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PAT-DOWN SEARCHES AND PROTEST CAGES: HOW SECURITY AT THE 2016 OLYMPIC GAMES COULD AFFECT FIRST AND FOURTH AMENDMENT LIBERTIES IN THE CITY OF CHICAGO

I. INTRODUCTION

Hosting the summer Olympic Games is an opportunity coveted by cities around the globe. The one city fortunate enough to be chosen to host the Olympiad will have the chance to showcase the prominence of the city and the pride of its citizens, and to promote its values on an international scale. However, the host city does not attain these benefits without coinciding burdens. The United States' outlook on homeland security has become increasingly conservative in the wake of the terrorists attacks of September 11th, 2001, and Americans have become tolerant of increased security at large-scale events. Consequently, the tension between national security and individual privacy has come to a head. Seven years after the attacks on the World Trade Center, the ideas of civil liberties and national safety have become notably separated. While some argue that a compromise of one's constitutional rights is valid in the name of security, we as Chicagoans must be well informed of the risks to our individual rights that will potentially accompany the Olympics in 2016.

The constitutional rights at highest risk for the sake of security are the Fourth Amendment protection against unreasonable search and seizure and the First Amendment right to free speech and assembly. Unreasonable and suspicionless searches in the form of pat-downs have become increasingly common at many types of large scale events. "Protest pens" have also emerged, which are designated demonstration zones constructed as a form of crowd control.¹ A number of courts have questioned the constitutionality of both these practices—suspicionless pat-down searches² and protest pens.³ Nevertheless, a conclusive ruling on the lawfulness of these practices has never been made, and the fear of terrorist attack will likely influence such measures at the 2016 Summer Olympics.

1. Susan Rachel Nanes, *"The Constitutional Infringement Zone": Protest Pens and Demonstration Zones at the 2004 National Political Conventions*, 66 La. L. Rev. 189, 191 (2005).

2. *Johnston v. Tampa Bay Sports Authority*, 442 F. Supp. 2d 1257, 1264 (M.D. Fla., 2006).

3. *Coalition to Protest the Democratic National Convention v. City of Boston*, 327 F. Supp. 2d 61 (D. Mass 2004), *Staubert v. City of New York*, No. 03 Civ. 9162 (RWS), 2004 WL 159870 (S.D.N.Y. July 16, 2004).

If the games take place in Chicago, Washington Park will be the site of the Olympic Stadium, a temporary facility seating 80,000 where the opening and closing ceremonies will be held.⁴ McCormick Place will house at least eleven different events, and other venues such as the All State Arena, the United Center, and Northwestern Stadium will expand the reach of the games into the west and north suburbs.⁵ The Olympic Village that houses the various athletes and international visitors will be located just south of McCormick Place and will create more than thirty acres of development.⁶ These progressive developments will lead to an increase in security for these areas in particular. This article analyzes how pat-down searches and protest pens were implemented in the past, and it attempts to coordinate a rudimentary security scheme for the 2016 summer Olympics, should they be in Chicago. The end result is a methodology that would minimize the invasiveness of security measures at the event and to protect the rights of game patrons and Chicago civilians alike.

II. UNREASONABLE SEARCH AND SEIZURE—HOW OUR FOURTH AMENDMENT RIGHTS MAY BE AFFECTED

In a highly populated urban setting such as downtown Chicago, security provisions will potentially extend to pedestrians, traffic, and other Chicagoans not involved in the games in any manner. Attendees of the summer games will undoubtedly have to submit to pat-down searches, and this could conceivably apply anyone within close proximity of the events. A 2005 National Football League mandate of mass pat-down searches at all NFL games resulted in a legal backlash⁷ that illustrated the friction between national and personal securities, and calls to attention the notion that these concepts may have become mutually exclusive. Pat-down searches involve patting and rubbing of the torso and pockets with no skin-to-skin contact.⁸ People wearing zippered or buttoned outer-garments must open them and hold the pockets away from their bodies while security checks for foreign objects.⁹ Anyone carrying contraband is detained, and anyone who refuses the search is denied entry into the games.¹⁰ The NFL mandate is

4. <http://www.chicago2016.org/our-plan/frequently-asked-questions.aspx> (last visited January 23, 2009).

5. *Id.*

6. *Id.*

7. *Johnston*, 442 F. Supp. 2d at 1260.

