

Telling It Like It Is

The struggle for social justice presses onward Week III of Black Voices Matter

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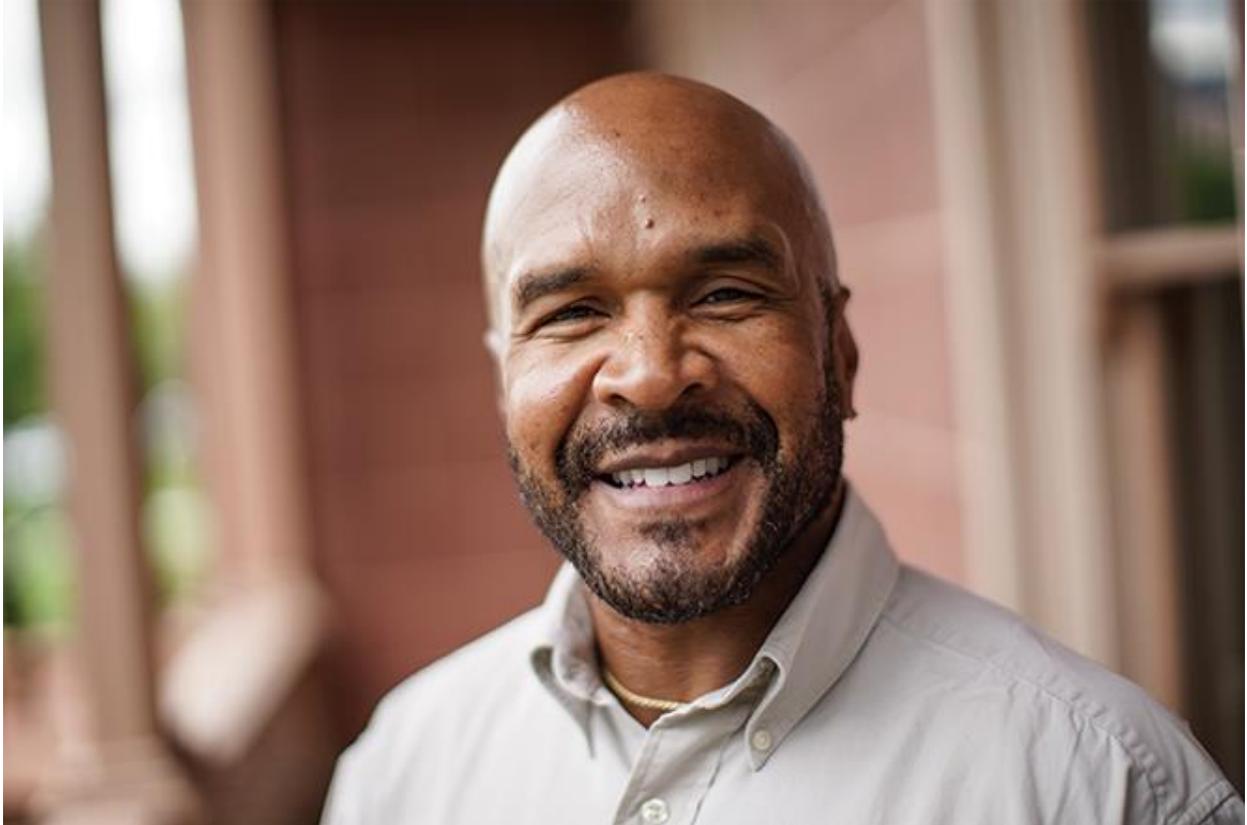


After recently highlighting leaders, volunteers and business people in the local Black Lives Matter movement (see our June 18 and 25 editions), we continue to hear from community members hoping to share their perspectives. It is, as they say, our privilege to include their stories.

In this week's issue, we bring you an interview with podcaster Jasen Lee and the poetry of C. Valenta. Also, former Salt Lake City mayoral candidate Rainer Huck offers suggestions on how to reform the police. Finally, the ACLU of Utah provides pointers on the ins and outs of protest.

So, in this summer of pandemic and rebellion, we hope you'll find ways to tell it like it is, whether out on the streets or working behind the scenes on causes you hold dear.

—Jerre Wroble



- Courtesy Photo

Jasen Lee

Co-founder, president and co-host of the Voices of Reason podcast; veteran journalist of over 20 years. Loudmouth Media [The Loudmouth Project]

loudmouthproject.com/voices-of-reason-podcast

What your organization does

Uses podcasting to promote equality and understanding through civil discourse

What's changed in days of late regarding your work?

There has been increased interest in the issues of police brutality and its impact on the lives of people of color, particularly African Americans. We've worked to use the momentum created by public demonstrations to further the conversation in an attempt to promote better understanding between people of differing backgrounds and belief systems.

