

John G. Barisone, SBN 087831

ATCHISON, BARISONE, CONDOTTI & KOVACEVICH

A Professional Corporation

333 Church Street

Santa Cruz, California 95060

Telephone: (831) 423-8383

Attorneys for Plaintiff

THE PEOPLE OF THE STATE OF CALIFORNIA,

ex rel. JOHN G. BARISONE, CITY ATTORNEY FOR THE CITY OF SANTA CRUZ

FILED
SUPERIOR COURT
OF CALIFORNIA
CO. OF SANTA CRUZ
C. ADAMS
2010 FEB 19 PM 4:11

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CRUZ

THE PEOPLE OF THE STATE OF CALIFORNIA, ex rel. JOHN G. BARISONE, CITY ATTORNEY FOR THE CITY OF SANTA CRUZ,

Plaintiff,

vs.

WESLEY ALLAN MODES,

Defendant.

CASE NO.

COMPLAINT

SCT 077272

Violation

S.C.M.C. § 10.65.030

Plaintiff, PEOPLE OF THE STATE OF CALIFORNIA ex rel. JOHN G. BARISONE, CITY ATTORNEY FOR THE CITY OF SANTA CRUZ, alleges on information, evidence and belief:

COUNT 1

On or about December 31, 2009, Defendant Wesley Allan Modes did commit an infraction, namely, violation of Santa Cruz Municipal Code section 10.65.030, to wit: without first obtaining a permit from the City of Santa Cruz Defendant participated in a noncommercial event in the City as defined at Santa Cruz Municipal Code Section 10.65.110.

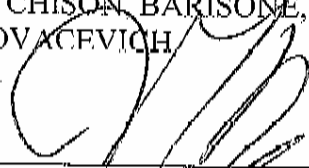
In the course of regular duties on or about December 31, 2009, Santa Cruz Police Officers M. Harms and L. Schonfield prepared Incident Reports describing the event giving rise to the aforementioned charge; true and correct copies of which are attached.

1 WHEREFORE, it is prayed that no warrant be issued for Defendant's arrest, but that he be dealt
2 with according to the law.

3 I declare under penalty of perjury under the laws of the State of California that the foregoing is
4 true and correct and that if called to testify I could and would testify thereto.

5
6 ATCHISON BARISONE, CONDOTTI &
KOVACEVICH

7
8 Dated: 2-16-10

9 By: 
10 JOHN G. BARISONE Attorney for Plaintiff, THE
11 PEOPLE OF THE STATE OF CALIFORNIA ex rel.
12 JOHN G. BARISONE, CITY ATTORNEY FOR THE
13 CITY OF SANTA CRUZ.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

| | | |
|---|---|--|
| Arrest <input type="checkbox"/> Crime <input type="checkbox"/> Non-Criminal <input checked="" type="checkbox"/> | <h2 style="margin:0;">Santa Cruz PD</h2> <p style="margin:0;">155 Center St, Santa Cruz, CA 95060 CA0440200 CR-1</p> | CASE# <h3 style="margin:0;">09S-11242</h3> PAGE <h3 style="margin:0;">1</h3> |
|---|---|--|

| | |
|--|--------------------|
| OFFENSE(S) INFO Non Criminal Information/ Incident | OFFENSE(S) cont'd. |
|--|--------------------|

| | | | |
|--|---|---|--|
| DATE, TIME AND DAY OF OCCURRENCE 12/31/09 18:57 Thursday | DATE AND TIME REPORTED 12/31/09 18:57 | MORE CHARGES YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | ESTIMATED LOSS VALUE \$ 0.00 |
| LOCATION OF OCCURRENCE Pacific Av, Laurel St | LOCATION NAME | TYPE OF LOCATION | BEAT |

| PERSONS | | | | | | | | | |
|--|--------|---|--------------------|-----------------|------------------|-------------------|--|---------------------------------------|--|
| Codes: V= Victim W= Witness C= Complainant P= Parent G= Guardian R= Party O= Other | | | | | | | | | |
| MORE NAMES: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | | | | | | | | | |
| CODE | 1 of 3 | NAME - LAST, FIRST, MIDDLE, SUFFIX Modcs, Wesley Allan | RACE W | SEX M | AGE 43 | DOB [REDACTED] | RESIDENCE Felton, CA 95048 | HOME (831) [REDACTED] | |
| OCCUPATION | | DL C3205841 | STATE CA | SSN | INJURIES | | ADDRESS 1 | PHONE 1 | |
| CODE | 2 of 3 | NAME - LAST, FIRST, MIDDLE, SUFFIX Wilde, Whitney | RACE W | SEX F | AGE 55 | DOB [REDACTED] | RESIDENCE Santa Cruz, CA 95060 | HOME (831) [REDACTED] | |
| OCCUPATION | | DL N0067227 | STATE CA | SSN | INJURIES | | ADDRESS 2 | PHONE 2 | |
| CODE | 3 of 3 | NAME - LAST, FIRST, MIDDLE, SUFFIX Reliford, Curtis Moore | RACE B | SEX M | AGE 57 | DOB [REDACTED] | RESIDENCE Santa Cruz, CA 95061 | CELL PHONE (831) [REDACTED] | |
| OCCUPATION | | DL N3576210 | STATE CA | SSN | INJURIES | | ADDRESS 2 | PHONE 2 | |

