

D.A. Fumbles in Far-Fetched Felony Farce Movement Attorney Faces “Contempt” : No Suit & Tie Judge Cuts Short SCPD's “Toxic Gases” Testimony Activists Confront Wells Fargo Bosses in S.F.

Santa Cruz's \$200,000 felony trials of the Santa Cruz Eleven -- community whistle blowers targeted as scapegoats for a defiant protest last year--an afoul of the facts in **Judge Paul Burdick's** Department 6 Monday (4-23). **D.A.. Rebekah Young** failed to show even probable cause to try four defendants at a Preliminary Examination of the lesser charges of trespass, much less “conspiracy” and “vandalism”--which, according to her argument, hinged on proof of trespass.

Young presented **no testimony that any of the defendants were warned** that their peaceful protest was “trespass” as required by law. She presented no evidence that any of the four charged (**Angel Alcantara, Cameron Laurendau, Ed Rector, or Grant Wilson**) had any explicit or implicit “agreement” to “trespass” much less “vandalize” the 3 ½ year vacant building, now a downtown eyesore surrounded by a barbed-wire fence. Not a scrap of evidence was presented showing that any of the four committed any vandalism. The SCPD significantly reduced an earlier \$30,000 damage figure to the still inflated \$22,000.

Young's entire case rests upon an **overreaching conspiracy theory** that claims vandalism done by unknown parties is the responsibility of anyone who walked into the building. The three day protest last year was an attempt to set up a Community Center and homeless shelter for the winter in the wake of City attacks on the Occupy Santa Cruz encampment across the river in San Lorenzo Park. Santa Cruz has 1500-2000 homeless, 90% of whom are without shelter in the winter (more in the summer).

After months withholding key video tapes from the defense, most of Young's photos were excluded because she failed to show them (along with her court briefs) to the defense prior to the hearing. Testimony revealed **video still being withheld** by the SCPD on its own servers. Head D.A. Bob Lee last week launched a **media witchhunt** on a special website, set up to showcase photos & videos of peaceful protesters entering & leaving the vacant bank at 75 River St., leased by the predatory Wells Fargo.

Lee's call to ID & 'finger' long-time community activists was a clear attempt to intimidate peaceful observers, supporters, journalists, and whistle blowers at the event--none of whom were cited or arrested there. Lee's chilling move mirrored an earlier call by SCPD police chief **Kevin Vogel** to conscript the community into a snitch-on-an-Occupy-activist with a similar blanket smear of activists last December.

Police Detective Gunter recommended **former Mayor Katherine Beiers** for prosecution in his police report and under oath at an earlier Preliminary Hearing testified she entered the building (along with several hundred others). Commercial journalists like those for the **Santa Cruz Sentinel and Santa Cruz Patch** were given a pass. Movement journalists like **Becky Johnson, Alex Darocy, Bradley Stuart, Brent Adams, Grant Wilson and Robert Norse** are charged with multiple felonies and face seven years in jail. Others who put themselves forward to successfully negotiate a peaceful resolution to the protest now face serious charges for their trouble.

Gunter also testified that a Grenadine squad involving half a dozen officers brought **pepper spray, CS, CN, and tear gas** to the bank for possible use on protesters. Judge Burdick hastily granted an objection to questioning about the extent of the SCPD toxic crowd control agents.

Five other defendants face their own **Preliminary Examination on May 29th** before visiting Judge Sillman.. In early March at Darocy and Stuart's Preliminary Examination, Sillman swallowed Young's evidence-free argument that the two internet reporters were “the journalistic arm” of a conspiracy to trespass even though there was a clear lack of evidence for trespass, no prior agreement, and an obvious journalistic history and intent. The two go to **jury trial on May 20th in Dept. 6** and are reportedly preparing a Motion to Dismiss.

Attorney Ed Frey, now represented by a Public Defender, will appear **April 27th at 1:30pm Department 2** before Judge “**Grimgavel**” **John Gallagher**—who has already sentenced him to six months in jail for **protest sleeping** outside the courthouse. Gallagher further sentenced Frey's client **Gary Johnson** to 2 more years for additional protest sleeping this winter. Frey faces possible jail for not wearing a coat and tie to court as demanded by Gallagher which the vindictive judge calls “contempt”

Meanwhile in S.F. activists from across the country challenged **Wells Fargo** foreclosure profiteering, for-profit prisons, tax evasion, and deceptive loan practices at their annual shareholders meeting. Local solidarity actions by **Occupy Santa Cruz** have been diverted and weakened by the need to defend the innocent **Santa Cruz Eleven** and the threat that any day more names may be pulled out of Bob Lee's well-funded hat.

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