

COPWATCH

Report

BERKELEY, CALIFORNIA

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FALL 1995

Police Sweep Homeless Off Telegraph

Misconduct Becomes Policy

BY ANDREA PRITCHETT

While the city of Berkeley spends thousands of dollars to achieve an appearance of consensus on Southside development, the police have implemented an alarming and seemingly Council-sanctioned plan to drive poor people out of the Southside area.

On August 5, COPWATCH received numerous calls from citizens who observed large numbers of police moving systematically up Telegraph Avenue. Without probable cause, officers are alleged to have arrested individuals for being drunk in public, despite witness statements that these individuals were not in fact drunk. Others were subjected to ID checks and searches, and in several cases, bags and backpacks were confiscated and their contents emptied into dumpsters.

The timing of the most recent police sweeps coincides with the current efforts of the city's People's Park Use Standards and Evaluation (USE) Advisory Committee. It is the responsibility of the committee to make recommendations to the UC and City on matters related to People's Park. Recently the committee has been discussing the free box (clothes distribution), and food distribution by Food Not Bombs, Dorothy Day House, and other community groups.

While the Mayor and Chancellor recognize the need to spend vast sums in order to create the impression that their proposals have community support, they recently felt the need to bypass the consensus process and issue a directive to the committee. According to the August 8 letter, signed by both Mayor Dean and Chancellor Tien:

The major issues that need immediate attention are the persistence of drug dealing and other crimes and the presence of social services in the park, such as the free box and food services... We are therefore asking the Committee to work with City and University staff immediately to relocate the free box out of People's Park and... to find acceptable indoor locations for food and social services.

Many community residents are deeply offended by the letter's linking of social services and crime. "Social services don't cause crime, they help prevent it. The food programs and free box are very popular institutions within the park which help to make homeless people, travelers, low-income residents and others feel welcome. That's why they have been targeted for removal," said Emanuel Sferios of Food Not Bombs.

In a memorandum by former City Manager Michael Brown dated June 18, 1991, the plan for People's Park is made very clear:

"...One of the specific goals of the joint City/University planning effort has
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The David Flores Story

BY RUBEN MARTINEZ

Imagine driving down the street and being pulled over by the police. You have your license, registration, and proof of insurance, but it doesn't matter because as soon as the officer tells you that you were speeding, he yanks you out of your car, slams you on the car, handcuffs you and then takes his gun and bashes you three times in the back of your head, leaving you unconscious in a pool of blood.

For one young man in East Oakland, imagining it would be a lot easier than having to live with it every day. David Flores told COPWATCH his story.

On June 15, David Flores was driving on 85th Avenue with his girlfriend and her three children, when an OPD vehicle signalled him to pull over, which he did. Officer R. Brandwood (#786) flashed a flashlight on David's face as David asked what the problem was. Brandwood told him that he was speeding. David replied that he was driving according to the speed limit. That's when the officer opened the door, pulled him out of the car, and slammed him up against the car.

Brandwood made David spread his legs while he handcuffed him. He told David to shut up, not to ask any questions and to speak only when he said to. David told him that he had his license, registration and insurance in his wallet. Brandwood became very angry, reached back for an object and struck David in the back of his head.

"I remember at the time hearing a snap like from a gun holster, then feeling a tremendous blow to my head," David said. Brandwood allegedly struck him a second time which brought David to his knees, and

then came the third blow which knocked him out.

"I was out of it. I could just feel my blood rushing out of my head, and then some people came out of their homes. I was dragged from the front to the back of the car... He picked me up and threw me into the car. I could hear people asking, what did he do, and he told them to get back." David was allegedly taken to another location where he was repeatedly struck in the head and in the back while Brandwood stuck his fingers in his nose and covered his mouth. David claims that Brandwood told him to get up because he was faking it, that it was David who hit him, that they would take Brandwood's word over David's, and he couldn't wait to put him in jail.

At this point David blacked out, awaking in Highland Hospital. As he lay unable to speak and suffering from amnesia, authorities tried to make him sign documents. After spending two hours in a cell alone, he says, a doctor and nurse held him down, took blood, gave him a shot, poured water and alcohol on his wounds, gave him nine stitches, and sent him to jail for half a day before he was released.