CASE SUMMARY / VEHICLE INFORMATION

| | | | | | | | | | | |
|---|--|-------------------------|--|------------------|------|-------|-------------|-------|-----|--|
| SUMMARY Informational report for DIY Parade. | | | | | | | | | | |
| VEHICLE USED IN CRIME YES <input type="checkbox"/> NO <input type="checkbox"/> UNK <input type="checkbox"/> OF | | LICENSE (NO. AND STATE) | | YEAR | MAKE | MODEL | BODY TYPE | COLOR | VIN | MORE VEHICLES YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
| TOW REPORT YES <input type="checkbox"/> NO <input type="checkbox"/> | | GARAGE NAME AND PHONE | | REGISTERED OWNER | | | R/O ADDRESS | | | |

SUSPECT(S) / ARRESTEE(S)

| | | | | | | | | | | |
|--|-------|--|-----------|---|------------|---------|------------------|-----------|--------------------|---------|
| Codes: S= Suspect A= Arrestee D= Detainee SV= Suspect/Victim AV= Arrestee/Victim DV= Detainee/Victim | | | | | | | | | | |
| MORE NAMES: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | | | | | | | | | | |
| CODE | OF | NAME - LAST, FIRST, MIDDLE, SUFFIX | ADDRESS 1 | | | | | | | PHONE 1 |
| RACE | SEX | HT | WT | HAIR | EYE | AGE | DOB | ADDRESS 2 | PHONE 2 | |
| OCCUPATION | | INJURIES | | ADDRESS 3 | | PHONE 3 | | | | |
| SCARS / MARKS / TATTOOS YES <input type="checkbox"/> NO <input type="checkbox"/> | | AKA'S | | ARRESTEE DISPOSITION | | | RELEASE LOCATION | | ARREST DATE / TIME | |
| DL | STATE | ARRESTED YES <input type="checkbox"/> NO <input type="checkbox"/> | BOOKING # | WARRANT YES <input type="checkbox"/> NO <input type="checkbox"/> | CITATION # | SSN | CH# | | | |

| | | | | | | | | | | |
|---|-------|--|-----------|---|------------|---------|------------------|-----------|--------------------|---------|
| CODE | OF | NAME - LAST, FIRST, MIDDLE, SUFFIX | ADDRESS 1 | | | | | | | PHONE 1 |
| RACE | SEX | HT | WT | HAIR | EYE | AGE | DOB | ADDRESS 2 | PHONE 2 | |
| OCCUPATION | | INJURIES | | ADDRESS 3 | | PHONE 3 | | | | |
| SCARS / MARKS / TATTOOS YES <input type="checkbox"/> NO <input type="checkbox"/> | | AKA'S | | ARRESTEE DISPOSITION | | | RELEASE LOCATION | | ARREST DATE / TIME | |
| DL | STATE | ARRESTED YES <input type="checkbox"/> NO <input type="checkbox"/> | BOOKING # | WARRANT YES <input type="checkbox"/> NO <input type="checkbox"/> | CITATION # | SSN | CH# | | | |

TO: City Attorney

FOR OFFICIAL USE ONLY

NOT TO BE PHOTOCOPIED NOR IS ANY INFORMATION HEREIN TO BE GIVEN TO UNAUTHORIZED AGENCIES OR PERSONS.

DATE: 01/26/10 BY: [Signature]

SANTA CRUZ POLICE DEPARTMENT

ADMINISTRATION

| | | | | | | | | | |
|--|--|---|--|--|--|--|----------------------------------|--|--|
| VICTIM DESIRES PROSECUTION YES <input type="checkbox"/> NO <input type="checkbox"/> | | FOLLOW-UP YES <input type="checkbox"/> NO <input type="checkbox"/> | | COPIES TO: <input type="checkbox"/> PAT. <input type="checkbox"/> DET <input type="checkbox"/> DA <input type="checkbox"/> COURT <input type="checkbox"/> PROBATION <input type="checkbox"/> VWAP <input type="checkbox"/> OTHER: | | | | | |
| BY OFFICER M. Harms 120MH | | DATE/TIME 01/26/10 12:00 | | APPROVED BY Mike Medina 144MM | | | DATE APPROVED 01/26/10 | | |
| OFFICER | | UNIT/SHIFT | | ASSIGNED TO | | | CASE STATUS Closed | | |

| | | |
|---|---|---|
| Arrest <input type="checkbox"/> Crime <input type="checkbox"/> Non-Criminal <input checked="" type="checkbox"/> | Santa Cruz PD 155 Center St, Santa Cruz, CA 95060 CA0440200 Person Profile | CASE # 09S-11242 PAGE 1 OF 1 |
|---|---|---|

| | |
|--|--------------------|
| OFFENSE(S) INFO Non Criminal Information/ Incident | OFFENSE(S) cont'd. |
|--|--------------------|

| | |
|---|---|
| DATE, TIME AND DAY OF OCCURENCE 12/31/09 18:57 Thursday | DATE AND TIME REPORTED 12/31/09 18:57 |
| LOCATION OF OCCURENCE Pacific Av, Laurel St | LOCATION NAME |
| | TYPE OF LOCATION |
| | BEAT |
| | SECTOR |

