

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 PUBLIC HEARING AND PUBLIC MEETING
4 BEFORE COUNCIL COMMITTEE ON PUBLIC SAFETY

5 - - -
6 Room 400, City Hall
7 Philadelphia, Pennsylvania
8 Monday, June 12, 2000
9 3:00 p.m.
10 - - -

11 BILL 000164 - An ordinance amending Title 10 of
12 the Philadelphia Code, entitled "Regulation of
13 Individual Conduct and Activity," prohibiting
14 concealed identities in certain instances

15 PRESENT: COUNCILMAN ANGEL L. ORTIZ, Chair
16 COUNCILWOMAN JOAN KRAJEWSKI, Vice Chair
17 COUNCILMAN DARRELL L. CLARKE
18 COUNCILMAN DAVID COHEN
19 COUNCILMAN FRANK DICICCO
20 COUNCILMAN JAMES L. KENNEY
21 COUNCILMAN RICHARD MARIANO
22 COUNCILWOMAN BLONDELL REYNOLDS-BROWN
23 COUNCILMAN FRANK RIZZO

24 - - -

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2 I N D E X

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5	* Deputy Commissioner Robert Mitchell.	4
6	Philadelphia Police Department	
7	John Hogan, R2K Network.	45
8	Terrence McGuckin, Masked Protester.	57
9	Lisabeth Pelsue, Masked Protester.	61
10	(* - Also provided attached written material.)	

10

11 Attached Written Testimony By:

- 12 - Gerrie Green, ADL
- 13 - Dave Frankel, ACLU
- 14 - Lynne Abraham, Philadelphia DA
- 15 - Kenneth Trujillo, Philadelphia City Solicitor

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2 P R O C E E D I N G S

3 COUNCILMAN ORTIZ: The Committee on
4 Public Safety, seeing a quorum present, calls the
5 committee to order to hear testimony on Bill
6 000164.

7 Councilman Kenney, Councilman Rizzo,
8 Councilman DiCicco, Councilman Mariano, Councilman
9 Cohen and Councilman Clarke are present. A quorum
10 being present, I would like to -- is Mr. Mariano
11 around?

12 Commissioner Robert Mitchell, would you
13 please come forward.

14 (Witness comes forward.)

15 COUNCILMAN ORTIZ: Would the clerk
16 please read the title of the bill into the record.

17 THE CLERK: Bill No. 000164, an
18 ordinance amending Title 10 of the Philadelphia
19 Code, entitled "Regulation of Individual Conduct
20 and Activity," prohibiting concealed identities in
21 certain instances.

22 COUNCILMAN ORTIZ: Deputy
23 Commissioner.

24 COMMISSIONER MITCHELL: Yes, sir.

25 COUNCILMAN ORTIZ: Please identify

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2 yourself for the record.

3 COMMISSIONER MITCHELL: Good afternoon,
4 Councilman. My name is Deputy Commissioner Robert
5 Mitchell Philadelphia Police Department.

6 COUNCILMAN ORTIZ: Please continue.

7 COMMISSIONER MITCHELL: Yes. Police
8 Commissioner Timoney has personally assigned me to
9 plan and direct the Police Department's
10 involvement in the upcoming Republican National
11 Convention. I am here today on behalf of the
12 Philadelphia Police Department to urge your
13 support for City Council Bill 164 for the year
14 2000.

15 This summer, Philadelphia will be the
16 proud host of the Republican National Convention.
17 The Police Department has the enormous privilege,
18 and the corresponding enormous responsibility, to
19 make sure that this convention is a success and a
20 safe one. It is our intention to protect the
21 rights of the conventioners as well as those who
22 wish to exercise their rights to free expression.
23 Therefore, we have been preparing for this event
24 for nearly one year.

25 We have invested an enormous amount of

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2 time and resources in planning for this event. We
3 are training our officers to address the increased
4 traffic and crime prevention concerns that will
5 accompany this massive proliferation of visitors
6 that we anticipate. We are also prepared to
7 provide those services and courtesies that will
8 assist tourists to enjoy their stay in our city.
9 At the same time, we are also training and
10 preparing to handle multiple large demonstrations
11 in a manner that emphasizes safety and lawful
12 assembly, while protecting the rights of free
13 speech.

14 Over the past year, we have traveled to
15 other large gatherings around the country,
16 including the meeting of the World Trade
17 Organization in Seattle, the World Bank gathering
18 in Washington, DC, and the May Day celebrations in
19 New York. These events have taught us that there
20 are a small percentage of protesters who are
21 intent upon using violence to destruct the rights
22 and well-being of those with different
23 viewpoints. These organized offenders attempt to
24 draw attention to their issues by unlawfully
25 disrupting the meetings and discussions of those

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2 that they disagree with.

3 In the other cities we visited,
4 violence had been the primary tool of discourse
5 for these rogue groups. These tactics include
6 setting fires, blocking traffic, throwing rocks
7 and bottles, and other means intended to
8 intimidate and cause havoc.

9 Our mission is to provide a safe forum
10 for the cherished right of free expression, while
11 preventing those who use violence from intruding
12 upon the rights and safety of others.

13 Council Bill 164 will enable us to
14 reach this goal as it directly addresses a common
15 tactic used by the lawbreakers to facility their
16 elicit behavior. We observed that the violent
17 protesters used masks to hide their identities
18 while committing these crimes. They also wore gas
19 masks to prevent their dispersion by police and to
20 allow them to continue their assaults.

21 Council Bill 164 would prevent anyone
22 from wearing a mask to intimidate others. More
23 importantly, for our purposes, during large
24 protests, this bill will prohibit the use of a
25 mask to conceal one's identity when engaged in

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2 unlawful activities, and it will also prevent the
3 use of masks such as gas masks that are being used
4 for the purpose of facilitating criminal behavior.

5 We have been taking great pains to
6 ensure that the rights of all individuals and
7 groups are respected. It is our job in the Police
8 Department to maintain an atmosphere that allows
9 for a free and safe exchange of ideas and
10 opinions. To do so, we must also be prepared for
11 the real possibility that some will come to our
12 city with the intention of depriving others of
13 these rights. Council Bill 164 will help us
14 maintain this balance.

15 We respectfully request that the rules
16 of Council be suspended so as to allow Council
17 Bill 164 to be read on the first-consideration
18 calendar on June 15th, as would be necessary for
19 action on this important bill on June 22nd, the
20 last Council session.

21 Thank you for the opportunity to
22 testify, and I'm available for any questions.

23 COUNCILMAN ORTIZ: Thank you,
24 Commissioner. Commissioner.

25 COMMISSIONER MITCHELL: Yes, sir?

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2 COUNCILMAN ORTIZ: You mean to tell me
3 that you will not be able to, without this bill,
4 these demonstrations that we're going to have, you
5 will not be able to handle them?

6 COMMISSIONER MITCHELL: No, I'm not
7 saying that, but it would be a valuable tool to
8 assist us in better management of large crowds.

9 COUNCILMAN ORTIZ: I would hope that
10 you will detain anyone involved in unlawful
11 activity, whether they be masked or not masked,
12 wouldn't you?

13 COMMISSIONER MITCHELL: We are
14 certainly going to try.

15 COUNCILMAN ORTIZ: So being masked and
16 being involved in unlawful activities, I would
17 hope that the use of the law would be exercised in
18 both cases.

19 COMMISSIONER MITCHELL: It would be.

20 COUNCILMAN ORTIZ: How do you define"
21 intent? How will you be able to recognize that
22 someone is going to intimidate and is wearing a
23 mask with an unlawful intent in mind?

24 COMMISSIONER MITCHELL: What I think we
25 mean be that -- or what I believe we mean by that,

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2 Councilman, is their actions, the actions that
3 lead up to their behavior before there would be
4 any kind of a police action.

5 COUNCILMAN ORTIZ: Well, let's say that
6 they're demonstrating at the Republican
7 Convention, the welfare folks, they're
8 demonstrating against the unlawful and oppressive
9 laws against poor people that have been put
10 forward by the Republican administration during
11 the last ten years, they're wearing masks, they
12 have Gingrich masks, they have Ronald Reagan
13 masks, they have different masks, they have all
14 sorts of masks, and they're shouting all sorts of
15 all sorts of phrases and words against Republican
16 politics and legislation, and they raise their
17 fists.

18 Will they be liable to arrest?

19 COMMISSIONER MITCHELL: No.

20 COUNCILMAN ORTIZ: What would make them
21 liable to arrest?

22 COMMISSIONER MITCHELL: Pardon me, sir?

23 COUNCILMAN ORTIZ: I said, what would
24 make them liable to arrest?

25 COMMISSIONER MITCHELL: I said they

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2 would not liable for arrest.

3 COUNCILMAN ORTIZ: I said, what would?

4 COMMISSIONER MITCHELL: They would have
5 to move beyond that. Those mere actions that
6 you've just outlined are not sufficient -- not
7 sufficient intent to warrant arrest.

8 COUNCILMAN ORTIZ: But what would be a
9 sufficient intent? Describe to me an action that
10 would be characterized as sufficient intent,
11 because this is -- to me, intent would be in the
12 eye of the beholder. And what would be an
13 intent?

14 And you have young policemen out there,
15 and it's going to be a very tense situation if we
16 get the type of demonstrators that we are
17 expecting for this convention. There may be
18 thousands of people out there, and tension may be
19 high.

20 How are we going to define "illegal
21 intent"?

22 COMMISSIONER MITCHELL: I would care to
23 describe it, Councilman, by the actions that
24 follow. In other words, the mere wearing of the
25 mask is not, in our eyes, evil and criminal.