Upon going to Kaiser Hospital to receive proper medical care, David found that he had a concussion and a bruised brain.

In the police report, Brandwood states that David was speeding at 45 to 50 mph, that he was intoxicated and verbally abusive, and that David struck him with his elbow causing his right eye to swell.

Blood alcohol tests indicate that David Flores was not intoxicated. In fact, he says he never drinks alcohol. Written eyewitness testimony asserts that David was not speeding through the area. Finally, how could a 5'5" 145-pound, handcuffed man beat up on a 6'3" 230-pound, trained police officer? Even though David was clearly the victim, he has been charged with assault and battery on a police officer. But David has refused to be a victim and is filing countercharges of police brutality.

In the meantime David suffers from sleepless nights, cold sweats, headaches, memory failure, speech impediment, and recurring nightmares of being beaten. He can't pick up more than ten pounds, his equilibrium is off, he is tired very often, and he can no longer work to support his family.

So while an innocent victim of Brandwood's police brutality suffers through the pain of the experience, Brandwood goes on doing what he wants to, as do many so-called peace officers in our communities. Clearly something must be done about this unjust activity. The police treat people like they're less than human. They get away with it because they have the law on their side. If nobody checks these out-of-control officers they will increase their unlawful activity. And if you think that this type of thing only happens to those who deserve it, you're wrong, because nobody deserves to be beaten that way. Think about it and do something about it. ●

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)
Berkeley, CA 94704 • (510) 548-0425**

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On August 10 William Bowser met with COPWATCH to talk about the death of his nephew, Aaron Williams, at the hands of SFPD officers. Mr. Bowser and other family members inspired the movement for police accountability with their quick and effective response to the June 4 slaying.

You have reviewed the transcripts of radio transmissions as well as the police reports for that night. Did anything stand out to you?

In the police records it says that the burglar was running toward Post Street... Bush Street is in the opposite direction. There were only a couple of minutes between that time and when Officer Andaya pulled up on Bush Street and said, "There's a parolee running into this house." If a burglar went towards Post Street, how did he end up at 2763 Bush Street within a minute or two of the burglary? How did the officer know that he was a parolee? Evidently he knew him.

How were you made aware of what had happened to Aaron?

My niece called me the morning after. I talked to witnesses who said they had seen excessive force used on Aaron. I wasn't really even looking at that. The big problem I had was that, regardless

of what he did or what they thought he did, he was entitled to medical attention. He should have been taken to a hospital, not a police station. They were a block and a half from the hospital. There was enough blood at the scene that he definitely should have been taken to a hospital.

The paramedics were never even called until he was at the police station and he was dying. He might have been dead when they put him in the wagon and they just brought him there to cover

it up. Witnesses said he was unconscious when he was thrown into the paddy wagon like a piece of meat.

What did you do after you were notified?

I went to Bush Street to check with some of the witnesses and then I went to the Coroner's Office and Aaron was listed as a John Doe. And I didn't quite understand that at first, and then I did some checking. That means if you're a John

Doe and nobody claims the body in X amount of days, you go into the oven. Evidence is gone. We had our private pathologist check the body, and that's when we started finding out about all the wounds and things that were on his body that the coroner didn't mention. He didn't see any trauma that could have been life threatening.

What did you see?

I saw a lot of marks on Aaron. There was a boot mark on his face and bruises on his head. Our pathologist has a list. Something like 18 blunt blows to the head. The foot prints and kick marks, the coroner never mentioned those. Our pathologist mentioned this and the coroner said he would check again. That's against all policy, to kick someone in the head. That means somebody did something wrong. The coroner says he saw no evidence of wrongdoing. But Aaron was alive when they got there and he was dead when they left.

It stands to reason, by his core temperature being so high, that they hit him in his head so much that his cooling system, to put it in laymen's terms, stopped working. When it gets to 108 or 110 degrees, it's bad. By 110 degrees, you're dead. His temperature was like 104, 105 degrees even 45 minutes after he died.

