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Police say protest crossed line

Man says rights violated after arrest for painting word on sidewalk in Akron

By Andale Gross

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As America prepares to celebrate Independence Day, one Kent man might be wondering if he still has those long-ago, fought-for freedoms.

TRUTH. That's what Karl Liske wrote on a downtown Akron sidewalk in May during a protest against military recruiting practices. He scrawled the letters with water-soluble red paint in front of the Armed Forces Recruiting Center at 46 Summit St.

He considered it an exercise of his First Amendment right of free speech. Akron police considered it destruction of property and charged him with criminal mischief.

The matter is now in the hands of Akron prosecutors, who are reviewing the case with police officers and the recruiting center to determine how much damage was done and the cleanup work involved.

A trial has been scheduled for September in Municipal Court, but attorneys involved in the 69-year-old man's case are hoping it can be resolved before then.

"I think it's OK to express yourself, and that's all he was doing," said Liske's lawyer, Warner Mendenhall. "We have a vibrant community that's devoted to peace issues. As a city, we ought to be proud of the democratic debate that's being heard within our own city boundaries.

"We need to make sure that we have public space available for their expressions of defense and debate about what's going on in this country," he said. "Certainly, public sidewalks are a place to act appropriately."

The sidewalk was cleaned promptly, and the recruiting center was not damaged in any way, Mendenhall said.

Chief Akron Prosecutor Douglas Powley said the law clearly states that a person is not permitted to interfere or deface property that is not his or hers.

"Certainly, everybody has a right to protest, but they don't have a right to leave a mess for somebody else to clean up," Powley said.

He said the outcome of the case depends on whether Liske's conduct "crossed the line in causing damage and an inconvenience" to the recruiting center.

Liske was one of 10 to 12 participants in the May 20 anti-recruitment "vigil," which the Northeast Ohio American Friends Service Committee organized.

The event was tied to others held nationally.

Liske isn't talking publicly -- on the advice of his attorney.

But others are speaking on his behalf.

"It seems to me that the real crime is not what Karl Liske did on the sidewalks of Akron, but what the U.S. has been doing for two years-plus in Iraq," said Greg Coleridge, who is affiliated with the American Friends Service Committee and is director of the group's economic justice program.

The criminal mischief charge that Liske faces is a third-degree misdemeanor. If convicted, he could be sentenced to 90 days in jail and get a \$750 fine.

Some of Liske's supporters have asked: How is what he did any different than a child writing on a sidewalk with chalk?

“I think you have to look at the totality of the circumstances,” Powley said. “The difference between chalk on a sidewalk by kids and this case is you have to look at whose sidewalk it is, and what's been put on the sidewalk, and the difficulty of removing the material.”

Mendenhall said the issue comes down to free expression and nothing more.

“This was a public statement about the war,” he said. “I think the peace community in general is concerned about recruiting practices that target innocent high school students who really have no idea what they're getting into when they're signing up.”

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