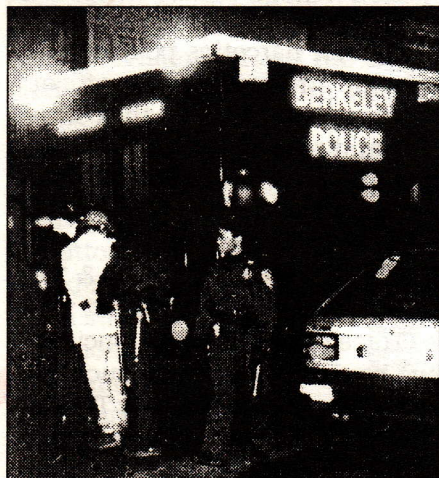


COPWATCH

Report

BERKELEY, CALIFORNIA

SPRING 1995



Telegraph sweeps — see Cop Blotter, page 2

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Youth Abuse? West Oakland Teenagers Targeted By Police Vendetta

BY GERALD SMITH

It's hard to describe the outrageous nature of the police misconduct committed against the Higgins family. The ordeal began on February 24, when a group of kids were alleged by the police to have been gambling outside their home on 32nd Street. The police entered the alley with their guns drawn and ordered everyone to put their hands against the wall.

According to witnesses, the cops began to bang the kids' heads against the wall and ground, after handcuffing them together. Ms. Beenie Ruth Higgins began to yell from her window, in hopes of stopping the beatings and to call the attention of witnesses. Her 11-year-old son, Joshua McBride, ran down the stairs to protest the beating of his brother Omar.

OPD Officers Guerra (# 814) and Crutchfield (# 831) ordered Joshua to leave the alley. As a small crowd began to gather, his mom insisted from the window that he had the right to remain. According to witnesses, Officer Guerra punched Joshua in the chest and slammed him to the ground. Officer Crutchfield slammed Omar's head into the ground after he protested the abuse of his little brother.

Beenie Ruth Higgins said that she walked outside and told Guerra, "You don't have to do my son [Joshua] like that. He's only eleven." Guerra allegedly shoved her in the chest and replied: "Get your motherfuckin' ass from back here. You don't have no business back here."

Jaymal (Jay) Jones, 5 years old, was injured when police pushed his mother back into the house, according to hospital documents. The police claimed in their report that the witnesses to their misconduct constituted a riot. Of course, the authorities want the people who witness these kinds of atrocities to look at the ground and crawl away. But by law, citizens have a right to observe the police.

(continued on page 10)



Cops say Joshua McBride, 11 years old, 75 pounds, tried to take their flashlight and beat them with it.

Security Guards in the Elmwood

Threat to the Rights of Citizens?

BY GRACE ROBINSON

The Elmwood Merchant's Association on College Avenue recently hired Wolf Security guards to patrol their district, to the dismay of panhandlers who soon became their targets.

One Elmwood security officer has been accused of verbally harassing homeless denizens of College Avenue. After verbally threatening Congregationalist minister Michael Bracamonte, the officer was discharged. More recently, a panhandler was handcuffed by a different Wolf security guard and taken six blocks away where the Berkeley police were called. There was no charge or report filed. These guards apparently take their cue from Wolf Security supervisor Frank Navarro, who claimed that merchants have the right to police their property right out to the sidewalk that extends past their stores.

Nationwide, private security guards frequently cause more harm than good. According to a national survey conducted by Guardsmark, the nation's fifth largest private security company, in 1993 alone U.S. private security guards committed 38 murders, 63 sex-related offenses, 22 shootings, 27 thefts, three abductions, four beatings, four counts of arson, and an assault with an ice pick (S.F. Bay Guardian, April 19, 1995).

To be licensed as an armed guard in the state of California is frighteningly simple: one need submit to just 14 hours of instruction in gun use and an in-state criminal record check.

With all this in mind, how is a community to respond when a private group of merchants hires gunbearing guards to patrol public streets? ●

COPWATCH Report

The COPWATCH Report is published by COPWATCH, a grassroots all-volunteer organization which works to defend the rights of everyone who lives in our community.

