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Civil Rights

Law and order

As Miami plans to prevent disruptions during trade talks, protest groups warn of First Amendment breaches

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Miami hopes to be more successful than Washington, D.C., was in 1998 at preventing violence

Two months before thousands of demonstrators are expected to descend on Miami to protest high-level international trade talks, civil liberties activists and anti-globalization groups say police are interfering with free speech rights.

Protesters and their attorneys claim police officials are stalling the issuing of permits that would allow rallies and parades in the downtown area to oppose a planning conference for the Free Trade Area of the Americas.

"Permit requests have languished with the Police Department for two months," said Miami ACLU leader Lida Rodriguez-Taseff, who has been counseling a coalition of environmental and peace groups that plan to protest. "We're getting the runaround."

The ACLU and protest leaders say that a proposed ordinance aimed at preventing violent protests is so broadly written that it may allow police to clamp down on constitutionally protected, peaceful protest activities.

City leaders say the ordinance, which was approved on first reading last week, is aimed at preventing violent protests such as those at the World Trade Organization's 1999 meeting in Seattle and other, more recent international conferences.

The pressure is on city leaders and police to provide a peaceful venue for the November talks aimed at creating the Free Trade Area of the Americas.

The city wants to impress attendees, because it is in the running to be the headquarters of the 34-nation free-trade zone that would stretch from Argentina to Canada.

Protest leaders say a slide show presented by Miami police for business leaders last week suggested that police may even consider it threatening for protesters to snap photos of crowd control activities.

"We're just trying to make a statement," said South Florida AFL-CIO president Fred Frost. "The police are overzealous about the 2 percent of demonstrators they say are violent."

But Miami Police Maj. Thomas Roell, who will be tactical commander for law enforcement during the FTAA summit, said, "Law enforcement is just trying to strike a balance between the protesters' rights and the trade meeting's rights." He said police "can work with any group that wants to protest in a lawful way."

State and local leaders want to bolster efforts to have Miami selected as the site of the FTAA's headquarters. They claim that would bring as many as 90,000 jobs and an additional \$14 billion annually to the state's economy.

And protest groups see the event as a platform to build on growing discontent among U.S. and Latin American workers coping with an extended recession.

Critics of the FTAA argue that creating a hemispheric free trade zone would fuel an international race to the bottom on wages and environmental rules, as nations compete for business investment.

The centerpiece of the meeting is a conference of 34 trade ministers at the Hotel Inter-Continental on Nov. 20-21.

The protesters' plans include two days of rallies and marches. A national coalition of organized labor spearheaded by the South Florida AFL-CIO is scheduled to rally on Thursday, Nov. 20; an environmental/peace coalition, organized as the Welcoming Committee of the FTAA, is scheduled for Friday, Nov. 21.

'Out in the boonies'

The labor coalition wants to secure a permit for as many as 30,000 union members to march down Biscayne Boulevard toward the Inter-Continental. But the AFL-CIO's Frost said Miami police officials have proposed an alternate route several blocks away, along Northwest Second Avenue - "out in the boonies," he calls it.

Frost said the police proposal would block a major goal of the protest march - getting close enough to the trade ministers' meeting "so that they can see 30,000 working men and women voicing our concerns."

He also said the police route was impractical because of its distance from a planned rally and teach-in at the Bayfront Amphitheater, which the union has rented. He said that would make it difficult for the expected large contingent of seniors and families.

Frost said his group applied for its permit in early August, but was unable to get a substantive meeting with police representatives until late last week.

Rodriguez-Taseff said her clients - who call themselves the Welcoming Committee of the FTAA - were given bogus reasons for their permit delay when they met with police last week. "They told us they were unable to clear our application because they still hadn't decided on street closings and traffic routes for the trade officials," she said.

But Rodriguez-Taseff said that claim was belied by a slide presentation police officials made to downtown business leaders last week that included traffic routes.

"We were lied to," Rodriguez-Taseff said.

But city officials insist the plans are still tentative.

City Community Relations Board chair Brenda Shapiro, who is facilitating the march permit discussions, acknowledged that the discussions between the police and the protest groups were uncomfortable. But she blamed the protesters for "sandbagging" the police by bringing ACLU lawyers with them.

"It was tense because the city was misled about who would come," Shapiro said. "No one's been given a permit because this is still the information-gathering stage."

Miami Police Maj. Roell said traffic planning would continue to evolve as new march permit applications arrived. Four permits are currently "in process," he said. "There is no cut-off date for accepting more."

The various protest groups were scheduled to meet with police again this week.

Police plan

The police presentations to business leaders last week provide a glimpse into attitudes and planning regarding the FTAA protests.

It describes three purported types of demonstrators - one "union-based" and "nonviolent," a second "anti-government" and "anti-establishment," and a third composed of "fringe elements" that are "mostly nonviolent."

The slide show describes the protests during the World Trade Organization meeting in Seattle in 1999 - at which some of the demonstrators were involved in riots and looting - as "the 'model' for future protests."

Police fears are not without any foundation. Miami New Times has reported that some anti-globalization advocates like the Pittsburgh Organizing Group have openly vowed to "materially disrupt" the FTAA. And violence has been a predictable feature at international trade gatherings for years.

But the slide show offers an extremely broad definition of "protest tactics" to watch out for. It includes protesters pointing out plainclothes police officers, providing first aid supplies to injured demonstrators, and taking photographs. "Protesters create and take advantage of negative photo opportunities" is the caption under a photo of a young man focusing a camera.

Carolina Delgado, a spokeswoman for South Floridians for Fair Trade and Justice, worries that police will see photo-taking by demonstrators as a hostile activity and seek to stop protesters from doing so or even restrain or arrest them.

"Cameras and video are mainly a way to document our movement," she said. "But they also safeguard our interest in preventing police brutality and protecting our rights."

Roell responded that police "have no intention of confiscating cameras from anyone with a legitimate reason to have one. That's not going to happen."

But Rodriguez-Taseff was unappeased. "This is the kind of wishy-washy language that gets us all in trouble," she said. "It opens us up to the unfettered discretion of the police."

Restrictive ordinance

The proposed revision of the city's public demonstrations ordinance raises other free speech concerns, according to critics.

Calling the proposal "overly broad and restrictive," Rodriguez-Taseff said the law's expiration date, set just after the FTAA meetings, shows that it is targeted solely at that event's protesters, a violation of their equal protection and due process rights. If passed into law on second reading, she said a court challenge from ACLU was "99 percent certain."

The proposed ordinance would prohibit demonstrators from carrying a wide range of objects, including golf balls, batteries and "materials or devices that can be thrown or projected that can or may cause or have the potential of causing" personal or property damage.

The attitude of police toward the protesters could work against the FTAA, Rodriguez-Taseff cautioned. "If the FTAA leaders want a successful meeting, they could do better than to throw down the gauntlet," she said.

Delgado expressed concern that a battle over civil liberties issues could obscure the protesters' larger political and economic message about the dangers of the free trade agreement.

"We know how important free speech is," Delgado said. "But we are here to talk about the threat to labor and the environment and democracy."

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