



SUMMARY OF CURRENT STATE OF 1ST AMENDMENT RIGHTS IN PUERTO RICO AND ROLE SECURITY FORCES PLAY IN SUPPRESSING SPEECH

(latest events UPR Walk Out)

The Governor of Puerto Rico, Luis Fortuño, has taken down University of Puerto Rico gates and has ordered armed police officers onto the UPR's Rio Piedras campus (main campus) to assure that from now on there will no longer be any "leftist political activism" on campus and to stop any attempts to call for a student walk out. UPR students called a two day walk out, which ended Wednesday, December 8, 2010, to protest an arbitrary hike in student fees and other related administrative matters. The walk out was a continuation of an earlier UPR general strike. Last week, Marcos Rodriguez Ema, Secretary of the Governorship (Governors Mansion), in a live television interview said he would forcefully remove anyone who dared protest at UPR; that he would "kick their asses (los sacaría a patadas)" off campus.

Just days before, Puerto Rico's police commissioner announced that he will be dismantling the controversial riot squad of the Tactical Police Unit, in response to US DOJ concerns that may be leading to a patterns and practice case by the United States. The ACLU has been filing complaints with the US DOJ for the past three years and has met with the DOJ in Puerto Rico and DC regarding the ongoing police violence and profiling.

This past Tuesday, December 7, 2010, the first day of the two day walk out, University officials brought on to campus a private security force "Capital Security" comprised of unlicensed and untrained young men recruited off the streets to control student protestors. Immediately, a violent situation emerged; many of these so called "security employees" came in with 2x4's, wielding open knives and blackjacks, acting more like a goon squad. When interviewed by the press, some "security guards" admitted that they have no experience or training, that their only experience was kicking ass "free of charge" in the streets of their communities and that "here I will get paid for it". This private security force was to replace the controversial tactical police unit, but has proven to be just as violent. <http://www.elnuevodia.com/videos-megustadarcantazos-191847.html>

Ample evidence suggests that violent events during the 48 hour walk out, that was allegedly instigated by masked student protestors ("encapuchados") outside the gates of the university, was in fact the work of masked provocateurs – paid "security guards". The government has labeled actions by student protestors, blocking classrooms, as acts of terrorism.

Yesterday, Governor Fortuño ordered armed police officers on campus for the first time in twenty nine years, allegedly in response to the stated violent events outside the campus gates and acts of terrorism. University rules prohibit armed police officers on campus; police officers are to be outside the gates of the campus; the University of Puerto Rico has its own unarmed campus police. UPR has a long history of extreme armed police violence, which has led to maiming and killing of university students.

Governor Fortuño has absolutely prohibited any protests, stating that protests can take place outside but will not be allowed on the UPR campus. He specifically has called police officers to not allow left wing

activism on the UPR campus. Also, State University officials are attempting to close down or Blackout “Radio Universidad” the University’s FM public broadcast radio station, a source for unbiased political and current events news analysis. They are attempting to silence the station for a period of not less than three months, while campus disputes play out. University authorities are contemplating a petition before the FCC to allow the government of Puerto Rico a period of silence. “Radio Universidad” staffers have petitioned the ACLU and met in our office where they expressed their concern that the government is looking to quiet dissent; this was attempted once before during the last student strike. “Radio Universidad” staffers believe that the station blackout is an attempt to quash free speech and is an act of prior restraint.

On the Bayamón Campus of the University of Puerto Rico, participants at a student assembly, by unanimous vote, passed a resolution to have the matter brought to the ACLU for legal evaluation and recommendations. The ACLU learned of this vote through an article published in Wednesday’s newspaper, as student representatives have not yet contacted us. “Radio Universidad” staffers complained of an interview of a high level university officer that was not allowed to air. The interview consisted of 9 questions asked; the very questions asked by other media sources. The stations manager however believed the interview to be hostile to the university official.

This is but the latest of many events since this new Puerto Rican government came into power that serves to illustrate the times in which citizens of Puerto Rico are living, there appears to be a concerted effort by the government to dismantle any semblance of dissidence. The government is on an ideological campaign to put down obstacles to its political agenda by implementing cold war tactics reminiscent of the 1960’s and 1970’s. Its most vulnerable victims are the fundamental rights guaranteed by the first, fourth and fifth amendments to the Constitution of the United States, the Puerto Rico Constitution, and international human rights documents.

William Ramírez
Executive Director
American Civil Liberties Union
Puerto Rico National Chapter
Union Plaza, Suite 1105
416 Ave. Ponce de León
San Juan, Puerto Rico 00918

Link to: WAPA American interview with ACLU PR Director:

<http://wapa.tv/noticias/locales/aclu-observa-proceso-en-la-upr/20101209115859>

Link to WAPA America interview with Gobernador Luis Fortuno:

<http://www.wapa.tv/noticias/politica/gobernador--policia-se-quedara-en-la-upr/20101209073727>

Link to news segment – UPR Students denounce threats by UPR “security guards”:

<http://www.wapa.tv/noticias/primera-plana/denuncian-amenazas-de-muerte/20101207223424>

<http://www.elnuevodia.com/videos-encapuchassedefienden-191806.html>

Link to news segment on UPR private “security guards” and related violence:

<http://wapa.tv/noticias/locales/se-complica-rapidamente-la-situacion-en-la-upr/20101207173524>