To do this we need your support, energy, and ideas! Please call us or write us, or come to our weekly Monday meeting at 8 pm in our office:

**COPWATCH • 2022 Blake Street (near Shattuck)
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Cop Blotter

*A sampling of the more egregious examples
of police misconduct, gleaned from
COPWATCH Incident Reports*

HARASSED WITHOUT CAUSE (March 6, Oakland) — In a case reported to COPWATCH, a man was walking home at about 1 am when OPD Officer Bernard stopped him. The officer asked the man for his ID, then cuffed him and put him in the car, telling him that he would be arrested for narcotics possession. The man denied the charge strenuously. The officer drove around for 45 minutes, then parked in the Police Department parking lot and repeated his threat. Finally the officer drove the man home and said that he would file a report and maybe issue a warrant. The victim was released at approximately 3 am.

ONCIANO BACK TO OLD TRICKS (April 26 & 27, Shattuck Ave.) — The Wednesday after a court victory against Measure O (see page 5), Officer Onciano (BPD #60) ticketed two panhandlers on Shattuck for "placing an object on the sidewalk" (Berkeley Traffic Law 12.1). The next day, Onciano used this law to cite five more people for sitting on Shattuck. These were the first citations under 12.1 in some time. Prior to Measure O's passage, Onciano and the BPD used this obscure law regularly to harass homeless people in the downtown area.

POLICE SWEEP TELEGRAPH (April 28, Telegraph between Dwight and Bancroft) — Over ten Berkeley and University Police met in a University-owned building, and then fanned out over Telegraph to detain and arrest homeless people and panhandlers. Police administered 'breathalyzer' tests to most of them, apparently without reasonable suspicion. A large police van cruised the streets to collect those who were arrested. The previous Friday, the sweep reportedly netted at least eight people; this week, COPWATCH's presence helped prevent illegal arrests. Officers Moore (UCPD) and Mesones (BPD #56) approached one man and were about to go into his pockets without consent, but stopped when COPWATCH began videotaping. In another incident, eight officers surrounded one man to arrest him for being drunk. Passersby were bewildered by the large police presence on Telegraph.

COPS THREATEN WATCHER (April 30, Bancroft and Piedmont) — A small crowd gathered when a white man accused a black man of having stolen his bicycle some time earlier. When UCPD Officers Kelley (#34) and Bower (#49) arrived, they put the African-American man in custody without saying even one word to him. When an observer asked the arresting officers for their badge numbers, UCPD Sgt. Maloney grabbed her arm and threatened to arrest her as well unless she moved on.

Copwatch-ACLU Suit Stops Anti-Panhandling Law

Judge Suspends Measure O Pending Outcome of Case

BY CHRIS THOMPSON

Homeless people and their advocates have won a substantial victory against Berkeley's anti-panhandling Measure O. On April 21, U.S. District Judge Claudia Wilken ordered the city to suspend enforcement of the measure until a suit filed by the American Civil Liberties Union, on behalf of COPWATCH and other organizations, is resolved in court. Court watchers said that Wilken appeared unconvinced by the arguments of Berkeley city attorney Manuela Albuquerque, especially when she defended the provisions that prohibit nighttime panhandling and sitting down.

But mayor Shirley Dean, who co-authored the bill last year with fellow councilmembers Fred Collignon and Dona Spring, expressed confidence that the law will survive the ACLU's legal challenge. Dean said that she had met closely with Albuquerque, who

assured her that the language of the law is consistent with both the state and the federal constitution.

Shortly after the city's suspension of the ordinance, the Downtown Berkeley Association (DBA), a powerful city-funded merchants' group and strong supporter of the anti-panhandling law, requested that the city council refuse to open a homeless multi-service center until the law takes effect, claiming that such services are inappropriate without severe restrictions on panhandling and sitting down.

In addition to the prohibitions against panhandling, Measure O set up a variety of social services for the homeless, including a drop-in center and job and housing referrals at the Veteran's Building on Center Street downtown.

