



UNITED STATES MISSION
TO THE UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS
IN GENEVA

April 16, 2015

Ms. Mireille Fanon Mendes-France
Chair-Rapporteur of the Working Group of experts
on people of African descent

Mr. Maina Kiai
Special Rapporteur on the rights to freedom of
peaceful assembly and of association

Mr. Michel Forst
Special Rapporteur on the situation of human
rights defenders

Mr. Léo Heller
Special Rapporteur on the human right to safe
drinking water and sanitation

Dear Ms. Mendes-France, Mr. Kiai, Mr. Forst, Mr. Heller:

Thank you for your inquiry of December 8, 2014, concerning the arrest of nine people in the City of Detroit, Michigan. The right to peaceful assembly is protected by the Constitution of the United States. Regulations, like permits and fees, must generally be content-neutral and cannot be imposed with the purpose of restricting the message that assemblies seek to convey. Please be assured that we are giving your request for information due consideration and are currently in continuing conversation with the Government of the City of Detroit to respond accurately to the matters you raised. Below is an interim report based on information from Detroit officials.

In an effort to respond to your inquiry, we contacted the Mayor's Office of the City of Detroit, which referred your inquiry to the Commander of the Detroit Police Department (DPD) for an accurate account of the events leading to the arrests. According to DPD records, a total of 39 protesters formed a human chain around Homrich Transfer & Processing Facility, under contract with the Detroit Water and Sewer Department to administer water shutoff and restoration, at 8:00 am on July 18, 2014, preventing contractors from fulfilling their scheduled duties. DPD reportedly advised demonstrators of the proper procedures for conducting a lawful protest, which did not extend to blocking exits to the facility or in any way preventing normal operations. After several hours of negotiations between police and protestors, DPD informed the protestors that any demonstrator continuing to block the exit would be arrested. Thirty of the protestors moved away from blocking the exit. Police then arrested the remaining nine individuals and transferred them to the Detroit

Detention Center, where they were processed and promptly released on \$100 bonds. The nine individuals arrested were: Han Barb, William Wyley-Kelerman, Marian Kramer, Marianne McGuire, David Olson, James Perkison, Kimberly Redigan, Joan Smith, and Baxter Jones.

We will provide you with a report on the final disposition of charges against the protestors by the courts as soon as it is available.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter F. Mulrean". The signature is fluid and cursive, with a large initial "P" and "M".

Peter F. Mulrean
Deputy Permanent Representative