

A Chronology of Police Interactions		
Date	Event	Description
10/1/2005	Call For DIY Parade Meeting	Modes publishes a call for people to meet to discuss the possibility of a "do-it-yourself" New Year's parade on websites, email, and fliers.
10/29/2005	Last Night DIY Parade Meeting	Santa Cruz police learn about the planned grassroots New Year's Eve parade. Without attempting to contact parade organizers, SCPD chose to send two undercover officers, Ofcs. Hanson and Jones, to the planning meetings held in a private residence to learn everything they could about the group and the event. Though the initial conclusion of undercover officers was that the group "made up of local anarchists" will be a peaceful gathering and that they have nothing to hide, SCPD made no attempt to contact the group and continued to infiltrate the group for another three months from October to December. SCPD use their presence at the planning meetings to compile dossiers about parade organizers, including Wes Modes. Officers' reports indicate that Modes is the "leader" and that he is the only one willing to risk arrest. They gathered information about other community groups and First Amendment activities taking place, including a planned legal protest at Victoria's Secret.
11/5/2005	Victoria's Secret Protest Blocked	Tipped off by SCPD, Capitola Police intercept protesters engaged in legal first amendment activities and deny them access to the Capitola Mall. In an interview with the Santa Cruz Sentinel, Capt. Todd Mayer, said "The Capitola police learned about the protest through the grapevine... and ramped up security." Reporting for Indymedia, Modes interviewed Mayer who told him that SCPD had told him of the planned protest.
11/19/2005	Last Night DIY Parade Meeting	Undercover officers Jones and Hanson continue to infiltrate planning meetings and gather information about community groups and events, including a planned protest at the Gap.
12/8/2005	Anti-corporate X-mass Caroling Blocked	Santa Cruz police meet anti-corporate X-mass carolers at the Gap for a planned protest, based on info gathered at parade planning meetings
12/17/2005	Last Night DIY Parade Meeting	Undercover officers continue to infiltrate planning meetings, offering to take responsibility for involving other groups and parade clean up. Officers play a significant role in setting time, date, and place of next meeting.
12/19/2005	Police Infiltration Confirmed	Undercover police infiltration of planning meetings confirmed by internal police source. Source says that SCPD higher-ups concerned about event planned "by local anarchists."
12/29/2005	Last Night DIY Parade Meeting	Parade planners set up meeting to photograph undercover officers. Modes is at meeting in public place alone with two officers while photographer takes discreet photos from a distance.
12/31/2005	Police Infiltration Made Public	Police infiltration made public by parade organizers; SCPD admits to undercover investigation; article appears on front page of Santa Cruz Sentinel
1/10/2006	City Council Addresses Police Spying at Meeting	Council addresses the issue of police spying. One council member said, the Council "heard complaints, concerns, and demands for Council action from more than a dozen members of the public, regarding the Santa Cruz Police Department and the conduct of two of its officers at planning meetings for a Last Day Santa Cruz DIY New Year's Eve parade that took place on December 31, 2005. Furthermore, we have received numerous emails and other forms of communications expressing a strong community concern about this issue." Modes testifies during public comments and is interviewed extensively in the press.
1/18/2006	Demand For Independent Investigation	Councilman Madrigal recommends "That the City Council, by motion, direct the City Manager to conduct an independent investigation surrounding recent incidents of police surveillance at community meetings." Majority of City Council lead by Public Safety Commission members Rotkin and Coonerty oppose the independent investigation. Modes is involved in calls to put limits on police power.
1/20/2006	ACLU Contacted	Modes contacts the ACLU and works with ACLU Police Policy and Practices Director Mark Schlosberg.
1/24/2006	City Council Refuses Independent Investigation	Tremendous public outcry about police monitoring of community groups. City Council refuses to appoint an independent investigation, chooses instead to let police lead internal investigation. Modes testifies during public comments and is again interviewed by the press. Modes' band Trash Orchestra plays in protest outside City Council Chambers before the meeting.

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1/24/2006	SCPD Intimidation Of Modes	Santa Cruz Police Department vehicle follows Modes from City Hall out of Santa Cruz city limits, up Graham Hill, down Highway 9, and nearly to his home in Felton.
