

Does the First Amendment Give You the Right to Disrupt a Church Service?

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Nekima Levy Armstrong and co-defendants on Feb. 13, 2026, in St. Paul, Minnesota.

The First Amendment protects both freedom of speech and freedom of assembly, but those rights do not give activists carte blanche to [invade a church](#) and take over the service.

Or so I thought.

Now, however, a group of activists who did just that has filed a motion to dismiss federal civil rights charges, arguing that its conduct amounted to “pure speech and assembly” [protected by the First Amendment](#). According to the motion, “The Constitution does not contain any exception to free speech in churches.”

Such a statement might make sense if the agitators faced charges related to free speech, but they don’t. They face charges for violating churchgoers’ right to religious freedom—which also appears in the First Amendment.

A federal [grand jury indicted 38 people](#) on two charges: violating the Freedom of Access to Clinic Entrances Act, which also protects access to churches; and

violating the Ku Klux Klan Act, which criminalizes efforts to deprive Americans of their fundamental rights—in this case, the right to the free exercise of religion.

According to the indictment, agitators who claimed to be opposing Immigration and Customs Enforcement because one of the [church's pastors](#) worked for ICE refused to leave when asked and shouted, “Who shut this down? We shut this down!”

The indictment also mentions that agitators [screamed at crying children](#), blocked parents from getting to their children in Sunday School, and that one agitator told a child his parents were Nazis and going to hell. Churchgoers also reported fearing that they were witnessing an active-shooter event, a fear that is unfortunately not irrational in America today.

The Motion

In a motion to dismiss the charges, filed Monday, ringleader Nekima Levy Armstrong and 30 other defendants claim that all the activity in the indictment is covered by the First Amendment.

“There was no alleged conduct that crossed the line into violence, threats or anything that went beyond free speech,” the filing states. “The protest was limited to pure speech and assembly.”

The defendants argue that the government is attempting to punish them for exercising their “right to free speech and freedom of assembly” because their “political action happened to [take place in a church](#).”

The filing also claims that “there are no allegations supporting a conclusion that defendants’ actions were intended to interfere with freedom of worship.”

The motion claims the government is punishing the defendants because of their message and because they chose to deliver it in a church.

‘Happened to Take Place in a Church’

The motion frames the church invasion as a protest that merely “happened to take place in a church.” That’s like saying the D-Day landings at Normandy “happened to

take place on a beach.” The entire point of the agitation was to disrupt the church service—that’s why agitators bragged about shutting it down.

The agitators chose a time when the church was full of people exercising their First Amendment right to worship.

The motion cites *Snyder v. Phelps*, in which the Supreme Court protected protesters carrying offensive signs near a military funeral. Yet the protesters in *Snyder* remained on *public* property about 1,000 feet away from the church. They did not enter the building, interrupt the service, occupy the aisle, or shout at worshippers. The contrast weakens the defendants’ argument more than it strengthens it.

How does interrupting a church in the middle of a service and celebrating how you “shut this down” *not* qualify as evidence of an intention to interfere?

Imagine activists disrupting a New York Times editorial meeting and shouting, “Who shut this down? We shut this down!” No court would treat that disruption as protected speech.

Cities Church Attorneys Respond

The attorneys representing Cities Church responded to the filing in comments to the Daily Signal.

“That there was no intent to interfere with religious worship services is absurd,” Renee Carlson, general counsel at True North Legal, told the Daily Signal in a statement Wednesday. “The mob of agitators interrupted the pastor’s sermon with whistles and chants, including ‘who shut this down? We shut this down!’”

“Invading a church during a worship service and terrifying the families and children in attendance has never and will never be protected under the First Amendment,” Doug Wardlow, True North Legal’s director of litigation, added.

True Callousness

Perhaps the worst part of this motion involves its approach to the people inside the church.

The filing characterizes the church invasion as merely “speech” and “assembly,” and it dismisses as an “apparent fact” that the worshippers “were emotionally upset,” saying that this emotional disturbance “is precisely the reason that the defendants’ First Amendment rights must be affirmed.”

Tell that to the parents who could not reach their children in a crisis. Tell that to the worshippers who feared they were witnessing an active-shooter attack. Tell that to the child who heard that his parents were Nazis and going to hell.

The First Amendment contains no free speech exception for churches, but it also contains no exception that allows political activists to commandeer someone *else’s* worship service, terrify families, frighten children, and congratulate themselves for having “shut this down.”

If this filing is any indication of the defendants’ state of mind, they appear proud of what they did. More troubling still, they seem to believe the Constitution gave them the right to do it.