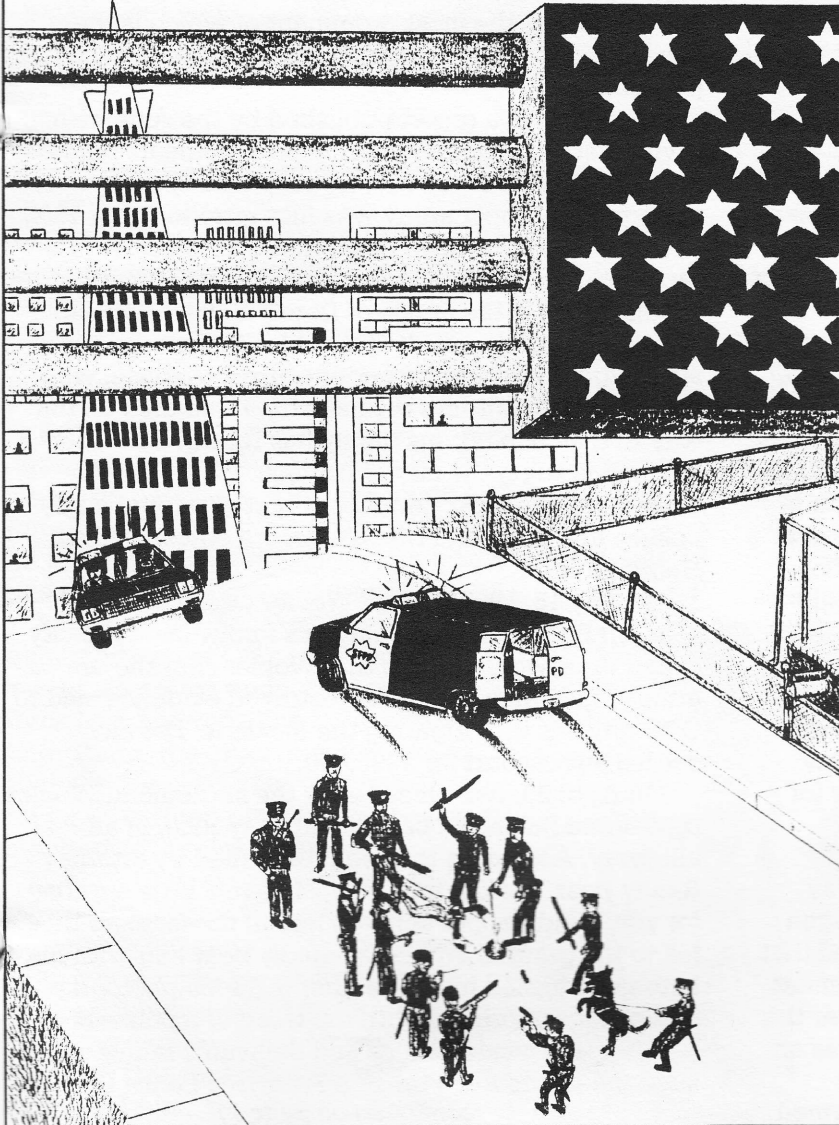
We got this "excited delirium" [from the coroner as an explanation for Aaron's death]. Well, if you're beating the hell out of me, I'm sure gonna get "excited." I mean, that term should be scrapped.

I'm not trying to take up for Aaron. He wasn't a saint but he still didn't deserve to be treated like that. He was trying to get his life together, but you know, they just don't give you a chance these days. It seems to be that, once you get close to being off parole, they try to make

(continued on back page)

COPWATCH INTERVIEW: William Bowser

JAMES ANDERSON



Fortuna Police Pepper Spray Protesters

Confrontation Highlights Weapon's Troubled Past

BY LISA JEAN AND CHRIS THOMPSON

As Patrick Kimmons sat peacefully on the curb of the California Department of Forestry (CDF) parking lot, he had no idea that he was violently resisting the Fortuna Police Department. "A stream of liquid was sprayed across my eyes. Instantly my eyes started hurting more than anything I've ever experienced."