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2 COUNCILMAN ORTIZ: In Detroit, a lot of
3 people got arrested not too long ago by just the
4 mere wearing of a mask. What is going to help
5 that from -- prevent that from happening here, the
6 cradle of the Constitution and the birthplace of
7 the Declaration of Independence. The people who
8 went and threw the tea overboard wore masks, they
9 wore Indian garments to hide their identities from
10 the British. And, obviously, that was an
11 oppressive government; they would have been
12 arrested.

13 What is going to be -- because here,
14 intent is very -- is in the eye of the beholder.
15 It is not defined. In demonstrations, because
16 I've been in some throughout my life, and I know
17 that many times you can get arrested just because
18 you answer -- a policeman tells you something and
19 you say something back to the policeman, and you
20 might get arrested.

21 COMMISSIONER MITCHELL: Well, I can't
22 -- I can't talk to the Detroit story that you've
23 mentioned, I know nothing about that. And as I
24 said to you, the mere mentioning of the masks
25 would certainly not be sufficient for the

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2 Philadelphia Police Department to take any kind of
3 an action at all just.

4 COUNCILMAN ORTIZ: Just that it's the
5 words in this legislation, and I'm asking you for
6 a definition of how we are going to be able to
7 define that, how the police will interpret that.
8 And you have not given one as of yet.

9 COMMISSIONER MITCHELL: Let me attempt,
10 then, to put the issue to rest by saying that what
11 I would view, and as commander will be responsible
12 for ensuring that it gets communicated down to all
13 of the police officers involved in the operation,
14 is that when you carry it beyond that, when you
15 move in a forceful, aggressive manner.

16 Now, if that's also vague, I will
17 attempt to try to clear that up. Towards bringing
18 harm to an individual, putting somebody in deathly
19 fear of possible harm, or moving towards the
20 destruction of any kind of property that would be
21 in the area.

22 Now, what I mean when I talk about the
23 property issue, I don't mean just moving towards
24 it; I mean taking some kind of an action towards
25 the destruction property or the harming of an

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2 individual.

3 COUNCILMAN ORTIZ: So someone have to
4 pick up a rock and throw it for you to move, for
5 example?

6 COMMISSIONER MITCHELL: Yes.

7 COUNCILMAN ORTIZ: If they are moving
8 forcefully down Broad Street, you will not be able
9 to arrest anyone at that point.

10 COMMISSIONER MITCHELL: That's right.
11 If it goes back to what you were talking about
12 when you used the example of the Kensington
13 Welfare Rights, yes.

14 COUNCILMAN ORTIZ: So somebody would
15 have to pick up a rock and throw it at a window
16 for you to more against that individual.

17 COMMISSIONER MITCHELL: Or attempt to
18 throw it at the window.

19 COUNCILMAN ORTIZ: You mean he would
20 stop it halfway or --

21 COMMISSIONER MITCHELL: If we were that
22 unfortunate.

23 COUNCILMAN ORTIZ: I mean, it says,
24 "with specific intent to intimidate or threaten
25 another person," and I want the Police Department

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2 to put on the record, as accurately as possible,
3 what would be meant and what would be the type of
4 actions that would be taken so that we'd leave no
5 room for interpretation later on.

6 COUNCILMAN MARIANO: Councilman
7 Clarke's going to introduce an amendment that may
8 clarify that a little further. I don't know if
9 that will satisfy your questioning, but it's -- it
10 may.

11 COUNCILMAN ORTIZ: Well, we have an
12 amendment that we're going to put in.

13 COUNCILMAN MARIANO: Do you have that?

14 COUNCILMAN ORTIZ: I read 'em, but they
15 still have the "specific intent to intimidate"
16 wording in the body of the legislation, and the
17 Police Department, I would hope, or the District
18 Attorney, to be able to really delineate what it
19 means, 'cause we're going to have protests in this
20 city, and we don't want that in the city where
21 protest was born, that protest is curtailed. And
22 I want specific directions as to how you're going
23 to interpret this little phrase, "specific intent
24 to intimidate or threaten another person."

25 Councilman Kenney.

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2 COUNCILMAN KENNEY: Thank you,

3 Mr. Chairman.

4 Commissioner, you've been in law
5 enforcement in the Police Department for quite a
6 long time and have had a lot of experience with
7 special events and crowd control and these types
8 of special situations, and I'm sure that's the
9 reason why you've been given this very important
10 duty of coordinating all the safety, security,
11 movement of delegates and press and protesters and
12 everybody else.

13 Just based on your experience
14 throughout your career and kind of liking it --
15 the question I'm going to ask -- to when you're
16 raising your own kids. Kids get in the teenage
17 years and you tell them that they cannot do
18 something, and "You better not do that and if you
19 do it, you're going to be in trouble."

20 Don't bills like this and efforts like
21 this in some ways create a situation where more
22 people actually decide that they're going to wear
23 a mask or do something they're told not to do
24 because they've been told basically not to do it.
25 People who protest, who argue against the status

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2 quo, argue against, or rail against the machine,
3 so to speak, are more likely to be desirous of
4 showing you that they're going to do it anyway
5 'cause you've told them that they can't.

6 I'm just talking about -- not this
7 particular situation, but just human nature. Are
8 we looking for more masked protesters come July
9 and August than we would normally have if we
10 didn't pass this bill?

11 COMMISSIONER MITCHELL: Councilman, I
12 would hope not, but I don't know, I mean I truly
13 don't know whether these folks will just take it
14 as a personal challenge because City Council had
15 saw fit to pass it because it had some merit that
16 this would be -- Well, they we said no, well,
17 we're going to do it anyway. I don't know.

18 COUNCILMAN KENNEY: I mean, it's a
19 rhetorical question and I know you don't have a
20 specific answer for it, but I just -- I guess what
21 I'd like the Department and the City organizers
22 and coordinators of this event, a very important
23 event in this city, to think about. And, again, I
24 am not a professional of this, I've not done this
25 profession, I am not a law enforcement, nor an

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2 event organizer.

3 But it seems to me the more we try to
4 sanitize and move the protests away from the main
5 areas of this event, the more and more resistance
6 we're going to get and the more trouble we
7 potentially may have. I think often people that
8 you're describing, the small minority or small
9 group -- not minority people but small group of
10 people who desire to rile things up and cause
11 trouble or cause violence -- not just protest
12 peacefully -- are more interested in getting
13 publicity and coverage and TV time than they are
14 anything else.

15 And if you kind of cooperate with them
16 and let them have their say, it gets boring
17 because the real fight, the real interest, and the
18 real excitement comes when you tell people, You
19 can't do it and you better not be in this area and
20 we're going to limit the places where you can be
21 and you're got going to have Love Park, and you
22 can't have the lakes and you can't do this. I
23 think it heightens in some ways the tension and
24 potential for trouble; as opposed to basically
25 saying, Look, this is America, you have a right to

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2 express your opinion, whether I disagree with it
3 or not.

4 I understand the law enforcement part
5 of it, you know, I've seen the tape from Seattle,
6 I've seen some of the other tapes from the World
7 Trade Organizational meetings. I think they were
8 handled horrendously by the police. I would
9 suspect that your experience, Commissioner
10 Timoney's with running the Democratic National
11 Convention, I guess, in '92, would handle things
12 differently than the police did in Seattle or the
13 police did in Washington -- although I think the
14 Washington thing in the end really turned out to
15 be a very interesting dynamic between protesters
16 and law enforcement, which I think was a good
17 thing for that department and a good thing for the
18 commissioner there.

19 I'm just wondering whether or not, in
20 some ways, if you try to limit and sanitize it and
21 avoid or hide the protesters, I think it gives
22 them more of an impetus to want to be more vocal
23 and visible and more violent.

24 COMMISSIONER MITCHELL: Well, I -- I
25 really want to leave you with a sense that the

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2 lessons that the police learned in Seattle and
3 also the little observations that were made in
4 Washington, DC, they're not lost on us, they
5 really aren't. We are not -- and I have told it
6 to any media person that's ever asked us, because
7 they're really interested in that aspect of the
8 convention, and I've gone to great lengths to tell
9 them, we are not -- I don't know how many times --
10 you know, we're not looking to pick a fight, we're
11 not looking to ring up the numbers of arrests. We
12 would absolutely relish an event where everybody
13 leaves having accomplished what they wanted to do
14 and, you know, it's just been a real pleasant
15 experience. We are not looking for confrontation.

16 COUNCILMAN KENNEY: And I'm taking that
17 from you -- I mean, I've known you for a long time
18 and I have every confidence that you're going to
19 be able to do that and every confidence that
20 Commissioner Timoney has the expertise and the
21 experience to keep that from happening and to have
22 a really good event for the City, for the
23 delegates, for the protesters, and for the
24 citizens who have to live here during the course
25 of the event.

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2 But I'm just wondering rhetorically and
3 kind of thinking out loud, the more we try to
4 limit, are we asking for more trouble that we
5 need. So, I mean, that's not a question you can
6 answer; it's just something that's still in my
7 mind and will determine whether I vote on this one
8 way or the other.

9 Thank you.

10 COUNCILMAN ORTIZ: Councilman Cohen?

11 COUNCILMAN COHEN: I'm having a great
12 difficulty with this bill. It seems to fly in
13 totally the opposite direction that I thought the
14 Police Department was moving in.

