

**COMMUNITY ARTS ADVOCATES, INC. (CAA) FILES SUIT TO  
PROTECT ARTISTS' AND PERFORMERS' FREEDOM OF EXPRESSION  
IN BOSTON**

**City of Boston; Boston Police Department; Boston Police Commissioner; Boston  
Parks and Recreation Department; and Boston Parks and Recreation Department  
Commissioner Served**

--Plaintiffs and Legal Representation Available for Comment--

**What:** Community Arts Advocates, Inc. (CAA), a non-profit Massachusetts corporation representing musicians, singers, actors, magicians, puppeteers and artists, announced that on Tuesday, August 3, 2004, the City of Boston, Boston Police Department, Boston Police Commissioner Kathleen M. O'Toole, Boston Parks and Recreation Department, and Boston Parks and Recreation Department Commissioner Antonia Pollack were served with a civil complaint. Filed in the U.S. District Court for the District of Massachusetts, the suit aims to protect the rights of performers and artists to perform and display art in the parks and public spaces of the City of Boston.

In the complaint, CAA and executive director Stephen Baird challenge the constitutionality of an ordinance of the City of Boston, a rule of the Boston Police Department, and the practices and policies of both the City of Boston and the Boston Police Department, which unconstitutionally prohibit artists and performers from playing musical instruments and performing on the public spaces and parks of the City of Boston.

**When:** **Tuesday, August 3, 2004**

**Who:** **Stephen Baird**, executive director, Community Arts Advocates, Inc.  
**John Cotter**, partner, Testa, Hurwitz & Thibeault, LLP

**Background:** Self-expression is a basic human right essential for the healthy growth of individuals and communities. Street performance is a form of self expression that enriches communities by entertaining the public and allowing the urban artistic community to grow and flourish.

Mr. Baird has worked for decades to protect the rights of street artists and musicians to perform in public and to resolve this dispute with the City of Boston. Although the Boston Police Department has said it will rescind its rule regulating street musicians, no new Boston Municipal Ordinance has been implemented to date that would protect the rights of all performers citywide.

As a result, CAA filed suit for violation of the Constitutional rights of its members and on August 3, 2004, served the City of Boston, Boston Police Department, Police Commissioner O'Toole, Boston Parks and Recreation Department, and Parks and Recreation Department Commissioner Pollack with the complaint.

In the complaint, Plaintiffs state that they and others have been unlawfully prohibited from playing musical instruments and performing on the public streets and parks of the City of Boston. This is a violation of the artists' Constitutional rights, including rights under the First Amendment to the Constitution of the United States which protects artistic expression including street performances.

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