8. Mike Robinson, *Clash over Soldier Field searches goes to court*, AP, July 21, 2006.

9. *Id.*

10. *Johnston*, 442 F. Supp. 2d at 1260.

a useful template in assessing how searches are conducted at the Summer Olympics.

A. *Are Pat-Down Searches Constitutional?*

1. *Johnston v. Tampa Sports Authority and the "Special Needs" Exception*

The Fourth Amendment protects the interests of one's person and property by prohibiting unreasonable searches and seizures, the general principle being that warrantless searches must be based on individual suspicion.¹¹ This rule applies to intrusive pat-downs. A search absent individual suspicion is valid only if the person being searched has given his voluntary consent.¹² Aside from this consent exception, the only other way for the government to surpass one's Fourth Amendment protection is through the very narrow "special needs" exception, which validates suspicionless searches when the risk to public safety is substantial, concrete, and not merely hypothetical.¹³

The procedural history of *Johnston v. Tampa Sports Authority* illustrates a legal outlook on event security—specifically pat-down searches—and how that outlook has changed over the past several years. The plaintiff season ticket holder of the Tampa Bay Buccaneers brought suit in Florida state court, claiming that the NFL-mandated pat-down searches at Buccaneers Stadium violated his right against unreasonable searches under both the Florida State Constitution and the Fourth Amendment of the United States Constitution.¹⁴ The searches were mandated by the NFL and authorized by the Sports Authority, and the Buccaneers franchise informed the ticket holder that his deposit would not be refunded if he refused the searches.¹⁵ At trial, the defense did not offer any evidence or testimony of a particular threat to NFL games.¹⁶ The District Court held that the special needs exception was not satisfied, because the Tampa Sports Authority did not meet its burden of establishing a concrete, substantial threat of a terrorist attack.¹⁷ In other words, the special needs exception is not met by the general fear of terrorism that currently infiltrates society.¹⁸ In addition, the court found that Johnston did not

11. *Id.* at 1264.

12. *Id.* at 1271.

13. *Id.* at 1265.

14. *Id.* at 1261.

15. *Id.*

16. *Id.* at 1266.

17. *Id.*

18. *Id.*

consent, and the searches were unreasonable and unconstitutional on the rationale that the public interest in not being subject to mass searches outweighs the generalized fear of terrorist attacks.¹⁹

The Florida District Court denied the Sports Authority's motion to vacate the preliminary injunction against stadium pat-down searches (an injunction initially granted by the state court); however, the injunction was ultimately vacated on appeal and the prior rulings reversed.²⁰ The Appellate Court determined that, in the context of event security, an analysis of the consent exception must precede that of the special needs exception, and the District Court erred in its application of the latter.²¹ A list of factors taken from both state and federal approaches to voluntariness was applied to determine whether Johnston expressly or impliedly consented to the pat-down searches.²² These factors included: (1) whether the Defendant knew that his conduct would subject him to a search; (2) whether a 'vital interest' supported the search; (3) whether the person conducting the search had apparent authority to do so; (4) whether the Defendant was advised of his right to refuse; and (5) whether the defendant would be deprived of a benefit or right by refusing the search.²³ The Appellate Court eventually held in favor of the defendant on the grounds that the plaintiff was an intelligent person who consented to the searches by voluntarily attending the games knowing fully well what security would entail.²⁴ In addition, the season tickets were considered to be merely a revocable license from the Buccaneers to the ticket holders, not guaranteeing any rights or privileges to the patrons.²⁵ The searches were therefore reasonable under these circumstances, having fallen within the consent exception.²⁶ Broadly applying this result to the context of the Summer Olympic Games, any ticket-holding patrons who attend the events will be subject to pat-downs at the respective venues and will most likely be regarded as expressly and/or impliedly consenting to these measures.

Clearly defining the special needs exception has become an arduous yet essential task, and while the District Court's ruling in *Johnston* was eventually vacated, it was not for the misinterpretation of the special needs exception, but for a misinterpretation of the consent excep-

19. *Id.* at 1272.

20. *Johnston v. Tampa Bay Sports Authority*, 530 F.3d 1320, 1330 (11th Cir. 2008).

21. *Id.* at 1326.

22. *Id.*

23. *Id.*

24. *Id.* at 1328.

25. *Id.* at 1326.

