

# DROP THE CHARGES AGAINST THE SC-11

*HUFF (Homeless United for Friendship & Freedom)* demands all charges against the 11 activists in Wells Fargo Bank Occupation be dropped. . There was no conspiracy. The defendants were engaging in healthy and needed First Amendment activity. All are scapegoats. None are vandals.

Drop the charges against indybay journalists Bradley Stuart and Alex Darocy, who have already been subject to a bizarre Preliminary Hearing, There the D.A. Brought no evidence showing any “conspiracy” to trespass, yet they still face this felony charge. The two have repeatedly covered controversial events ignored or underplayed by establishment media.

Police watched several hundred people enter, occupy, and leave the vacant bank. They made no arrests and gave no citations. 2 ½ months later, the D.A. Announces he has selectively targeting well-known community activists whom the police dislike. This is unworthy, costly, chilling and shoddy police work. None of the 11 face any direct evidence of “vandalism” (though that inflated charge refers mainly to graffiti). What's really happening? A vindictive impulse, a political desire to appear to be “doing something”, and/or a calculated opportunity to silence long-time political opponents.

This seems to be part of a nation-wide attack on the Occupy movement. Santa Cruz authorities joined with the attack on the living space and survival gear of several hundred homeless people in San Lorenzo Park on December 8<sup>th</sup>. Four days before they destroyed the Occudome and announced an unprecedented nighttime shutdown of peaceful public assembly around the courthouse. Brutal and unconstitutional police attacks on Occupy have been a regular response to peaceful assemblies in New York, Oakland, San Francisco, and elsewhere.

The D.A.'s attacks have prompted one activist to attempt suicide, denied two others employment, and shut down the political work of others who now scramble to defend themselves. Some public-spirited citizens wanted expose the crimes of Wells Fargo; others wanted to open up a Community Center; others were there to report on what was going on; some came to observe out of simple curiosity. Throughout the three-day period, the building appeared to be open with police preventing no one from entering nor arresting them on leaving.

Moreover at the end of the protest, thanks to the negotiating skills of police and protesters, all left the building peacefully. Ironically those facing prison time are two accused of being the negotiators who helped facilitate a peaceful resolution, six others wrote and commented as bloggers or journalists. All those charged were whistleblowers whose clear purpose was to demonstrate and dramatize the need for the community to take back space monopolized Wells Fargo. This bank, regarded by many as a criminal profiteering organization that cynically takes bailout billions and burdens its victims with fraudulent charges, responsible for the greatest number of destructive foreclosures in the nation.

Taking alternative journalists away from their work and punishing them for honest reporting penalizes and impoverishes the community. It also frightens other journalists, and discourages activists generally, who may now fear that the smallest infraction may be accounted part of a felonious conspiracy. Two defendants, Becky Johnson is a longtime writer and homeless activists; Robert Norse is also a regular commentator who has broadcast a twice-weekly critique of authorities on Free Radio Santa Cruz for the last 17 years.

Drop these charges. Apologize. Begin immediate investigation of the real criminal institutions who have created far more damage in this community—one of which is Wells Fargo Bank itself. Ask anyone who's lost their home or been swindled in a loan fraud. You don't have to go far. People are losing their homes, their jobs, and their hope daily in this county.

**More Info:** [www.santacruzevern.org](http://www.santacruzevern.org)

## Attacking Activists Through Judicial Terror

D.A. Bob Lee's campaign against the eleven defendants seems to be part of a concerted effort to shut down Occupy Santa Cruz [OSC]. Protests, here and in other cities, have challenged the occupation of public space or challenging profiteering banksters who have seized large quantities of public (and private) resources by asserting the right of the community to reclaim the commons.

HUFF regards this as particularly important for the homeless community which is denied the very right to sleep legally in the city. One homeless activist, Gary Johnson, has been sentenced to 2 ½ years in jail for sleeping on a bench outside the government sign with a simple message “sleep is not a crime.” The next time he falls asleep on any public property, he can not only be charged with a new crime punishable by a year in jail (PC 647e “illegal lodging”), but faces the prior 2 ½ year jail sentence.

OSC & related protests have sometimes involved peaceful civil disobedience & self-defense if activists have been physically attacked by police as they have in Oakland, New York City & elsewhere.

In Santa Cruz, the strategy seems different. Homeless people are bullied and rousted with infraction citations that can turn quickly into misdemeanors if they do not “disappear” as requested. OSC activists get arrested and cited for political protest, then find their citations never appear in court. Judges cook up huge bails on peaceful activists simply trying to help homeless people as they rush to secure their possessions before police seize and send them to landfills as they did on December 8<sup>th</sup>, creating several hundred homeless refugees.

A newer strategy is to threaten, secure compliance, and then, months later, “pay back” protesters and spread fear in the community with massive overcharging—which seems to be the strategy in this case. Those targeted seem to have had little to do with the organizing, and nothing to do with the vandalism.

Let it be clear. We stand in solidarity with those who seek to reclaim unused and abused corporate space and secure it for community, particularly homeless use. In so far as the 75 River St. action was designed to encourage the community to do this, we regard it as a noble attempt. We understand the occupiers tried to negotiate an understanding with Wells Fargo, stayed three days to show the community what peaceful determined direct action could do, and then left—peacefully.

That there was some graffiti and minor property damage is regrettable. But surely that is no cause for creating the illusion that major crimes have been committed, nor spending hundreds of thousands trying selected scapegoats, who also happen to be long-term critics of local law enforcement. Even less should we ignore and countenance the real criminal behavior of Wells Fargo, whose greedy abuses are far greater. Wells Fargo continue to fatten the millionaire bank accounts of their executives while the county slips deeper into poverty, Thousands remain homeless, and new families daily lose their homes to larcenous loan schemes and phony foreclosures.

There has been no evidence presented that any of the 11 charged had anything to do with vandalism. The “trespass” they are accused of—simply entering the a 3 ½ year vacant piece of property--was also done by city officials, reporters, and hundreds of others. It is clearly a form of symbolic action, which has a positive social content. Why then would the police recommend and the D.A. prosecute activists who have committed no actual crimes? We can only speculate.

Is it that the police regard themselves as the loyal protectors of the property of rich corporations? Is it that they resent having the habit of obedience to police authority—whether just or unjust-challenged? Are they simply taking an opportunity to silence long-time critics?

Did the SCPD resent the peaceful and sustained 3-day occupation of the building? Police could have cleared the building at any time, but declined to do. Instead authorities chose to handcuff journalists at their homes-- 2 months later. Fear seems to be the message.

**More Info:** [www.santacruzeleven.org](http://www.santacruzeleven.org)