15 You know, what -- you know, it seems to
16 me, as I read it, it applies to a bank robber.
17 Bank robbers are the people who usually wear masks
18 to hide their identity, and I'm just wondering to
19 myself, does that mean that the next time somebody
20 wants to rob a bank and would wear a mask would
21 say, Well, the City of Philadelphia's passed an
22 ordinance and I'm going be subject to a fine, I'd
23 better rob the bank without a mask?

24 (Laughter.)

25 COUNCILMAN COHEN: You know, it -- I

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2 don't understand this.

3 If a person does something illegally,
4 as Councilman Ortiz said at the outset, we would
5 expect that the Police Department would do
6 something about it. This does what in that
7 circumstance? It adds to whatever illegal action
8 was taken, it adds a second minor penalty?

9 None of it makes sense to me.
10 Therefore, I have to worry about what the real
11 intent of this legislation is. And to me, it
12 looks like this legislation is aimed at
13 suppressing the expression of dissent in some
14 fashion or another, and pretty words like at the
15 end of the bill, "A person who violates this" --
16 no, this section is next to the last. "This
17 section shall not be construed to punish
18 Constitutionally protected speech." That's words
19 under these circumstance.

20 What this bill does is to move directly
21 to seek to prevent, maybe not punish, but to
22 prevent protected speech. And it seems to me that
23 wearing masks has always historically been a
24 method of expression of dissent in some fashion or
25 another. People are ridiculed. Cartoons, maybe

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2 they'll use my face or my beard as a mask to
3 express some kind of a sentiment somewhere along
4 the line.

5 I just see nothing in this bill which
6 makes any sense except to put out a threat, and
7 not a very veiled threat at that, that by God, if
8 you come with a mask and you make too much noise,
9 or as in Detroit, maybe it was an over-zealous
10 police officer, that's what the reports seem to
11 indicate. It just gives pretext for suppression
12 of dissent, and I just feel this bill flies
13 totally in the wrong direction.

14 I invite your comment to that. I'm
15 stunned that in the City of Philadelphia such a
16 bill would be offered.

17 COMMISSIONER MITCHELL: Well, I'm kind
18 of saddened to hear you say that, Councilman, I
19 have to be quite candid with you.

20 COUNCILMAN COHEN: Well, I'm really
21 shocked that the Police Department is appearing
22 here today in support of this bill, which seems to
23 move in just the opposite direction from the way
24 we have understood Commissioner Timoney has been
25 conducting the Police Department. He has

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2 universal support because he's shown universal
3 respect to everyone.

4 COMMISSIONER MITCHELL: Well, I would
5 submit -- then that's why I express my exception
6 to your remarks.

7 This bill was reviewed by the Police
8 Commissioner, and you have a lot of respect and
9 admiration for him, you know exactly where he
10 stands on many, many issues. And this is an
11 issue, the issue of free speech, your right to
12 express is very -- I've had some sessions with
13 him. He's kind of out of synch with an awful lot
14 of people 'cause he marches to the beat of his own
15 drum. This was not an issue that he had a problem
16 with.

17 I might submit that it's patterned
18 somewhat after a piece of legislation out of New
19 York City, in addition to a piece of legislation
20 out of the State of Georgia. And our proposal
21 here is not as severe as those two, which passed
22 constitutional muster in the appeals courts of
23 those two geographical areas of the country.

24 And to go back, the Commissioner would
25 -- if he had the slightest sense that we were

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2 really going to be out of synch and we were really
3 going to be stepping on people's constitutional
4 rights, getting in their face, I can assure you,
5 this whole Council panel, that he would not have
6 asked me to please represent him at this --

7 COUNCILMAN ORTIZ: But then this bill
8 is unnecessary because if anyone does an act that
9 is unlawful and is wearing a mask when he does or
10 she does that act, they violate countless other
11 laws that we have on the books.

12 I mean, what bothers me here is that
13 you're not saying "wearing the mask and doing the
14 act," you're saying "with intent." That means
15 that the person has not committed an unlawful act,
16 but you believe that he has an intent to do so.
17 And that, to me, sounds quite repressive.

18 Because you're asking a policeman on
19 the line, facing a huge throng of people, to make
20 an instantaneous decision and to be able to define
21 what the intent of an individual wearing a mask in
22 front of him is going to be, criminal or not
23 criminal, and he might commit the wrong one.

24 COMMISSIONER MITCHELL: You're exactly
25 right. And one of the things that we're

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2 emphasizing, as part of the training that we go
3 for, when in doubt, count to five, don't jump. We
4 have a very small ratio of police officer to
5 supervisor. Many of the police officers that will
6 be working on this project have never been exposed
7 to an operation like this, never. This is a whole
8 new generation, never having been exposed to it.

9 We don't want anything to go awry.
10 What's not lost on us, Councilman, is the fact
11 that there is an army of media out there just
12 waiting for something to turn nasty, and we just
13 cannot let that happen and have the Department and
14 City tarnished.

15 COUNCILMAN ORTIZ: You understand that
16 the Republican Conventioneers that are coming here
17 and the people who are coming here to protest,
18 they have the same rights. Just because they're
19 staying at luxury hotel rooms does not give them
20 any greater rights than the people who will be on
21 the streets and not in the convention. We
22 understand that, do we?

23 COMMISSIONER MITCHELL: Yes, sir.

24 COUNCILMAN ORTIZ: And last time we had
25 something like this, in 1976, the whole euphoria

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2 about what was going to transpire was into the
3 newspapers. I happened to be an attorney at Legal
4 Services at that time, trying to organize and
5 represent the people who were protesting, and it
6 was called "An Anti-Bicentennial Without
7 colonies."

8 The then-mayor, Frank Rizzo, projected
9 an image that the City was going to be invaded by
10 all of these unlawful individuals. Over 60,000 of
11 us did come; we were not unlawful. What happened
12 was that the tourists that were supposed to come
13 to make 1976 a huge success, because of the laws,
14 because of the pages and pages of stories that
15 kept on going out about the unlawfulness that was
16 going to be happening here, those tourists that
17 were supposed to provide an economic drive to the
18 City did not get here.

19 And I'm afraid, like Councilman Kenney
20 says, we approve things like this and we send a
21 message, and this is not an ordinance that really,
22 really is going to cause anyone not to demonstrate
23 without a mask, because the maximum fine is \$300.
24 So it is not being done to prevent, but it does
25 send a message. And I don't believe that it is a

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2 positive message.

3 And I still don't believe how you're
4 going to believe, because you have not been able
5 to answer how you define and how you're going to
6 instruct people to define "the intent to
7 intimidate or threaten another person." "Intent,"
8 not "act," is presupposing an unlawful act on an
9 individual. I thought that the laws of the United
10 States did not do that.

11 COUNCILWOMAN KRAJEWSKI: Well,
12 Councilman, I guess I should wait for the proper
13 time, but my question is, what is purpose of
14 wearing a mask? I thought years ago, going down
15 through history, that the Ku Klux Klan wore
16 masks. What is the purpose in this day and time
17 for wearing masks?

18 COUNCILMAN ORTIZ: There will be
19 witnesses and they'll --

20 COUNCILWOMAN KRAJEWSKI: Will someone
21 answer? Do you know that answer, Commissioner?

22 COMMISSIONER MITCHELL: I would not
23 want to answer that. Let -- the -- let the --

24 COUNCILWOMAN KRAJEWSKI: I just don't
25 understand why they have to wear masks. I see

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2 different masks over there, bandanas. I see the
3 Gore, all different kinds of masks over there.
4 I'm -- I don't understand. Why do they have to
5 wear masks?

6 COMMISSIONER MITCHELL: In -- there was
7 extensive property damage done in Seattle. The
8 film footage of that damage indicates clearly that
9 it was done by the people wearing the masks.

10 COUNCILWOMAN KRAJEWSKI: Well, then I
11 can understand it.

12 COMMISSIONER MITCHELL: Okay, when we
13 go on to Washington and trying to learn some
14 lessons from Washington, we sent a sizeable police
15 group of commanders that were going to work on the
16 convention there so that they might observe a
17 police operation. We had a captain at one point,
18 a captain and three lieutenants, that were walking
19 behind lines, and they observed right in front of
20 them the absence of -- there was no uniformed
21 police in the Washington metropolitan police
22 department.

23 The destruction by a group of masked
24 people of a white unmarked car with antennas out
25 of it, believed to be that of the metropolitan

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2 police depart, it turns out it was a media, a
3 media car. They did a job on that car. It was
4 witnessed firsthand -- not anybody without a
5 mask.

6 I -- I -- I, the day, the second day of
7 the convention, was in the back with the
8 demonstrators who were mulling around, and it was
9 this group that wore the masks continually just
10 trying to agitate and trying to agitate --

11 COUNCILWOMAN KRAJEWSKI: Because they
12 have a mask and no one would know who they were.

13 COMMISSIONER MITCHELL: You know,
14 that's exactly right.

15 COUNCILWOMAN KRAJEWSKI: I -- I -- I
16 understand, and I believe that the Police
17 Department are the professionals, that they're out
18 there, they know exactly what to look for, what to
19 do, and I have to agree with you, Commissioner.

20 COMMISSIONER MITCHELL: The other thing
21 that I would probably ask to go back to a point
22 that Councilman Ortiz raised. Sometimes laws are
23 enacted to discourage a type of behavior, a form
24 of behavior, not all the time, and not everybody
25 complies. But I think in many cases, that's the

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2 intent of what you folks do day in and day out, as
3 part of your job. And we're just part of the
4 enforcement arm of that mechanism, but you do it.
5 That's kind of the rationale behind it. You don't
6 think everybody will, though.