Going forward, we will continue to use our platform to engage in meaningful dialogue on the issue of racial equality in our community and across the country.

On growing up in Chicago

I grew up in a city of over 3.5 million people that was much more racially diverse than Utah. However, it was also among the most racially segregated cities in the U.S., which precluded the opportunity for racial understanding among its residents. Having lived in

Utah since 2001, I've found it much less hostile than my hometown environment but also much less informed about diversity and people of color.

How you found "community" in Utah

Upon arriving in Utah, I was able to develop a community of friends and allies through work (loosely), networking and social gatherings.

Are there examples of exclusion/bias in your life that readers can learn from?

Too many to list here. As I mentioned, growing up in racially segregated, often openly hostile environment that was developed over decades of systematic design to purposely separate people by race, bias and exclusion were literally everywhere, from housing, to education to employment, city services, etc. The city of Chicago was (and to a large degree remains) a quintessential example of how a majority power structure can entrench institutional inequality for the express purpose of maintaining social and economic advantage over its minority population.

What needs to happen now?

My top priority would be to reform policing and criminal justice so that Black and brown people are not killed and incarcerated at such an obviously disparate rate. Also, legislate that officer and prosecutors involved in criminal behavior can be subject to removal and criminal prosecution. Certainly, working to develop equality throughout society in health care, education, employment and anywhere else. *Everyone* should be treated with dignity, respect and humanity! The only way it can happen is for massive reform of our social institutions beginning in local municipalities and permeating through to leadership in Washington, D.C.

What do you need people to hear?

My experience has been that people of color have been unfairly disadvantaged since the inception of this country and then unjustly vilified by the majority and its corrupt institutions. That shit has to end, *now!*

Name a few ways people can help

People in the majority have to look and think outside of themselves and being willing to recognize the privilege they've had and continue to perpetuate to the detriment of minorities. They should stand as staunchly for equality as they do for the flag to ensure the fulfillment of the promise of equality this nation purports to represent. Doing so will not make their lives any worse, but it will improve the lives of others who deserve an equal and legitimate chance at opportunity. The pie (of the American Dream) is infinite, not limited. We can all have a slice and enjoy the sweet taste of equality and happiness at no added expense to each other.

On speaking out against injustice

For those (prospective allies) who may wonder what they can do to help blacks and minorities build momentum and affect change, I'd say to raise your voice when you see injustice, speak out against discrimination in the workplace or when you observe

disrespectful behavior in your social circles. Try to advocate for equality and humanity within your sphere of influence. If everyone would do that, change would come.

How to learn more about racism?

Films

Blindspotting

I Am Not Your Negro

Books

Waking Up White by Debby Irving

White Fragility by Robin DiAngelo

The New Jim Crow by Michelle Alexander

The Autobiography of Malcom X

The Cadaver King and the Country Dentist by Radley Balko and Tucker Carrington

The Color of Law by Richard Rothstein

Musicians

Marvin Gaye: "What's Going On,"

"Mercy, Mercy Me," "Inner City Blues"

Stevie Wonder: "Living for the City"

Sam Cooke: "A Change Is Gonna Come"

Michael Jackson: "Man in the Mirror"

Bob Marley: "Redemption Song"

Plays

A Raisin in the Sun

Fences



- Courtesy Photo

C. Valenta

Recording Artist. Father. Son.

I've always spoken on these matters. This "trend," for some, has been a fight my entire life. I was raised by a single mother of six in Salt Lake City. I've lived in many communities across the valley. Although the environment and people were different, the hate they give is all the same. Being an artist with a growing platform, I must vocalize my experiences and educate others on the plight that's been silenced in our country. I have family, friends and neighbors who don't have the resources to be heard.

The day my son told me he doesn't want to be Black was the day I chose to do my part in eradicating the white nationalism that thrives in police departments across America. I can't march every day or create police reform. However, I can pick up where those before me left off and use my voice—it's my most powerful weapon.

I'm the modern-day Martin or Marcus Garvey
N I'll turn to Malcolm X if they taunt me
Sh*t, I'll burn this city down and let Mendenhall watch me
Watch me
Cuz they'd rather see that than to take account for their atrocities
Cops kneeling, that's propaganda hypocrisy

Black lives don't matter to them under this racist a** democracy
F**king fascist
Trump's a mockery
G*ng-b*ng his wife and daughter while he's watching me
This is our generation's chance to end systemic oppression
But a few of y'all was in the streets turning up to city girls f**king up that message
I won't forget it
Cuz if I die today, gotta make sure the world hears this
Rather than dancing on the block trying to show how long my d**k is
By the way, it's nine inches
By the way, I like my Kool-Aid on the side of my watermelon and fried chicken
It's a fact our melanin frightens them to the point where they draw arms and fire
without
forgiveness
Didn't even try to listen then (clap)
Another innocent black young beautiful child lying right on their back
Who's kneeling for that?