2/1/2006	ACLU Document Requests	Two rounds of document requests via the ACLU reveal a pattern of SCPD abuse and monitoring of anarchist and activist groups. Documents include dosiers of organizers including extensive documentation on Modes.
2/6/2006	SCPD Internal Investigation Released	SCPD internal investigation is lead and certified by Deputy Chief Kevin Vogel, the same officer who authorized the police infiltration. The report clears officers and the department of any wrong doing. The report is greeted with a huge public outcry and numerous press articles. Modes is interviewed by deputy chief Vogel. Vogel says that he understands that the event was an "anarchist event."
2/13/2006	SCPD Auditor Report Pans Internal Investigation	SCPD independent auditor Bob Aaronson calls SCPD internal investigation "incomplete and flawed," citing Vogel as poor choice to lead investigation considering his role in events.
2/14/2006	City Council Authorizes Independent Investigation	Under pressure from citizens, ACLU, and auditor Aaronson, Santa Cruz City Council finally authorizes an independent investigation of police infiltration of community groups engaged in first amendment activities. Modes speaks during public comments and speaks to press.
3/20/2006	Independent Auditor's Report Concludes that SCPD Violated Civil Rights	SCPD auditor Aaronson releases results of independent investigation; concludes "In my opinion, the Santa Cruz Police Department violated the Last Night DIY Parade organizers' rights to privacy, freedom of speech and freedom of assembly in the manner in which they went about obtaining information about the organizers' activities." Modes is interviewed by auditor Aaronson in his investigation.
6/15/2006	Police Policy Change	Under pressure from citizens, ACLU, and auditor Aaronson, Santa Cruz City Council recommends police policy change. Police adopt weak policy requiring direct communication before infiltration, and clear chains of responsibility. Reporting requirements and other first amendment protections absent. Modes works with the ACLU to draft new policy.
7/5/2006	Last Rights Parade And Protest	Modes organizes a protest march against the city's failure to protect first amendment rights. From the steps of SCPD headquarters to City Hall, Modes' band Trash Orchestra plays in the march.
6/28/2007	Santa Cruz County Grand Jury Report On Police Surveillance	The 2006-2007 Santa Cruz County Grand Jury report concludes that "The organizers of the Last Night Santa Cruz DIY Parade did not pose a threat or hazard to public welfare," and "Not considering the political element inherent in the Last Night DIY Santa Cruz Parade hampered police from recognizing potential free speech and First Amendment issues." Commendations went to "The organizers of Last Night Santa Cruz for holding a peaceful event each of the past two New Year's Eves." Modes is interviewed by the Grand Jury for this report.
1/16/2008	Police Disperse Drummers	Police disperse drummers on the basis of the 15-minute parking lot ordinance. Jack Rusk is contacted as a member of Food Not Bombs, he is asked to leave but is not cited.
1/23/2008	Trash Orchestra Lends Mutual Aid To Drum Circle And Food Not Bombs	Trash Orchestra arrives at drum circle to support market drummers. Police surveil drummers, but do not issue citations.
1/30/2008	Police Surveillance Of Drum Circle	Police are observed in the stairwell of the University Center videotaping the drum circle, Trash Orchestra, Food Not Bombs, and their gathered supporters
1/31/2008	Press Coverage Of Attempts To Evict Drum Circle	Several local media outlets report on police attempts to evict drummers and Trash Orchestra's support of the drummers.
9/3/2008	Renewed Attempts To Evict Drum Circle & Food Not Bombs	Police threaten to cite Drummers and Food Not Bombs servers for their assembly in Parking Lot #4.
9/10/2008	Fences Erected At Drum Circle; Modes Ticketed	Mesh fencing erected around drum circle area. Citizens remove fences so drummers can play and food can be served. The Raging Grannies and Trash Orchestra again return to support the drummers. Sgt Harms takes photos of scene and individuals participating in protest Modes' car with drums clearly visible is targeted. Sgt Harms orders the car towed. Modes offers to move car. Harms then tickets Modes for driving with expired tags. A week later, Modes receives complaint from City Attorney from previous week alleging that Modes removed fences, loitered, destroyed plants, etc.