7 So, I just wanted to comment on that.

8 COUNCILMAN ORTIZ: Councilman Mariano
9 and then Councilman Kenney.

10 COUNCILMAN MARIANO: Thank you,
11 Mr. Chairman.

12 Mr. Chairman, first of all, I'd like to
13 thank you for bringing -- letting me bring this
14 Bill 164 before this committee.

15 As you may not know, this was borne out
16 of a twofold concern. First -- my first concern
17 was for people so they could exercise their
18 constitutional right to free speech and assembly.
19 Rather, I am concerned about the people who
20 infiltrate peaceful protests and cause damage or
21 harm, like the Commissioner was just speaking
22 about.

23 This just didn't come to me in a
24 dream. This was told to me by a police inspector
25 who was at them both locations, and I said, what

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2 could we do? Believe me, I commend these people
3 that come here and there's not a problem with them
4 with a mask on. The problem is if someone where's
5 a mask with the specific intent to hide one's
6 identity during the commission of an unlawful
7 activity, that's all. And that will help their
8 freedom.

9 If they wear masks and protest, fine,
10 they could do that till the cows come home. They
11 can dress up like Councilwoman Krajewski,
12 Councilman Cohen, myself, Bill Clinton, Al Gore,
13 as long as they don't commit a crime.

14 I happen to be a person who has faith
15 in the Philadelphia Police Department, and maybe
16 many people on this committee, on this Council
17 don't, okay? I think they're highly trained
18 individual, and they spend a lot time.

19 Chances are, this will never be used.
20 This is going to cause -- if this does happen,
21 this will be a \$75 fine. I mean, it's not the end
22 of the world.

23 And I understand everyone's intent,
24 trying to protect freedom of speech. That is
25 basically what I'm trying to do. You have to

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2 understand, and the Commissioner spoke a little
3 bit about that.

4 I'm also concerned about those who
5 practice ethnic and religious intimidation behind
6 the mask. We didn't invent the Ku Klux Klan. It
7 may be gone now for Philadelphia, and that may not
8 happen there for a while, but there's a chance
9 that that could come back.

10 And also, this bill, like the
11 Commissioner mentioned, was written by the
12 Anti-Defamation League in Georgia, and it was
13 modeled after a bill to help thwart the efforts of
14 the Ku Klux Klan. I mean, there's no evil intent
15 here. The intent here is to make sure that they
16 can do that, just do it, wear all your masks.
17 Just don't commit a crime while doing it, because
18 this police department is going to make sure that
19 that doesn't happen. Chances are we won't even
20 need to use that.

21 And also, I'd like to take -- to thank
22 Gerrie Greene, from the Anti-Defamation League,
23 'cause she helped draft this from the Georgia
24 legislation.

25 Thank you.

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2 COUNCILMAN ORTIZ: Councilman Kenney.

3 COUNCILMAN KENNEY: Thank you.

4 Commissioner, let me ask you questions
5 about Seattle. And, again, what I've seen from
6 Seattle and what I know about it is only what I've
7 read and what I've seen on television.

8 One of the issues that occurred to me
9 is that the number of masked people, people
10 basically with bandanas over their nose and mouth,
11 was a result, in some cases, of attempting to
12 avoid the tear gas that was used during the course
13 of trying to quell some of the disturbance.

14 I'm wondering, what comes first, the
15 chicken or the egg? I expect and am confident in
16 this police department, that we never get to the
17 point of using tear gas during the course of this
18 convention. I think it would be a terrible thing
19 for it to happen, and I know you agree with me
20 see.

21 But I'm wondering whether or not some
22 of what we see in the way of Seattle's file
23 footage and stuff in Washington and other things
24 has to do with the ability to avoid the gas while
25 protesting, while doing destructing, while things

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2 that are wrong or criminal, but not necessarily
3 the reason why it was started in the first place.

4 Do you understand? The point is, if we
5 never get to the point of using the gas, there
6 will be a lot less masked people.

7 COMMISSIONER MITCHELL: Well, I would
8 submit -- yeah, you're right, Councilman. But
9 we've gone on the record -- we've gone on the
10 record early, we've gone on the record repeatedly
11 to say it is not our attention to use gas unless
12 we're into severe civil disorder and we've in a
13 bad way and we've used about just everything other
14 thing we have, but it's not going to be a basic
15 way of doing business and dealing with large
16 demonstrations; believe me, it is not.

17 COUNCILMAN KENNEY: I mean, again, I
18 guess my point is that if we -- and I am totally
19 confident in your ability and Commissioner
20 Timoney's ability to have a nice event which is
21 good for the City, good for the delegates, and
22 good for the protesters and residents. But the
23 point of -- I think it's how you deal with this
24 stuff up front that sets the tone for either a
25 confrontational or a non-confrontational approach.

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2 And the reason why I have some doubts
3 about this bill is that I look at the issue of
4 human nature, and it is when you tell somebody or
5 tell a group of people that they can't do
6 something, that they find ways to be motivated to
7 go and do it anyway, just to kind of flaunt it in
8 your face.

9 And, secondly, I think the ability --
10 the desire to -- and I know the way the contract
11 was written with the RNC, which left the inability
12 to designate areas for public, peaceful protest
13 until late in the game, I know there's some
14 discussions going on now. I think a lot of that
15 activity really sent a message that the protest
16 wasn't welcome, wouldn't be cooperated with,
17 although I know you're cooperating and trying to
18 do your best -- wouldn't be cooperated with and
19 that we're going to try to bury you somewhere
20 where you can't be seen.

21 And, again, I think all of those
22 messages motivate those people, who may not even
23 be violent in nature or violent in intent, to be
24 agitated, aggravated, and motivated to get on
25 television and to be visible by doing things they

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2 wouldn't normally do. If we allow them to have
3 the visibility, if we allow them to have the
4 ability to express their opposition to
5 governmental policies, to whatever economic
6 policies, that we would have less of a problem in
7 potential violence or disruption because we will
8 have been given them the right to do it up front
9 and made it clear that they're welcome to express
10 their views.

11 So that's just my opinion, and I am
12 confident in the end that we'll have a great
13 event, I know you'll do a good job.

14 COMMISSIONER MITCH: Thank you.

15 COUNCILMAN ORTIZ: Councilman Cohen.

16 COUNCILMAN COHEN: I agree with what
17 Councilman Kenney just said, and I would expect
18 that if this bill became a City ordinance, that
19 there would be hundreds, maybe thousands, of
20 people appearing in masks because they would
21 regard this as an effort to silence them. Using
22 masks is one way of expression, it's one way of
23 people showing -- some people talk, some people
24 want to dress up in a certain fashion to express
25 an opinion. That's the reason why they use these

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2 masks.

3 But let me ask you this, Commissioner,
4 suppose this ordinance had been in effect in
5 Seattle, could you tell me what difference would
6 it have made? Suppose this had been in Seattle
7 before those demonstrations which involved people
8 wearing a mask and doing wrong things, how would
9 this have helped the Police Department in
10 Seattle? How could they have stopped whatever
11 occurred? And it was regrettable, nobody liked
12 that.

13 COMMISSIONER MITCHELL: I think,
14 Councilman --

15 COUNCILMAN COHEN: And the other
16 protesters made very clear in Seattle how they
17 resented the action of this group that created the
18 illegal activity.

19 COMMISSIONER MITCHELL: Well, that --
20 let me comment on that last part of your
21 question. That's quite right. Any kind of
22 objective viewing of that film footage on the
23 destruction of the property in Seattle showed that
24 there were demonstrators that had participated in
25 the March and had a strong feel about the WTO,

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2 that really went to some great lengths to try to
3 stop the troublemakers from destroying property,
4 only to be ignored, only to be ignored. But
5 that's right.

6 And, again, we're talking about, you
7 know, the 2 percenters. We're not talking about
8 --

9 COUNCILMAN COHEN: Well, how would this
10 bill have helped? How would it have been used in
11 any way?

12 COMMISSIONER MITCHELL: It's just only
13 one tool, Councilman, and I submit to you that it
14 may not have helped in the case of Seattle because
15 of the fact that there were several other major
16 problems that confronted both that city and that
17 Police Department that had them ill prepared to
18 properly handle that event.

19 COUNCILMAN COHEN: That's -- you know,
20 it -- the bill does not to seem to have any
21 purpose, except to generate the kind of feelings
22 that Councilman Kenney spoke about. It doesn't
23 seem to have any practical use, it won't help you
24 do anything that day. Well, what is the purpose
25 of the bill?

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2 And, therefore, I suggest that many
3 people are going to interpret it as the only
4 purpose is to discourage. You said to discourage
5 people from wearing masks. You hope -- you hope
6 that this won't cause people to want to wear
7 masks, you hope this will discourage them, but it
8 isn't the masks that are a problem, it's any
9 unlawful activity that may take place that we
10 ought to be discouraging, not the wearing of
11 masks.

12 COMMISSIONER MITCHELL: We just -- we
13 just happen to feel, Councilman, that that's also
14 a part of it, that that is a part of it, this
15 there be those people that will -- that could
16 conceivably be discouraged by the enactment of
17 this ordinance, should that occur.

18 And there will be others that -- just
19 as Councilman Kenney said, Well, I'll be darned.
20 If we can, we will. You're right.

21 And there were those that have -- that
22 have been wearing them and have been wearing them
23 in -- as part of the nature of that organization
24 to dress that way -- and I might have to add, and
25 possibly behave the way that some of them do, that

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2 nothing would -- nothing's going to change their
3 mind.

