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Treating protesters like terrorists

Force Multiplier

By Gwen Shaffer

Last year, Nikki Hartman traveled to Miami to march alongside roughly 10,000 others protesting the Free Trade Area of the Americas (ftaa). It was about 4 p.m. on November 20 when she and her friend, Robert Davis, plopped down on a patch of grass downtown to watch a circle of dancers and musicians perform. Exhausted and sunburned, Hartman clenched prayer beads and began to meditate. Throngs of other protesters--mothers toting kids, teenagers, retired union workers--milled nearby, less than ten feet from a thick line of Miami police dressed in riot gear. Suddenly, the cops began banging their shields and charging forward. Apparently, a few protesters had set trash on fire and the police wanted to clear the area. Hartman, a 28-year-old artist from Tampa, and Davis fled. She doesn't remember hearing the police bark orders to disperse. But she does recall hearing popping sounds as officers fired tear gas and rubber bullets, seven of which slammed painfully into Davis's body. Hartman felt a sting and realized the side of her head was bleeding. The gash required a trip to the hospital and five staples to close.

Hartman is one of dozens of protesters seriously injured in clashes with Miami police during the ftaa meeting. The barrage of rubber bullets and pepper spray that rained down on her are only two of the "less lethal" weapons--many developed for military use--that local police now routinely deploy during political demonstrations. Tasers, concussion grenades, beanbag launchers, pepper balls, flashbangs, and even medieval-sounding flying truncheons are standard accoutrements of law enforcement at these events. Miami Mayor Manuel Deaz calls these tactics "a model for homeland defense." And, unfortunately, he's probably right.

The hard-line approach to protests began after the 1999 World Trade Organization meeting, where rioting activists blindsided Seattle police and caused \$3 million in property damage. But it was September 11, 2001, that blurred the line between squashing demonstrations and fighting terrorism. Indeed, a militarized police response like that at the ftaa protest would not have been possible without federal homeland security funding. Miami Police Chief John Timoney orchestrated the elaborate Miami offensive thanks to \$10 million in special funding, including \$8.5 million that Congress lumped into an Iraq appropriations bill. Following the clashes with the ftaa protesters, Miami Police Sergeant Robert Baker acknowledged that the department "brought in a lot of this ammo for the ftaa. ... We don't normally keep a lot of it on hand." Timoney rolled out armored personnel carriers and water cannons. He purchased concussion grenades, beanbag projectiles, tear gas, Tasers, and rubber bullets. The Miami police SWAT team had "a variety of less lethal munitions and weapons, numerous tools and ropes," according to an "after-action review" released by the Miami Police Department in February. Dr. Eduardo Diaz, executive director for the Miami-Dade County Police Independent Review Panel, notes, "Prior to 9/11, I'd never seen the federal government spend this kind of money to prepare local police departments for a demonstration."

And now, Washington is cutting two checks, for \$25 million each, to help pay for security in Boston and New York City during the party conventions. Cities all over the country have received smaller pots of money from the feds as well. Homeland Security Secretary Tom Ridge recently boasted that his department has allocated a record \$8 billion to local and state governments for training and equipment. Political activists fear local police departments will spend the federal money on less lethal weapons, only to deploy them during peaceful demonstrations. Under the guise of homeland security, cops are free to treat anyone on the street as a potential combatant, says Eric Laursen, an organizer with the New York-based Campaign to Demilitarize the Police. "The homeland security budget blurs the line between fighting terrorism and suppressing dissent. You have to ask yourself, Is this really about keeping people safe, or not wanting people to protest?"

Demonstrators in Northern California are asking the same question. On April 7, 2003, the Oakland Police Department broke up an antiwar picket in front of that city's port. The police fired an array of less lethal weapons, including 37-millimeter shells filled with wood and rubber, tear gas, and "stinger" grenades that exploded in disorienting blasts of light and sound as well as rubber pellets. According to a class-action civil suit pending against the city, the 500 protesters had begun walking away from the dock when police broke out their high-tech weaponry. A lawsuit filed against Oakland police contends that at least 50 people were injured. A projectile hit one demonstrator in the back of her calf, causing a massive blood clot that required surgery. She also underwent a skin graft.

Not coincidentally, five days earlier, the California Anti-Terrorism Information Center (catic) had sent Oakland police a vaguely worded bulletin implying that trouble could erupt during the antiwar demonstration. Catic operates on \$6.7 million from the state of California and is staffed with personnel from the FBI, the Defense Intelligence Agency, and other local, state, and federal agencies. Catic warned that activists were conspiring with the longshoremen's union to shut down the nation's fourth-largest shipping port and that they could be armed with Molotov cocktails. "The memo raised red flags about terrorism, and the Oakland police took it very seriously," says the plaintiffs' attorney, Rachel Lederman.

Catic spokesman Mike Van Winkle told reporters that the agency didn't need direct evidence of terrorist activity to justify the memo. "You can make an easy kind of link that, if you have a protest group protesting a war where the cause that's being fought against is international terrorism, you might have terrorism at that [event]," Van Winkle said. "You can almost argue that a protest against that is a terrorist act." The state rewarded the Oakland Police Department for crushing the protest. In July 2003, the California Office of Homeland Security paid local police \$424,243 "for reimbursement of overtime costs incurred ... during the hostilities with Iraq."