26. *Id.* at 1328.

tion.²⁷ The shock following the September 11th attacks proved that such calamities may never be truly predictable, but courts such as *Johnston* have helped create guidelines as to what the exception does *not* include. The gravity of the threat alone does not and should not satisfy whether or not the threat is “substantial” yet the substantialness standard does not require that an attack be certain or imminent.²⁸ To clarify, the Supreme Court has explained that the exception refers to situations in which the governmental interest in safety would be put at risk by requiring individual suspicion and the individual’s interest in privacy is minimal.²⁹

It is ultimately the responsibility of the person whose rights have been personally infringed to bring such claims to court.³⁰ If and when a citizen chooses to bring such a claim to court, it is likely that the court will grant a state action. *Johnston* applied a three-pronged test for whether conduct constitutes a state action: whether the violating conduct was caused by (1) the exercise of some right or privilege created by the state; (2) a rule of conduct imposed by the state; or (3) a person for whom the state is responsible.³¹ Even though privately-hired security groups literally administered the pat-downs at Buccaneers Stadium, which is commonplace, a state-run agency hired those security workers, and the service was paid for with taxpayer dollars.³² This is the situation at most NFL games; therefore, a person who brings a complaint against mandatory pat-downs on Fourth Amendment grounds will likely succeed in attaining a state action. This provides further incentive for Olympic host cities to implement security practices that do not pose a threat to individual space and privacy.

B. Effectiveness of Pat-Down Searches and Possible Alternatives

As it turns out, pat-downs may not be effective enough to prevent a disaster in the first place. The effectiveness of pat-down searches at NFL games has yet to be proven, because the method has not been empirically tested, nor has data ever been collected.³³ In fact, some

27. *Id.* at 1326.

28. *Johnston*, 442 F. Supp. 2d at 1266.

29. *Id.* at 1269 (quoting *Chandler*, 520 U.S. at 314).

30. *Chicago Park Dist. v. Chicago Bears Football Club, Inc.*, 2006 U.S. Dist. Lexis 58621 (N.D. Ill., 2006).

31. *Johnston*, 442 F. Supp. 2d at 1262.

32. *Id.* at 1263.

33. Michael A. McCann, *Social Psychology, Calamities, and Sports Law*, 42 *Willamette L. Rev.* 585, 608 (2006).

have argued that invasive pat-down searches do not work at all.³⁴ The NFL is the only professional sports league to implement mandatory pat-downs.³⁵ Major League Baseball, the NBA, and the NHL generally implement visual searches and bag checks.³⁶ There are also psychological arguments to counter support for mass searches. The only reason pat-downs were implemented at NFL games in Tampa was because of a contractual obligation between the Tampa Sporting Authority and the NFL.³⁷ This indicates that the risk of an attack was not great let alone sufficient to satisfy the “special needs” exception to the Fourth Amendment. In addition, one must take into account the “Endowment Effect”, which occurs when one perceives the most utility is provide by the current state of affairs.³⁸ Potential for this effect strengthens as our country tries to find steady footing in the battle against terror.

Mandated pat-downs are arguably intrusive, but a number of alternative security methods are available and may prove equally beneficial, if not more so. Visual checks that involve persons removing gloves and extending their arms out with palms up would enable security to detect any possible detonators around the wrists while simultaneously allowing attendees personal space.³⁹ Metal detectors are available, as well as container checks and bag searches.⁴⁰ Bag searches pose little threat to personal privacy or space in that they do not involve physical contact with the bag owner. Motions to enjoin bag searches will rarely, if ever, be granted, as exemplified in *Stauber v. City of New York*⁴¹ (discussed below). These methods prove to be effective and afford attendees their right to privacy and their right against unreasonable searches.⁴² Furthermore, the options of increasing the number of security personnel or installing enhanced computer surveillance⁴³ would result in an increased sense of safety at the Olympic Games without igniting Fourth Amendment debates. In

34. Lara Jakes Jordan, *NFL Threat Credibility Questionable, FBI Says*, Tampa Tribune, October 19, 2006.

35. McCann, *supra* note 25, at 607.

36. *Id.*

37. *Johnston*, 442 F. Supp. 2d at 1269.

38. McCann, *supra* note 25, at 620.

39. Mike Robinson, *Clash over Soldier Field searches goes to court*, Associated Press State & Local Wire, July 21, 2006.

40. *Johnston*, 442 F. Supp. 2d at 1269.

41. *Stauber v. City of New York, et al.*, 2004 WL 1663600 (S.D.N.Y. July 27, 2004). Although this is primarily litigation over protest pens, eleven days after the First Amendment issue was resolved the court decided not to enjoin the bag searches used in those pens, but rather to amend the language of the bag search policy.

