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Resolution against Confiscation of Musical Instruments by Police

Whereas the city of San Francisco has had a long tradition of Street performers and Musicians, also known as “buskers” in public areas such as Fishermen’s Wharf, Pier 39, Union Square and other parts of the city, and

Whereas busking, or street performance for tips and gratuities has been determined by Federal Courts to be “free artistic speech” and is thus protected by the 1st and 14th amendments of the Constitution of the United States, and

Whereas the vast majority of street performance does not violate any laws, and is practiced worldwide, adding to the culture and vitality of a city; now,

Therefore be it Resolved that the San Francisco Labor Council:

1. Urges city of San Francisco to direct the San Francisco Police Department to protect the rights of street performers and musicians under the Constitution.
2. Calls on the City of San Francisco to direct the SFPD to refrain from confiscating musical instruments from performers on the streets and/or harassing performers unless there is explicit evidence of criminal activity.

Submitted by John Fisher, AFM Local 6, and adopted by the Executive Committee of the San Francisco Labor Council on February 6, 2017.

Respectfully,

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Executive Director

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