

Good News: Free Speech Victories!

The First Amendment Wins

“The First Amendment is the foundation stone of our democracy, and we must be constantly vigilant in its defense. It was a privilege to work on this case,” Kevin Riach, attorney for Robin Hensel of Little Falls, is quoted as saying. He was awarded the Attorney of the Year 2017 by *Minnesota Lawyer* magazine for his pro bono defense in the case. The Minnesota State Supreme Court ruled last September in favor of the persistence and courageous activist, stating that actions like the one with which she had been charged (her removal from a Little Falls City Council Meeting) were overly broad and ambiguous and threatened free speech.

Duluth Police: Riot Gear on Hold

The Duluth police force in northern Minnesota is planning to undergo “mobile field force training to learn how to handle potentially difficult crowd control.” According to FEMA, field force operations are for “law enforcement and security officers who require training and practice in mass-arrest procedures.”

In the eventuality of needing mass arrests in Duluth, Police Chief Mike Tusken said that he wanted his officers appropriately attired in case things might get out of hand as when, in a 2012 incident, antiracist activists pelted a small group of white supremacists with snowballs at the civic center. In that incident, three people were caught and release cases and one was held on unrelated charges so things hadn’t exactly gotten out of hand, but in the future, the department wanted to be prepared just in case. Hence, they planned to update and expand their wardrobes with matching new riot gear, fully accessorized with batons and shields.

High schoolers joined with Native Americans to throw a wrench in the planned purchase. The teens were from two classes participating in the Youth in Government program which is focused on learning about democratic processes. The Native Americans were water protectors and many had participated in the resistance to Standing Rock and/or Enbridge pipeline projects. They had heard about the proposed acquisition of \$125,000 of riot gear over 2018 and 2019.

Having had experience with law enforcement brutality and abrogation of free speech and assembly in the pipeline struggles, people have every reason to be concerned when hearing about militarizing law enforcement in their area. And, as any citizen who has tried to make an impact with government knows, it’s not always easy—and sometimes next to impossible—to follow specific processes and appear at an exact time open to citizen comment. In this case, on December 11, 2017, the last day of the year that the council was to meet, activists were successful in eventually making their voices heard before the Council, even though initially they had been told it was not time for public comment and a mike was turned off to prevent them from being heard.

The next day the Duluth police chief told the city council that the decision to purchase riot gear would be put on hold to allow hearing the concerns of the community.

Duluth News Tribune; Duluth Reader; KBJR6.com video recording of Duluth City Council meeting. Description of “Field Force Operations”: FEMA website. tinyurl.com/y8psk2lf