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Protesting NYPD Protest Rules

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By Jefferson Seigel

Opposition to a recently enacted police regulation limiting public gatherings continues to draw crowds. Last Saturday night, September 29, several hundred people gathered in Washington Square Park and marched through the West Village banging drums, carrying banners, and chanting, "Resist, resist, you know you are pissed." The march was organized by the group Radical Homosexual Agenda, whose recent protests have been reminiscent of memorable demonstrations mounted by the AIDS Coalition to Unleash Power, or ACT UP. Last June RHA dropped protest banners in the City Council chamber, interrupting a celebration of Gay Pride Month held by Speaker Christine Quinn, an out lesbian. "The streets serve as our bulletin boards," RHA organizer Tim Doody said before the march. "We're not going to give that up without a fight." Most at the march directed their anger at Quinn. They criticized the leader of the city's legislative body for allowing the police to promulgate a rule requiring groups of 50 or more to first obtain a permit before gathering. Many at Saturday's march wore patches with the number "51" printed in bright pink. Other patches depicted a gas mask, symbolizing what organizers called a toxic rule. "The military junta in Myanmar has ruled that five or more people cannot gather in the streets there. Does Speaker Quinn really believe the difference between a junta and a democracy is 45 people?" Doody asked. Quinn's spokesperson, Maria Alvarado, said in an e-mail statement, "The Speaker is a longstanding leader in the LGBT community. Speaker Quinn fully recognizes and respects the constitutional rights of free speech, freedom of assembly, and the right to protest." Carrying banners reading "Radical Queers Resist" and "Defend Freedom of Assembly," the march left Washington Square Park after dark. A handful of police accompanied the marchers as they walked west on Waverly Place. The mass of protesters spread out across the entire width of Eighth Avenue as they walked up to West 15th Street before turning back to the West Village. Doody, like a modern-day Jim Morrison dressed in a revolutionary-style jacket, danced while blowing a whistle that kept a dozen drummers pounding a cadence as if they were an extreme college marching band. As they passed the new neon sign in the window of the Stonewall Inn and the entrance to the Gansevoort Hotel, marchers pressed pink leaflets headlined "Defend our Freedom of Assembly" into the hands of tourists, diners, and passersby. Chelsea resident Barry Hoggard, a computer programmer, said he worked with Quinn for many years, going back to her days with State Senator Tom



A crowd of several hundred activists turned out Saturday night in opposition to new NYPD assembly regs.

Duane."She wouldn't be where she is today if things like this hadn't happened," Hoggard said as the march turned onto Bleecker Street. "She's someone who's been in plenty of demonstrations." Many have noted glaring flaws in the regulation, suggesting that participants in school trips or funeral processions could be subject to ticketing and even arrest. Civil libertarians worry the permit rule will have a chilling effect on spontaneous demonstrations. The regulation is under scrutiny by the Bar Association of New York. Peter Barbur, of the Association's Civil Rights Committee, spoke out against the rule at a hearing in Police Headquarters last November. "We believe this approach is ill-conceived and fundamentally wrong," he said. "This is inevitably going to lead to selective enforcement." "The NYPD was receptive to a number of the Council's suggestions, as well as those from the public," Alvarado noted. "We will continue to monitor these new rules to ensure that the right balance is found." Alvarado was asked, if Council members were to introduce legislation either raising the number required for a permit or abolishing the rule altogether, would the speaker allow or support such legislation? "If a member introduces a bill," Alvarado replied, "it will be referred to the appropriate committee, where it will receive full review." Several Council members have already voiced opposition to the regulation, including Manhattan's Rosie Mendez, an out lesbian, Alan Gerson, and Gale Brewer, and David Weprin and Tony Avella of Queens. In addition to the Bar Association, groups as diverse as 100 Blacks in Law Enforcement Who Care, **Transportation Alternatives**, Time's Up!, United for Peace and Justice, and Assemble for Rights have denounced the regulation. In March, the Five-Boro Bike Club filed a lawsuit in federal court against the regulation. A judge denied the group's motion for a preliminary injunction. In September an appeal was filed in the Second Circuit Court of Appeals. Saturday's march ended without incident. "We just showed that far more than 50 can gather and can do it effectively and safely," Doody said as marchers spread out on the turf of the Christopher Street Pier on the Hudson River. "New York City survived."

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