Compare this incident with the response that greeted massive antiwar protests in San Francisco, just across the bay from Oakland, on the eve of the 1991 Gulf war. Thousands of people surrounded the city's federal building, some of them launching fireworks and rushing police barricades; a police patrol car was set ablaze, hundreds of protesters stormed onto the Bay Bridge (forcing its temporary closure), rocks and burning debris were hurled at the police, and windows

were smashed at several downtown businesses. Yet, while hundreds were arrested, there were no reports of any protesters being seriously injured. By all accounts, the police acted with remarkable restraint. Asked later why he didn't use more force against demonstrators, Police Chief Willis Casey told *The San Francisco Chronicle*, "This is not Lithuania." Few police departments seem willing to show such moderation today. "It used to be that avoidance of large clashes was evidence that police had successfully policed the protest, but that no longer is a criterion for them," says John Noakes, a visiting sociology professor at the University of Pennsylvania who studies protest movements. Instead, Noakes says, police are more interested in clearing the streets--something less lethal weapons make it easier to do.

The military originally developed less lethal weapons to quell rebellions and fight wars. But local police departments are now the main market for such equipment. Today, at least 4,400 local law enforcement agencies use Tasers, according to the manufacturer. And ShockRounds--specialized bullets that generate a high-voltage charge--are marketed as highly effective for controlling both crowds and terrorism. Armor Holdings, Inc. characterizes its "family" of chemical munitions as "the first line of solutions for the management of crowds."

Political correctness, if nothing else, precludes the police from bashing skulls or siccing attack dogs on demonstrators as they notoriously did during the civil rights and anti-Vietnam struggles. And that's the beauty of less lethal weapons. They rarely kill or leave puddles of blood in the street. They do incapacitate people for an hour or two--just long enough to prevent them from continuing to protest. "There's a perception that less lethal weapons are a good thing because no one wants to see cops using billy clubs," Noakes says. "But this new technology is frightening because now the police don't have to exercise restraint."

Even law enforcement advocates acknowledge that less lethal weapons have altered "the force continuum" police use. Before their introduction, officers gave suspects a verbal command to stop, followed by an order to lie down. If suspects failed to comply, an officer brandished his baton. As a last resort, he fired a gun. "Now the continuum is much more complex," says John Firman, research director for the International Association of Chiefs of Police. "Pepper spray has eliminated the baton. And a verbal command is often immediately followed by use of a Taser or pepper spray."

Force wasn't used against protesters during the Group of Eight Summit held in June on Sea Island, Georgia, but officials were certainly prepared. More than 50 law enforcement agencies converged on the isolated resort town. The vast military presence included surface-to-air missiles in salt marshes, public parks, and upscale properties on Sea Island and nearby Jekyll Island. Uniformed soldiers patrolled the streets. Protesters were cautioned not to expect warm Southern hospitality. Before a single banner was unfurled, Georgia Governor Sonny Perdue declared a state of emergency. Under the designation, any assembly could be deemed unlawful and Perdue could proclaim martial law. To pay for the agents and equipment, Georgia received \$25 million as part of the \$87 billion Congress allocated for Iraq. The Pentagon chipped in another \$10 million for the National Guard troops.

In the end, security forces outnumbered protesters 67 to one. The last time Savannah swarmed with 20,000 armed men, General William T. Sherman's Union troops controlled the coastal town.

Government officials claimed these actions were necessary to fight terrorism, but they were aimed at demonstrators, too. "Some of these people will come not just to express their minds but to burn buildings, disrupt traffic, and cause harm. We need to be prepared," Thomas Bevan, director of the Center for Emergency Response Technology, Instruction & Policy in Atlanta, testified before state senators in January.

The United States doesn't sponsor a national police force, but local departments constantly share information and dispatch officers to other cities on reconnaissance missions. Boston and New York have sent officers to observe demonstrations in Portland, Oregon; Washington; Miami; and Sea Island. Last year, Timoney dropped by Boston to share his experience directing security during the 2000 Republican National Convention in Philadelphia, where he was police chief at the time. New technologies make communication even easier. In February, the feds rolled out the Homeland Security Information Network. The system allows local, state, and federal officials to collect and immediately share sensitive but unclassified information--including information about potential protests. Ridge hopes to have 100 law enforcement agencies linked through the system by mid-summer.

Paul Browne, the New York Police Department's deputy commissioner for public information, says political dissenters are "taking themselves too seriously" if they believe the government is spending millions of dollars on equipment and training simply to silence their voices. "Our concern is not the protesters themselves; it's that any large demonstration is a target for a terrorist attack." But is this concern serious enough to justify quashing protests? "The subtext is that protesters provide cover for terrorist attacks. But there's no historical evidence of this," says Chip Berlet, a political analyst who studies right-wing movements. In other words, the fear of terrorism may explain the need for less lethal weapons. It just doesn't justify their use against protesters.

Gwen Shaffer is a freelance reporter living in Philadelphia.