PERSONS

Codes: V = Victim W = Witness S = Suspect A = Arrestee D = Detainee C = Complainant R = Party O = Other

MORE NAMES
YES NO

| | | | | |
|-------------------|--------|--|-------------------|--|
| CODE ME | 1 OF 3 | NAME - LAST, FIRST, MIDDLE, SUFFIX Modes, Wesley Allan | DOB [REDACTED] | This report contains Person Profile information only. Please refer to the primary report(s) for additional information. |
|-------------------|--------|--|-------------------|--|

CLOTHING

| | | | | |
|-------------------|--------|---|-------------------|--|
| CODE ME | 2 OF 3 | NAME - LAST, FIRST, MIDDLE, SUFFIX Wilde, Whitney | DOB [REDACTED] | This report contains Person Profile information only. Please refer to the primary report(s) for additional information. |
|-------------------|--------|---|-------------------|--|

CLOTHING

| | | | | |
|-------------------|--------|---|-------------------|--|
| CODE ME | 3 OF 3 | NAME - LAST, FIRST, MIDDLE, SUFFIX Reliford, Curtis Moore | DOB [REDACTED] | This report contains Person Profile information only. Please refer to the primary report(s) for additional information. |
|-------------------|--------|---|-------------------|--|

CLOTHING

| ADMINISTRATION | | | |
|-------------------------------------|------------------------------------|---|----------------------------------|
| BY OFFICER M. Harms 120MH | DATE/TIME 01/26/10 12:00 | APPROVED BY Mike Medina 144MM | DATE APPROVED 01/26/10 |
| OFFICER | UNIT/SHIFT | ASSIGNED TO | CASE STATUS Closed |

| | | | | | |
|---|--|---|---|------|----------------------------------|
| Arrest <input type="checkbox"/> Crime <input type="checkbox"/> Non-Criminal <input checked="" type="checkbox"/> | | Santa Cruz PD 155 Center St, Santa Cruz, CA 95060 CA.0440200 | | | CASE # 09S-11242 |
| Narrative Report | | | | | Page 1 of 4 |
| OFFENSE(S) INFO Non Criminal Information/ Incident | | | OFFENSE(S) cont'd. | | |
| DATE, TIME AND DAY OF OCCURENCE 12/31/09 18:57 Thursday | | | DATE AND TIME REPORTED 12/31/09 18:57 | | |
| LOCATION OF OCCURENCE Pacific Av, Laurel St | | LOCATION NAME | TYPE OF LOCATION | BEAT | SECTOR |
| NARRATIVE | | | | | |
| <p>On 12/31/09 at about 1730 hours, I was in full uniform and driving a marked SCPD vehicle. I saw a crowd of about 200 to 300 people gathered in the rear parking lot of the Saturn Cafe, located at the corner of Pacific Avenue and Laurel Street. Several people were putting on costumes and building what appeared to be parade floats out of bicycles, wagons and carts by attaching feathers, ribbons, flags, posters, banners and lights. I knew that there were no permitted events scheduled to occur at this location on this date. I left the area and returned a short time later.</p> <p>When I returned, I could hear bagpipes being played and loud music coming from a truck with a trailer attached. I recognized this truck and trailer as belonging Curtis Reliford. Reliford's truck is unique since it is covered with painted sayings and flags. It also has large external speakers attached to it. Reliford was standing next to the truck. I had seen him in it earlier in the day.</p> <p>I could see more people walking and riding bicycles into the parking lot behind the Saturn Cafe including adults and small children. The crowd milled about and started to break into smaller groups. The people playing the bagpipes were now in the street next to the curb on northbound Pacific Avenue. They started to walk toward the intersection of Pacific and Laurel as they played their bagpipes. They waited for the traffic light at Pacific and Laurel to cycle to green. I activated the camera in my car and took some video of the activity in the street. I saw others from the crowd also enter the street and form a parade. (Other officers on scene also took video of the activity in the street.)</p> <p>Based on my observations at the scene and the later review of the videos, I estimate that there were about 500 people in the street. Once the crowd hit the 800 block of Pacific Avenue in front of the Taco Bell, no vehicles could access northbound Pacific. I later saw in the video that one vehicle could not exit the drive through lane at Taco Bell. They had to back all the way out of the parking lot to exit onto Laurel Street. The crowd effectively shut down all northbound Pacific Avenue and access into the Taco Bell parking lot.</p> <p>I monitored the parade and drove onto northbound Pacific Avenue. I ended up some distance ahead of the crowd. I saw a couple of people with hand held walkie talkies. I heard</p> | | | | | |
| ADMINISTRATION | | | | | |
| BY OFFICER M. Harms 120MH | | DATE/TIME 01/26/2010 12:00 | APPROVED BY Mike Medina 144MM | | DATE APPROVED 01/26/10 |
| OFFICER | | UNIT/SHIFT | ASSIGNED TO | | CASE STATUS Closed |