4 COUNCILMAN ORTIZ: Councilman Mariano.

5 COUNCILMAN MARIANO: Thank you,
6 Mr. Chairman.

7 Commissioner, as Councilman Kenney
8 asked you about the gas and people maybe wearing
9 the bandanas or the masks to fight off the effects
10 of gas, if we get to shooting gas off during this
11 demonstration, we -- this is going to be a
12 failure, if we get to the gas. Am I right in
13 saying that?

14 COMMISSIONER MITCHELL: Well, I think
15 as the manager of this thing, I'd consider it a
16 failure. I mean, I'd be deeply disappointed that
17 -- that we couldn't effectively manage it and
18 that the lawlessness had gotten so far out of hand
19 that we couldn't effectively manage it, but I -- I
20 mean, that would be a deep disappointment to me.

21 COUNCILMAN MARIANO: Mr. Chairman, also
22 --

23 COUNCILMAN ORTIZ: That bill is not
24 going to prevent us getting to that point.

25 COUNCILMAN MARIANO: It could help.

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2 COMMISSIONER MITCHELL: But it could
3 help. I'm not saying that it will prevent it. I
4 don't put that kind of weight on it, Councilman,
5 but I --

6 COUNCILMAN ORTIZ: Criminal activity is
7 criminal activity. There are penalties much worse
8 than \$75 for wearing a mask. If you come here and
9 you come in and do an unlawful act and you get
10 arrested, you're going to -- the law that will
11 -- that will be named will not be this one that
12 will put you away.

13 COUNCILMAN MARIANO: Mr. Chairman, I
14 believe I still have the floor, if you don't
15 mind.

16 COUNCILMAN ORTIZ: Go ahead.

17 COUNCILMAN MARIANO: I just want my
18 colleagues here -- don't mix up the intent of this
19 bill. We all come from different places and
20 different regions and different philosophies on
21 this. But believe me, if one policeman gets hurt
22 here and if one police car is burned, if any
23 windows are broken, and we didn't pass this bill,
24 it's on us. Okay, this might not stop it, this
25 might not stop it, but it's going to be another

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2 tool for those people that are out there putting
3 their lives out on the line to be able to do this.

4 I mean, you could vote any way you
5 want, but let's not turn around the intent. I
6 wrote this bill, okay? The intent was just what I
7 said. Nothing against masks. Using that mask to
8 cause damage to this city or hurt our people. And
9 I'm concerned about the Police Department, but I'm
10 also concerned about the people that live here all
11 year around, and I'm concerned about them
12 conventioners that are coming and what they're
13 going to think of this city.

14 That's all. That's what we're to do.

15 COUNCILMAN ORTIZ: I think that's a
16 concern shared by everybody in City Council. No
17 one wants any unlawful activities to happen.

18 COUNCILMAN MARIANO: That's not what
19 I'm saying, Councilman. What I'm saying is, we're
20 having the hearing, the Commissioner has been
21 grateful to come here, I checked with Police
22 Commissioner Timoney. I mean, we're going to vote
23 the way we want to vote anyhow, okay?

24 But let's not confuse the issue. They
25 can wear the masks, like I said, till the cows

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2 come home, as long as they don't commit a crime
3 with it. And that crime, to me, is not the \$75
4 fines. The crime is what might happen to somebody
5 in the City of Philadelphia.

6 COUNCILMAN ORTIZ: Well, they could
7 commit the crime without the masks.

8 COUNCILMAN MARIANO: Sure, but if we
9 can get them off the street before they get to
10 that crime, it might be good.

11 COUNCILMAN ORTIZ: But you can't arrest
12 them before they commit a crime.

13 (Laughter.)

14 COUNCILMAN MARIANO: If they have the
15 specific intent --

16 COUNCILMAN ORTIZ: You cannot arrest
17 people before -- not in this country. You cannot
18 arrest people in this country before they commit a
19 crime. It is unlawful, it is against the
20 Constitution.

21 COUNCILMAN MARIANO: Councilman, it
22 doesn't say before they can commit a crime. Read
23 the bill, Councilman. Do you want me to read it
24 again for you?

25 (Laughter.)

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2 COUNCILMAN MARIANO: The bill says, "No
3 person shall, with specific intent, to intimidate
4 or threaten."

5 If I'm up here yelling about you, about
6 your ethnic heritage and trying to get you to go
7 for something and I have a mask on, that gives his
8 personnel a chance to be able to stop that before
9 blood is drawn. And, believe me, blood will be
10 drawn, okay?

11 (Laughter.)

12 COUNCILMAN ORTIZ: Okay, any other
13 questions for this witness?

14 (No further questions.)

15 COUNCILMAN ORTIZ: Hearing none, thank
16 you, Commissioner.

17 COMMISSIONER MITCHELL: Sir, thank you
18 for listening to us.

19 COUNCILMAN ORTIZ: Mike Morrill,
20 please, of the Pennsylvania Consumer Network.
21 Mike?

22 (Witness comes forward.)

23 UNIDENTIFIED WITNESS: A change of
24 plan.

25 COUNCILMAN ORTIZ: A change of plan.

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2 Very good, come forward.

3 MR. HOGAN: My name is John Hogan, and
4 I'll be presenting a statement on behalf of the
5 R2K Network.

6 COUNCILMAN ORTIZ: Do any of the masked
7 persons, citizens want to be heard? How many of
8 the individuals --

9 COUNCILMAN MARIANO: They have to have
10 names, Councilman.

11 COUNCILMAN ORTIZ: Please. How many of
12 the citizens sitting in the audience will be
13 testifying?

14 Okay. One, two. I saw two, okay.
15 Could you please come to the table at this time,
16 too. Okay.

17 (Witnesses come forward.)

18 COUNCILMAN ORTIZ: Please proceed and
19 identify yourself for the record, please.

20 MR. HOGAN: Thank you. I'm John Hogan,
21 speaking on behalf of the R2K Network, which is
22 the group of Philadelphia groups that are planning
23 activities in connection with the Republican
24 National Convention.

25 MR. MCCUCKEN: I'm Terrence McCucken,

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2 from the Philadelphia Direct Action Group. We're
3 planning nonviolent protests.
4 COUNCILMAN ORTIZ: The young lady?
5 MS. PELSUE: I'm Lisabeth Pelsue, from
6 the Philadelphia Direct Action Group.
7 COUNCILMAN ORTIZ: All Philadelphians,
8 right?
9 MR. MCCUCKEN: Right.
10 COUNCILMAN ORTIZ: Okay.
11 MR. HOGAN: Last month, while Congress
12 was considering granting permanent normal trade
13 relations with China, a number images appeared
14 before me. Each of these vision made me question
15 whether such a free trade agreement was
16 warranted.
17 COUNCILMAN COHEN: Could I ask you to
18 slow down so we can really hear what you say?
19 MR. HOGAN: Yes, yes.
20 I remember armored military personnel
21 carriers rolling into crowds of unarmed
22 protesters. I saw pictures of police with
23 full-body armor, wading into crowds, swinging
24 their clubs indiscriminately at nonviolent
25 citizens who didn't move fast enough. I saw

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2 chemical weapons, banned by international treaty
3 as inappropriate weapons of war, being used as
4 crowd control on the nation's own citizens. I saw
5 pictures of military-style raids on the
6 protestors' headquarters, confiscating their
7 banners and fliers before they had a chance to
8 distribute them.

9 I read of dissenting voices being
10 arrested just days or hours before a planned
11 protest, with trumped-up charges: carrying a
12 water bottle that could used as a weapon if
13 thrown; wearing spiky jewelry that could be used
14 to stab someone; wearing masks to protect against
15 tear gas because the police determined that the
16 masks were threatening.

17 I reviewed all of these human rights
18 abuses in my mind and I determined a nation that
19 tramples on the basic human rights of its citizens
20 in such a cavalier manner should not be rewarded
21 but should, instead, have sanctions imposed
22 against it.

23 No, that nation is not China, although
24 it certainly has serious human rights problems.
25 The nation that has repeatedly violated its own

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2 laws and international laws in dealing with
3 peaceful protest is the United States.

4 Since the peaceful rallies against the
5 World Trade Organization in Seattle last November
6 and December, police departments around the
7 country have shared information on how to
8 effectively large-scale protests. As citizens
9 organized to nonviolently express their opinions,
10 police from most major cities have announced that
11 they have had some of their leadership in Seattle,
12 Washington, Boston, and Windsor to observe and
13 replicate the effective means of controlling
14 protests.

15 At the head of the class in this school
16 of repression is the City of Philadelphia. Recent
17 statements by Commissioner Timoney, actions by
18 Mayor Street, and Councilman Mariano's bill make
19 me fear for the future of democracy in this city.

20 What are the lessons that Philadelphia
21 has learned? I count four:

22 The first lesson is to restrict the
23 right to assemble. From the first announcement
24 that we would be developing protest plans, the
25 City has attempted to deny the right to assemble

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2 peacefully. Unity 2000, the major march and rally
3 planned for July 30th had to file suit in federal
4 court to get a permit to assemble. The Ad Hoc
5 Committee to Defend Health Care likewise only got
6 its permit by filing suit. The Kensington Welfare
7 Rights Union has also applied for a permit but has
8 been denied. In fact, the only group that has
9 gotten a permit to march during the period
10 surrounding the Republican Convention without
11 going to court is the Silent March, a display of
12 30,000 pairs of shoes symbolizing the annual toll
13 due to handgun violence in this country. It seems
14 that is how the City prefers its protesters --
15 silent.

