

[Print This Article](#)

OAKLAND

[Agreement reached on crowd-control tactics](#)

- [Henry K. Lee, Chronicle Staff Writer](#)

Saturday, November 6, 2004



Paying Too Much For Auto Insurance?

ZIP code where you park at night:

Do you currently have auto insurance? Yes No

Have you had a U.S. driver's license for more than 3 years? Yes No

Has any driver in your household had 2 or more accidents or moving violations in the last 3 years? Yes No

[Get Quotes!](#)

Oakland police will no longer indiscriminately use wooden or rubber bullets, Taser stun guns, pepper spray and motorcycles to break up crowds, under an agreement announced Friday.

The changes followed criticism and lawsuits against police for their tactics at a large demonstration against the Iraq war outside the Port of Oakland on April 7, 2003.

The new policy settles part of a federal class-action lawsuit filed by 52 people who claimed their First Amendment rights to freedom of speech and assembly were violated as they targeted two shipping companies with contracts tied to the war in Iraq.

"What we've done is create a comprehensive policy that really provides a much more sensible, reasoned approach to managing demonstrations and crowds," said Rachel Lederman of the National Lawyers Guild in San Francisco.

The policy followed 10 months of discussions involving Oakland police, the city attorney's office and plaintiffs in the case. Oakland Police Chief Richard Word publicly circulated the basic changes in the policy in December.

Nearly 60 people, including longshore workers, said police fired nonlethal projectiles including wooden bullets, stinger grenades and bean bags without provocation and without giving them a chance to disperse. Others said they were bumped hard by traffic officers on motorcycles.

A photograph of protester Sri Louise, showing her with a golf-ball-size welt to her jaw, was widely published.

Still unresolved in the lawsuit are monetary damages that the protesters are seeking. Those claims will go to trial in January unless they are settled.

"Overall, it's a good policy, and I think it will benefit the whole community," said Michael Haddad, an Oakland attorney representing Louise and five other plaintiffs in a separate federal lawsuit.

John Burris, another plaintiffs' attorney in Oakland, agreed, saying the crowd-control measures are "a positive step toward evenhandedness."

Oakland police spokeswoman Danielle Ashford said Friday that the department's new policy was the result of an "ongoing learning process" that seeks to "ensure the safety of our officers as well as the community that we serve."

Haddad said police are "supposed to respect protesters' First Amendment activity" under the new policy. If laws are broken, police will try to negotiate with leaders and give audible orders to the crowd to disperse before making arrests.

If demonstrators still refuse to comply, police are allowed to deploy tear gas "on the edge of the crowd," form a skirmish line and push back protesters with batons but not strike them, Haddad said.

Alan Schlosser, legal director of the American Civil Liberties Union in San Francisco, said the policy is timely because of the re-election of President Bush.

"I would guess that there's probably going to be lots of demonstrations and lots of difference of opinions," Schlosser said.

Lederman said, "These projectile weapons are very dangerous. It was only a matter of luck that someone wasn't killed on April 7, 2003, in Oakland. That's what we're trying to prevent."

E-mail Henry K. Lee at hlee@sfgate.com.

Page B - 5

URL: <http://sfgate.com/cgi-bin/article.cgi?file=/c/a/2004/11/06/BAGHR9MTMV1.DTL>

[©2007 San Francisco Chronicle](#)