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Phone: 520-791-4852

Fax: 520-791-4433

270 S. Stone Avenue

Tucson, Arizona 85701-1917

<http://www.tucsonaz.gov/police>

On-call PIO: [tucsonpdpio@gmail.com](mailto:tucsonpdpio@gmail.com)

# Media Release



Roberto A. Villaseñor

Chief of Police

Date: October 16, 2011

Contact: Sgt. Matt Ronstadt

## OCCUPY TUCSON DEMONSTRATION 221 SOUTH 6<sup>TH</sup> AVENUE

### **\*\*\*UPDATE – NOVEMBER 8, 2011\*\*\***

On November 7, 2011, Tucson Police officers made contact with demonstrators at Veinte de Agosto Park at 10:30 p.m. Demonstrators were advised that they were in violation of Tucson City Code and would be cited if they did not vacate the park. A total of **9 demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3)**. No force was used during the deployment.

**Sgt. Matt Ronstadt – November 8, 2011**

### **\*\*\*UPDATE – NOVEMBER 7, 2011\*\*\***

On November 4, 5, and 6, 2011, officers made contact with Occupy Tucson demonstrators at the Veinte de Agosto Park after 10 p.m. each night and informed the group that the park closed at dusk and that they were in violation of Tucson City Code. **Demonstrators who refused to leave the park and were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3)**. **Nine arrests were made on Friday, six on Saturday, and nine on Sunday**. No force was used during any of the contacts.

**Sgt. Matt Ronstadt – November 7, 2011**

### **\*\*\*UPDATE – NOVEMBER 4, 2011\*\*\***

On November 2, 2011, Tucson Police officers contacted demonstrators with the Occupy Tucson movement at Armory and Veinte de Agosto Parks as well as on the ground of the Main Library. Demonstrators were warned that they were subject to arrest for remaining in the areas in violation of Tucson City Code. **12 demonstrators at Armory Park and 4 at Veinte de Agosto Park were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3)**. **Two demonstrators at the Main Library were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 11-160**. No force was used during any of the contacts.

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On November 3, 2011, officers contacted the group of demonstrators at Armory Park at approximately 10:40 p.m., after the park had closed. The demonstrators were warned that they were in violation of Tucson City Code and that they would be required to vacate the park or they would be subject to arrest. They were also instructed to remove all personal property from the park in preparation for properly permitted and approved events that are scheduled to occur over the upcoming weekend. Approximately 25-30 demonstrators were in the park at the time. All demonstrators agreed to leave the park without incident. The group dismantled their campsites, tents, and shelters and removed all of their property from the park by approximately 1 a.m. A similar contact was made with a small group who were camping at the Main Library grounds. They also removed all personal property and left the grounds without incident. No arrests were made and no force was used.

Officers also made contact with demonstrators at the Veinte de Agosto Park. A total of **9 demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3)**, when they refused to leave the park. The arrests were accomplished without use of force, and were completed by approximately 1:25 a.m.

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**Sgt. Matt Ronstadt – November 4, 2011**

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**\*\*\*UPDATE – NOVEMBER 2, 2011\*\*\***

On November 1, 2011 at approximately 10:40 p.m., officers from the Tucson Police Department responded to both Armory and Veinte de Agosto Parks to contact demonstrators with the Occupy Tucson movement. **A total of 14 demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3), with 8 arrested at Armory Park and 6 at Veinte de Agosto Park.** Officers left those locations at approximately 11 p.m. then contacted demonstrators on the grounds of the Joel D. Valdez Main Library. **Three demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 11-160** at that location. No force was used during the contacts, which concluded at approximately 11 p.m.