16 The City will tell you the
17 demonstrations can take place in its "free speech
18 zone," a 40-foot-by-190-foot area across the
19 street from the First Union Center. What the City
20 will not tell you is that this protest pit is
21 invisible to the media and conventioners,
22 rendering any demonstration meaningless. Most
23 groups have seen through this charade and have
24 refused to participate. One group that plans to
25 use it is a group promoting the adoption of

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2 greyhounds, a laudable project and one laden with
3 symbolism for the City's attempt to quash
4 protest.

5 Lesson two is preemptive arrests.
6 Commissioner Timoney and other police officials
7 have stated publicly that they will arrest people
8 who are planning to commit a crime. They do not
9 identify what crimes people must be planning in
10 order to be arrested but we can imagine, based on
11 recent actions in Washington, DC, and Windsor,
12 Ontario.

13 In Washington this April, over 100
14 heavily-armed police broke into the conversion
15 center of the people planning the protests against
16 the World Bank and the International Monetary
17 Fund. The police closed down the center and
18 confiscated puppets, banners, and fliers, under
19 the pretense that the center violated fire codes.
20 I don't know about with you, but I was unaware
21 that the police took such a keen interest in the
22 fire and building codes of the city. I was also
23 unaware that it took over 100 police to issue a
24 building code citation -- unless the real reason
25 was to quash protest by closing down the center

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2 and arresting perceived leaders.

3 Also in Washington, on the eve of the
4 largest protest, police herded a group of
5 protesters into a corral of other police officers
6 and indiscriminately over 600 peaceful marchers.
7 A number of bystanders were also arrested,
8 including out-of-town tourist and Pulitzer Prize
9 winning photographer from the Washington Post. A
10 small price to pay for keeping the peace, I guess.
11 Lessons learned from the police in Seattle.

12 Just last week, in Windsor, Ontario,
13 and in Detroit, police honed their newly learned
14 techniques by arresting people on clearly
15 trumped-up charges. Windsor was the host for the
16 meeting of the Organization of American States,
17 and simultaneous protests were organized in both
18 cities.

19 Windsor and Detroit declared the
20 possession of water bottles illegal and arrested
21 people solely for carrying them. Of course, the
22 only people arrested for possession of H2O were
23 protesters. Two protesters from Toronto were
24 arrested as they got off their bus Toronto for
25 wearing studded leather bracelets, which the

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2 police determined were potential weapons. David
3 Solenet (ph.), a US resident and master
4 puppet-maker was arrested because he had a prior
5 record and was suspected of planning to
6 participate in civil disobedience the next day.

7 Twenty bicyclists were arrested in
8 Detroit because they were wearing masks, which is
9 illegal under Michigan law. They were performing
10 no other illegal act at the time, but were
11 considered threatening by the Detroit police.

12 Last Sunday, after the peaceful civil
13 disobedience action, the police began arresting
14 perceived leaders, including anyone who spoke at
15 the teach-in at the University of Windsor. After
16 listing to Commissioner Timoney, this appears to
17 be the second lesson the Philadelphia police have
18 learned.

19 The third lesson of intimidation was in
20 Seattle where police tried to strike fear into
21 people planning to protest. Seattle was the first
22 place that the use of chemical weapons on
23 nonviolent protesters became acceptable. Police
24 were filmed shooting tear gas cannisters directly
25 at people. They were shown to use pepper spray,

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2 banned under international law for use in war, on
3 people whose crime was to be peacefully sitting
4 down in front of the WTO meeting place.

5 Last week, the police in Windsor took
6 the use of pepper spray to a new level by pouring
7 bottles on the heads of people who were blocking a
8 bus. Reporters and observers standing 30 to 40
9 feet away were overcome by the pepper spray
10 vapors.

11 By the way, over 100 people have died
12 from the use of pepper spray in the United States,
13 according to the Police Chiefs Association.

14 In Seattle, Washington, Detroit, and
15 Windsor, thousands of police in body armor
16 patrolled the cities, searching backpacks,
17 checking identification, and imposing an
18 intimidating force. Armored personnel carriers
19 patrolled the streets. Police with automatic
20 weapons could be seen on rooftops, some pointing
21 parabolic microphones into gatherings of potential
22 protesters. The result in each case was a police
23 force with a siege mentality, looking at all
24 protesters as probable law breakers.

25 The general population looks at their

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2 city turned into a police state and stays away
3 from even legal demonstrations. Labor leaders in
4 Detroit and Windsor talked of how hard it was to
5 get their members to attend a (unintelligible)
6 rally with the threat of indiscriminate arrests in
7 chemical weapons looming over their heads.

8 This is lesson three learned by the
9 City of Philadelphia.

10 Lesson four is disinformation. After
11 each demonstration, city officials and the police
12 decried the use of violence by protesters while
13 praising the restraint used by their police. The
14 police in Seattle talked of protesters attacking
15 police, although there is no video or photographic
16 record of such attacks.

17 In Washington, the police talked of
18 being hit with bags of urine and feces, although
19 there is no record of such an attack. Also in
20 Washington, the police talked to protesters
21 possessing Molotov cocktails, which was, in
22 reality, a plastic milk jug with rags soaked in
23 turpentine to paint puppets. They also said there
24 were homemade pepper-spray ingredients, which were
25 chilly peppers at the common kitchen created to

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2 feed protesters.

3 These stories can all be proven to be
4 lies or exaggerations by the police, but if you
5 repeat a lie often enough. . .

6 Just last week, the New York Times
7 wrote an article decrying the new protests and
8 supporting the police actions because of the use
9 of Molotov cocktails, homemade pepper spray, and
10 bags of urine being used against the police.

11 These are the lessons the City of
12 Philadelphia has learned.

13 It is in this context that one must
14 view Councilman Mariano's bill. On its face, it
15 seems innocuous enough. However, one must ask,
16 what is its real intent? under what circumstances
17 will it be used? Are there any concrete examples
18 that can be cited, or is this really just another
19 tool in the belt of those who would tear down our
20 Constitutional rights to free speech and assembly.

21 I think there is no doubt why this bill
22 has been introduced. It is clearly meant to be
23 used to arrest protesters. It is also meant to
24 intimidate. It is, therefore, warranted only if
25 you want to stifle speech. Legislation such as

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2 this is warranted only in a police state, not in
3 the city that calls itself "The Cradle of
4 Democracy."

5 Unity 2000 is opposed to this bill
6 because its intention is clearly to chill dissent.
7 Unity 2000 will be a peaceful, permitted march,
8 with tens of thousands of participants. No one to
9 my knowledge is planning to wear masks during our
10 march and rally, with the possible exception of
11 artistic masks. But we are opposed to the
12 increasing of police state tactics meant to stifle
13 any voice that does not represent the ruling
14 class.

15 The anti-mask ordinance should itself
16 by unmasked and exposed for what it is: an
17 attempt to intimidate dissenting voices. We urge
18 you to abandon this effort and restore the rights
19 of free speech and assembly in Philadelphia.

20 COUNCILMAN ORTIZ: Thank you. Young
21 man?

22 MR. MCGUCKIN: Hi. My name is Terrence
23 and I work for the --

24 COUNCILMAN ORTIZ: You've got to get
25 the microphone close to you.

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2 MR. MCGUCKIN: Sorry.

3 COUNCILWOMAN KRAJEWSKI: Why doesn't he
4 take his mask off.

5 MR. MCGUCKIN: It's all part of a
6 political expression. Why I'm wearing this mask
7 is because the City's trying to pass an ordinance
8 against wearing masks for protesters. And that's
9 why we're wearing masks, to symbolize that.

10 COUNCILMAN ORTIZ: Identify and spell
11 your name so that the stenographer can get it.

12 COUNCILWOMAN KRAJEWSKI: Can you give
13 your name?

14 MR. MCGUCKIN: Yes. My name is
15 Terrence McGuckin. T-E-R-R-E-N-C-E,
16 M-C-G-U-C-K-I-N.

17 COUNCILMAN ORTIZ: Go ahead.

18 MR. MCGUCKIN: Like the police
19 commissioners, I too was in D.C. and what I saw
20 that the police were doing is, they were trying
21 any means that they had necessary to get as many
22 demonstrators off the street, whether it was legal
23 arrest or not. They seemed not to care if it was
24 a legal or not, if it was Constitutional or not.
25 They wanted to get the protesters out of the way,

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2 whether they're illegal or not.

3 And this just seems what this bill is
4 there to do, is to get protesters off the street.
5 And we're not violent demonstrators, we don't have
6 any weapons, there's no reason the police should
7 be afraid of us.

8 COUNCILWOMAN KRAJEWSKI: Well, if
9 that's the case, I still want to know, what is the
10 reason for wearing the mask?

11 MR. MCGUCKIN: When the police use
12 things like tear gas and pepper spray, that's a
13 health risk to people who are out in the street
14 demonstrations. And tear gas and pepper spray can
15 be lethal. And I myself, I have asthma, and it's
16 been proven to be lethal to people who have
17 asthma, and if they decide to use tear gas, I will
18 be putting on a gas mask because I don't want to
19 die.

20 COUNCILWOMAN KRAJEWSKI: But you're out
21 there with hundreds of thousands of people
22 protesting, right? And the asthma doesn't bother
23 you? But you have to wear a mask in order to
24 protest?

25 MR. MCGUCKIN: The protesters there

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2 aren't --

3 COUNCILWOMAN KRAJEWSKI: Because you
4 have fear that the police may do something; is
5 that what you're saying?

6 MR. MCGUCKIN: Well, the police have
7 done that in the past several demonstrations, so
8 it is a real concern.

9 COUNCILWOMAN KRAJEWSKI: I don't know.
10 I've lived in this city all my life and I've seen
11 demonstrations that were very, very peaceful. I
12 didn't see any problems with the Police Department
13 at that time. They had demonstrations up where I
14 live at times, and I never seen any police throw
15 any tear gas or pepper spray or whatever you're
16 saying.