Sparking ideas at TEDxSaltLakeCity 2020

<https://linktr.ee/c.valenta>

Book recommendation:

The Ways of White Folks by Langston Hughes

Music recommendation: Gil-Scott Heron



- Shutterstock

Redraw the Blue Line

Eleven not-so-easy ways to re-imagine community policing and have a more just world
By Ranier Huck

As a candidate for Salt Lake City mayor in 2019, my main issue was that of police brutality, killing and lack of accountability.

Recent events have clearly shown the complete impotence of the police to deal with the violence and anarchy on the streets of Salt Lake and other major cities resulting mainly from the brutal treatment of minor offenders by law enforcement while typically avoiding contact with real criminals who pose a more credible threat.

I'd like to suggest a few structural changes to prevent these injustices from occurring again and again and to insure the restoration of a proper balance between police power and the constitutional rights of our citizens.

1. The police must be demilitarized. Get rid of SWAT teams, strike forces, vice squads, undercover cops and all the other quasi-military paraphernalia and jargon. Dump the bulletproof vests, weapons belts and the big guns that are mostly used to kill innocent people.

2. Change rules of engagement so that deadly force is used only when an officer is confronted by credible, deadly force. The current subjective rule of "feeling threatened" essentially gives police a license to kill. We've seen the sad outcome of this policy many

times now. Extrajudicial killing by police cannot be tolerated in a democratic society. In Germany, police must justify each and every shot they take. Every bullet is stamped with an identifying code, so officers are held personally responsible.

3. Re-educated police so they understand they are agents of the people, not agents of and for the benefit of the state. No-knock warrants and civil forfeiture have no place in our constitutional republic. The "War on Drugs" has been a colossal failure costing society trillions of dollars, hundreds of thousands of lives and the loss of our civil rights while having no effect on drug abuse at all.

4. Reduce the size of the police force by half with the remaining agents being given a raise in pay to attract more qualified people to the job. We have far too many police, which leads to over policing and the manufacture of crimes. The savings should be applied to the reduction or elimination of many excessive taxes.



- Bruce Emmerling

5. End the police culture of "us vs. them." Currently, police are trained to look at every citizen as a potential "perp." They have become our overlords, not our servants.

6. Stop aggrandizing the police as "heroes." They are just people doing a job for which they are paid, like anyone else. No one is forced to become a police officer. If these people are unwilling to accept some risk for the benefit of those they are sworn to protect, then they should find another occupation. By the way, convenience store clerks

have a higher chance of being killed on the job than police do. And they don't get huge taxpayer-funded processions and ceremonies.

7. We need balance and accountability. It is legal for police to lie and bully the accused while it is illegal for citizens to lie to the police, who have become very comfortable with abusing this power. Judges are complicit because they take the word of police without question, especially in issuing search warrants. Police are known to lie in order to obtain search warrants, essentially nullifying the constitutional prohibition against unreasonable search and seizure. The balance between police power and our constitutional rights has been reversed in recent years. The Constitution gives primary power to the people, not the police. Eliminating police unions would go a long way toward restoring balance and accountability. Not only do they feed the "us vs them" mentality, but they make removing problem officers virtually impossible.

8. End arrests for "lifestyle" crimes. We don't need to arrest people for these nonviolent crimes such as solicitation and drug possession—matters that could be handled with citation and a fine, if it's necessary to torment citizens for nonviolent crimes at all. This kind of harassment disproportionately harms the poor and lower middle class.

9. Reform criminal courts and jails. Judges often issue search warrants without even reading them. I know of one case of a judge issuing a warrant in 30 seconds at 2 a.m. People in jail are treated very badly, especially those who can't make bail. Most of these people have not been convicted of any crime but are incarcerated in deplorable conditions for long periods, sometimes waiting years for a trial.



- Dreamstime

10. Investigate police shootings using an outside agency, one completely separate from any part of the law enforcement agencies involved. Police have been absolved in the majority of shootings, including in the deaths of several African American men shot in the back as they were fleeing. Because of this, police have lost all credibility in rendering impartial justice. They have demonstrated there are indeed two kinds of justice, one for the ordinary people, which is harsh and immediate, and a second for government agents which is lenient or nonexistent. I recommend that the FBI investigate all police shootings as they all constitute inherent civil rights violations. We cannot allow low-paid civil servants to act as judge, jury and executioner.

