

## Stop saving District 5 from itself

Contributed by JOY-ANN REID

Suspended Miami City Commissioner Michelle Spence Jones' trial kicks off Friday.

No, not the criminal trial, in which she will face charges that she misappropriated \$50,000 in county grants. That one comes at a later date.

This is the trial in which she argues that Gov. Charlie Crist had no right to deprive her of her commission seat when he suspended her twice following two solid victories at the polls.

She will not battle alone. Supporting Spence-Jones will be five voters from City Commission District 5 who claim that the governor disenfranchised them when he removed the commissioner following her second re-election on Jan. 12.

The five voters: Jackie Lee Bell, Dorothy Quintana, Ella Curry, Levert Jordan Sr. and the Rev. Anthony Tate. They are represented by the local branch of the American Civil Liberties Union (ACLU), which argues that the battle is not for Spence-Jones, but for the citizens of District 5.

Since the governor first suspended Spence-Jones amid grand theft charges last November (charges she denies,) "the voters were granted the right to intervene," said Muslima Lewis, who directs the Miami ACLU's Racial Justice Project.

"So they will be there at trial asserting their interests, those interests being that as voters who brought Spence-Jones back into office ... with full knowledge of the charges against her, that their right to choose their representative should be respected. And the law supports their position."

Bell, a feisty 72-year-old, was a legislative aide to Gwendolyn Cherry, Florida's first black state representative. Bell also volunteered for Spence-Jones' November and January campaigns, and was among the first to approach the ACLU about what she calls a civil rights issue.

"I felt that they had taken my vote away," Bell said.

Lewis said that if it stands, this would be the first time that a governor has re-suspended a public official after the voters decided to choose that person to represent them.

"History supports our argument that this exceeds the governor's authority," she said.

The governor argues that the wishes of 2,043 voters don't trump the interests of all Liberty City and Miami residents.

He's not alone.

Marvin Weeks, an artist who sits on Miami's Arts and Entertainment Council, and who happens to be one of the grantees whose funds Spence-Jones is accused of pilfering, points out that he recently walked the area surrounding the Liberty Square apartments and was unable to find a single newspaper for sale in any convenience store. Weeks said that District 5 voters often don't participate because they're not being informed.

"Of the majority of the citizens, 2,000 people voted," says Weeks. "What about the rest of the citizens who even if they may not have voted, have a right to be represented by someone who is without question of political mischief?"

Lewis dismisses that argument.

"We have a process of participatory democracy where the voters who participate choose their representative," she said. "That's fundamental to our democratic process."

Indeed, every registered voter in District 5 had the opportunity to weigh in last November and in January. As Lewis points out, low turnout has never before been cited as a reason to assert that the elected person is not the legitimate representative.

"Back in 2000 we lost our vote," said Bell, apparently referring to the 2000 controversial presidential election. "I did this because the parents who raised me stood up for me. My grandparents stood up for my parents, and I cannot face my three great grandchildren and not stand up for them."

Point taken. The voters may or may not have seen the ethical storm coming last November, but in January, most who voted knew, or should have known, the deal. At this stage, it's not the will of 2,043 people (out of 39,617 registered voters) deciding who represents District 5; it's the will of four city commissioners who don't live in, and have no reason to especially care about, District 5.

And they chose someone, the Rev. Richard Dunn, who entered office as a politically neutered lame duck after he agreed not to run for re-election as a condition of his appointment.

As a result, District 5 has only a "placeholder" commissioner at a time of dire need, from the ongoing economic drought in Overtown and Liberty City to the influx of post-earthquake migrants in Little Haiti.

Meanwhile, Spence-Jones promises to take her case all the way to the Florida Supreme Court if necessary.

Enough.

It's time we stopped treating voters like children, and stopped wasting the public's time and money arguing over whether citizens should be rescued from the consequences of their own votes (or non-votes.) Michelle Spence-Jones will soon face the judgment of a court of law.

Until then, District 5 voted for her. Let her serve.

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