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Rights group decries arrest of 27 gay men

By **ROSARIO FAJARDO**
Of The STAR Staff

A leading gay rights organization on Thursday denounced as police entrapment the arrest of at least 27 homosexual men at the Ocean Park beach since the beginning of May.

The men arrested were approached on the beach by police dressed in civilian clothes and propositioned, said attorney Andrew L. Praschak, executive director of the Foundation for Human Rights. The police were dressed in cut-off jeans, sneakers and in some cases were shirtless, he said in an interview.

The men were approached by police who asked them, "Can I see it?" or "Can I touch it?" said Praschak. If the man exposed himself, he was arrested and taken to a local police station, he said.

Meanwhile, San Juan Public Security Commissioner Col. Jorge Collazo denied the allegations of entrapment, saying all arrests had been conducting within the letter of the law.

"This was not harassment or entrapment," he said. "I want to set the record straight because the police were actually solicited by these men."

The outcome of the court cases, to be held later this summer, will speak for the police action, said Collazo. "The legal proceedings will show that no rights were violated by the police," he said.

The men also were told by police that they did not need a lawyer, and some were not given their Miranda

warnings, by which people under arrest are advised of their right to remain silent and to have an attorney present during questioning, Praschak said.

Several of the cases were dismissed in District Court because probable cause was not found, he said.

One man pleaded guilty, but Judge Eddie A. Ríos Benítez would not accept his plea, said the civil rights attorney, who was present in court that day. Judge Ríos Benítez advised the man to seek legal counsel, said Praschak.

The men, mostly in their 20s and 30s, requested anonymity, said Praschak. "Some have threatened suicide if their identities are revealed; some have wives and children," he said.

According to Praschak, the police used local residents' complaints of male prostitution at Ocean Park as an excuse for harassment.

"This state-sanctioned harassment of the gay community is an outrage which violates the gay community's civil rights," said Praschak. "I am very disappointed to learn that this abuse of the gay community occurred under the administration of [San Juan Mayor] Sila Calderón, who campaigned on a platform of equal rights and dignity for the gay community."

Praschak said he had met with Migdalia López, Calderón's special assistant for security, to explain his indignation. "López promised us that she will discuss the issue of entrapment personally with Col. Collazo and with the mayor herself."