When a deranged killer is given the death sentence, we allow 20 years of appeals just to make sure that every legal formality has been followed to the letter. Yet, when a Black man is running away, we see no problem in allowing a bully with a badge to apply this process in two seconds. Something is very wrong here.

11. Utah Legislature: Stop criminalizing so much of normal human activity, which is the root cause of police abuse. There are so many laws and crimes now that the police can literally stop anyone at any time and find a reason to fine or arrest them. The primary enforcement seat-belt law, however well intentioned, gives the police power to pull over anyone, anytime. With our bloated police force, they can target anyone they wish or just go fishing to pass the time.

Consider the famous words of Joseph Stalin's chief of the secret police, Laventiy Beria: "Show me the man, and I'll show you the crime." How far we have traveled on this path is amply illustrated by Harvey Silverglate's book, *Three Felonies a Day*, in which he aptly describes how the average citizen commits three felonies every day without realizing it.

Why not have an "un-legislative" session where, instead of passing 550 new laws, we eliminate 550 laws?

The current unrest could be just the tip of the iceberg if we don't make major changes to a criminal "justice" system that has become corrupt and self-serving. We can take the seemingly painful measures now to restore balance and justice, or we can wait till the next outbreak of violence that will be truly catastrophic. No one will win when this happens. The suggestions listed above will not be easy or popular to implement, but they will normalize the power balance between police and the people they serve thereby restoring the confidence and trust that vanished long ago.



- [ACLU OF UTAH](#)
- You have a constitutionally protected right to engage in peaceful protest

Know Your Rights

The ACLU of Utah's guide to protesting and free speech in Utah

Freedom of speech is not only the hallmark of a free people, but is, indeed, an essential attribute of the sovereignty of citizenship. You have a constitutionally protected right to engage in peaceful protests.

Where can I protest?

Public forums: You have a constitutionally protected right to engage in peaceful protest in public forums such as streets, sidewalks or parks. You may also be able to protest in front of government buildings and the Legislature. Salt Lake County has designated protest zones, areas that are specifically designated for public demonstrations and protests. There may be restrictions on the time, place and manner of how you exercise your free speech rights. However, these restrictions must serve a substantial government interest (like traffic safety), and they must be narrowly tailored to serve that interest. They also may not unreasonably limit alternate avenues of expression. Finally, the government may not place greater restrictions on anyone because of their point of view.

Non-public forums: In other venues, your rights are less clearly protected. For example, reasonable restrictions may be allowed at military bases, airport terminals or the entrance to a post office as long as they do not favor one side of an issue over the other.

Private property: In general, private property owners may set rules limiting your free speech. If you disobey the property owner's rules, they can order you off their property (and have you arrested for trespassing if you do not comply).

Courthouses: Under Utah law, you may not picket inside or near a court with the intent to block access to the court or affect the outcome of a case that is pending before that court.

What can I say and do?

In addition to verbal and written speech, the First Amendment covers all forms of expressive conduct, including music, film, dance and clothing. The government may not restrict your right to protest because your views are controversial, unpopular or offensive. The government may place certain restrictions on the time, place and manner of how you exercise your free speech rights. You should look up the local ordinances in your area before you plan a protest. For example, there may be restrictions on volume or playing music, or the route of a march.

You are entitled to approach pedestrians on public sidewalks with leaflets, flyers, newspapers, petitions and solicitations for donations as long as the pedestrians have room to pass. You may set up tables on public sidewalks if there is enough room for pedestrians to pass. You may not purposely physically detain pedestrians.

You are entitled to picket on public sidewalks, but you must picket in an orderly, nondisruptive fashion so that pedestrians can pass. You may not block entrances or exits to buildings.

You can advocate government overthrow or taking over the streets, so long as your speech is not aimed at inciting listeners to imminent lawless action or encouraging people to commit violence.

Do I need a permit before engaging in free speech activity or public protests?

If your march or protest is held on the sidewalk and obeys traffic signals, that activity is constitutionally protected even without a permit. But local governments may require a permit in the following circumstances:

- If your march or protest will not stay on the sidewalk, or if it will require blocking traffic or street closure.
- A large rally requiring sound amplifying devices
- A rally at certain designated parks or plazas. Many areas require organizers to get permits in advance for large demonstrations, and some charge processing fees. For groups of more than 50 people in Salt Lake County, you should submit an application to the permits section at least 30 days before the event is scheduled. However, the First Amendment prohibits advance notice requirements from being used to prevent rallies or demonstrations that are rapid responses to unforeseeable and recent events. In Salt Lake County, political events are exempt from fee requirements.

