



*Organizing For Justice and Respect:  
Don't Talk About Us: Talk With Us!*

# PICTURE THE HOMELESS

November 2, 2005

Mayor Michael Bloomberg  
City Hall  
New York, New York 10007

RE: Civil Rights Violations

Dear Mayor Bloomberg,

On Sunday Morning , October 30, 2005 as I sat well off of the sidewalk in front of the club Marquee at 27<sup>th</sup> St. and 10<sup>th</sup> Ave. displaying a sign which read " Why Lie, I Need A Beer " a New York City Police Officer from the 10<sup>th</sup> precinct, approached me and said, "Get the fuck out of here".

When I reminded this officer that recently, a federal district judge had ruled that my actions were protected by the first amendment of the United States Constitution, just as the Klu Klux Klan has the right to their " I Hate Niggers" sign; just as Neo- Nazis have the right to their " I Hate Jews " sign; this officer became abusive and intimidating and still insisted that I vacate the area.

I promptly went to the nearest pay telephone and called 911 to report a police officer that was exceeding his authority as a LAW ENFORCEMENT OFFICER, and without DUE PROCESS OF LAW overturning the mandate of a FEDERAL JUDGE.

I was advised by the 911 operator that a police sergeant was on the site and that I should report my problem to that officer. Upon returning to that intersection, I spoke to a female sergeant, who told me that I had no right to beg. When I told this sergeant that " Why Lie I Need A Beer" isn't a request, but a declaratory statement, she became belligerent , and also told me to leave that corner.

Since I noted the time of this incident as about two-thirty in the morning, and since I made the 911 call; and since I noted the numbers of the N.Y.P.D. squad cars that were parked at the

**170 E. 116<sup>th</sup> St., Suite 1W (2<sup>nd</sup> Floor)**  
**New York, New York 10029**  
**Phone 212 427-2499 Fax 212 534-8988**  
[www.picturethehomeless.org](http://www.picturethehomeless.org)

intersection at the time of the incident, which are as follows: 2728, 4409, 2712: I feel that I should have no problem identifying the officers who violated my constitutional rights, while acting "UNDER COLOR OF LAW " which is a FEDERAL infraction (see U.S. Federal Code, title 18).

Please be advised that I, Jean Rice, fully intend to pursue this matter until my rights are vindicated, and justice is done. The work of the Knapp Commission, and the Mollen Commission must continue at the street level. When police officers are allowed to become legislators, making their own laws, and the judiciary, interpreting their own laws, all of us citizens of New York City, become less free, and we drift towards a POLICE STATE!

Respectfully Submitted

Jean Rice  
Civil Rights Committee Leader and Board Secretary  
PICTURE THE HOMELESS

Cc: Judge Shira Scheindlin  
Mayor Michael Bloomberg  
Raymond Kelly, Commissioner NYPD  
CCRB  
Internal Affairs, NYPD

**170 E. 116<sup>th</sup> St., Suite 1W (2<sup>nd</sup> Floor)**  
**New York, New York 10029**  
**Phone 212 427-2499 Fax 212 534-8988**  
**[www.picturethehomeless.org](http://www.picturethehomeless.org)**