

April 21, 2005
FOR IMMEDIATE RELEASE

FREEWHEELS BICYCLE DEFENSE FUND TO THWART COPS WITH FREE BIKES

A new advocacy group for arrested bicyclists has plans to keep riders on two wheels. The Freewheels Bicycle Defense Fund (www.bicycledefensefund.org), originally formed to raise funds for legal expenses incurred from bike-related arrests, is expanding their fledgling efforts to combat what they consider an illegal seizure of property by the New York Police Department.

On the last Friday of every month since August 2004, the NYPD has been arresting bicyclists during the monthly bike ride known as Critical Mass, an event described by participants as an awareness-raising celebration of bicycles and other nonpolluting means of transportation. The police claim that the riders are a procession, and therefore need a permit to ride in the street. Those arrested have their bicycles seized and held for weeks or even months. Since the first crackdown on Critical Mass at the Republican National Convention in August, the police have arrested over 300 cyclists and seized almost three times as many bikes. In anticipation of a fresh round of arrests at the April 29 Critical Mass, members of Freewheels have been collecting bicycles, by soliciting donations and by purchasing in bulk from police auctions. Freewheels intends to distribute them to arrestees as they are released from police custody.

"We want to be waiting at the precinct with a bike to hand to every arrestee as soon as they walk out that door," said Rebecca Heinegg, one of the founding members of Freewheels. "They can have the bikes for free as long as they need them, on the condition that they then pass them along to the next month's arrestees."

While the police claim that they need to hold the bicycles as "arrest evidence," cyclists say that the seizures are being used as a punitive measure and to deter people from riding in Critical Mass. "Cyclists arrested during Critical Mass are generally charged with disorderly conduct and parading without a permit," said Gideon Oliver, defense attorney for several of the arrestees. "Having a bicycle is not evidence of either of those offenses."

"It's as though a motorist were arrested for speeding," added Heinegg, "and then had their car impounded indefinitely. It would be ridiculous to say that having the car proves that the motorist was speeding, and it would be a completely disproportionate and irrational response to a minor traffic violation." The kinds of property confiscated as evidence by the NYPD typically includes drugs seized in a drug bust or dangerous weapons that were used in a violent crime.

"The NYPD is trying to write their own laws, to criminalize bicycling and then to punish anyone they see as an offender," said Mark Taylor, another founder of Freewheels, and a student at Brooklyn Law. "We're not going to let that happen."

###

Contact: Rebecca Heinegg, (607) 437-2413
heineggr@mail.law.cuny.edu
www.bicycledefensefund.org
freewheels@bicycledefensefund.org