



NATIONAL LAWYERS GUILD
SOUTH FLORIDA CHAPTER

**COMMUNITY
JUSTICE PROJECT**

March 21, 2016

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Sheriff, Palm Beach County
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West Palm Beach, FL 33406

Colonel Joseph Bradshaw
Department of Legal Affairs
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To Whom it May Concern:

We are writing today to express concerns over the Palm Beach Sheriffs Office (PBSO) deputies' actions during the March 13, 2016 rally held by Donald Trump's presidential campaign at Sunset Cove Amphitheater, a public space operated by the Palm Beach County Parks and Recreation Department. Attorneys from the National Lawyer Guild South Florida Chapter and Community Justice Project, Inc. were on site as legal observers during the event. Our concerns include racial profiling of attendees and suppression of free speech, both in violation of fundamental constitutional rights.

In the guidelines for rental of the space, the County explicitly retains the "the exclusive right to permit or deny an individual or organization to use the facility."¹ Unfortunately, PBSO deputies chose to use racial profiling in violation of the Fourteenth Amendment to the US Constitution as a primary test for denial of admission to the event. Black youth who had tickets for the event were

¹ The Sunset Cove Amphitheater Rental Guide, available at http://www.pbegov.com/parks/amphitheaters/_portlets/SunsetInfo.htm#.Vua57pMrLBI

singled out in line for denial of admission by officers.² Conversely, a white individual was allowed to pass and enter the security line at the same moment without incident—even after stating to the officer that his purpose was to protest the event. Several other white or white-presenting individuals affiliated who identified themselves as protestors or who had previously been chanting in the protest area were able to enter the event without incident.

We also received complaints from a young Black man who was unaffiliated with the protest that Sherriff’s deputies had singled him out while waiting in line for the event and erroneously labeled him a protestor, denying him admission to the event and corralling him into a remote area. Several other unaffiliated attendees, including a father and young son, were held behind a police line after briefly observing the protest, while dozens of white attendees were allowed to linger and walk through the police line without incident. Some members of the media were also initially barred from leaving the area to return to the main event after interviewing protestors. These actions, seemingly taken by the officers on their own volition, without direction from the Trump campaign, constitute unlawful state action.

After being denied entry to the event, members of Black Lives Matter Alliance of Broward were directed to a so-called “free speech zone” over 800 feet from the entrance to the event and completely out of view of attendees and media. The group ultimately was corralled into an area approximately four hundred feet from the entrance, and quite a distance away from the main flow of foot traffic into the event. Ample space was available on a grassy area across from the main entrance, separated by a road that would provide additional crowd control support if this was the officers’ true concern. Multiple other suitable options closer to the event were available. Sergeant Sleuth refused to allow access to these public areas despite them being identified by legal observers and participants on more than one occasion. The remoteness of the site had a direct impact on the participants ability to express political speech, two Boca Raton residents who came to peacefully express their disapproval for Trump decided to leave once they saw how remote the site was in relation to the event.

Over a dozen officers, including officers in full riot gear, three on horseback and two who constantly filmed protestors, were deployed to surround the peaceful protestors, most of whom were students holding small paper hearts with the phrase “love trumps hate” written on them.

Inside the pavilion uniformed police presence was sparse, despite past incidents of violence perpetrated by supporters and encouraged by Trump in other cities. This is far from the first time such blatant racial discrimination and racially motivated violence have taken place at a Trump campaign event.³ Just hours before the Boca Raton rally, a Black attendee of the Dayton, Ohio Trump event faced clear profiling and harassment from campaign and Secret Service officials.⁴ Similar reports surfaced in Valdosta, Georgia on February 29, 2016, where Black college students were removed from a campaign event.⁵

² “Video appears to show black protesters with tickets from entering Trump event,” Fusion, Mar. 14, 2016, <https://fusion.net/story/280334/boca-trump-rally-racism/>

³ “The Trump Campaign Give License to Violence,” NY Times Editorial Board, March 14, 2016, http://www.nytimes.com/2016/03/15/opinion/the-trump-campaign-gives-license-to-violence.html?_r=0

⁴ “This is what happens when a black man goes to a Trump rally,” Fusion, Mar. 15, 2016, <https://fusion.net/story/280795/donald-trump-dayton-rally/>

⁵ “I’m black, I got kicked out of Donald Trump rally, and I’m scared,” Fusion, Mar. 1, 2016, <https://fusion.net/story/275426/valdosta-u-trump-rally-mikey-sanders/> “Police say Trump campaign requested black students be removed from Georgia rally,” Fusion, Mar. 4, 2016, <http://fusion.net/story/277050/trump-rally-black-students-removed/>

Racial discrimination and the suppression of political speech should never be taken lightly. We cannot condone the above actions by PBSO deputies, state actors who selectively suppressed the speech of people of color at an event where the candidate is known to preach hate against Muslim, immigrant, and other oppressed communities. The PBSO deputies' actions are an unconscionable violation of both the First and Fourteenth Amendment. While Mr. Trump may have his own First Amendment rights to express this hateful rhetoric, it does not justify the Sheriff's Department's proactive steps to bar young people of color from the event.

Given these events, we are demanding clear directive to all County law enforcement personnel that state actors must not be used to enforce racially discriminatory practices by Trump's campaign.

Sincerely,

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President
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