with these young people around the Confederate Defenders of Charleston monument at the Battery, which has been the site of protests for years.
10. The process of talking down this incendiary movement was long and trying. I've worked with younger people for over 20 years in Charleston and their attitudes have grown darker and more pessimistic. I understood that the fate of the City's built environment and the future of its civic culture was in our hands. The drumbeat of right wing anger which surrounded us increased the pressure.

11. Without going into all detail, we were eventually able to talk down most of these young people down by pointing to the upcoming November 2020 Presidential Election as a source of relief, which we were sure would push Donald Trump out of American politics forever. We also promised to help include them in more effective demonstrations and protests and to yield a more prominent role to them in our efforts in the future. The city agreed to tear down the Calhoun monument on Marion Square as a peace offering and repudiation of Calhoun and the City's support of slavery. The monument had been a site of protest and provided a dramatic background to their efforts.
12. The protests and crowds diminished and in November, Donald Trump was defeated.
13. The availability of historically significant locations for protest and assembly was critical to our success. We knew that a large-scale riot with arson and vandalism in the city, in the midst of the pandemic, would poison political and civic life in Charleston for decades. Indeed, the limited rioting and vandalism which did take place in 2020 has done enduring damage to the community's capacity to work together to solve problems.
14. Many of these young people have withdrawn from Civic and community life. I'm convinced they see the failure to burn the city to the ground as a lost opportunity. A small number have built on the experience to become responsible, productive activists able to work in the increasingly pessimistic and abusive environment the city's more restrictive limits on free speech have created. Many have left Charleston for places they believe offer cultures and opportunities more likely to enable a higher quality of life. Most were bright motivated young people who could have contributed a lot to Charleston's future had they stayed.

15. Driving out younger activists and social justice advocates is clearly a part of the long term, right wing agenda for South Carolina and Charleston. As a result a higher percentage of our activists are older. Many are now caring for elderly parents while they themselves are senior citizens. Their children often leave the area for better opportunities elsewhere. We now know that our demonstrations and protest actions have to account for the older and more fragile physical conditions of ourselves and others.
16. All of us are told to leave if we don't like the right wing drift of life in SC. It is clear that many people do not welcome our voices despite decades and lifetimes of service to the community. Most of us feed the homeless, do charity work, support faith communities, do environmental work, participate in artistic life and help maintain and improve the local environment through litter cleanups and similar activities in addition to being political and social justice activists.
17. Assigning our demonstrations to areas where they will not be seen and times when noone is around is a basic tactic the city is using to cripple the effectiveness of our efforts.
18. Marion Square and Brittlebank Park have been traditional, accessible and visible spaces for social justice witnesses in Charleston. Marion Square has been used for these purposes since at least the 1850s. Marion Square is close to public transit, restaurants, bathrooms and the College of Charleston.
19. I do not believe that I and the surviving local senior leadership could conduct the work needed to save Charleston now as well as we did in 2020 due to the restrictions in the new ordinance.
20. In March 2025, I was the principle speaker at a rally in Hampton Park (see image at left). Over 400 people attended. The City of Charleston refused to allow us to use one of the

PA systems we had available. We were forced to conduct the rally using a small bullhorn. I was inaudible to large parts of the crowd.

21. Many of the people present asked me why we didn't have PA. Their impression was that we were not serious or well organized. We did in fact have several adequate PA systems available and could have done sound reinforcement in a manner which did not violate the noise ordinance.
22. On the date of our planned demonstration on Daniel Island, the Cooper River Bridge Run and Walk will be held. In the past there have been several sound and music stations set up along the route into the city, some sponsored by local radio stations. I believe that will happen again on April 5, 2025. This amplified sound reaches residential areas of the city well before 9 am. The City approves this. The Bridge Run also causes traffic congestion and closes off a major local bridge and several city streets. Again the city approves this.
23. I am informed and believe that our demonstration, like the Cooper River Bridge run is a constitutionally protected public assembly under the First Amendment. Participants and supporters have the same right of free speech that we do.
24. I would suggest that it is illegal and inappropriate to deny political demonstrators the tools to be heard that the City eagerly approves for the Bridge run.
25. If the City insists that we should be forced to work with inadequate sound reinforcement at 1 pm in the afternoon on Daniel Island while the bridge run is allowed to rattle the peninsula at 8 am with thousands of watts of amplified music and announcements, it can be read as nothing other than the decision that favored people connected to tourism and commerce are to be heard so they can have fun while its own Citizens, working to save their country, are to be silenced.

26. The Plaintiff Pastor Thomas Dixon has read the above statements and knows them to be true, saving and accepting those matters alleged upon information and belief and as to those, he believes them to be true.

(/S/) Thomas Dixon
Pastor Thomas Dixon

Sworn to before me this _____ day of March, 2025

Notary public for South Carolina

My Commission Expires: _____

I hereby attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/S/) within this e-filed document.

(/S/) *William J. Hamilton, III*
Attorney at Law