| | | | | | |
|---|--|--|---|------|----------------------------------|
| Arrest <input type="checkbox"/> Crime <input type="checkbox"/> Non-Criminal <input checked="" type="checkbox"/> | | Santa Cruz PD 155 Center St, Santa Cruz, CA 95060 CA0440200 | | | CASE # 09S-11242 |
| Narrative Report | | | | | Page 2 of 4 |
| OFFENSE(S) INFO Non Criminal Information/ Incident | | | OFFENSE(S) cont'd. | | |
| DATE, TIME AND DAY OF OCCURENCE 12/31/09 18:57 Thursday | | | DATE AND TIME REPORTED 12/31/09 18:57 | | |
| LOCATION OF OCCURENCE Pacific Av, Laurel St | | LOCATION NAME | TYPE OF LOCATION | BEAT | SECTOR |
| NARRATIVE | | | | | |
| <p>one of them broadcast the police location and our direction of travel. It appeared to me that they were talking to others about the parade and making advisements about police presence in the area. I was not able to identify the people with the walkie talkies.</p> <p>I saw people in dark clothing with flashlights at several locations along Pacific Avenue. They were diverting vehicles away from the parade onto the side streets. I approached one of these people in my vehicle and asked him what he was doing. He said he was directing traffic off of Pacific Ave for "safety". I was not able to identify him. It appeared to me that the people with the flashlights were part of the parade.</p> <p>The people in the street were singing, dancing, riding bicycles in circles, still walking, and playing musical instruments. Northbound Pacific Avenue was taken over by the crowd in the street. I stayed in my car in order to record the activity and to better respond if there was a problem elsewhere. When I looked south on Pacific Avenue from Lincoln, I could see a large crowd in the street back to Cathcart. It was not possible for any vehicles to get onto Pacific Avenue in that area. None of the cars parked on Pacific could get out either. I later had three people come up to complain about being unable to move their car off Pacific Ave as a result of the large number of people blocking their access to their cars and the vehicle traffic lanes.</p> <p>Curtis Reliford was driving at the end of the parade in his truck and trailer. He was playing amplified music from the truck that could be heard several blocks away.</p> <p>The parade continued northbound on Pacific Avenue. People stayed in the street for about 30 to 40 minutes. Eventually the crowd began to thin out. I estimate that there were about 200 people still in the street in the area of Locust Street and Pacific Ave. A few people stayed in the street but traffic was slowly moving around them.</p> <p>I saw a man I know as Wes Modes in the parking lot of the Saturn Cafe during the initial gathering of the crowd. He walked through the parking lot by himself. He was dressed in some type of costume. Later in the night I saw Modes in a local restaurant. We talked about him being in the parade earlier in the evening. At this point, Modes was no longer in costume and was dressed in regular clothes.</p> | | | | | |
| ADMINISTRATION | | | | | |
| BY OFFICER M. Harms 120MH | | DATE/TIME 01/26/2010 12:00 | APPROVED BY Mike Medina 144MM | | DATE APPROVED 01/26/10 |
| OFFICER | | UNIT/SHIFT | ASSIGNED TO | | CASE STATUS Closed |