42. Lara Jakes Jordan, *supra* note 26.

43. McCann, *supra* note 25, at 606.

short, there is a wide range of options as far as large-venue security is concerned, therefore, the constitutional rights of event-attendees and regular citizens alike need not be infringed in order to ensure their safety. However, the bottom line is that hosting the Olympic Games in 2016 will most likely impose more invasive security measures on event-goers and proximately located Chicago citizens alike, due to the degree of international attention that the event would bring and the heightened responsibility for the city to keep the city safe.

The arguments in favor of mass, suspicionless pat-down searches tend to be either psychological or economic. Michael McCann contends that our country's connections to professional sports teams set the stage for a deep wound on the national psyche, should there be a terrorist attack on a major sporting event.⁴⁴ Truly, the potential magnitude of such an attack and the mere threat itself cannot be denied. There is also the notion that a brief pat-down that lasts only a few seconds is a mere inconvenience when compared to the resulting peace of mind for all attendees. However, that notion undermines the basic principle of the Fourth Amendment. In other words, peace of mind during a sporting event is outweighed by one's peace of mind regarding his civil liberties. The Supreme Court has ruled that frisks to be more than a petty indignity,⁴⁵ and frisks and pat-down searches are comparable procedures, to say the least.

III. FREEDOM OF SPEECH—HOW OUR FIRST AMENDMENT RIGHTS MAY BE AFFECTED

A. *Protest Pens and the Rock Against Racism Rule*

Crowd control is a significant priority at large scale sporting and cultural events. Designated demonstration areas referred to as “protest pens” have emerged over the past decade and may include thorough police monitoring and barricades.⁴⁶ The pens are supposed to be content-neutral, but persons in charge of security may have motive to suppress particular content.⁴⁷ The locations of the protest zones can have a detrimental effect on the audience the protestors reach. A remotely located protest pen will not attract equal attention to centrally-located protest pen; in effect, the location of the pen can silence the protestors' message by locating protestors out of reach of the eyes and ears of the global audience they seek to address.

44. *Id.* at 604.

45. *Johnston*, 442 F. Supp. 2d at 1264 (quoting *Terry v. Ohio*, 392 U.S. 1, 17 (1968)).

46. Susan Rachel Nanes, “*The Constitutional Infringement Zone*”: *Protest Pens and Demonstration Zones at the 2004 National Political Conventions*, 66 La. L. Rev. 189, 191 (2005).

47. *Id.*

Courts turn to the three-factor test set out in *Ward v. Rock Against Racism* to determine whether governmental restrictions against free speech and assembly are in violation of the First Amendment.⁴⁸ The *Rock Against Racism* test considers a standard of time, place, and manner for such restrictions.⁴⁹ Specifically, when the government attempts to restrict the time, place and manner for exercise of free speech and assembly in public, the restriction must be (1) justified without reference to the content of the regulated speech; (2) narrowly tailored to serve a significant governmental interest; and (3) must leave open ample alternative channels for communication of the information. The factors of content neutrality and open alternative channels are often satisfied without explanation, and the most problematic factor tends to be whether the restriction is narrowly tailored.

*B. Application of the Rock Against Racism Rule in
Boston and New York*

Security at the Democratic and Republican National Conventions of 2004 involved protest pens. These conventions, located in Boston and New York, respectively, demonstrated the troubles that ensue from the utilization of such pens.⁵⁰ The 2004 conventions serve as a proper template for a security analysis of future Olympic Games, because they were the first such events to attract such national and international media attention after the events of 9/11. Both cities utilized protest pens as forms of crowd control. The ACLU commenced litigation against these measures in *Coalition to Protest the Democratic National Convention v. City of Boston*⁵¹ and *Stauber v. City of New York*.⁵²

The Democratic National Convention was held in Boston at the Fleet Center. Security was divided into two sections: a “hard security zone” requiring clearance for entry, and a “soft security zone” south of the convention in a city-controlled area including restaurants, bars, and stores.⁵³ Regular citizens and protestors could enter the soft security zone without clearance, but the city planned to limit demonstrations to fifty people or fewer.⁵⁴ A perimeter of concrete barriers and eight-foot-tall chain link fences covered with black mesh surrounded

48. *Id.* at 195 (citing *Ward v. Rock Against Racism*, 491 U.S. 781 (1989)).