17 MR. MCGUCKIN: I have.

18 COUNCILWOMAN KRAJEWSKI: They're just
19 doing their job, to protect people like me at
20 times.

21 MR. MCGUCKIN: Another reason why
22 people might wear masks is because this is a
23 people's movement and demonstrations, and we don't
24 necessarily want to be identified as leaders
25 'cause we're all leaders here, and that's part of

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2 the reason why we wear masks..

3 COUNCILWOMAN KRAJEWSKI: Oh, you just
4 said it: you don't want to be identified.

5 MR. MCGUCKIN: As leaders.

6 COUNCILWOMAN KRAJEWSKI: As the
7 leaders, but the bottom line is the word
8 "identification."

9 MR. MCGUCKIN: It's a different
10 context.

11 COUNCILWOMAN KRAJEWSKI: Is that the
12 reason? You do not want to be identified?

13 MS. PELSUE: He just identified
14 himself.

15 MR. MCGUCKIN: I just identified
16 myself. I said I don't want to be identified as a
17 leader. Sometimes you take a picture and a face
18 and that becomes more the message. If you cover
19 up your face, then people listen ore to the issues
20 you're talking about than what they see.

21 COUNCILMAN ORTIZ: Young lady, do you
22 have anything to add?.

23 MS. PELSUE: Well, really my reason for
24 wanting to --

25 COUNCILMAN ORTIZ: Identify yourself

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2 for the record.

3 MS. PELSUE: Oh, okay. My name is
4 Lisbeth Pelsue. The first name is spelled
5 L-I-S-B-E-T-H. The last name is P-E-L-S-U-E.

6 COUNCILMAN ORTIZ: And you are from
7 Philadelphia?

8 MS. PELSUE: Yes.

9 The reason that I wanted to speak is
10 because I am also an asthmatic and I wanted to
11 speak.

12 COUNCILMAN ORTIZ: Let the record show
13 that the speakers are wearing masks.

14 MS. PELSUE: And I wanted to represent
15 people who have respiratory problems and would
16 still like to demonstrate. It's the same as if
17 someone has an allergy to bees that is lethal;
18 they would carry epinephrin with them so that they
19 would be able to avert that allergy. Someone who
20 has a risk of tear gas or pepper spray, which is
21 lethal, will carry a gas mask with them, and if
22 necessary, will wear it.

23 But the Police Commissioner and the
24 representative from the police have not really
25 made much of an effort to lay down the bottom line

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2 as to how they will determine intent to break the
3 law, and that is my concern. Because anyone
4 wearing a mask could be misconstrued as someone
5 with intent to break the law. Since they have
6 said numerous times that, Oh, all of the people
7 who are breaking the law in Seattle and in
8 Washington were wearing masks. So that to me
9 misconstrues someone who has a serious health
10 problem with a small, small, small group of people
11 who will break the law.

12 COUNCILMAN ORTIZ: Councilman Mariano?

13 COUNCILMAN MARIANO: Terrence? You
14 said your name was Terrence?

15 MR. MCGUCKIN: Yes.

16 COUNCILMAN MARIANO: Terrence, you were
17 in Washington?

18 MR. MCGUCKIN: Yes, I was.

19 COUNCILMAN MARIANO: Were in Seattle?

20 MR. MCGUCKIN: I wasn't in Seattle, I
21 was in Washington.

22 COUNCILMAN MARIANO: Did you get gassed
23 in Washington?

24 MR. MCGUCKIN: I saw many of my friends
25 get gassed. I had to move away because I was

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2 afraid of getting tear-gassed.

3 COUNCILMAN MARIANO: Did your mask keep
4 you -- your bandana kept you from the effects of
5 the tear gas?

6 MR. MCGUCKIN: Yes, it did.

7 COUNCILMAN MARIANO: Okay. And you
8 travel around from city to city to these peaceful
9 demonstrations?

10 MR. MCGUCKIN: I travel to
11 demonstrations that I feel that I'm concerned
12 about the issues that are being represented, and
13 DC just happened to be one of them.

14 COUNCILMAN MARIANO: Okay. And have
15 gone to many demonstrations? I'm just trying
16 figure out where your head is. Do you go to many
17 demonstrations?

18 MR. MCGUCKIN: Not really. That's not
19 really relevant, what are you getting at?

20 COUNCILMAN MARIANO: Your demonstration
21 history is, you'll be in Philadelphia an you were
22 in Washington? That was it? You didn't go to
23 other demonstrations? Do you or don't you?

24 MR. MCGUCKIN: I don't travel much.

25 COUNCILMAN MARIANO: You don't travel

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2 much? So you're basically a local guy, and you
3 went down to Washington and saw something, you
4 didn't like it, and now you're testifying in front
5 of Philadelphia City Council; is that it?

6 MR. MCGUCKIN: I saw people who were
7 getting beaten and tear-gassed and who were
8 peaceful demonstrators, and they were being
9 attacked because the police wanted to get them off
10 the street because they didn't want to deal with
11 them on the street.

12 COUNCILMAN MARIANO: Did you see any of
13 these demonstrators throw any rocks or attack the
14 police cars or any of the media cars? You didn't
15 see any of that?

16 MR. MCGUCKIN: There was very little of
17 that.

18 COUNCILMAN MARIANO: But did you see
19 any of it? I didn't ask you if there a little.
20 Did you see -- personally see any of it?

21 MR. MCGUCKIN: There very little of
22 that.

23 COUNCILMAN MARIANO: So you didn't see
24 any of that?

25 MR. MCGUCKIN: No. There was hardly

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2 any.

3 COUNCILMAN MARIANO: Okay, thank you.

4 Thank you very much.

5 COUNCILMAN ORTIZ: Councilwoman

6 Blondell Reynolds Brown.

7 COUNCILWOMAN BROWN: Good afternoon.

8 How are you?

9 MR. MCGUCKIN: Fine.

10 COUNCILWOMAN BROWN: Sir, forgive me.

11 I did not hear your name.

12 MR. MCGUCKIN: Terrence McGuckin.

13 COUNCILWOMAN BROWN: You mentioned that
14 you were in DC and you noticed that police, in
15 your view, exercised no -- didn't make -- it did
16 not make a difference whether persons had masks or
17 not; is that what you said?

18 MR. MCGUCKIN: No, that's not what I
19 said.

20 COUNCILWOMAN BROWN: Please repeat it.

21 MR. MCGUCKIN: I said that the police
22 were trying any means-- they were trying to get
23 people off the street. And they especially
24 targeted people with masks. And that's something,
25 if there's a law that says that if somebody's

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2 wearing mask that has intent, that will make it
3 easier for police to target people who happen to
4 be asthmatic or happen to be wearing a mask
5 because they don't necessarily want to be
6 identified and picked out as a leader. If doesn't
7 mean if they're necessarily willing to -- an
8 intent to commit a crime.

9 That's what I was saying.

10 COUNCILWOMAN BROWN: Okay, thank you.

11 COUNCILMAN ORTIZ: Any further
12 questions?

13 Councilman Cohen.

14 COUNCILMAN COHEN: I can understand why
15 someone wears a gas mask if they're fearful that
16 gas may be sprayed in their direction, but isn't
17 masks in general a form of theater by which people
18 historically over -- as long as human history has
19 existed, people have used different forms of dress
20 to express opinions. It's a form of speech.
21 That's why we regard that as a part of the First
22 Amendment. It's a way people express themselves.
23 Obviously, people wearing some form of masks such
24 as the ones you're wearing tend to draw attention
25 more than a group of people who are not wearing

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2 masks. Isn't that the basic thing?

3 The gas masks we talk about only in
4 connection with a defense against gas being used
5 against people, but the real theater comes from
6 these kinds of masks that you're all wearing.

7 MR. MCGUCKIN: That's correct.

8 COUNCILMAN COHEN: And isn't that
9 historically a form of expression used by people?

10 MR. HOGAN: That's right. It's a
11 standard form of political expression -- satire
12 and parody.

13 COUNCILMAN COHEN: As Councilman Ortiz
14 talked about, it was used at the Boston Tea Party
15 in the Revolutionary days. It's always been a
16 part of human response.

17 MR. HOGAN: It's also always been a way
18 for criminals to keep from being identified. It
19 has been going on for hundreds of years, if not
20 thousands. And as far as I know, no one thought
21 it would make it easier to charge Jessie James
22 with robbing a train if you could add the charge
23 of robbing a train with a mask over his face.

24 COUNCILMAN COHEN: But anyone intent on
25 performing criminal action would not be deterred

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2 from wearing a mask to hide identity by this City
3 ordinance.

4 MR. HOGAN: It seems unlikely to me.

5 COUNCILMAN COHEN: And that's the
6 reason so much concern's expressed, why this City
7 ordinance?

8 MR. HOGAN: That's right.

9 COUNCILMAN COHEN: And whatever its
10 purpose may be, it certainly seems to be clearly
11 one method by which to attempt to discourage
12 dissent. And the great thing about this country
13 is the encouragement of the expression of dissent,
14 not the repression of dissent. That's why I said
15 at the outset, this moves directly in the opposite
16 direction that it ought to.

17 MR. HOGAN: That's right.

18 COUNCILWOMAN KRAJEWSKI: Councilman,
19 I'll tell ya, I think a lot of store owners would
20 be scared to death if they see somebody come in
21 with a mask on. Is that their right too?

