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OAKLAND

[24 settle in suit over cop actions at protest](#) [They share \\$145,000, but another 34 opt to take case to trial](#)

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The city of Oakland has agreed to pay \$145,000 to settle lawsuits filed by 24 people who accused police of using excessive force at a raucous 2003 anti-war demonstration at the Port of Oakland.

But 34 other plaintiffs who weren't offered money -- or rejected settling outright -- are scheduled to go to trial next year, barring another settlement, their attorneys said Friday.

Of the 24 people who have agreed to a settlement, 14 will receive \$5,000 each, and the remaining 10 will receive \$7,500 each, Berkeley attorney Jim Chanin said.

The amount of each settlement depended on whether the plaintiff went to a doctor for treatment of the relatively minor injuries caused by police during the April 7, 2003, protest, Chanin said.

The Oakland City Council approved the settlements Tuesday in closed session. The city is not admitting wrongdoing in agreeing to the settlements, said Erica Harrold, spokeswoman for City Attorney John Russo.

Protesters and longshore workers going to work on the day of the demonstration 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.

"At no point did (the) defendants give (the) plaintiffs a clear order directing what they should do or where they should go to avoid being shot or otherwise subjected to force," said one of the two federal civil rights lawsuits filed in the case.

The plaintiffs said their First Amendment rights to freedom of speech and assembly were violated as they demonstrated at two shipping companies with contracts tied to the war in Iraq.

In November, Oakland police agreed to no longer indiscriminately use those tactics as part of a new policy reached after months of discussions involving police, the city attorney's office and plaintiffs in the case.

Under the policy, police are to respect First Amendment-protected activity by protesters. If they break laws, police will try to negotiate with protest leaders and give audible orders 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.

"We're very pleased that the city was willing to enter into those negotiations," Chanin said. "We feel that it's a good policy which, if carried out, will prevent something like this from ever happening again."

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

"There's still a scar and probably permanent nerve damage," her attorney, Michael Haddad of Oakland, said Friday.

Louise is among the plaintiffs who have not settled, Haddad said. "I agreed with my clients who felt that the settlement offers were an insult, given what happened," Haddad said.

Oakland civil rights attorney John Burris, who represents nine longshore workers, agreed, saying, "It was nuisance money, and my clients were not interested in light of what happened."

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