49. *Id.*

50. *Id.* at 190.

51. *Coalition to Protest the Democratic National Convention v. City of Boston*, 327 F. Supp. 2d 61 (D. Mass 2004).

52. *Stauber*, 2004 WL 159870.

53. 327 F. Supp. 2d at 65.

54. *Id.*

the protest area in the soft security zone.⁵⁵ In this instance, the protestors' desired audience was the delegates attending the conventions, and in their lawsuit the protestor's claimed that the demonstration zones were situated so that any protestors would be cut off from the convention attendees.⁵⁶ In applying the *Rock Against Racism* test to the hard and soft security zones, the trial court focused mainly on the "narrowly tailored" factor, acknowledging that the pens were not content-based, and brushing aside the need for alternative channels of communication for the "constraint of safety".⁵⁷ Despite the trial judge's personal visit to the demonstration zone, his reference to the zone as an 'internment camp'⁵⁸, and the consequences which the trial judge described as "sad," the trial court denied the protestor's motion for an injunction.⁵⁹ The appellate court affirmed on the grounds that the security measures were indeed narrowly tailored to the government's interests of promoting safety and protecting delegates by keeping the delegates out of throwing-distance of the protestors.⁶⁰ The appellate court also went into a further analysis of the "alternate channels" factor and noted that the protestors could have went straight to the media to get their message across.⁶¹

The court in *Stauber v. City of New York* was faced with a situation very similar to that in Boston, and the ultimate decision turned on the entry and exit restrictions of the New York protest pens.⁶² The petitioner-protestors were acting in response to security measures used the year before at a 2003 anti-war rally, and they moved the court to enjoin the city from implementing those same practices at the Republican National Convention.⁶³ The petitioners' argument was based on the "narrowly tailored" factor of the *Rock Against Racism* test.⁶⁴ The New York protest pens were much larger than the Boston demonstration zones, and were equipped to hold 80,000 protestors.⁶⁵ The pens extended over thirty Manhattan blocks beginning at 51st Street, the south end of each block being blocked off for traffic.⁶⁶ Each block was turned into an enclosed pen when the space became filled with

55. *Id.* at 67.

56. *Id.* at 73.

57. *Id.* at 75.

58. *Id.* at 74.

59. *Id.* at 78.

60. *Id.* at 73.

61. *Id.* at 75.

62. *Stauber*, 2004 WL 159870 at *29.

63. *Id.* at *2.

64. *Id.* at *22.

65. *Id.* at *6.

66. *Id.* at *4.

protestors—about 4,000 per block—and the police barricaded the northern entrance to permit flow of traffic on the other side.⁶⁷ At trial, several protestors testified that the policemen would not let them exit the pen to use the bathroom. Other witnesses testified that the police threatened not to let exiting protestors back into the pen.⁶⁸ These entry and exit restrictions were essentially what led the court to grant the plaintiff's injunction.⁶⁹ In its application of the *Rock Against Racism* test, the court determined that although the restrictions were content-neutral, the New York protest pens did not satisfy the second two factors of the test.⁷⁰ The strict entry and exit restrictions rendered the pens not narrowly tailored, and the pens depleted the option of alternate channels in that the police would barely allow the protestors to leave, let alone seek protest elsewhere.⁷¹ The rigid deference to government interest once seen in the Boston courts was not applied in this New York case, but the outcome would arguably have been different if the pens had greater accessibility. Both cases illustrated the significance of the “narrowly tailored” nature of security restrictions.

IV. CREATING A “NARROWLY TAILORED” SECURITY SCHEME FOR THE 2016 CHICAGO OLYMPICS

Protest pens threaten a violation of Chicagoans' First amendment rights to free speech and assembly. The security practices utilized in Boston and New York are a helpful starting point in creating a security scheme for the city of Chicago, should it host the 2016 Summer Games. Following the methods that satisfied the *Rock Against Racism* test in *Stauber and Boston* (i.e., working with the strengths and learning from the weaknesses of the protest pens in those cases), a demonstration zone narrowly tailored to the government's interests in crowd control can be formulated for the downtown Chicago area. However, an important difference between the political conventions and the Olympic Games is the audience which the protestors seek to address. As opposed to the protests at the political conventions, the audience sought by the protestors at the Olympic Games would likely be the global media, not particular attendees of the games. This allows for the designated areas for such protestors to have a greater degree of flexibility while still fulfilling the purpose of the protest.