22 COUNCILMAN COHEN: Well, we had masks
23 in Council, we had performers the other day --

24 COUNCILWOMAN KRAJEWSKI: Well, I'll
25 tell ya, if someone knocked at my door or tried to

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2 get in my house with a mask on, I know the Police
3 Department would be around.

4 COUNCILMAN COHEN: Well, look at that
5 lovely mask --

6 COUNCILWOMAN KRAJEWSKI: Yeah, they're
7 just gorgeous.

8 COUNCILMAN COHEN: Does it say "Gore"?
9 Do I read it correctly?

10 COUNCILWOMAN KRAJEWSKI: They're
11 great.

12 MR. HOGAN: I don't think anyone here
13 has any intention of visiting private homes or
14 anything.

15 COUNCILWOMAN KRAJEWSKI: That's all
16 right. I have no problem with demonstrations,
17 protesters, but I have a problem when they wear a
18 mask. To me, that's a coward. If you're going to
19 fight for something, then let them know what
20 you're fighting for and who you are.

21 Why the mask? I still didn't get the
22 right answer. Why you have to wear a mask.

23 MR. HOGAN: You haven't gotten an
24 answer you're happy with, but I think we've
25 offered answers.

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2 COUNCILWOMAN KRAJEWSKI: That's not
3 true, because I didn't understand your answer.

4 MR. HOGAN: It's a form of political
5 expression. We've got George Bush masks and Al
6 Gore masks that we can use as political theater.
7 Those are masks.

8 COUNCILWOMAN KRAJEWSKI: That may be,
9 but it's also on the other side, the other people
10 on the opposite side, their form of saying, "We
11 don't want it." I personally do not want to see
12 masks. I think it's dangerous. What have we
13 fought for all those years?

14 MS. PELSUE: Do you mind masquerades
15 dangerous, Madam?

16 COUNCILWOMAN KRAJEWSKI: When I have a
17 masquerade, I know who's there.

18 MS. PELSUE: But what is the intent of
19 wearing a mask in a masquerade? It's theater,
20 it's not --

21 COUNCILWOMAN KRAJEWSKI: We can say
22 what if what? if what? what if? But for a
23 demonstration as broad as this and fear of trouble
24 at a huge, huge affair, the protester wearing
25 masks, let them be seen, let them be seen. Maybe

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2 it's my next-door neighbor, maybe it's your next-
3 door neighbor who doesn't agree with you. We'd
4 like to know. I want to know.

5 MR. HOGAN: Thank you.

6 COUNCILMAN ORTIZ: Thank you.

7 I recognize Councilman Clarke for
8 amendment to the bill.

9 COUNCILMAN CLARKE: Thank you,
10 Mr. Chairman.

11 COUNCILMAN CLARKE: I'd like to read
12 these into the record in the public hearing. On
13 behalf of the sponsor, I'm going to offer these
14 amendments:

15 In Section 1, it reads insert after
16 "person," insert "or with the specific intent to
17 hide during the commission of unlawful activity."

18 Further on, after "device," insert "or
19 means of."

20 Delete entirely Section 2.

21 COUNCILMAN ORTIZ: Entirely?

22 COUNCILMAN CLARKE: Entirely.

23 COUNCILMAN ORTIZ: Okay.

24 COUNCILMAN CLARKE: Re-number Section 3
25 as Section 2.

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2 COUNCILMAN ORTIZ: Right.

3 COUNCILMAN CLARKE: And re-number
4 Section 4 as Section 3.

5 These amendments are based on
6 recommendations from the ACLU and the Law
7 Department.

8 COUNCILMAN ORTIZ: Okay, thank you,
9 Councilman Clarke.

10 I'd like to read into the record a
11 letter from the ADL.

12 "We are writing with regard to Bill
13 000164, which would prohibit facial concealment in
14 certain instances. The bill would amend Title X
15 of the Philadelphia Code to prohibit a person from
16 wearing a mask, hood, or form of facial
17 concealment with the specific intent to threaten
18 another person.

19 "As you know, the Anti-Defamation
20 League (ADL) assisted in drafting the bill and we
21 support it. As you know, the ADL is an
22 86-year-old civil rights and human relations
23 organization that fights anti-Semitism, racism,
24 prejudice, and bigotry of all kinds. ADL has been
25 in the forefront of the effort to monitor and

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2 counteract extremist activities on both ends of
3 the political spectrum. Such activity often
4 threatens the democratic process and interferes
5 with the peaceful exercise of Constitutional
6 rights by our citizens, especially those who are
7 members of racial, ethnic, and religious
8 minorities. Further, ADL has been actively
9 involved in monitoring and counteracting extremist
10 groups who have historically carried out extremist
11 activity under cover of mask and hood. Therefore,
12 ADL was pleased to assist your office in drafting
13 anti-mask legislation that would be effective and
14 most likely survive any Constitutional challenge.

15 "The Constitutionality of the Anti-Mask
16 Laws. A. Laws that Have Been Upheld. Anti-mask
17 laws were upheld in courts as early as 1878 these
18 early laws said in essence that a trespasser
19 wearing a mask was guilty of an attempted felony.
20 In 1927 the Kentucky Supreme Court upheld a state
21 ordinance that made it illegal to appear in public
22 wearing a mask or disguise. See Pineville v.
23 Marshall 299 SW 1072 (Kentucky 1927). The
24 Kentucky law was not aimed at secret organizations
25 who are masked or hooded but acknowledged that

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2 wearing masks tended to increase public disorder.
3 In 1930, a Texas court had a valid state statute
4 prohibiting, among other things, the parading of
5 any secret society organization or part of the
6 members thereof in masks of disguise upon or along
7 any public road or any street or alley or any city
8 or town or state. See Dellinger v. State, 28 SW
9 2d 537 (Texas Criminal Court 1930) as cited in 2
10 ALR 4th 1241 (1980).

11 "Historically, anti-mask laws have met
12 with mixed success in the courts. However, ADL
13 believes it is possible to draft a law that would
14 be narrow enough to be upheld. . ."

15 My colleagues are saying to put this
16 into the record. The ADL letter will be put into
17 the record.

18 (ADL Letter attached hereto.)

19 COUNCILMAN ORTIZ: Thank you.

20 There's a letter from the Philadelphia
21 ACLU that I cannot find in front of me here. This
22 letter will be read into the record.

23 And I would just like to read, "And
24 while we would not be opposing this bill, nothing
25 contained in this letter should be construed as a

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2 statement in support of the bill. Please feel
3 free to contact me should you have any questions.
4 Larry Frankel." That also will be put into the
5 record.

6 (ADL letter attached hereto.)

7 COUNCILMAN RIZZO: Statements by
8 District Attorney Lynne Abraham will be put into
9 the record.

10 (Lynne Abraham letter attached hereto.)

11 - - -

12 COUNCILMAN RIZZO: I now conclude this
13 hearing of the Public Safety Committee on Bill
14 000164 and move into the public meeting.

15 And I'd like to hear a motion about the
16 amendments. I recognize Councilman Clarke. Is he
17 here? Councilman Clarke, do I hear a motion on the
18 amendments?

19 COUNCILMAN CLARKE: Yes, Mr. Chairman.
20 I make a motion that the amendments, as read in
21 the hearing, be adopted.

22 (Duly seconded.)

23 COUNCILMAN ORTIZ: The amendments are
24 being offered and seconded.

25 Do I hear ayes?

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2 Do I hear nays?

3 The ayes have it.

4 Now I'd like to hear a motion on Bill
5 000164, as amended.

6 Councilman Clarke?

7 COUNCILMAN CLARKE: Thank you. I ask
8 for a motion on Bill No. 000164, as amended, to be
9 reported out of committee with a favorable
10 recommendation.

11 (Duly seconded.)

12 COUNCILMAN ORTIZ: The bill has been
13 recommended and seconded.

14 Do I hear the ayes.

15 Nos?

16 Please identify those voting aye.

17 Councilman Clarke?

18 COUNCILMAN CLARKE: Aye.

19 COUNCILMAN ORTIZ: Councilman Kenney?

20 COUNCILMAN KENNEY: No.

21 COUNCILMAN ORTIZ: Councilwoman
22 Krajewski?

23 COUNCILWOMAN KRAJEWSKI: Aye.

24 COUNCILMAN ORTIZ: Councilman Cohen?

25 COUNCILMAN COHEN: No.

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2 COUNCILMAN ORTIZ: Blondell Reynolds

3 Brown?

4 COUNCILWOMAN BROWN: Aye.

5 COUNCILMAN ORTIZ: What?

6 COUNCILWOMAN BROWN: Aye.

7 COUNCILMAN ORTIZ: Frank Rizzo?

8 COUNCILMAN RIZZO: Aye.

9 COUNCILMAN ORTIZ: Councilman Ortiz,

10 no.

11 The ayes are 4, the nays are 3.

12 Therefore, the bill passes. This bill

13 will be read into the first reading of City

14 Council on Thursday.

15 COUNCILMAN CLARKE: Mr. Chairman, can

16 we ask for a request for a suspension of the

17 rules? I'm asking for a request for a suspension

18 of the rules.

19 COUNCILMAN ORTIZ: A motion has been

20 offered. Do I hear a second?

21 (Duly seconded.)

22 COUNCILMAN ORTIZ: Ayes?

23 Nos?

24 We'll do a roll call again.

25 Councilman Clarke?

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C E R T I F I C A T E

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RE: COUNCIL COMMITTEE ON PUBLIC SAFETY

14

BILL NO. 000164

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JOSEPHINE CARDILLO,

Registered Professional Reporter