In the latest incident involving the controversial OC chemical agent, or pepper gas, more than 30 people were sprayed at a July 5 Earth First! demonstration in the city of Fortuna. And according to witnesses and victims at the scene, Fortuna police officers pepper sprayed demonstrators indiscriminately and at potentially lethal ranges, in direct violation of department guidelines.

The Fortuna Police Department strictly regulates when and how officers can use pepper spray. According to policy guidelines on the use of OC gas, officers may only use the spray "as a means of self defense from attack and to effect a lawful arrest on a violently resisting suspect." The policy guidelines further direct the officers to use the spray discriminately and at a distance of at least three feet: "Use at distances less than three feet could cause injury to a subject's eyes."

But COPWATCH has obtained accounts of the incident that detail dangerous violations of department guidelines, including the spraying of demonstrators at distances of six inches from their eyes.

Jeremy Paster, a participant in the demonstration, claims he was sitting in a driveway when officers sprayed him the first time and lying prone in the street when Fortuna Officer Rogers deliberately sprayed him at a distance that can blind subjects. "[I] lay down in the street with my hands at my sides and a shirt over my face. Without any warning, [Rogers] pulled the shirt off my face and sprayed me again from about eight inches away."

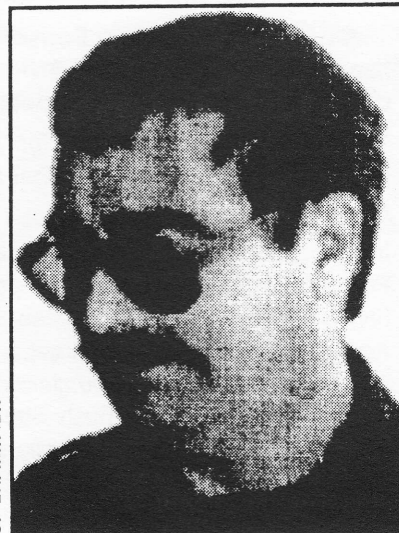
Stella Anderson also claims that officers sprayed her at dangerously close quarters. "I was standing near the curb at the CDF office, and a policeman came directly up to me and sprayed me one foot from my eyes," Anderson said. "I could not open my eyes for half an hour."

Fortuna Police Chief Kent Bradshaw told COPWATCH that officers resorted to pepper spray after demonstrators sat down before a police wagon filled with arrested protesters. Bradshaw insisted that such methods were within the bounds of department guidelines. "We conducted an internal probe after the incident, and investigators determined that it was an acceptable level of force," said Bradshaw.

Earth First! demonstrator Mike Jakubal confirmed

SFPD Officer William Wohler shot Brian Sullivan and allegedly tortured his friend with pepper spray. As long as pepper spray remains in the police arsenal, we can expect more Wohlers and Fortunas.

SF EXAMINER



Chief Bradshaw's account: "We were warned that if we did not move, we would be sprayed...the police then began repeatedly spraying sitting protesters, as well as anyone in the vicinity."

The Fortuna incident comes in the wake of several highly publicized fatalities at the hands of pepper-spraying cops, the most prominent of which is the June 4 death of San Francisco resident Aaron Williams (see page 3).

According to a report published by the American Civil Liberties Union, California police officers pepper spray 24 citizens every day; 26 people have asphyxiated since police pepper spray was first introduced in 1992.

Several citizens have contacted COPWATCH to report the abuse of pepper spray by local officers. Among them is the family of Derek Wallace. On January 18, Antioch police detained Mr. Wallace, pepper spraying him to get him under control. Wallace, who had asthma, went into cardiac arrest and died on the way to the hospital; his family has retained an attorney and is suing the city of Antioch.

Perhaps the most dramatic report of pepper spray misuse involves San Francisco police officer William Henry Wohler.

On July 15, 1993, Officer Wohler fatally shot 21-year-old Brian Sullivan. Sullivan's family sued the city of San Francisco, alleging that Wohler shot the unarmed Sullivan in the back, destroyed evidence, lied to OCC officials investigating the incident. The city settled out of court for \$295,000.