On February 27, ACLU attorney Jim Chanin filed suit against the city of Berkeley on behalf of COPWATCH, the Berkeley Community Health Project, the Green Party, and two homeless individuals.

"This law is an attempt to reduce the number of poor on the street. It goes well beyond safety concerns," said Sandy Roth, co-counsel with the ACLU. "It prohibits peaceful panhandling, in violation of both the

First Amendment and very broad provisions in the state constitution which protect speech."

Measure O, which was narrowly approved by Berkeley voters in a referendum in November, prohibits the solicitation of funds within ten feet of an ATM, or six feet of a business, as well as all panhandling in the city after dark. In addition, the measure prohibits sitting or lying on a public sidewalk within six feet of any building during the day (see *Copwatch Report*, Winter 1995).

The fine for violating the new ordinance has been set at \$100 for the first offense, and \$500 for the third offense if all three violations occurred in the same year.

According to Roth, Measure O is a cosmetic law that treats the poor as an eyesore, while its supporters couch the issue in terms of public safety.

"City officials said there were 25 robberies last

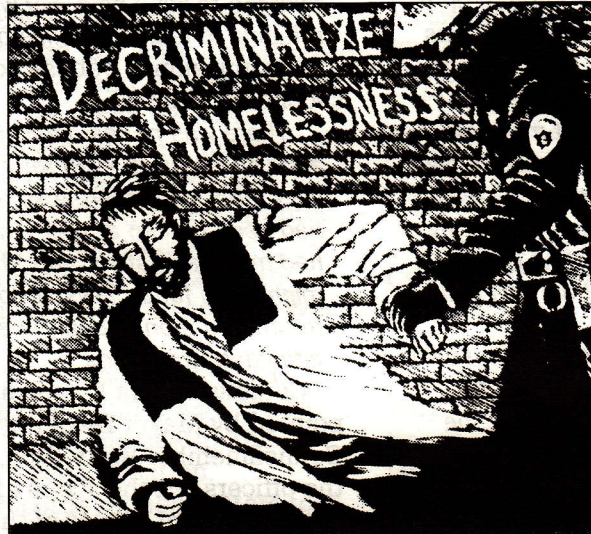
year, but they provided no evidence to link them with panhandling,"

Roth told COPWATCH, "If you look at the letters of support sent to the city council, you'll see that supporters were really just sick of the homeless."

Members of the groups listed as plaintiffs on the suit against Measure O claimed that the prohibition against soliciting for funds seriously hinders their ability to secure donations, on which these groups depend to pay operating costs.

"The fact that organizations are affected shows that Measure O has nothing to do with aggressive behavior, and everything to do with

broad restriction of free speech," said Sam Davis of COPWATCH. "We were also worried that police might selectively target groups they disagreed with." ●



SANTA CRUZ I.W.W.

COPWATCH QUOTABLE

"It wouldn't be fair of me to criticize the LAPD... Each police department is different. Each has its own problems, its own policies regarding the use of force, and each has its own belief systems."

— Berkeley Police Chief Dash Butler, at a presentation to UC students, on the subject of the LAPD's beating of Rodney King.

PRC Defends Cops, Offends Community

BY SAM DAVIS

BPD Officer Fedulof admits it was a "mistake, obviously" when he and fellow officers pulled their guns on an innocent Jeffrey Hall, to say nothing of cuffing him and forcing him to lie face down on the floor. But instead of apologizing, the officers and their sergeant returned to terrorize him and his son even further. And instead of apologizing for the city, the Police Review Commission (PRC) defended the officers and shocked commission chair Jacqueline Debose, who strongly dissented. Here's Mr. Hall's story, in his own words.

I, Jeffrey Hall, am a licensed contractor hired to do a job at [address withheld] in Berkeley, CA. The date was November 21, 1994, at 3:30 PM, when I heard a knock at the door... I opened the door, and there were four police officers with their guns aimed right at my head.

I freaked out, I never knew I could talk so fast in my life. I yelled what's happening here - My name is Jeff Hall, I am a licensed contractor. I told them, that is my truck in the driveway, I'm here to do a heating job, I have the keys to the house. At this time I am still telling the officers, please get the guns off me...

