



# STATE OF INDIANA

Eric J. Holcomb, Governor

DEPARTMENT OF ADMINISTRATION  
Office of the Commissioner

Indiana Government Center South  
402 West Washington Street, Room W479  
Indianapolis, IN 46204  
(317) 232 - 3114

## PUBLIC ACTIVITIES AT THE INDIANA GOVERNMENT CENTER CAMPUS

### BACKGROUND

The State of Indiana ("State") recognizes the right of its citizens to gather upon property owned or controlled by the State and to voice their opinions about various issues.

The Indiana Constitution Article 1, Sections 9 and 31 (2018), respectively, state as follows:

No law shall be passed, restraining the free interchange of thought and opinion, or restricting the right to speak, write, or print, freely, on any subject whatever: but for the abuse of that right, every person shall be responsible.

\* \* \*

No law shall restrain any of the inhabitants of the State from assembling together in a peaceable manner, to consult for their common good; nor from instructing their representatives; nor from applying to the General Assembly for redress of grievances.

Indiana Code 4-20.5-6-2(b) states:

The [Indiana Department of Administration (IDOA)] shall maintain, equip, and operate . . . (1) The state capitol building. [and] (2) The office buildings and other property owned or leased by the state for the use of an agency.

Additionally, Indiana Code 4-20.5-6-8(b)(2) provides that the Commissioner of the IDOA may regulate "the traffic of pedestrians on the street, roads, paths, and grounds of real property controlled by the state through the department in and around the state capitol, office buildings, parking garages, and adjoining state controlled property."

The Indiana Supreme Court has provided that the standard for government regulation of speech in a public forum is as follows: the government may impose reasonable restrictions on the time, place, or manner of protected speech, provided the restrictions are justified without reference to the content of the regulated speech, that the restrictions are narrowly tailored to serve a significant government interest, and that the restrictions leave open ample alternative channels for communications of the information. *State v. Economic Freedom Fund*, 959 N.E. 2d 794 (Ind. 2011).

## POLICY

This policy applies only to the Indiana Government Center campus, which includes the Indiana Statehouse, the Indiana Government Center North and South buildings, Robert Orr Plaza, and the adjacent property (hereinafter “Campus”). This policy is limited to activity on or about the Campus and does not encompass local ordinances.<sup>1</sup>

The State of Indiana has a substantial interest in promoting the health, safety, and welfare of its citizens. The State also has an interest and duty to promote the safety, health and welfare of those that use and access State property, such as the Campus.

In addition, the State has a right and interest in conveying its own messages, as recognized by the U.S. Supreme Court in *Pleasant Grove City, Utah v. Summum*, 555 U.S. 460 (2009). The State may create a forum that is limited solely to the discussion of certain subjects that the State wishes to discuss, for example, during the Governor’s annual State of the State Address, during which time physical access to designated seating areas may temporarily be restricted to those persons having an invitation to be seated in such areas.

The State may, at reasonable times, and in a reasonable manner, regulate speech in a public forum to promote the aforementioned government interests. Thus, there may be reasonable, content-neutral restrictions on the time and location of certain activities.

The following guidelines are therefore established, and unless otherwise expressly indicated, apply to the Campus:

1. Unless authorized by the Commissioner of the IDOA or their designee, setting up booths is prohibited. Attaching signs, placards, or the like to any property on the Campus is prohibited except on appropriate bulletin boards.
2. Unless officially recognized by the State in a manner granting some right of exclusivity, competing organizations must not be discriminated against by affording one group privileges not enjoyed by another.
3. Erecting or installing any structures, temporary or permanent, without written authorization from the IDOA is prohibited.
4. Temporary use of storage containers, audio-visual equipment, and displays are permitted. Containers, audio-visual equipment or other items shall be removed upon notification by the Indiana State Police (“ISP”), ISP Capitol Police, or IDOA.
5. Storage containers may be subject to inspection by ISP or ISP Capitol Police to ensure the safety of the general public or State employees.

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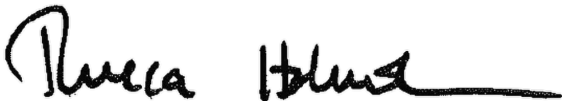
<sup>1</sup> As of January 12, 2022, this document revises, replaces and supersedes a previously existing policy; and, among other things, it promotes a common understanding of permissible and impermissible activities, protects the security of the Campus, promotes efficient operations, and maintains an appropriate appearance to citizens.

6. Sleeping or camping on the Campus is prohibited.
7. Flames and materials creating flames are prohibited without prior IDOA authorization.
8. Loud, excessive, disruptive noise and/or the use of noisemaking devices may be restricted or prohibited by IDOA, ISP or ISP Capitol Police.
9. Signs on poles, sticks, or other objects that could pose a danger or harm to others are prohibited. Signs larger than 24" x 24" are prohibited indoors without prior IDOA authorization.
10. Affixing signs, signage, banners or the like to any structure or part of a structure, statue, tree or any portion of the Campus may be prohibited without prior authorization by IDOA.
11. Personal or privately-owned sound or voice amplification devices (e.g., megaphones, portable microphones, etc.) are prohibited within any enclosed structure on the Campus. However, such devices may be reserved/obtained from IDOA and used for events scheduled through the IDOA Conference Center (see <https://www.in.gov/idoa/2375.htm>).
12. Any restrictions on the time, place, or manner of speech in a public forum shall be reasonable and permissible in accordance with law, and reasonable effort will be made to identify alternative places on the Campus for the speech to occur. The State will not act as a censor by limiting speech based on that speech's content.
13. If a situation arises that is not covered herein or for which an exception is desired, please contact the Commissioner of the IDOA for additional information.

## EXCLUSION

The following shall not be subject to this policy: advertising, solicitation, or promotional activity for State business or State sponsored business (defined as activity initiated or sponsored by the State or its respective agencies, with an underlying state governmental purpose approved by the Commissioner of the IDOA).

## APPROVAL



Dr. Rebecca Holwerda  
Commissioner  
Indiana Department of Administration