On April 29, two weeks after the settlement, Wohler confronted Sullivan's best friend, Guy Rice, in an alleyway. According to a legal brief filed by attorney Randy Daar, Wohler told Rice, "I have a little surprise for you," and pepper sprayed him in the face. As Rice fell to the ground, Wohler allegedly beat him with his baton and kicked him. The brief includes photographs of Rice face imprinted with the tread of a police boot.

After this incident, Rice and Sullivan's family again sued the city to force the San Francisco Police Department

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Witnesses Denounce Cops At Higgins Trial

BY LENORE ANDERSON

Three police officers responsible for the alleged beating and imprisonment of six West Oakland teens recently faced a courtroom parade of witnesses who testified that all three cops regularly beat and humiliated them.

On February 24, OPD officers Guerra (#7814), Crutchfield (#7831), and Morin (#977) allegedly beat and arrested six young members and friends of the Higgins family, including eleven-year-old Joshua McBride (see Copwatch Report, Spring 1995). The teenagers were charged with assaulting an officer, inciting to riot, gambling, and a variety of other felonies and misdemeanors.

As the Higgins case went to trial this summer, residents of West Oakland stepped forward to testify to harassment and abuse from Officers Guerra, Crutchfield and Morin. Because the testimony was in juvenile court, the last names of the victims will be omitted.

In January 1991, Michael was waiting for a bus when Officer Guerra approached him, demanded identification, handcuffed him, and illegally searched him. Michael was taken to jail for being drunk in public. Upon release, several hundred dollars were missing from his wallet.

As Dante walked alone one evening in October 1993, Guerra approached him, accused him of drug possession and jay-walking, handcuffed him, and placed him in the police car. After driving for a while, Officer Guerra took Dante out of the car, removed the handcuffs and challenged him to a fight. After Dante refused, Officer Guerra took him to the police station where he was later released with the charges dropped.

Two months later, Dante was near a liquor store when Officers Guerra and Crutchfield pulled up in a police car, struck him, and took him behind the store. There, the officers threw him to the ground, kicked him, and arrested him for attempted robbery. Dante was acquitted at his court hearing.

In April 1994, Gary was walking alone when Officer Morin approached in his car and demanded identification. Morin complained the photo ID was insufficient, handcuffed him and placed him in the car. He drove around, pulled over, took Gary out, illegally searched him, threatened him, and pulled his pants down.



Gary received a ticket for littering and was released.

In November 1994, Guerra and several other officers raided the auto shop where Billy worked. As they ordered everyone to the ground, Officer Guerra yelled at Billy for not moving fast enough, kicked him in the head, searched him, and took his money. Billy got an unsigned receipt, but he never got his money back.

These are only some of the stories that confronted Officers Guerra, Crutchfield and Morin. Their responses reinforced rather than dispelled the perception of widespread disrespect and abuse. Both Guerra and Crutchfield admitted in court that over five years they have each received "twelve to twenty complaints" for excessive force, planting evidence, and the use of profanity against civilians.

Why has no disciplinary action been taken? Court records show that Officer Morin was assigned to investigate many complaints filed against Crutchfield and Guerra. Both Guerra and Crutchfield testified to having a close relationship with Officer Morin for the past several years, although neither recalled that Morin was the investigator on many past complaints.

That is not all these cops forgot. While their police reports for Dempsey's and McBride's arrests indicated the youth were using profanity and yelling "anti-cop" statements, neither officer could recall a single specific word or phrase used. In addition, while Officer Guerra recalled seeing Morin's broken police baton, he maintained that he could not recall seeing Morin strike Leron Dempsey with it in June 1994.

The officers also claimed that Dempsey and the McBrides attacked them, and they were forced to defend themselves. Yet both Guerra and Crutchfield testified that none of the youth detained on February 24 resisted arrest or acted aggressively until after they were in handcuffs, at which point they allegedly became violent enough to threaten the officers' lives. When asked if 75-pound, eleven-year-old Joshua McBride was physically threatening, Officer Guerra testified, "Anyone can pose a threat; you can't underestimate anyone."

Dempsey and the McBrides were acquitted of almost every charge they faced in these court hearings. Judge Sweeney complained that this was the "most ridiculous situation" he has heard in his twelve years on the bench.