The officers asked me, was anyone in the house. I said yes, my son is here with me. So I yelled for my son to come out of the house. I thought I was going to die: the officers did my son the same way that they were doing me. I was begging, Please, take the guns off my son.

Officers Davis, Cooke, Jackson, and Feduloff were responding to a reported break-in. And although the dispatcher reassured the caller that "maybe [your neighbor] is having somebody fix some things up while she's gone," the police missed strong clues that this was the case. According to Commissioner Debose's dissenting opinion:

All officers in this case claimed that they did not remember seeing a bright red truck [with 'Hall's Refrigeration' written on the side] which would be very hard to miss, parked in the driveway...

The complainant was wearing... a typical work jumpsuit with 'Hall's Refrigeration Company' on the back and his name on the front... It should also be noted that there were no items on the driveway, on the porch, on the lawn, or in the truck, that would have appeared to have been taken from a private home.

None of these facts are in dispute, but the PRC dismissed all of the Halls' allegations of wrongdoing, saying the officers' actions had been necessary "to subdue a resistant individual." The police don't claim, however, that the Halls were threatening or refused to comply with police commands, and Feduloff said in his PRC testimony, "It was a mistake, obviously, and I was embarrassed about it." If an officer acknowledges the

error, why won't the PRC?

In testimony, Officer Davis said that once back at the station, he told Sgt. Fleming (S-24), "I think we probably will have a lawsuit on our hands." It was then that Sgt. Fleming and the four officers returned to question Mr. Hall, claiming they had forgotten to get his name — a name printed on the front of his work suit. According to Mr. Hall:

Approximately 30 minutes later, a lady police officer drove up, by the name of Sergeant Stephanie Fleming. She said she wanted to talk to me. She asked me who I was. I said, You should have asked me that 30 minutes ago, and I showed her who I am. I said to her, No offense to you but I am very hurt and upset. I'm disappointed too, so right now I don't feel like talking at this moment. Maybe I will talk to you tomorrow...

The lady officer said if I do not talk, she was going to take me to jail. I said, For what? Officer Davis said, For refusing to talk to a police officer.

Commissioner Debose comments as follows on this second incident:

There was no real indication of why Sergeant Fleming and Officer Davis even returned to the scene 30 minutes later since there was no allegation that any laws had been broken at that time. The fact that the police had made a mistake and, therefore, anticipated there might be a future lawsuit does not give them the right to return and then appear, in essence, to harass and intimidate a person.

Commissioners Powell and Klatt, who were appointed by Mayor Dean and conservative City Councilmember Betty Olds, ask in their finding, "When the officers left the scene after convincing themselves of the innocent nature of the complainants' activity, did they have lawful grounds by which to compel complainant's further cooperation?" Strangely, the commissioners answer with a resounding Yes. "Given the hostile response of the complainant...", they say, "we believed that the threat of arrest... was used simply to control an escalating situation."

If the situation was escalating, who escalated it? Certainly not the Halls, who laid face down on the floor and allowed themselves to be handcuffed despite their obvious innocence. It was the BPD who drew guns, missed evidence, refused to identify themselves, worried about a lawsuit, and threatened Mr. Hall with arrest when he asserted his right to silence. If Mr. Hall was "resistant," what must one do to be compliant?!

We hear all too often of innocent people being shot by police when the 'situation escalated.' How close were we to such a tragedy here in Berkeley? How long will it be before such a tragedy takes place, if the PRC refuses to sustain clear complaints like this one, and if Officer Davis and the BPD continue this brand of 'community policing'?

Mr. Hall intends to sue the City of Berkeley and the Berkeley Police Department for emotional and physical damages stemming from the incident. ●

Copwatch Alarmed, Coroner Defensive Over Death In Police Custody

BY ILANA BERGER

On November 19 of last year, 44-year-old Dozell Josiah Thomas Jr. died in police custody after his arrest on Piedmont Avenue in Oakland. The Oakland Police Department stated that Thomas "suddenly stopped breathing shortly after his arrest," and was pronounced dead at Highland Hospital an hour later.

