

Word Games

EPD's slapstick response to a reporter's internal affairs complaint.

A Eugene Police Department officer harassed me April 10 as I covered an anti-war protest for *Eugene Weekly*. My press pass was visible and EPD officer Casey B. Froehlich stopped me and asserted that I was "legally bound" to give him my Social Security number.

I wrote a commentary in the April 17 *EW*. I wrote a letter to Chief of Police Thad Buchanan. I talked with the ACLU. I requested an advocate through the Eugene Human Rights Department. I filed a formal complaint with EPD Internal Affairs (IA), all in hopes of discovering what recourse our city provides to those abused by our public servants. I waited.

Buchanan forwarded my letter (posted at www.eugeneweekly.com) to IA Coordinator Sgt. Kel Williams, who had also received my official IA complaint. My letter primarily expressed concern that Froehlich threatened me with citation or arrest were I not to give him my Social Security number.

On April 30 I received a letter (also posted on the *EW* website) from Williams devoid of any mention of Froehlich's demand for my Social Security number under threat of citation or arrest.

Section 7 of the Privacy Act of 1974 (see <http://cpsr.org/cpsr/privacy/ssn/> for this and other information regarding privacy and your Social Security number) makes it illegal for an officer to demand your Social Security number or revoke any rights if you choose to withhold it — unless that officer also tells you about your privacy rights and how the number will be used. Froehlich's demand was therefore a violation of federal law.

I understood my letter from Williams served as a declined claim. It's alright, the letter said in effect. Everything you experienced was OK. So I called back and talked to Williams again.

I told Williams that I had identified myself as a member of the press to Officer Froehlich, and Froehlich continued by forcing me to give him my Social Security number.

"By that point you'd been identified to Officer Froehlich as someone who looked like they might commit a crime," said Williams. "So the pass was no longer significant."

"But the pass was what the Police Commission decided on for determining how

the media's to be given access," I said.

"Press passes aren't government-issued identification," said Williams. "Anyone can make those."

"So you're saying," I said, "that the new Police Commission specifications concerning media access, including very specific press passes, have no practical validity on the street?"

"That's not accurate," said Williams.

In July 2002 the Eugene Police Commission ordered a new policy regarding media access at large scale events (available at www.eugeneweekly.com), including detailed specifications for the size and look of new press passes, with which my pass was, and still is, in accordance.

"I asked Officer Froehlich if I was *legally* bound to give him the answers to his questions," I continued. "He said yes."

"Officer Froehlich told me you asked him if you were required to answer his questions and that he asked you for your Social Security number *after* that," said Williams. "You would've needed to ask him more specifically."

The only way I could've been more specific is if I'd repeated my question as he filled out ... each ... line ... on ... his field card. "That's a word game, Kel," I said.

"I know it's a word game," said Williams. "We play word games on the street all the time."

PATTERN OF ABUSE?

On April 22 about 10 bicycling protesters were stopped by 28 EPD officers. At least one of them was forced into giving his Social Security number, and another withheld it after being asked. Police spokeswoman Pam Olshanski said, "As far as I know, it's alright for an officer to ask for somebody's Social Security number, but no one has to provide it."

About my experience, local attorney Lauren C. Regan said, "There are federal precedents indicating the officer in your case broke the law. An officer can only take your name, address and date of birth if you are being detained through reasonable suspicion that you have committed a crime or are about to commit a crime. By showing your press pass, you adhered to *their* policy."

It seems the Eugene Police Department is out of control. **EW**

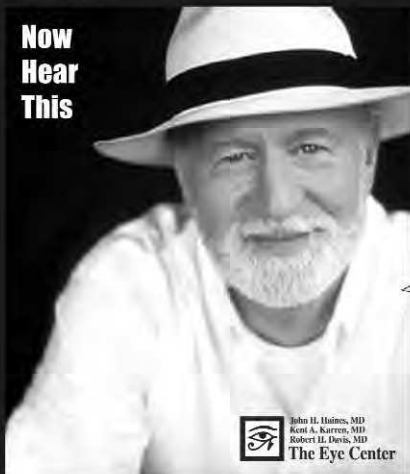
SO ... CHECK OUT THIS CARD. It's something to cut out and laminate. You may want to hand it to any law enforcement officer who you feel is violating your human and/or civil rights, or simply if you don't like the way they're speaking to you. Please note the utmost importance of the first line:

If I am not under arrest, I wish to go freely on my way. If I am under arrest, please tell me. In either case I refuse to consent to any search of my person, my effects, my property, my premises, my car or the location of my arrest. I wish to remain silent and have my attorney present during any questioning, lineup or search. If you ignore my exercise of these rights or attempt to obtain a waiver of such rights, then I want to talk to my attorney before any conversation with any law enforcement agent, especially concerning the subject of waiver. I exercise these rights as guaranteed under the statutes and Constitutions of Oregon and the United States.

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CLIP AND SAVE

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