

## Legal Rulings

### ***Espenosa v. Rusk, 10-21-1980, U.S. Court of Appeals, Tenth Circuit***

Issue: Albuquerque solicitation ordinance. The court upheld the lower courts decision that the ordinance could not be applied to Adventist door-to-door fund-raising evangelistic work.

### ***Cantwell v. Connecticut, 310 U.S. 296, 1940, Supreme Court***

### ***Murdoch v. Pennsylvania, 319 U.S. 105, 1943, Supreme Court***

Issue: Whether ordinances against door-to-door solicitation can be legally used to prohibit Adventists from doing literature evangelism. The court held that they can not. Justice Douglas added “the mere fact that the religious literature is ‘sold’ by itinerant preachers rather than ‘donated’ does not transform evangelism into a commercial enterprise.” Murdoch, supra, 319 U.S. at 111.

### **Watchtower Bible & Tract Society of New York, Inc., *etal.* v. Village of Stratton, *etal.*, No. 001737; argued 2-26-02; decided 6-17-02**

Issue: Whether the village of Stratton’s ordinance, requiring registration and permission from anyone going door-to-door, violated the free-speech rights of the Jehovah’s Witnesses. The court overturned the ruling of the Court of Appeals, 6<sup>th</sup> Circuit. The Supreme Court ruled that the ordinance did, indeed, violate constitutional freedoms. The ruling was worded broadly and was based partially on the cases of Cantwell and Murdoch, above. “Held: The ordinance provisions making it a misdemeanor to engage in door-to-door advocacy without first registering with the mayor and receiving a permit violate the First Amendment as it applies to religious proselytizing, anonymous political speech, and the distribution of handbills.” Pp. 913.