



## Legislation Details (With Text)

**File #:** 2009-1777      **Version:** 1  
**Type:** Proclamation      **Status:** Adopted  
**File created:** 9/15/2009      **In control:** City Council  
**On agenda:**      **Final action:** 9/15/2009  
**Enactment date:** 9/15/2009      **Enactment #:** 548  
**Effective date:**

**Title:** Therefore be it resolved: That the Pittsburgh City Council calls upon the City to promote successful high profile events by ensuring:

1. reasonable and prompt action on permit applications for public demonstrations during the events;
2. that decision-making authority for policing public demonstrations remains under the leadership and jurisdiction of local authorities to the greatest extent possible;
3. appropriate training in Constitutional Rights for those policing public demonstrations;
4. access to as well as freedom of movement at public demonstrations;
5. that public demonstrations can take place within sight and sound of the object of the protest;
6. barricades of "protest pens" to confine movement at demonstrations are not used unless absolutely necessary;
7. the dispersal of public assemblages only in the event of an emergency and with the provision of clear orders with reasonable time guidelines; and
8. complete and timely disclosure of information regarding the location and condition of arrestees, including to legal support personnel granted timely access to work with the demonstrators; and

Be it further resolved, that the Pittsburgh City Council calls upon the City to promote a successful public discourse around high profile events by refraining from:

1. use of questionable legal practices, including arrest without just cause, use of pre-emptive arrests, excessive bail, or malicious prosecution of participants engaging in public political expression;
2. use of unnecessary force - including the use of projectile, chemical electronic, experimental or other so-called 'less lethal' weapons - in policing public demonstrations except as absolutely necessitated by legitimate law-enforcement purposes;
3. the use of any force on unarmed, non-violence demonstrators;
4. the use of force purely as a form of intimidation or as a threat of physical harm to gain compliance, including unconstitutional forced dispersal of lawful protest;
5. the use of 'less-lethal' weapons in any way that contradicts manufacturers' instructions;
6. the surveillance, intimidation or harassment of groups planning non-violent, protected forms of public expression, including the harassment of demonstration organizers, disruption to places of assembly, and the destruction of protest materials; and
7. the deliberate distortion of information given to the media or the public, regarding protesters intent, the circumstances of arrest, or the actions of police.

And be it further resolved, that the Pittsburgh City Council acknowledges the serious responsibility of the City of Pittsburgh to continue the City's long tradition upholding the free exercise of First and Fourth Amendment right while protecting both public safety and constitutionally guaranteed civil liberties for all parties during the upcoming high profile, high security events.

**Sponsors:** Douglas Shields  
**Indexes:** PROCLAMATION - MR. SHIELDS

**Code sections:**

**Attachments:** 1. 2009-1777.doc

Date	Ver.	Action By	Action	Result
9/15/2009	1	City Council	Adopted	Pass

**Whereas:** Peaceful political expression is a fundamental right protected under the United States and Pennsylvania Constitutions, and the free exercise of the First Amendment rights of speech, association and assembly and enforcement of Fourth Amendment rights against unlawful search and seizure is essential for residents of and visitors to the City of Pittsburgh; and

**Whereas:** The City of Pittsburgh has consistently fostered a long tradition that celebrates robust public discussion of issues, including the unfettered expression of opinion at public demonstrations; and

**Whereas:** Recent demonstrators at large political events in other cities have been undermined by questionable police practices and violations of civil liberties; and

**Whereas:** In September, 2009, the International Coal Conference and the G20 Summit will draw a broad group of citizens, residents and visitors with differing viewpoints and opinions to engage in various forms of democratic public expression in Pittsburgh; and

**Whereas:** The Pittsburgh City Council believes there is no inherent conflict between the City's duties to secure public safety and also to protect constitutionally guaranteed political activity;

**Therefore be it resolved:** That the Pittsburgh City Council calls upon the City to promote successful high profile events by ensuring:

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2. that decision-making authority for policing public demonstrations remains under the leadership and jurisdiction of local authorities to the greatest extent possible;
3. appropriate training in Constitutional Rights for those policing public demonstrations;
4. access to as well as freedom of movement at public demonstrations;
5. that public demonstrations can take place within sight and sound of the object of the protest;
6. barricades of "protest pens" to confine movement at demonstrations are not used unless absolutely necessary;
7. the dispersal of public assemblages only in the event of an emergency and with the provision of clear orders with reasonable time guidelines; and
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