

which by their very utterance inflict injury or tend to incite an immediate breach of the peace. It has been well observed that such utterances are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality." The Supreme Court in another case pointed out that "No one would have the hardihood to suggest that the principle of freedom of speech sanctions incitement to riot"

What these cases indicate to those of us with the responsibility of preserving peace and order is clear. Speech is protected as long as it does not clearly tend to provoke a breach of the peace. In deciding whether it does tend to incite a breach of the peace all the facts must be considered. Are the words those of "provocative gut speeches, interlaced with 'fighting words,' delivered in an inflammatory manner aimed at the raw emotions of the listeners" of which Judge Finan of the Court of Appeals spoke in the Carroll case decided this past June? Are they delivered in a setting which gives rise to "a clear and present danger" that violence will follow?

It was with the decisions of our Courts in mind that my original statement was made. It is within this framework that I expect the State law enforcement officers to operate. We will not abridge anyone's right to speak on any subject that he wants. We will, however, prevent breaches of the peace, violence and destruction, by stopping those who go beyond their Constitutional privilege and come within the category of speech that has always been banned by the law of this State and Country.

While I am certain that State Police officers are generally familiar with this subject, I want to make certain that my position is clear so that no misunderstanding can arise. I would also appreciate your informing local law enforcement agencies of the steps we have taken at the State level.

REMARKS AT DEDICATION OF HAMMERMAN AREA,
GUNPOWDER STATE PARK, BALTIMORE COUNTY

August 30, 1967

Today, we are dedicating the Hammerman Area, the first of what will be eighteen separate public recreation areas, which will ultimately