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**Sgt. Matt Ronstadt – November 2, 2011**

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**\*\*\*UPDATE – NOVEMBER 1, 2011\*\*\***

On the evening of October 31, 2011 officers from the Tucson Police Department issued arrest citations and released a total of 13 demonstrators associated with the Occupy Tucson movement. The enforcement relating to remaining in a city park after hours, **Tucson City Code (TCC) 21-3(7)(3)**, as well as camping on library grounds, **TCC 11-160**, initiated at approximately 10:30 p.m. and was completed at approximately 11:15 p.m. No force was used during any of the contacts, and each individual cited was also released after signing their arrest citation. Specifically at Armory Park, there were a total of 9 arrest citations issued for a violation of TCC 21-3(7)(3). At Veinte de Agosto Park, 2 individuals received arrest citations for a violation of TCC 21-3(7)(3). Lastly, 2 people were cited and released for violating TCC 11-160 on the grounds of the Main Library. The police personnel, including two sergeants and six officers, that conducted the enforcement activities were all working in an off-duty/special duty capacity and receiving overtime pay.

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**Sergeant Maria Hawke – November 1, 2011**

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## **\*\*\*UPDATE – OCTOBER 31, 2011\*\*\***

Over the weekend of October 28<sup>th</sup>, 29<sup>th</sup>, and 30<sup>th</sup>, 2011 the Tucson Police Department continued enforcement efforts relating to demonstrators associated with the Occupy Tucson movement violating Tucson City Code statutes. As had been seen earlier in the week, demonstrators continued to be spread throughout three different areas in Downtown Tucson. The locations where officers continued enforcement were Armory Park (221 South 6<sup>th</sup> Avenue), Veinte de Agosto Park (99 South Church Avenue), and the grassy, park-like area on the Main Library grounds (101 North Stone Avenue).

On the night of October 28, 2011, officers issued a total of **22 arrest citations** to demonstrators at the three different locations. Arrest citations citing a violation of **Tucson City Code (TCC) 21-3(7)(3)** were given to 17 individuals at Armory Park and 4 individuals at Veinte de Agosto Park. One arrest citation for TCC 11-160, relating to camping on library grounds was issued to an individual demonstrator on the property of the Main Library. **Tucson City Code 11-160 specifies that “no person shall camp, lodge or sleep at any time” on library grounds.** As with TCC 21-3(7)(3), a violation of TCC 11-160 is a **Class 1 Misdemeanor**. Enforcement activities began simultaneously at the three locations at approximately 10:35 p.m. All citations were issued and enforcement activities ceased at approximately 11:30 p.m. There was no force used during the issuing of any of the citations. In addition, only on-duty resources were used to conduct the enforcement activities.

On the evening of October 29, 2011, Tucson Police Department officers again responded to the three different locations. There were a total of **17 arrest citations** issued to demonstrators associated with the Occupy Tucson movement. At Armory Park, 8 individuals were cited and released and at Veinte de Agosto Park, 6 individuals were cited and release for a violation of **TCC 21-3(7)(3)**. Additionally, 3 individuals were cited for a violation of **TCC 11-160** on the property of the Main Library. Enforcement activities began simultaneously at the three locations at approximately 10:30 p.m. and were concluded at approximately 11:15 p.m. There was again no force used during the issuance of the arrest citations. In addition to three on-duty officers, there was one sergeant, one detective, and three officers conducting the enforcement activities in an off-duty, special duty capacity and receiving overtime pay.

A total of **15 arrest citations** were issued on the evening of October 30, 2011. Tucson Police Department officers continued enforcement efforts at the three previously mentioned locations. There were 9 persons cited and released at Armory Park and 4 persons cited at Veinte de Agosto Park for violating **TCC 21-3(7) (3)**. There were 2 people cited and released for violating **TCC 11-160** on the property of the Main Library. No on-duty resources were used to conduct the enforcement activities on the evening of October 30, 2011. A sergeant and 7 officers receiving overtime pay conducted the enforcement activities in an off-duty/special duty capacity. No force was used during the issuing of the citations. The enforcement activities initiated at approximately 10:30 p.m. and were concluded at approximately 11:15 p.m.

