



Office of Mayor Miro Weinberger

September 4, 2020

Dear Organizers,

I appreciated our long meeting last weekend and the tour you gave me of protest site on Monday. As I have said during our meetings, not only do I support your first amendment rights to protest, I fully agree that we have important work to do to dismantle systemic racism in our country and in policing. I would welcome continued dialogue to attempt to find common ground and work together to make further progress on overdue police reform issues. I look forward to discussing how to do that, and sharing our ideas on what we are working on to be a part of this nationwide reckoning on racialized issues. While I understand you have declined our suggestion to meet again today or this weekend, I remain ready to meet on short notice whenever you are interested in talking further.

While I appreciate that your protests have been peaceful and organized, I am writing to you to amplify and expand the public safety concerns I expressed in my statement earlier this week. One of the fundamental responsibilities of a city is to keep our public spaces safe for all residents, and we want to make sure everyone who participates in this protest or other protests are able to do so safely.

I am concerned for the safety of protestors at Battery Park and during the daily protests downtown for several specific reasons, and request your assistance reducing this risk together now. This concern is high on my mind in part because in recent weeks, other cities have seen clashes between protestors and counter protestors that result in violence, and because, as we discussed, our community has a history of tragedies taking place within encampments that we must avoid repeating. Further, protests taking over streets without any coordination with the City creates a significant risk of traffic injury. I remain concerned that something will soon go wrong and there will be avoidable injuries if City rules are not followed.

We understand civil disobedience and the important role that protests have played throughout the country's history to advance Black lives. We also understand that Black Americans and Indigenous Peoples are the only racialized groups who have had to literally fight for every right they have. We want, and need, to be a partner in that fight with you, not a hindrance. However, the City must also do what it can to ensure safety for all our residents, and apply our ordinances and standards fairly to all parties. To that end, please understand we have concerns about these violations:

1. **Lack of City-coordinated traffic control for demonstrations:** The City expects that for planned demonstrations during which you wish to stop traffic, you will seek to secure proper permits and allow the City to do traffic control. It is critical that trained professionals direct traffic, especially at night, to ensure the safety of protestors as well as other members of the public using the roadway. This will also help avoid a future incident when police respond to a call for an unrelated event and need to access part of the City that requires

crossing through a protest area. It is critical that emergency vehicles responding to calls are not blocked from passage.

2. **Camping in Battery Park:** I want to communicate clearly to you that camping is not permitted in Battery Park. While the City fully supports citizens' rights to free speech and protest, all residents have equal rights to access our parks and responsibilities to follow laws. The City cannot enforce its park rules differently for one group of citizens than it does for another, and frequently in the past encampments have experienced serious public health and public safety problems in prolonged encampments. Therefore, the City may notice the encampment and begin issuing civil tickets if you continue to camp in Battery Park.
3. **Noise in violation of the noise ordinance:** Residents that live close to Battery Park have reported that late night noise from the camp is impacting their quality of life. The City may issue noise violations in accordance with the City's ordinances. This is not a commentary on the protest, rather, it is a basic duty of the City to regulate public space fairly for all residents.

Again, the measures above reflect the City's responsibility to regulate public space fairly and consistently. I look forward to meeting with you soon to discuss these issues and more importantly the opportunity to forge systemic change and a better future together through continued discussions and collaboration.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Weinberger', written over a faint rectangular stamp.

Miro Weinberger
Mayor