We at COPWATCH wanted more information on Thomas' death, so we went downtown to obtain copies of the police and coroner's reports. Under the California Public Records Act (CPRA, Calif. Govt. Code sections 6250 et seq.), all citizens have the right to view public records free of charge. But after almost two hours in the offices of the OPD and the coroner, we had no more information than when we started.

Both the OPD and the coroner's office required written requests to get copies of their records, in violation of the CPRA. The coroner's office also wanted *fifty-five dollars*, just to "process" our request! COPWATCH submitted both requests, which were denied several days later. The letter to the coroner was sent back to us, ripped.

While the OPD is allowed to withhold information from an ongoing investigation (although they sure are taking their time, five months after the death), the response from the coroner is a clear violation.

COPWATCH sent formal records request letters to both the OPD and the coroner's offices. In addition, we spoke with a reporter from the Oakland Tribune who has also been after the coroner's report. He told us that the toxicology report is also still not available, five

months after Thomas's death. Here is our second letter to the coroner:

Dear Sheriff Plummer,

I am writing this letter as a follow-up to a letter I wrote on April 4, in which I requested a copy of the autopsy report for Dozell Thomas Jr. The letter was returned to me accompanied by a letter stating that my request could not be processed without a fee of fifty-five dollars (copies enclosed).

I believe you have made an error in your denial to process this request. Under the California Public Records Act I have the right to receive a copy of the report. First of all, I should be allowed access to the report without a written request at all. Section 6253 of the CPRA states that "public records are open to inspection at all times during the office hours of the state and local agency and every citizen has a right to inspect any public record."

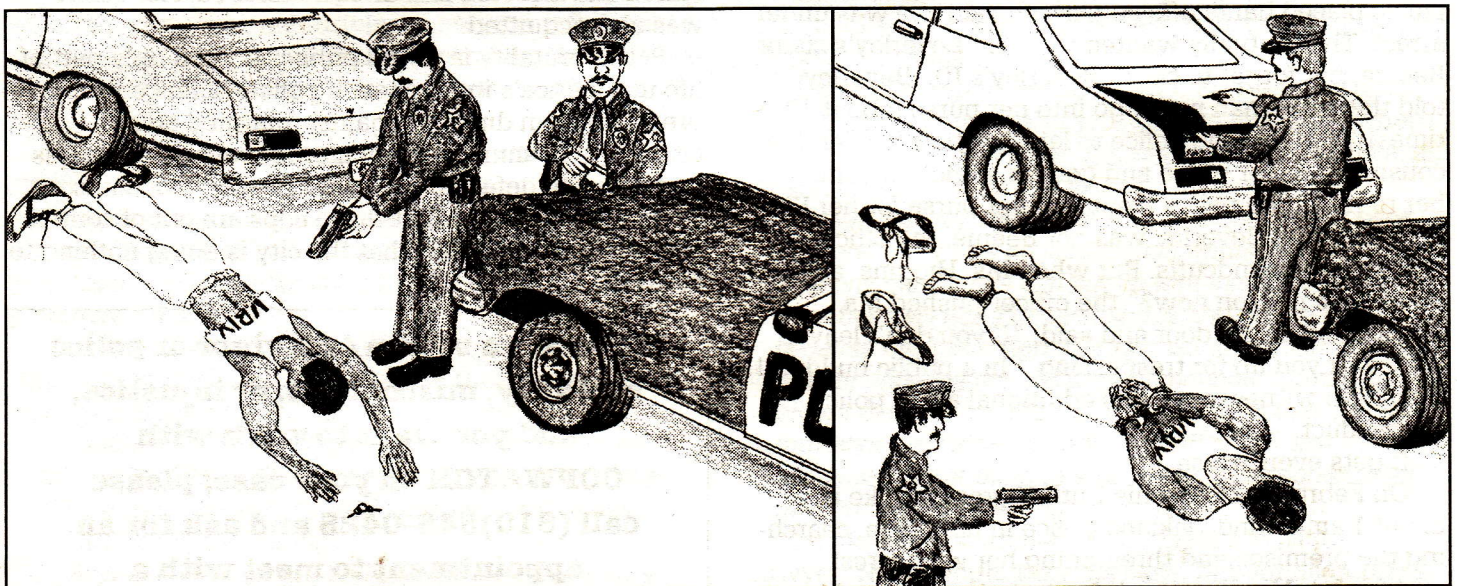
Additionally, I have the right to obtain a copy of the report without any charge except for the charges covering the "direct cost of duplication" (sec. 6257). The \$55 processing fee is illegal under the CPRA.