| | | | | | | |
|---|--|--|--|--|----------------------------|---------------------------|
| Arrest <input type="checkbox"/> Crime <input type="checkbox"/> Non-Criminal <input checked="" type="checkbox"/> | | Santa Cruz PD 155 Center St, Santa Cruz, CA 95060 CA0440200 | | | CASE # 09S-11242 | |
| Narrative Report | | | | | Page 3 of 4 | |
| OFFENSE(S) INFO Non Criminal Information/ Incident | | | | OFFENSE(S) cont'd. | | |
| DATE, TIME AND DAY OF OCCURENCE 12/31/09 18:57 Thursday | | | | DATE AND TIME REPORTED 12/31/09 18:57 | | |
| LOCATION OF OCCURENCE Pacific Av, Laurel St | | LOCATION NAME | | TYPE OF LOCATION | | BEAT |
| SECTOR | | | | | | |
| NARRATIVE <p>I saw a woman I know as Whitney Wilde standing in the middle of Pacific Avenue in front of the Cinema 9 Theater. She called out in a loud voice, "Is that Sergeant Harms?" She walked up to my open car window and said "It is you". We spoke for a short period of time since my vehicle was blocked by the parade participants in the street. Wilde told me that I should turn right onto Cooper Street since there was no way I was going to be able to get through the crowd on Pacific. Wilde was also talking with another woman who appeared to be with her, laughing.</p> <p>As I was trying to work my way up Pacific Avenue in my car, the crowd in the street was unaware I was there. I used my air horn for a couple of blasts to alert them to the presence of the vehicles blocked by them. The crowd started to slowly disperse.</p> <p>I reviewed all the video taken of the scene by me and the officers. I was unable to identify any of the other parade participants.</p> <p>I was aware that a group of people who call themselves "Last Night Santa Cruz DIY" had organized similar parades on New Year's Eve for the last five years. DIY has a website at http://www.lastnightdiy.org/. On their website, DIY states that Last Night is a do-it-yourself, decentralized, collective, spontaneous, open, public New Year's Eve celebration in Santa Cruz, California. I was aware that none of these past parades had ever had a City of Santa Cruz permit. I knew that this years parade did not have a City issued permit. After the event, I saw a comment posted on this website attributed to Wes Modes. In this post Modes stated, "It was a blast this year. Better and bigger than ever, It's still my recurring dream to have a big celebration after the parade for the rest of the night at our town center at Cooper and Pacific. In the past there have been well- organized square dances and pillow fights after the parade. Perhaps next year someone will take up the challenge." I attached a copy of this posting with this report.</p> <p>Prior to the event, I read several newspaper articles referring about the event. In a Santa Cruz Sentinel article dated 12/19/09, Whitney Wilde and Wes Modes were both quoted regarding the upcoming New Year's Eve event. I attached this article with this report. I had also heard that Whitney Wilde was also interviewed by a local television station in regards to the parade.</p> | | | | | | |
| ADMINISTRATION | | | | | | |
| BY OFFICER M. Harms 120MH | | DATE/TIME 01/26/2010 12:00 | | APPROVED BY Mike Medina 144MM | | DATE APPROVED 01/26/10 |
| OFFICER | | UNIT/SHIP | | ASSIGNED TO | | CASE STATUS Closed |

| | | |
|---|---|---|
| Arrest <input type="checkbox"/> Crime <input type="checkbox"/> Non-Criminal <input checked="" type="checkbox"/> | Santa Cruz PD 155 Center St, Santa Cruz, CA 95060 CA0440200 Narrative Report | CASE # 09S-11242 Page 4 of 4 |
|---|---|---|

| | |
|--|--------------------|
| OFFENSE(S) INFO Non Criminal Information/ Incident | OFFENSE(S) cont'd. |
|--|--------------------|

| | |
|---|---|
| DATE, TIME AND DAY OF OCCURENCE 12/31/09 18:57 Thursday | DATE AND TIME REPORTED 12/31/09 18:57 |
|---|---|

| | | | | |
|---|---------------|------------------|------|--------|
| LOCATION OF OCCURENCE Pacific Av, Laurel St | LOCATION NAME | TYPE OF LOCATION | BEAT | SECTOR |
|---|---------------|------------------|------|--------|

NARRATIVE

I observed Whitney Wilde and Curtis Reliford participating in a non-permitted event in violation of the municipal code sections 10.64.120 MC permit required for commercial event or 9.50.010 MC obstruction of movement on public ways). Reliford was also in violation of vehicle code section 27007 VC for excessive noise from vehicle(also applicable 10.48.010MC, loud noise from vehicle or 9.40.010 MC sound amplification permit required).

I am requesting that the City Attorney review this report for the filing of charges.

| ADMINISTRATION | | | |
|-------------------------------------|--------------------------------------|---|----------------------------------|
| BY OFFICER M. Harms 120MH | DATE/TIME 01/26/2010 12:00 | APPROVED BY Mike Medina 144MM | DATE APPROVED 01/26/10 |
| OFFICER | UNIT/SHIFT | ASSIGNED TO | CASE STATUS Closed |

095-11242

Santa Cruz Sentinel.com

Santa Cruz leaders grow increasingly frustrated with New Year's Eve procession

By GENEVIEVE BOOKWALTER

Posted: 12/19/2009 01:30:28 AM PST

SANTA CRUZ -- The New Year's Eve DIY Parade, which will celebrate its fifth anniversary this year, started out as a renegade celebration with undercover cops sneaking into planning meetings.

It has since turned into a family event with dancers, illuminated costumes and a variety of talented and not-so-talented musicians.

But as the event grows and attracts a bigger crowd each year, city leaders are becoming increasingly irked that participants don't pay thousands of dollars in required parade fees and that Santa Cruz is left picking up the tab for security and road closures, among other expenses. Normal fees and permits for similar events run up to \$4,000.

On Friday, Mayor Mike Rotkin went so far as to call many of the parades' thousands of participants "freeloaders" who rely on the city to pay when they don't want to.

"It would be nice if we were so socialized that we all got along and didn't have conflicts and didn't need police and government and

bureaucracy, but that's not the world we live in. I wish they would grow up," Rotkin said.

Those who started the first DIY parade, however, call it a spontaneous community gathering that no one is completely responsible for but unites residents in welcoming the new year.

"I feel a lot of joy that I live in a place that celebrates together," said Santa Cruz resident Whitney Wilde, who helped craft the first event. "This happens with no organizing and no meetings -- it truly is spontaneous and DIY."