Recently, another Oakland youth was found not guilty after Guerra arrested him for gun possession. His lawyer noted that he and his colleagues have had to defend kids against these three officers with disturbing frequency.

Despite the number of complaints filed and charges dropped, these cops are still at large on the streets of Oakland. Leron Dempsey's mother has been seeking justice for her son, but the OPD has been far from cooperative. COPWATCH and PUEBLO, an Oakland community organization, are working to remove these problem cops. To help, call COPWATCH at 548-0425. ●

(TELEGRAPH SWEEPS, from page 1)

been to reclaim the park for recreational use and away from homeless use."

Since the early 1950's, the UC has attempted to portray the Southside as a blighted area in need of renewal. Using a carrot-and-stick approach, UC begins an apparently community-based process with hand-picked "representatives" and tries to appear concerned about the people while legitimizing their own agenda. Meanwhile, intensive police patrols scour the Avenue in search of unlawful acts. Although most of the arrests and citations are issued for violations such as jay-walking, open alcohol containers and, in a few cases, failure to have a dog license, they are grouped together and referred to as "crime." This statistical crime wave is brought to the larger community as evidence of the urgent need for fundamental change.


The BPD arrest log for August 5, one day of the recent sweeps, confirms the unusual activity. Of the 23 arrests made that day, 17 were for drinking in public (municipal code 13.26.070) and for being drunk and disorderly in public (penal code 647f). According to Steve Belcher, the City's coordinator of operations in People's Park, these arrests were made in order to "send a message" to people that "this type of behavior will no longer be permitted." (Interestingly, the Downtown Berkeley Association, a city-funded business lobby, was able to convince the City Council to sanction drinking in public during their August events on Shattuck, but apparently "this type of behavior" is not acceptable without the sponsorship of the business community.)

Mr. Belcher not only confirmed that these arrests were part of a deliberate effort to target Telegraph, but also acknowledged that he had received complaints about possible false arrests and property confiscation and destruction. When asked what he intended to do about the allegations, Belcher explained, "My role is not to do the work of the PRC [Police Review Commission]. If they don't know about it I am sure there are adequate resources to deal with that." He went on to clarify that his job was to "coordinate the flow of information between all city departments working in People's Park." In fact, Belcher is required by law to report the complaints he received: the PRC charter (sec. 3.32.090C(2)) mandates that "all complaints filed with other offices... shall be referred to the commission."

Generally, "police misconduct" describes actions by an officer which violate the law or policies of his or her own department. What do we call it, however, when officers are actually ordered by their commanders and city politicians to intentionally harass and intimidate members of a particular community in order to accomplish a larger political goal?

COPWATCH has alerted the City Manager's Office, the Police Review Commission and Mayor Dean

directly about the use of police to scare and harass people of modest means away from Telegraph Ave. We are still awaiting a response to our inquiries.

If you are concerned about the way valuable city resources are being squandered on phony consensus meetings and police harassment, call Mayor Shirley Dean at 644-6484 and let her know how you feel. Call your City Council representative and demand to know what she intends to do in order to insure the civil and human rights of all people in Berkeley. 

BPD Restricts Access To Public Records

BY ANDREA PRITCHETT


On August 10 a woman concerned about a friend who had been arrested during one of the Telegraph Ave. sweeps asked COPWATCH for advice. We told her that she should go down to the Berkeley police department and look at the arrest log in order to confirm that her friend was actually in custody. The arrest log is a public document which, by law (California Public Records Act, Govt. Code 6250 et seq.), must be shown to anyone who asks to see it.

She left our office and returned 45 minutes later empty-handed. She explained that the BPD employee had refused to show the document to her unless she showed them her identification. We called the Records department and reminded the employee, Mr. Singh, that by law ID is *not* required in order to view public records. He agreed and the woman went back downtown.

About 45 minutes later she returned, again empty-handed. This time she had been shown the document but was told that she couldn't photocopy any of it — another violation of the Public Records Act. Again we called the records department and asked how much it costs to photocopy documents. We were told it would cost 25 cents a page. This time the woman went to the BPD with two members of COPWATCH and a camera.