The ten day period allowed to you for responding to my request has now passed. Therefore I ask for a timely response to this second request. I am expecting a reply within 48 hours of your receiving this letter.

The coroner refused this formal request as well. COPWATCH is now working with the First Amendment Project to obtain the records.

This cases raises many disturbing issues. When a man dies in police custody, we need to know how and why. It is frightening and dangerous that this information is unavailable, even to those of us who know the law and have a copy of the CPRA in our hands.

If you have any information regarding the Thomas case, please contact COPWATCH at (510) 548-0425 as soon as possible. If you have had similar experiences in trying to obtain public records, contact us as well, or call the First Amendment Project at (510) 208-7744. ●



These pencil sketches were sent to COPWATCH from a state prison. The artists, James Anderson and Randy Cash, are seeking venues to exhibit their paintings. If you are interested, they can be contacted via COPWATCH.

(YOUTH ABUSE, from page 1)

Leron Dempsey, Omar's and Joshua's cousin, said the police attacked him as he came to get Joshua out of the alley. Officer Crutchfield claimed in his report that Dempsey "charged toward Officer Guerra in a violent and threatening manner," and that "Dempsey then grabbed me by my chest, spun me around and slammed me, back first, into the wall of 1075 32nd. This caused me to hit the back of my head on the bars over a window there." But when COPWATCH investigated the scene of the incident, we found *no bars* on any of the windows in the alley. In fact, the report is riddled with contradictions — although COPWATCH has learned from long experience that this is standard police practice.

Here's an example of how implausible the police report can get:

"J. McBride jumped on my back and began pulling my hair and punching me in the back of my head and side of my face. J. McBride then began pulling at my flashlight trying to remove it."

Eleven-year-old Joshua McBride was arrested for assaulting the police, as if a 75-pound child is going to attack a full-grown male cop with his own flashlight.

Six youth were arrested: Joshua McBride, age 11, held 6 days; Omar McBride, age 16, held 13 days; Leron Dempsey, age 17, held 6 days; Franklin Ryan, age 15; Donte Buress, age 18; and Amjad Ali, age 18; each held one day.

It gets worse.

When the police took the kids to Children's Hospital to be treated, the doctors refused to attend to their injuries while the kids still had on the handcuffs. The police refused to remove the handcuffs. The kids were denied treatment at Children's Hospital.

The night of the incident Beverley Higgins, Beenie Ruth's sister and Leron's mother, went to the Oakland Police Station looking for her son and nephews. The police placed handcuffs on her and said she was under arrest. They actually wanted to arrest Beverley's sister Beenie, but forgot to check Beverley's ID. Beverley told the policeman not to go into her purse (about 10 times!). She told the police to let Christie Wheeler, her cousin, go in her purse and get her wallet. In spite of her request, the police went into her purse for her ID. Realizing that Beverley was not Beenie, the officers removed the handcuffs. But when Ms. Higgins asked, "Can I see my son now?" the officer pushed Ms. Higgins out of the door and said, "If you don't leave, we'll lock you up for trespassing." In a public building! There are witnesses to this additional act of police misconduct.

It gets even worse.

On February 25, Beenie Ruth Higgins awoke at about 1 am to find Oakland police in her home, searching the premises and threatening her with arrest.

Although Ms. Higgins did not see them enter her home, she thinks that the police illegally used her son

Omar's key. There is strong circumstantial evidence that she is right; Omar's key was confiscated by police and never returned, nor was it listed on the property receipt. Furthermore, the police did not kick in the door, and the door had been securely locked.