Wes Modes, who also helped bring the first DIY parade to fruition, agreed the community has claimed the procession as its own.

"In the past few years, participants have totally stepped up to create the celebration they wanted to see," Modes said. "I couldn't be happier to help provide the spark to make this happen and then let it go."

The Last Night Santa Cruz DIY Parade began in 2005, as city residents looked to pick up where First Night Santa Cruz, a downtown New Year's Eve arts event, left off. Organizers of that event could no longer raise the hundreds of thousand of dollars needed to go on, and canceled its yearly parade and shows.

The DIY parade started as something of a fringe event, with police going undercover into planning meetings to gather information about potential

Advertisement

x

Print Powered By  Format Dynamics

095-11242

Santa Cruz Sentinel.com

safety problems. But over five years, the event has become mainstream and now draws more than 10,000 people to Pacific Avenue.

Chip, who heads the Downtown Association of Santa Cruz and goes by only his first name, said his group pays about \$2,000 for road closure barricades and another \$1,500 to \$2,000 for permits to host the annual Holiday Parade on Pacific Avenue each December. He said participants should take responsibility for their New Year's Eve parade as well.


The New Year's Eve parade "is not really do-it-yourself," Chip said. "It's important to acknowledge that when you do an event like this, there are costs for the city."

Meanwhile, Rotkin said he expects police to once again turn a blind eye to the parade's lack of permits.

"At this point, I think the police are likely to, quote, look the other way," Rotkin said.

Advertisement



Print Powered By  Former Dynamics

098 11242

THURSDAY, AUGUST 31, 2009

Welcome to DIY Last Night



Last Night is a do-it-yourself, decentralized, collective, spontaneous, open, public New Year's Eve celebration in Santa Cruz, California.

MEET AT THE SATURN CAFE LOT, PACIFIC & SPRUCE
5PM SUNSET ON NEW YEAR'S EVE
PARADE WILL TAKE OFF AT 5:30PM

A last night of waiting for governments, institutions, or anyone else to entertain us, satisfy us, bring us security, freedom, or joy.

INFORMATION

- About
- Manifesto
- Who's in
- History
- Photos
- Occupied

PARTICIPATE

- Join
- Propaganda
- Prose
- Contact

WHAT'S BEEN SAID

- Welcome to DIY Last Night
- Contact Last Night DIY


Last Night DIY: Welcome to Y Last Night

Page 2 of 3

095-11242

AND END IN A STREET PARTY AT PACIFIC & COOPER

Read the Last Night Manifesto

POSTED BY WES MODES AT 11:12 AM 

Press

Propaganda

Join Last Night DIY

3 COMMENTS:

Anonymous said...

If they have a "burn Rico Thunder in effigy" I am totally there!

DECEMBER 17, 2009 3:00 PM



Wes Modes said...


Blah blah blah. Not sure what our esteemed mayor is going on about regarding costs for the parade. The police have never blocked streets for the parade and this year was no exception. In fact, Sgt Harms drove his cruiser through the parade twice to the consternation of the marchers, apparently just to make a point.

For the last five years, participants have taken up the DIY spirit of the event, blocking streets, dealing with conflicts, and cleaning up after. Perhaps Mike Rotkin is confusing the peaceful DIY parade with all the drunk fools later in the evening at the alcohol-fueled madness closer to midnight.

It was a blast this year. Better and bigger than ever. There were even folks from Monterey who escaped their corporate-sponsored First Night to come to our DIY celebration.

It's still my reoccurring dream to have a big celebration after the parade for the rest of the night at our town center at Cooper and Pacific. In the past there have been well-organized square dances and pillow fights after the parade. Perhaps next year someone will take up the challenge.

JANUARY 02, 2010 1:29 PM

 raideen said...

Did anyone get video of the parade this year? It was really great! A peaceful, family oriented even that only lasted a few hours (which was a shame).

I loved the variety of live music, and local color was in top form.

RECENT COMMENTS

raideen wrote...

Did anyone get video of the parade this year? It was really great! A peaceful, family oriented even...

Continue >>

Wes Modes wrote...

Blah blah blah. Not sure what our esteemed mayor is going on about regarding costs for the parade....

Continue >>

Anonymous wrote...

For the last five years, participants have taken up the DIY spirit of the event, blocking streets...

Continue >>

Anonymous wrote...

HOO-REY! to all Last Night Participants! People who have courage to be creative and step into...

Continue >>

Linda's Hearth wrote...

In the same ways that DIY Celebrations are taken as an affront by the City, they could also be a...

Continue >>

Anonymous wrote...

Great idea! Loved reading your manifesto. Keep it up, all of us keep democracy alive and kicking!

Anonymous wrote...

Who pays for the cleanup?

Anonymous wrote...

If they have a "burn Rico Thunder in effigy" I am totally there!

Anonymous wrote...

