



# NYCLU

NEW YORK CIVIL LIBERTIES UNION

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February 2, 2012

Mayor Thomas S. Richards  
City of Rochester  
City Hall, Room 307A  
30 Church Street  
Rochester, NY 14614

Re: Occupy Rochester

Dear Mayor Richards:

On behalf of the New York Civil Liberties Union, we write concerning the harassment of Occupy Rochester protestors by Rochester Police Department officers at Washington Square Park last night. The right to peaceful protest is a core American principle and the recent conduct of Rochester Police Department (RPD) officers was both an affront to the First Amendment and a violation of the agreement reached between Occupy Rochester and the City of Rochester in November 2011 that allowed Occupy protestors to remain at Washington Square Park in accordance with certain conditions.

The reports of harassment by RPD officers of Occupy Rochester protestors are disturbing. Officers arrived at Washington Square Park at approximately 2 a.m. Encountering sleeping and peaceful protestors, the officers roused the protestors awake and demanded to see identification. They further demanded to search the protestors' tents and other personal property. The officers said that they were sent at the behest of the "Deputy Director" of the RPD, who was not on site. The officers also informed the protestors that RPD officers would return nightly to conduct similar identification checks and searches.

This behavior is obviously pure harassment and simply outrageous. There is no reasonable explanation for identification checks and searches of peaceful protestors in the middle of the night. These aggressive tactics fly in the face of both the First Amendment protections accorded to political protest activity, and the agreement between Occupy Rochester and the City to permit the protestors' use of Washington Square Park.

We therefore call on you to order the Rochester Police Department to refrain from conducting identification checks and suspicionless searches of Occupy Rochester protestors in the future. We would appreciate your immediate assurance that you have instructed the Rochester Police Department to stop harassing peaceful protestors and to comply with the terms of the agreement you signed with Occupy Rochester.

Donna Lieberman  
Executive Director

Sincerely,

KaeLyn Rich  
Director, Genesee Valley Chapter