

The Right to Canvass: Frequently Asked Questions

- 1. What is canvassing?** Canvassing is a systematic effort to speak directly to individuals, often by going from home to home. Canvassing is a form of door-to-door solicitation that involves charitable, or non-commercial, solicitors. Canvassing is common in political campaigns, grassroots fundraising, community-awareness efforts, and membership drives. Get-out-the-vote (“GOTV”) efforts, which help people register to vote, encourage voting, and explain how, when and where to vote, are a regularly occurring form of canvassing before major elections.
- 2. Are local laws requiring canvassers to get a permit constitutional?** No. The U.S. Supreme Court and other courts have ruled that laws requiring canvassers to apply for a permit before canvassing door to door violate the First Amendment.
- 3. Are local laws that require canvassers to provide advance notice to the police constitutional?** No. The U.S. Third Circuit Court of Appeals ruled that towns cannot require canvassers even to provide any notice before going door-to-door.
- 4. Are there certain times when towns must allow canvassers?** *Yes. Towns must allow* canvassing between 9:00 a.m. and 9:00 p.m., 365 days a year.
- 5. Are local laws requiring canvassers to get a criminal background-check, be fingerprinted, carry an official ID or badge, or pay a fee constitutional?** No. You should know that many towns have such laws, but they are unconstitutional and the police should not enforce them.
- 6. Do I have to respect a sign in a homeowner’s yard, or on the front door, saying no canvassers or no solicitors?** Yes. The homeowner, or tenant, can decide whether they want people disturbing them. You could be charged with defiant trespass if you knowingly and intentionally violate such signs.
- 7. What if a police officer or other town official tells me I cannot canvass without a permit or for some other reason?** If polite persuasion does not work and the officer says he/she will arrest you if you continue canvassing, in most circumstances it is better to stop canvassing and contact the ACLU for help, rather than risking arrest. In Pennsylvania, you can fill out this online complaint form and someone from the ACLU of Pennsylvania will contact you within a few days.

FOR HELP OR MORE INFORMATION:

Philadelphia Office
PO Box 60173
Philadelphia, PA 19102

www.aclupa.org/intake
877-745-ACLU (2258)
info@aclupa.org