GET UPDATES

Signup to the Last Night announcement list to get

Last Night DIY: Welcome to Last Night

Page 3 of 3

095-11242

Reminded me of the SCJ I knew as a kid.
JANUARY 03, 2010 4:06 PM

updates and breaking news:

Email:

POST A COMMENT

Subscribe

Comment as: Select profile...

Post Comment

Preview

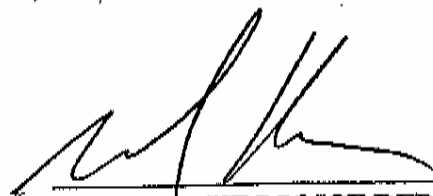
[Home](#)

[Older Post](#)

Subscribe to: Post Comments (Atom)

DECLARATION

I declare under penalty of perjury that the attached report, case number # 09S-11242 is an official report of the SANTA CRUZ POLICE DEPARTMENT written by duly authorized peace officers of said agency, and that the facts stated therein are true and correct to the best of my knowledge and belief.



120

SANTA CRUZ POLICE DEPARTMENT
COUNTY OF SANTA CRUZ
STATE OF CALIFORNIA

Executed on 12-31-09, at Santa Cruz, California.

| | | | | | |
|--|--|--|---|--|----------------------------------|
| Arrest <input type="checkbox"/> Crime <input type="checkbox"/> Non-Criminal <input checked="" type="checkbox"/> | | Santa Cruz PD 155 Center St. Santa Cruz, CA 95060 CA0440200 | | | CASE # 09S-11242 |
| Supplemental Report | | | | PAGE 1 OF 2 | |
| OFFENSE(S) INFO Non Criminal Information/ Incident | | | OFFENSE(S) cont'd. | | |
| DATE, TIME AND DAY OF OCCURENCE 12/31/09 18:57 Thursday | | | DATE AND TIME REPORTED 12/31/09 18:57 | | |
| LOCATION OF OCCURENCE Pacific Av, Laurel St | | LOCATION NAME | | TYPE OF LOCATION | BEAT |
| CASE SUMMARY Supplemental report for DIY parade. | | | | | |
| NARRATIVE <p>On 12/31/09, around 1730 hours, I was in full uniform riding in a two man patrol car with Sgt. Harms #120. While patrolling the area of Pacific Ave and Laurel Ave I observed a crowd of approximately 200 to 300 people gathered behind the Saturn Cafe. Numerous people were putting on costumes and decorating parade floats and bicycles. I recognized Wesley Modes walking through the crowd of people by himself. I recognized Modes from previous contacts. I saw Modes later in the evening at a local restaurant and spoke with him. Modes stated that he had participated in the parade by playing in the Balinese Gamelin band.</p> <p>While driving northbound on Pacific Ave I observed several people at intersections with flashlights directing vehicles off Pacific Ave and out of the parade. At Soquel and Pacific Ave one of these individuals told us that they were directing vehicles for "safety" reasons. I was not able to identify this individual but he did appear to be part of the parade.</p> <p>While driving North bound at Pacific Ave I observed a large crowd of approximately 400 people gathered between Cooper and Locust St on Pacific Ave. There were so many people in the street that vehicles were unable to move down the street and our patrol vehicle was blocked for several minutes. During this time a blonde woman unknown to me ran up to our patrol vehicle to speak to Sgt. Harms. She told Sgt. Harms that we should turn right on Cooper St because we would not be able to get through on Locust St. Sgt. Harms later informed me that the woman was Whitney Wilde.</p> <p>A short time later while patrolling the 1500 block of Pacific Ave, we had three individuals come up to myself and Sgt. Harms and request help getting their vehicles off of Pacific Ave. These individuals stated that their vehicles were blocked by the parade participants at Locust and Pacific Ave. At this time there were approximately 200 people standing in the intersection of Locust and Pacific Ave.</p> | | | | | |
| ADMINISTRATION | | | | | |
| FOLLOW-UP YES <input type="checkbox"/> NO <input type="checkbox"/> | | COPIES TO: <input type="checkbox"/> PAT. <input type="checkbox"/> DET. <input type="checkbox"/> DA <input type="checkbox"/> COURT <input type="checkbox"/> PROBATION <input type="checkbox"/> VWAP <input type="checkbox"/> OTHER | | | |
| BY OFFICER L. Schonfield 159LS | | DATE/TIME 02/03/2010 13:57 | | APPROVED BY (James) Nunn 344BN | DATE APPROVED 02/03/10 |
| OFFICER | | UNIT/SHIFT | | ASSIGNED TO | CASE STATUS Closed |

| | | |
|---|--|---|
| Arrest <input type="checkbox"/> Crime <input type="checkbox"/> Non-Criminal <input checked="" type="checkbox"/> | Santa Cruz PD 155 Center St, Santa Cruz, CA 95060 CA0440200 Supplemental Report | CASE # 09S-11242 PAGE 2 OF 2 |
|---|--|---|

| | |
|--|--------------------|
| OFFENSE(S) INFO Non Criminal Information/ Incident | OFFENSE(S) cont'd. |
|--|--------------------|

| | |
|---|---|
| DATE, TIME AND DAY OF OCCURENCE 12/31/09 18:57 Thursday | DATE AND TIME REPORTED 12/31/09 18:57 |
|---|---|

| | | | | |
|---|---------------|------------------|------|--------|
| LOCATION OF OCCURENCE Pacific Av, Laurel St | LOCATION NAME | TYPE OF LOCATION | BEAT | SECTOR |
|---|---------------|------------------|------|--------|

CASE SUMMARY
Supplemental report for DIY parade.