VENDETTA

There is a strong likelihood that retaliation is the motive behind the continued police harassment of this family.

In three of the past encounters in which Leron was assaulted by the police, Officers Guerra and Crutchfield have been the arresting officers. Both of the Higgins sisters said that Officers Guerra and Crutchfield have continually harassed this family since 1992.

Beverley Higgins has filed three complaints against the OPD for use of excessive force on her son before this incident.

In 1994, Crutchfield and Guerra arrested Beenie Ruth's son Omar for drug possession, but he was acquitted after he proved his innocence in court. Ms. Higgins said the two officers had planted drugs on her son, and that they took Omar's exoneration personally.

Shortly thereafter, said Chynonne Woods, an adult friend of the family, the police took pictures of Leron and his friends on 32nd Street.

On April 23, Beenie Ruth Higgins showed COPWATCH an undated letter from the OPD that said a warrant had been issued for her arrest for inciting a riot. How can the police arrest someone for a riot that never happened?

Two lawyers who work in Oakland confirmed to COPWATCH that Officers Guerra and Crutchfield have a wide reputation for their misconduct and violations of people's rights. One, who asked that her name not be used, said Crutchfield had tried to make her client a snitch and arrested him after he refused. Her client was also acquitted.

Police brutality is a well publicized and ugly part of life in America's inner cities. If police violence is oppressive when directed against unarmed adult citizens, it is immeasurably more repulsive when it is meted out to defenseless young people. Since it is common knowledge that these cops are out of control, it is more repulsive yet that the city is doing nothing to stop them.

If you are a victim/survivor of police brutality, misconduct, or injustice, and you want to work with COPWATCH on your case, please call (510)548-0425 and ask for an appointment to meet with a COPWATCH case worker.

Five Years Later — No Justice Yet

BY SAM DAVIS

It's been more than five years since Ed Kountze was allegedly beaten by SFPD Sgt. John Velasquez, but the consequences of the incident will last much longer than that. After he filed suit against the SFPD, "a period of intense harassment began," Kountze says, "which isolated me in a town I began to feel increasingly unsafe in." Partly for this reason, Kountze moved to another state. Today, his suit is in limbo, and may never see trial.

On November 27, 1989, Sgt. Velasquez pulled him over for expired registration. When Kountze tried to show that his registration was not expired, Velasquez flew into a rage and took him to jail, where he allegedly slammed Kountze's head against the wall and kicked him. After Kountze was released, a friend drove him to the UCSF emergency room, where Dr. Tulskey documented that he had "a black eye, 3 large patches of scalp missing from my bloodied head, bruises on my ribs, and cuts on my arms and face." A roommate took photographs of the wounds.

After Kountze filed suit, he noticed a big difference in how the SFPD treated him. "I was pulled over twice a week on average by police and made to pay parking

tickets twice or even three times," he says. One officer allegedly told him, "So you sue someone who's bigger than you... Just remember: we're the biggest street gang out there, and you aren't making any friends here." And one of Kountze's chief witnesses says she was approached by someone claiming to be a plainclothes officer, who told her not to testify in the case.

In 1991, Kountze's lawyer dropped his case. Kountze persisted, filing papers from out of state as his own attorney for two years, until he was able to find another lawyer to take on the suit.

Unfortunately, the city attorney took advantage of a technicality — some papers filed four days late — to move for a dismissal, which the judge granted in January 1994, just as the case was coming to trial. Kountze's appeal of the dismissal is now under review by the Court of Appeals. It is far from certain that Kountze will ever get a hearing in court.

Kountze's persistence is impressive but sadly rare. The justice system counts on discouraging protest by wearing it down. But Kountze continues to fight. "Every day I look at the scar [Velasquez] left on my face... This cop is a sick, dangerous man who should be feeling the heat I was made to feel." ●

Oakland Police Shoot At Man 36 Times

BY SAM DAVIS

On March 7, 1994, on a deserted West Oakland street, Oakland resident Luke Johnson, 31, was shot at 36 times by the Oakland Police Department.