67. *Id.*

68. *Id.* at *6.

69. *Id.* at *29.

70. *Id.*

71. *Id.*

The Boston method of “hard” and “soft” security zones would be a good fit to the highly-populated downtown areas near the Olympic sites, and the size and layout of the Manhattan protest pens would better suit Chicago’s grid-system of streets. A number of different venues will host the many events⁷², but McCormick Place and Washington Park are good examples of the more populated areas in which the games will take place. The hard security zone would require clearance within the perimeters of McCormick Place, Washington Park, and the other various venues. Specifically, the McCormick Place hard security zone would be bordered by East Cermack Road, South Martin Luther King Jr. Drive, East Twenty-fourth Place, and South Indiana Avenue.⁷³ The Washington Park hard security zone would be bordered by South Martin Luther King Jr. Drive, East Fifty-first Street, South College Grove Avenue, and East Sixtieth Street.⁷⁴ Pat-downs and bag searches could be conducted in the hard security zones. The soft security zone would run along South Martin Luther King Jr. Drive between the two hard zones, and also extend northward to East Eighteenth Street, southward to East Sixty-third Street, westward to Michigan Avenue, and eastward to South Drexel Boulevard.⁷⁵ Demonstrations would be prohibited in the hard zone, but protestors can attract just as much media attention through placement merely several blocks north of the Games. Police can prepare for protestors in the soft security zone in the New York manner by barricading the south end of each block along the stretch of Martin Luther King Jr. Drive that sits in the soft security zone—this would be more of a traffic-control measure than a space-restriction for protestors. A benefit of this plan is that it does not limit the number of protestors that may assemble in these areas. In addition, pat-down searches would be limited to the hard-security zone, the zone that would mainly house athletes, fans, and those people directly involved in the Games.

The security zones described above would satisfy any court’s *Rock Against Racism* analysis. A particular strength of both the Boston and New York pens was that they were content neutral, as would be the demonstration zones in Chicago. Both the hard and soft security zones are narrowly tailored in that the areas around McCormick Place and Washington Park, along with the soft security closer to the Loop,

72. Chicago 2016 Bid Committee Frequently Asked Questions, <http://www.chicago2016.org/faq.aspx> (last visited January 11, 2009).

73. See <http://www.google.com/maps>

74. *Id.*

75. *Id.*

will ensure the protection of the event-goers while respecting the privacy of people who live and work in those areas. There would be no risk of restricted entry or exit from the protest zone like there was in *Stauber*, because the soft security zone will not require clearance by security personnel. Alternative channels of communication remain open, as Millennium Park, Grant Park, and even Daley Plaza will be out of reach of the soft security zones.

Those in favor of stricter security for the sake of public safety may argue that this method of hard and soft security zones reduces crowd control. The potential weakness of this model turns on the accessibility of the soft security zone. The soft zone could be criticized as *too* accessible, thereby diminishing the police power in that area. However, the *Stauber* opinion illustrates that the accessibility of a protest zone is fundamental in its function as a forum of free speech. Also, the Boston case exemplifies how prison-like protest pens have been approved by some courts. The city of Chicago can avoid similar litigation by refusing to construct pens for expected demonstrators that are, in effect, cages.

V. CONCLUSION

Despite the chilling effects of the war on terror on our country's psyche, the question of how to uphold the right of privacy in this climate of fear is ultimately for the courts to answer, not for emotionally-driven social policy. The scope of the constitutional protections for free speech and against unreasonable searches will be tested against private security measures and the police powers of Illinois if Chicago hosts the 2016 Summer Olympics. The entities in charge of security need not violate these rights to maintain order at this high-profile event. Security can conduct non-invasive pat-down searches in the hard security zones established at the game sites, and demonstration zones can be designated reasonably close to McCormick Place and Washington Park. Protestors can thereby target the same audience with equal effectiveness. Nonetheless, the risk remains for city officials sacrificing these alternatives for harsher and more provocative security measures in planning for a worst case scenario, and wanting to send a message or certain image of orderliness to the world. The benefits a city receives from hosting the Olympics are formidable, to say the least, but the subsequent limitations to Chicagoan's constitutional rights in the name of security can not be overshadowed by the almighty dollar. Hosting the games will give the city a responsibility to keep its citizens safe, but also to show the world how seriously Chi-

cago considers individual civil liberties and the values expressed in our Constitution.

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