

St. Petersburg Times:

#### Police overreaction

Protecting the rights of peaceful citizens is a law enforcement duty just as important as keeping order. At the protests in Miami, that duty was shirked.

A Times Editorial

Published December 2, 2003

Those responsible for law enforcement during the recent Free Trade Area of the Americas summit in Miami failed part of their duty. While the free-trade meeting was expected to draw troublemakers who oppose globalization, police also knew that thousands of peaceful protesters would be there. Law enforcement had two duties during the meetings. One was to respond to any violence or mayhem caused by the small group of anticipated "anarchists." The other was to protect the First Amendment rights of those who were there to raise their voices, not their fists.

Eyewitness accounts, however, suggest that free-speech rights were routinely trampled. Thousands of police in riot gear were dispatched to contain about 8,000 protesters. Officers allegedly responded with excessive force to mild provocations. Witnesses said rubber bullets and pepper spray pellets were indiscriminately shot into an otherwise peaceable crowd when one person threw an object at police. As a consequence, dissent was shut down, protesters were injured and harassed, and baseless arrests were made.

While politicians from the governor on down have lauded the actions of the 40 policing agencies that made up the force in Miami during the FTAA meetings, unions and civil rights groups have been vocally registering complaints. The United Steelworkers of America called for a congressional investigation into the "massive police state," that was Miami on Nov. 20. The union's international president, Leo Gerard, said police used "massive force, riot gear and armaments, including combat vehicles . . . to intimidate us and limit the exercise of our rights." The human rights organization Amnesty International also asked for an independent review, saying police used a level of force that "does not appear to have been at all justified."

Miami police Chief John Timoney, who organized the massive police response, said his department will produce a comprehensive report on the security situation and actions of police during the FTAA meetings. Any review is welcome. But Timoney is a man with a reputation for forsaking the First Amendment when confronted by large-scale demonstrations. He has obvious contempt for demonstrators, calling militant protesters "punks." And as police commissioner of Philadelphia during the Republican National Convention in 2000, he was accused of using unconstitutional tactics such as pre-emptive arrests as a means of maintaining order. An investigation into the police response to FTAA demonstrators should be conducted by an agency not associated with Timoney's department.

If Miami is to become the permanent headquarters for the FTAA, as it hopes, then last month's summit was just a dress rehearsal. An independent investigation should identify areas of overreaction - particularly the way police freely fired nonlethal weapons into crowds - and these lessons should be applied to the future. But one thing is for certain: Timoney's paramilitary response should not be a model going forward.