

# PORT OF SEATTLE POLICE DEPARTMENT TRAINING BULLETIN 2011-02

June 01, 2011

PORT OF SEATTLE POLICE DEPARTMENT

Volume 1, Issue 1



## PLEASE NOTE:

Please note that not all Port property is designated a public access site. Not all areas are open to and accessible for access by the public (e.g., leased terminals, the docks, Shilshole Bay Marina) though protestors are permitted on the sidewalks in front of the leased or restricted areas.

## PROTESTORS

**SCENARIO:** There has been considerable publicity concerning a ship carrying rare, but legal, furs from Asia to Seattle. The ship is scheduled to arrive at Pier 66 at 0900. A small group of protestors has gathered on the plaza at Pier 66. Three are carrying pickets and two are handing out leaflets with gruesome photographs depicting the fur trade.

Bell Harbor Conference Center is hosting a Girl Scout event. Many of the young scouts and their chaperones must pass the protestors to enter the conference center. Several parents complained to the conference center management after scouts became upset by the content of the leaflets and pickets. The conference center manager called 911 requesting a police response to remove the protestors from the plaza or, at a minimum, remove the signs and leaflets.

When you and your partner arrive at Pier 66, you see the protestors have attracted an angry group of hecklers, presumably guardians of the Girl Scouts, who are yelling at the protestors and ripping up leaflets. They have created quite a mess. The conference center manager flags you down and insists you remove the protestors at once. This type of scene is bad for business, and she is concerned that future customers may cancel their reservations based on the publicity this protest is likely to receive.

## GENERAL RULE:

The United States and Washington state Constitutions protect the right to free speech. The protection extends to expression and communication of all sorts, including picketing, leafleting, marching and signature gathering. The plaza at Pier 66 is public property and specifically identified by the Port as a public access site. Public streets, sidewalks and parks are considered traditional public forums.

The government may place reasonable time, place and manner restrictions to ensure that other peoples' rights to use the public area are not unreasonably disrupted. The government may not



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*...the nation's finest port police*



## *Mission Statement*

*The men and women of the Port of Seattle Police Department are committed to providing professional law enforcement services, protecting the rights of individuals, preventing crime, and building community partnerships.*

The Port of Seattle Police Department Training Bulletin is published regularly by the Department's Training Unit, and approved by the commander of the Standards and Professional Development Division in the Administrative Bureau.

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### **Protestors** *continued from page 1*

restrict the speech merely because it does not like the message, because the viewpoint is controversial or because the speech attracts hecklers. In the situation at hand, the protestors are not interfering with the rights of others to access the plaza or Bell Harbor Conference Center. Currently, the Port of Seattle has not adopted any formal rules related to protected speech activity except at Seattle-Tacoma International Airport.

A permit is not required for leafleting. Those handing out leaflets are not responsible for the actions of others (e.g., the angry guardians throwing paper on the ground). Nor is a permit required for picketing. (Large, suspended signs may, however, require a permit; check with command staff, who will consult with Legal.) The individuals leafleting or picketing may not physically disrupt passersby or force them to accept the leaflets.

If individuals in either group are blocking access, they can be asked to move to allow other members of the public free access.

**RESPONSE:** Officers responding to a complaint related to a protest, picketing or leafleting should not take any enforcement action absent a complaint of criminal activity. The officer's role is to maintain the peace and remain impartial. In the event of alleged criminal activity, e.g., assault, the officer should investigate and handle as any other crime.

Separate from enforcement actions, you should ensure the protestors maintain a clear path of travel for the public and do not unreasonably interfere with their ability to pass through the space.