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9/17/2008	Modes And Rusk Are Arrested	Wesley Modes and Jack Rusk are arrested at parking lot #4 while Rusk is serving food and Modes is drumming. Both are charged with resisting arrest. Additionally, Modes is charged with assaulting an officer. Three officers including officer Kline, tackle an unresisting Modes, strike him with batons, and put him in a choke hold. Modes is hospitalized and requires sutures.
9/24/2008	Farmers' Market	Trash Orchestra does not appear at the Farmers' Market drum circle, but Food Not Bombs serves food. Citizens take down fences around the trees. Minimal police presence at drum circle. One reporter overhears an officer telling another that they have been ordered to "back off."
10/1/2008	Farmers' Market	No police presence at drum circle. Citizens take down fences. The next week, the city stops putting up the fences.
11/1/2008	SubRosa Opens	Anarchist cafe and bookstore SubRosa opens downtown. News reports covering the new store, including Metro Santa Cruz, Good Times, and City on a Hill, clearly state that SubRosa is an anarchist space.
12/14/2008	Modes Op Ed In Sentinel	Modes writes op ed in Santa Cruz Sentinel calling for reduced police funding
12/29/2008	SCPD Visits SubRosa 1st Time	Sgt Harms (badge 120) and Officer Cline (badge 189) visit SubRosa. Staff explains that while SubRosa is open to the public, it is still private property. Officers are asked to leave. They refuse. Officers ask for Modes by name, "Is Wes around?" Officers take note of literature and books for sale.
12/31/2008	SCPD Visits SubRosa 2nd & 3rd Time	Officer Harms and another officer visit SubRosa again. Staff close the store and refuse to let officers in without warrant. Officers threaten to return with Fire Marshall. Officer Harms and other officers return with Deputy Fire Marshall. Staff refuse to allow officers to enter, but admit Deputy Fire Marshall who looks around and leaves. Officers leave.
1/8/2009	DA Contacts Modes' Attorney	Asst District Attorney contacts Modes' counsel for first time and asks, "So what kind of anarchist is Mr. Modes."
1/18/2009	SCPD Comments At SubRosa	SubRosa patron overhears passing officers discussing SubRosa and Modes by name.
2/7/2009	Trash Orchestra Ejected From Lot	Officers Berg and Cline eject Trash Orchestra from top of empty River St. parking garage during practice citing the 15 minute parking lot trespass law. Officer Kline notes that he ran a lookup of Modes' records 15 minutes before they approached the group.
3/4/2009	Article About Coonerty's Wikipedia Page	Sentinel: "Wes Modes, a Santa Cruz activist and outspoken Coonerty critic, said he is responsible for many of the changes to Coonerty's Wikipedia page. 'I just have an interest in seeing the record accurately represent the repressive nature of Ryan's rule in this ostensibly progressive town,' Modes said."
5/11/2009	Santa Cruz Anarchist Convergence At SubRosa	SubRosa hosts a four-day conference on anarchist theory with attendees from across the nation. Police surveillance from patrol cars is high during the conference.
12/9/2009	Drum Circle Case Plea Deal	Modes and Rusk accept plea deal after 15 months and a dozen court appearances.
12/19/2009	Mayor Expresses Frustration With Parade	Sentinel: "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.
12/31/2009	Modes In Last Night DIY Parade	Modes participates in the Last Night DIY New Year's Parade along with thousands of others. Later that night Sgt Michael Harms asks to share Modes' restaurant table. During the conversation, Modes mentions that he participated in the Last Night DIY New Year's Parade
3/15/2010	Modes Targeted for Parade Participation	Modes receives citation for conducting an unpermitted event, months after the event.
3/30/2010	Discovery For Parade Citation Received	Discovery for parade citation includes notes on the New Year's Eve restaurant conversation between Modes and Harms
5/1/2010	May Day Vandalism	During an unpermitted dance party, unidentified people damage buildings on Pacific Ave. Circle A's are spraypainted in at least one location.