The OPD was pursuing Johnson for allegedly running stop signs and driving under the influence. This was no high-speed chase: according to the police report, the vehicle's speed stayed between 25 and 35 mph.

But when Johnson didn't pull over after several blocks, an OPD cruiser blocked off Seventh Street. Johnson said he hit the brakes too late to avoid hitting the car. The police report claims he "rammed" the car, but admits that the collision took place at no more than five mph.

According to the report, "Hoyle exited his vehicle and approached [Johnson's car on the] driver's side, breaking the window." Johnson states:

Neither [Hoyle], nor anyone else, EVER asked me to exit the vehicle! ...That testimony was given by all the officers and repeated by Hoyle and Officer V. Johnson in my preliminary hearing...

Anyway, I was scared and backed the vehicle up a few feet and hit another cruiser. It was then, or soon after, that Hoyle fired the first shot at me. There were also three other cops behind me: Officers Siapno

[#784], Gray [#928], and V. Johnson [#910]. Siapno and Gray opened fire on me then. In all, 36 shots were fired at me and I got hit 11 times. Hoyle fired the initial one shot, Gray fired 8 times, and Siapno fired 27 TIMES! V. Johnson never fired a bullet.

Hoyle (#320) is the same officer who fired at an unarmed young man in a car last June (see Copwatch Report, Fall 1994).

The police report verifies that OPD fired 36 times. Luke Johnson was taken to Highland Hospital, where he was treated for eleven gunshot wounds to the arm, chest, and abdomen. He writes:

I was unjustly shot. I never tried to run those police over and there was no justification whatsoever for shooting me. Others can put up with injustice if they want but I will not! I'm fighting this and I will prevail because there is a God. I've lost use of my left arm due to their shooting me and suffer emotional trauma on an order I didn't know existed. To have sat in that car as they shot me for being under the influence, as I screamed out at them to stop shooting, is something I'll have to deal with the rest of my life.

Mr. Johnson searched with COPWATCH for a lawyer. None would take his case, but Johnson plans to file suit anyway as his own attorney. Anyone with legal expertise who wants to help should contact COPWATCH. ●

COPWATCH needs your help — Please donate what you can today!!

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BART Cop Abuses Young Mom, Baby

Roxane Segers-Seker had just parked her car on Woolsey St. near the Ashby Flea Market, and was putting her baby into the carrier strapped to her front, when BART Officer Keith Garcia (#343) approached her and asked to see her license and registration. When she asked why, she says, he refused to tell her. (Apparently, she had just run a stop sign.)

According to Ms. Segers, "I told Officer Garcia that if he had no reason for stopping me, I was going to the flea market. I half turned away from him when he grabbed my arm and twisted it behind my back and pushed me onto the hood of the car. My six-week-old son's head was slammed, very hard, on the roof of the car."

The police report has a different story: "Segers then, under her own power, bent at the waist and leaned against the trunk of her car pinning the child between her and the car. Segers then started screaming, 'You're hurting my baby.' I told her to stand up and she would not." Garcia also claims that the young mother with an infant strapped to her chest cursed him repeatedly and punched him four times, unprovoked.

Which sounds more plausible to you? Roxane Segers was arrested for felony assault on a police officer and resisting arrest, and she was taken to Santa Rita jail, where her bail was set at \$3600. Her infant was placed in Child Protective Services. When she retrieved him he was ill and disoriented. Ms. Segers is still fighting her charges as we go to press.

Any witnesses to this incident, which occurred Sunday, April 2, at 11 am, should contact COPWATCH immediately at (510) 548-0425. 

COPWATCH TRAINING VIDEO

If you're tired of police harassment and brutality in your area, get organized — start your own COPWATCH.

This 25 minute video produced by Berkeley COPWATCH shows how ordinary people organized themselves to demand police accountability. The video focuses on ideas and techniques for street observation of police activity, and it is available for a suggested donation of \$20. Order it with the above form, or call us at (510) 548-0425.

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IF YOUR ADDRESS LABEL SAYS **LAST ISSUE**, WE NEED TO HEAR FROM YOU — SEE ABOVE FOR SUBSCRIPTION INFO