What activity is not protected?

Defamation: Under Utah law, you can be sued for purposely making false statements that were intended to damage a public figure's reputation. But you cannot be sued for statements of opinion, parodies, jokes or discussions of public controversies.

Fighting words: The government may restrict speech that is personally abusive and very likely to provoke a violent reaction. But the fact that certain speech angers some people does not necessarily mean that the government may restrict it.

Obscenity: In Utah, local governments may restrict speech that uses obscene or profane language but only in situations involving a breach of the peace.

Intentionally inciting another to crime

Picketing a targeted residence, outside a selected person's home (except the governor of Utah's home).

What to do if you are stopped by the police

In Salt Lake City, you can be charged with disturbance of the peace if you refuse to comply with an order of the police. If you are stopped by the police, remember to do the following:

- Think carefully about your words, movement, body language and emotions.
- Don't get into an argument with the police.
- Remember, anything you say or do can be used against you.
- Keep your hands where the police can see them.
- Don't run. Don't touch any police officer.
- Don't resist, even if you believe you are innocent.
- Don't complain on the scene, tell the police they're wrong or that you're going to file a complaint.
- Ask for a lawyer immediately upon your arrest.
- Remember officer's badge and patrol car numbers.
- Write down everything you remember ASAP. Try to find witnesses and their names and phone numbers.
- If you are injured, take photographs of the injuries, but also make sure to seek medical attention as soon as possible.
- If you feel your rights have been violated, file a written complaint with the police department's internal affairs division or civilian complaints board.

*** Note: This advice is not intended to deter you from cooperating with law enforcement.*



- Dreamstime
- The First Amendment's protections are not limited by one's immigration status

First Amendment: Rights of immigrants and refugees during protests

Every person has a constitutional right to engage in peaceful protest. The First Amendment's protections are not limited by immigration status. However, for persons that are not U.S. citizens, interaction with the police during a protest may pose different risks.

You have the right to protest in public forums such as streets, sidewalks or parks. The government can regulate the time, place and manner that you protest, but it cannot unreasonably restrict it.

Free speech is more than words. It includes clothing, music and conduct that expresses yourself. Under Utah law, it does not include defamation, words to encourage a violent reaction or committing a crime, obscenity or targeting a specific person's home.

Police have the right to intervene in a protest only in certain situations. If police issue orders during a protest, it is important that you calmly follow them. You can be arrested for disturbing the peace if you fail to follow police orders.

If arrested, you have the right to remain silent and ask for an attorney. In Utah, you only have to provide your name, date of birth and address if arrested. You

have the right to ask why you are being arrested. Exercise your right to remain silent and ask for an attorney.

Stay calm. Do not argue, complain, run, touch or push an officer. There can be criminal consequences for resisting arrest, assaulting a police officer or disturbing the peace. Remember that anything you say or do during an arrest can be used against you in criminal and immigration court.

Do not discuss your immigration status with anyone but your lawyer. Do not lie about your immigration status or present false documents. This can have serious immigration and criminal consequences.

Some county jails in Utah honor ICE detainees. If taken to jail, you have the right to remain silent and ask for an attorney. Exercise this right. If you are a citizen of another country, you have the right to call your consulate. You have the right to make a local phone call. If this phone call is to an attorney, it cannot be recorded.

If an ICE officer visits you in jail, do not say or sign anything without consulting an attorney. You have the right to say, "I wish to remain silent."

What if I'm charged with a crime? Do not sign any plea agreement without talking to an attorney. You have the right to know the immigration consequences of any criminal conviction. Even misdemeanors may have immigration consequences. Speak to an attorney before signing or accepting any plea deal.

If ICE stops you at a protest, you have the right to remain silent. ICE officers cannot search you without your consent. They cannot detain you without specific facts about you to make them believe that you are in violation of immigration law. Your race, ethnicity and choice to remain silent are not enough for ICE to arrest you.

You have the right to record and take pictures during a protest as long as it does not interfere with police activities. Disable face and touch ID to unlock your phone before a protest. The police cannot force you to unlock your phone, delete or turn over any photos, videos or recordings on your phone without a warrant signed by a judge.

Permit information

Gallivan Center: Salt Lake City Events Gallivan Center 239 S. Main St., Salt Lake City, Utah 801-535-6110

Salt Lake City: For permit application forms, visit <https://www.slco.org/eventpermits/demonstration-permit-instructions>

Utah Capitol: <https://utahstatecapitol.utah.gov/scheduling/event-applications>

Salt Lake County: <https://slco.org/health/special-events>

The above information provided as a courtesy from:

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