The clerk still refused us access to the documents unless we presented ID. After taking the matter to the employee's supervisor, Anne Armstrong, and explaining our understanding of the law, we were eventually allowed to see the logs and provided with copies.

However, the question of access to these documents is still unresolved. The personal intervention by the supervisor did not change the procedure within the department: people seeking information from BPD will be intimidated by the *de facto* ID requirement, and they may be lied to and told that photocopies of the information are not available.

Help us keep the Berkeley Police Department and our city government accountable to state law. Exercise your right to know more about how the police and city officials do business. If you would like more information about your right to public information, contact COPWATCH at 548-0425, or the First Amendment Center at 208-7744. 

BART Breaks Its Promise to Father of Slain Youth

BY CORNELIUS HALL

Mr. Hall's son Jerrold was shot in the back by BART Police Officer Crabtree, on November 15, 1992, and died from the wounds. Despite widespread protest from a community outraged at the death of an unarmed teenager, who was walking away from the officer when shot, BART's response was to do exactly nothing to discipline Officer Crabtree or reform their policies. Officer Crabtree continues to patrol BART stations. Mr. Hall recently provided COPWATCH with the following update on his case.

On a cool morning on January 11, 1993, a meeting took place between Cornelius and Jeff Hall and BART Board Directors Dan Richards and Margaret Pryor. BART Board members asked the Halls what corrective procedures in police control they would like to see instituted. At this meeting it was agreed that a Police Review Board was needed. BART promised that after the FBI investigation they would institute a Police Review Board.

The investigation and decisions are over. Another lie by BART — no Police Review Board has been instituted.

As you may remember, the FBI stated that although Jerrold's constitutional rights may have been violated, his civil rights were not. This ruling made it impossible to file criminal charges against Officer Fred Crabtree. Instead, the family filed a civil lawsuit. The case was moved out of Federal court into State court due to the nature of the current Federal judges ruling in San Francisco. In State court, the judge ruled that there had been civil rights violations and that a wrongful death had occurred. BART then appealed the State court ruling in Federal court and won. The Hall family attorneys appealed this ruling. The case is still pending. ☹

(PEPPER SPRAY, from page 4)

ment (SFPD) to fire Wohler. Wohler was recently assigned a desk job after he told a *San Francisco Examiner* reporter that he didn't care about rules against endangering bystanders when he shot Sullivan. "I don't care what the rules are at that point. I was going to pump as much lead in [Sullivan] as I could," said Wohler.

The SFPD recently completed a review of its pepper spray policy, which did not include any citizen input. Copies of the review are available at 850 Bryant Street, San Francisco.

The UC Berkeley Police Department, which pepper sprayed nonviolent protesters during a 1993 demonstration, is in the midst of reviewing its own policy on pepper spray. Citizens concerned with the UCPD's use of pepper spray can contact Sergeant Adan Tejada at 642-6760. ☹

Letters to Copwatch

COPWATCH wants to hear from you about your experiences with the police and with police misconduct, about what you did to achieve justice, about your ideas for change. Unfortunately, we can't print all the letters we receive, but we try to respond personally to every communication we get.

BART IMPUNITY CONTINUES

This is to bring an unfortunate incident to your attention and to ascertain as to whether you could offer some assistance.

On May 26, at approximately 9:30 am en route to work, dressed in a 2-piece suit, I was viciously attacked by a BART Police officer. He spewed racial slurs at me. I was handcuffed, and jailed for two days. I'm not going to overwhelm you with details in this letter, but this ordeal has caused me to be greatly concerned for my safety.

After many requests to, and some opposition on the part of BART's Police division, they finally released an "unsigned" copy of the police report. The allegations conjured against me in the police report are utterly absurd.

After some research and conversations with representatives of the ACLU, we have concluded that BART's Police division is out of control. Their infamous history and pending law suits further substantiate this claim.

My concern and chief objective is to somehow urge BART's Board of Directors to establish a Citizens' Review Board. This board would be responsible for monitoring complaints brought against the police division, mediate between grievants and the police division, ensure that all BART police officers are properly educated and trained to deal ethically with a diverse community, etc.

