

On June 16, 2004, the New York City Council Committee on Government Operations, chaired by Council member Bill Perkins, conducted a hearing at City Hall, attended by 75 people on Resolution No. 389-A, regarding police limits on protest at the Republican National Convention. The resolution called for City officials to act promptly on permit applications, to minimize the use of barricades at demonstrations, and to allow demonstrators within sight and sound of and in close proximity to the object of their demonstrations at the RNC.

Testimony was taken from representatives of several organizations, including the New York Civil Liberties Union, United For Peace and Justice, Center for Constitutional Rights, the Association of Legal Aid Attorneys, and the NLG, as well as individuals. Witnesses urged that the NYPD be directed to use only minimal and necessary force in policing public demonstrations, to train police officers regarding the First Amendment rights of protesters, and to refrain from investigating or conducting surveillance of religious or political organizations based solely upon the First Amendment activity.

The Committee passed the Resolution by a vote of 5-0-1.

**Simone Levine, an active member of the NLG-NYC Mass Defense Committee, testified on behalf of the Guild. The following are excerpts from her testimony:**

“My name is Simone Levine and I speak as a member of the Association of Legal Aid Attorneys as well as a member of the National Lawyers Guild”

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“As a spokesperson for the National Lawyers Guild I can also say proudly that we are building an apparatus to protect the rights of demonstrators both on the streets and if it comes to it in the police precincts. As a member of the National Lawyers Guild we are bringing together a strong and cohesive group of private attorneys who will represent protesters where it is needed in their criminal cases. We are organizing lawyers and law students to negotiate pressure points that might be raised between police and demonstrators during the weeks that surround the RNC.”

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“From this resolution we can see imminent future steps before the RNC which as the NLG and the Association of Legal Aid Attorneys we recommend: future information sharing forums which the police will attend; additional funding which LAS has requested so as to stop any future attorney layoffs; and extensive measures to ensure that demonstrators will be free of political interrogation and that in the case of an arrest, they will be processed as soon as possible.”

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“As a member of the National Lawyers Guild we listened to stories from anti-war demonstrators last Spring about a form which the police used to interrogated them. Some of the questions asked concerned what political group were they from, what was the address of the political group, the names of its other members, what were the goals of the their group, did they support US policies, what did they think of current events in the Middle East- all this after demonstrators had repeated several times that they needed to see their attorneys.”

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“There must be future information sharing forums between the police, defense groups and the City Council. The City Council and Defense groups must be apprised on: the availability of Desk Appearance Tickets for demonstrators; how long the arrest to arraignment process will be estimated to take; whether any debriefing forms will be used in the questioning of demonstrators, the status of preemptive arrests, which streets will be blocked which will be open, the use of metal barriers, water cannons, “less than lethal” weapons, police dogs, ATLAS units(armed with automatic weapons and military combat body armor), whether the practice of bag searches will be used, what protestors can bring in and what they cannot, the origins of the number a 1000 arrests a day, and how the courts and police and corrections plan on handling this number of arrests.”

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“Finally, there must be extensive measures to ensure that demonstrators be free of political interrogation and that in the case of arrest their arrest be as a facilitated of a process as possible.”

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“However, we ask, and indeed we implore, the City implement three further measures: (1) to plan future information sharing forums with at least the police department, the District Attorney’s office, and the defense groups in attendance, (2) restore the full amount of funding the Legal Aid Society is requesting so that we can handle the increased number of cases and (3) propose more extensive measures to ensure that demonstrators be free of political interrogation and that in the case of arrest their arrest be as a facilitated of a process as possible.”