NARRATIVE

Recommendations:

Attach to original report and forward to the City Attorney for review.

| | | | |
|---|--|--|----------------------------------|
| ADMINISTRATION | | | |
| FOLLOW-UP YES <input type="checkbox"/> NO <input type="checkbox"/> | COPIES TO: <input type="checkbox"/> PAT. <input type="checkbox"/> DET. <input type="checkbox"/> DA <input type="checkbox"/> COURT <input type="checkbox"/> PROBATION <input type="checkbox"/> VWAP <input type="checkbox"/> OTHER | | |
| BY OFFICER L. Schonfield 159LS | DATE/TIME 02/03/2010 13:57 | APPROVED BY (James) Nunn 344BN | DATE APPROVED 02/03/10 |
| OFFICER | UNIT/SHIFT | ASSIGNED TO | CASE STATUS Closed |

| | | |
|---|--|---|
| Arrest <input type="checkbox"/> Crime <input type="checkbox"/> Non-Criminal <input checked="" type="checkbox"/> | Santa Cruz PD 155 Center St, Santa Cruz, CA 95060 CA0440200 | CASE # 09S-11242 PAGE 1 OF 1 |
|---|--|---|

Additional Crimes, Persons and Vehicles

| | |
|---|---|
| OFFENSE(S) INFO Non Criminal Information/ Incident | OFFENSE(S) cont'd. |
| DATE, TIME AND DAY OF OCCURENCE 12/31/09 18:57 Thursday | DATE AND TIME REPORTED 12/31/09 18:57 |
| LOCATION OF OCCURENCE Pacific Av, Laurel St | LOCATION NAME |
| ADDITIONAL OFFENSE(S) | ADDITIONAL OFFENSE(S) cont'd. |

PERSONS

Codes: V = Victim W = Witness C = Complainant P = Parent G = Guardian R = Party O = Other

MORE NAMES
YES NO

| | | | | | | | | |
|--------------------------|--------|--|------------------|-----------------|------------------|-------------------|---|-------------------------------|
| CODE ME | 1 OF 2 | NAME - LAST, FIRST, MIDDLE, SUFFIX Modes, Wesley Allan | RACE W | SEX M | AGE 43 | DOB [REDACTED] | RESIDENCE [REDACTED] Felton, CA 95048 | Home (831) 335-3109 |
| OCCUPATION | | DL CA C3205641 | INJURIES | | ADDRESS 2 | | PHONE 2 | |
| DL CA C3205641 | | STATE | SSN | ADDRESS 3 | | PHONE 3 | | |
| CODE ME | 2 OF 2 | NAME - LAST, FIRST, MIDDLE, SUFFIX Wilde, Whitney | RACE W | SEX F | AGE 55 | DOB [REDACTED] | RESIDENCE [REDACTED] Santa Cruz, CA 95060 | Home (831) 427-0895 |
| OCCUPATION | | DL CA N0067227 | INJURIES | | ADDRESS 2 | | PHONE 2 | |
| DL CA N0067227 | | STATE | SSN | ADDRESS 3 | | PHONE 3 | | |

ADMINISTRATION

| | | | |
|--|------------------------------------|--|----------------------------------|
| BY OFFICER L. Schonfield 159LS | DATE/TIME 02/03/10 13:57 | APPROVED BY (James) Nunn 344BN | DATE APPROVED 02/03/10 |
| OFFICER | UNIT/SHIFT | ASSIGNED TO | CASE STATUS Closed |

Santa Cruz PD

155 Center St, Santa Cruz, CA 95060
CA0440200

CASE #

PAGE 1 OF 1

Arrest
Crime
Non-Criminal

OFFENSE(S)

OFFENSE(S) cont'd.

DATE, TIME AND DAY OF OCCURENCE

DATE AND TIME REPORTED

LOCATION OF OCCURENCE

TO

LOCATION NAME

TYPE OF LOCATION

BEAT

SECTOR

PERSONS

Codes: V = Victim, W = Witness, S = Suspect, A = Arrestee, D = Detainee, C = Complainant, R = Party, O = Other

MORE NAMES

YES

NO

CODE

OF

NAME - LAST, FIRST, MIDDLE, SUFFIX

DOB

This report contains Person Profile information only.
Please refer to the primary report(s) for additional information.

ADMINISTRATION

BY OFFICER

DATE/TIME

APPROVED BY

DATE APPROVED

OFFICER

UNITY/SHIFT

ASSIGNED TO

CASE STATUS