Because of BART's enormous resources, expertise in misconduct and condoning misconduct, at times it seems as though I'll be just another forgotten victim of injustice and police brutality. I strongly believe once a review board is established, police misconduct, violence against innocent commuters, hostility towards minorities, and police brutality will be dwarfed.

In light of this great task, your help and support is desperately needed.

— William Lloyd

COPWATCH put Mr. Lloyd in touch with Cornelius Hall (see adjacent article). They are working together to demand the institution of a review board. If you would like to assist in this project, you can contact them through COPWATCH. ☹

write • call
COPWATCH
(510) 548-0425 • 2022 BLAKE STREET
BERKELEY, CA 94704

(INTERVIEW, from page 3)

sure that you have another case to keep you in the system.

Aaron's brother, Darren, called our office two months before Aaron was killed and said that he was afraid that the police were trying to get them out of the neighborhood. Since then, Darren has been arrested and Aaron was killed. Do you think that they were being targeted by the police?

Evidently they were. I didn't know it. I was asleep just like most people. I work every day and I go home at night. I'm not out. You never know what a person's going through until something like this happens. So now I am aware of it and I see it in the police report. That this particular officer decided that there was a burglary in the neighborhood and he was going right directly to this house — not to search the neighborhood for the burglar. He goes directly to this house and almost immediately calls a code 33. [Code 33 means emergency — send help immediately. Officer Andaya radioed in this distress code while Aaron was still inside the house. In response, twelve officers came to the scene.]

In their own reports it says who was the instigator. The report states that everything that was done wrong, that was against policy, Andaya was the one that told them to do it. The mask, the hobble. [Police put a surgical mask over Aaron's face after pepper-spraying him. The 'hobble' is a type of leg irons that police placed on Aaron.] Andaya insisted that Aaron be hobbled. When they go to put the hobble on you, you can rest assured that they're getting ready to beat the living hell out of somebody.

What advice do you have for the families and friends of brutality victims?

Once they bury their loved ones, they should look into what's going on. Once my nephew was buried, soon as he hit the ground, I had done my duty to him. Now it was time for justice. I am focused on getting justice.

Don't believe what the coroner says and don't believe what the policeman says because they will lie. It's a proven fact. They lie all the time. It's like people are in limbo when they lose a loved one. Well, once that loved one is gone, they're gone. There's nothing you can do about it, but you can try to make some change for the next young man, so that the next time that an officer like Andaya wants to beat the hell out of somebody, they'll think twice.

So far, no officers involved in the killing of Aaron Williams have been disciplined, fired, or charged with any crime. If you want to support justice for Aaron Williams, contact:

Ella Hill Hutch Community Center, (415) 921-6276
1050 McAllister Street, San Francisco, CA 94115

Autopsy Shows Cops Beat, Pepper Sprayed Oakland Man

Update in Suspicious Death

BY ILANA BERGER AND SAM DAVIS

After nine months of official stonewalling, COPWATCH has finally obtained the coroner's report for Dozell Thomas, an Oakland resident who died in police custody last November. The report states that Thomas was "restrained for 15 to 20 minutes" when "suddenly, he became unresponsive," and died shortly thereafter.

COPWATCH's requests for legally public information on the incident were denied by both the Coroner's Office and the Police Department (see Copwatch Report, Spring 1995). With the help of the First Amendment Project, we forced the Coroner's Office to comply with the California Public Records Act and provide us a copy of their report. We are still working to obtain the police report.

The coroner's report states that Thomas was sprayed with oleoresin capsicum, or pepper spray, while six OPD police officers were restraining him. The autopsy found extensive bruising and abrasions on Thomas' body, suggesting that police beat him severely. The report also noted internal injuries such as "pulmonary edema" and "cerebral flattening and congestion."

No wonder they didn't want to give it to us. The autopsy confirms our suspicions that police subdued Thomas with pepper spray and raises serious questions as to whether police brutality caused his death. COPWATCH continues its investigation in this case and will bring you more details in our next Report.

See our Insert for our calendar of events and for subscription information. Please donate what you can today! Without your support, our work would not be possible.

COPWATCH

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