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5/2/2010	May Day Aftermath	Sentinel reports: "The only person arrested in connection to the downtown destruction was Jimi Haynes, a 24-year-old transient from Fresno County... Police said Haynes told them he learned about the May Day rally from a flier posted at the Santa Cruz anarchist cafe, Sub Rosa, which is at Spruce Street and Pacific Avenue. Councilman Ryan Coonerty... described the vandalism as 'childish, asinine, pseudo-revolutionary acts'"
5/3/2010	FBI Brought In On Case	"Santa Cruz police on Monday asked the FBI to help investigate what they believe was a 'methodical and coordinated' attack on the city by an unnamed Anarchist group" It is reported that Jimi Haynes, a Modesto transient was arrested Saturday after witnesses saw him breaking windows "He admitted to participating in the rally after receiving a flyer at a nearby cafe frequented by anarchists, according to police."
5/4/2010	Sentinel Reports Haynes Worked At SubRosa	"A man charged in connection with the vandalism of downtown businesses over the weekend told a court Tuesday that he is a former employee of the SubRosa Cafe, a claim the anarchist organization denied. " SubRosa staff have never seen nor heard of the man. SubRosa denies any connection with Haynes.
5/5/2010	Rotkin: SubRosa "Unacceptable"	Santa Cruz Sentinel: Rotkin said SubRosa "is innocent until proven guilty" of any involvement in the riot. But he said the organization's response to the violence was "unacceptable" because, although the cafe's online statement denied SubRosa involvement, it seems to justify what happened.
5/14/2010	Guerilla Drive-in Shut Down	Guerilla Drive-In, a well-known anarchist project Modes has been publicly involved in for 8 years, showing under the Soquel Ave bridge is shutdown within the first 15 minutes, citing "noise complaints" and trespassing under the bridge. No record of a noise complaint is produced.
5/19/2010	DA "Raid" On SubRosa	Four armed deputies visit SubRosa which is closed at the time. Deputies told a neighbor they wanted to talk to SubRosa staff about "worker's comp issues." One of the deputies, Aron Tripp, is an inspector from the Santa Cruz District Attorney's Office. Modes calls Tripp within the hour and gives him contact info for lawyer Jonathan Gettleman. Gettleman is not contacted by the DAs office regarding the matter. The Sentinel reports: "Rick Martinez, Santa Cruz deputy police chief, confirmed the incident... Once investigators left, Martinez said, members of the SubRosa called the Santa Cruz Police Department to complain that their door was kicked in and they were not treated well." In spite of SCPD claims to the press, no door is damaged and no SubRosa staff have any contact with deputies who never pursue the matter further.
5/6/2010	SCPD Tries To Shutdown SubRosa Show	SCPD officer visits SubRosa ten minutes after an early evening show starts claiming he received a complaint, but refuses to produce any record of complaint. Music is turned down. SCPD Sgt. Harms visits later dropping off forms for an amplified sound permit. Show ends well before 10pm. Previous SCPD officer stops by again and threatens to issue citation, but does not, noting that no one offered to sign a complaint.
5/28/2010	Haynes Letter Received	SubRosa Cafe receives letter Attn: Wes Modes from SC County Jail inmate Jimi Haynes. the letter has been opened and re-taped. In the letter Haynes says: "Let me first of all assure you that these are blatant lies, as both you, I, and any other patron or volunteer as Sub Rosa already know. I have never claimed, any affiliation or record of employment with your cafe, and have never said anything regarding your cafe, other than acceding to the face that I was aware that 'May Day' fliers were at your establishment, an an invitation to a simple celebratory function."
6/20/2010	Police Threaten SubRosa Staff	After a music show at SubRosa over before 10pm, an SCPD officer arrives at 10:15. He says, "Do you know why we're here? We came because you had music. You might want to consider getting a noise permit. Soon someone might get arrested."
6/26/2010	SubRosa Robbed	A plate glass window at SubRosa is smashed in the early morning hours and the space is burglarized. Police capture a suspect leaving the space after neighbors call to report the noise. Suspect is caught with a laptop, a video camera and \$60 in cash. Police issue a press release about the crime.
6/28/2010	SubRosa Declines To Press Charges	SubRosa staff informs DA that it declines to press charges against burglar, preferring to deal with issue within community without help of police. SCPD spokesperson Zach Friend accuses SubRosa in press reports of "actively hindering a criminal investigation."