Sergeant Maria Hawke – October 31, 2011

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### **\*\*\*UPDATE – OCTOBER 28, 2011\*\*\***

On the evening of October 27, 2011, officers from the Tucson Police Department responded once again to both Armory and Veinte de Agosto Parks in order to contact demonstrators with the Occupy Tucson movement. In addition, demonstrators associated with the Occupy Tucson movement were contacted at a third park, Library Park, located at 101 North Stone Avenue. Police contact with the demonstrators commenced at approximately 10:35 p.m. and concluded just before 11:00 p.m. A total of **18 demonstrators were issued arrest citations and field released at the scene for violating Tucson City Code (TCC) 21-3(7)(3)**. Of the 18 arrests, 12 were arrested at Armory Park, 2 were arrested at Veinte de Agosto Park, and 4 were arrested at Library Park. No force was used during any of the contacts between Tucson Police Department personnel and the Occupy Tucson movement demonstrators.

**Sgt. Maria Hawke – October 28, 2011**

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### **\*\*\*UPDATE – OCTOBER 27, 2011\*\*\***

On October 26, 2011 at approximately 10:30 p.m., officers from the Tucson Police Department responded to both Armory and Veinte de Agosto Parks to contact demonstrators with the Occupy Tucson movement. **A total of 20 demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3), with 12 arrested at Armory Park and 8 at Veinte de Agosto Park.** No force was used during the contacts, which concluded at approximately 11 p.m.

**Sgt. Matt Ronstadt – October 27, 2011**

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### **\*\*\*UPDATE – OCTOBER 26, 2011\*\*\***

On the night of October 25, 2011, Tucson Police Department personnel responded to the Armory Park and the Veinte de Agosto Park, beginning at approximately 10:30 p.m. **28 demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3), with 20 arrested at Armory Park and eight arrested at Veinte de Agosto Park.** No force was used and the operations concluded at 11:30 p.m.

**Sgt. Matt Ronstadt – October 26, 2011**

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### **\*\*\*UPDATE – OCTOBER 25, 2011\*\*\***

On October 24, 2011, officers from the Tucson Police Department responded to the Armory Park after the posted closing time. Officers made contact with demonstrators and began enforcement actions at approximately 10:30 p.m. and concluded at 11 p.m. **Eleven demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3).**

As officers finished their deployment at the Armory Park, they moved to the Veinte de Agosto Park and began enforcement at that location, as demonstrators again occupied both locations. Enforcement actions occurred between 11 p.m. to 11:30 p.m., and **12 demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3). Three of the arrestees had been arrested and field released earlier at Armory Park.**

**Sgt. Matt Ronstadt – October 25, 2011**

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## **\*\*\*UPDATE – OCTOBER 24, 2011\*\*\***

During the weekend of October 21-23, 2011, the Tucson Police Department continued enforcement of applicable state and local laws at the Armory Park. During the weekend, a small group of demonstrators moved to the Veinte de Agosto Park, located at 99 South Church Avenue and set up an encampment there.

On October 21, 2011, officers began enforcement activities at approximately 10:35 p.m. after the park had closed. **32 demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3). Two were also charged with TCC 21-8 Consumption of Malt Beverages in a City Park, a misdemeanor.** Enforcement concluded at approximately 11:15 p.m., and no force was used during the contacts.

On October 22, 2011, officers began enforcement at Armory Park at approximately 10:30 p.m. and concluded there at approximately 11 p.m. **22 demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3).** No force was used during the contacts.

At approximately 11:10 p.m., a second group of demonstrations was located at Veinte de Agosto Park. Like Armory Park, Veinte de Agosto Park has clearly posted signs indicating that the park is closed at night. Approximately 14 demonstrators were in the park and several tents had been erected. Officers determined that five members of this group had been arrested and field released minutes earlier at Armory Park. Officers followed the same enforcement protocol with this location as with Armory Park, and **14 demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3), including the five who had relocated from Armory Park.** No force was used during the contacts, and enforcement concluded at approximately 12:40 p.m.

On October 23, 2011, enforcement at Armory Park resumed at approximately 10:30 p.m. **21 demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3).** No force was used and enforcement at this location concluded at approximately 11:30 p.m.

Officers again encountered a smaller-scale demonstration at the Veinte de Agosto Park and began enforcement there at 11:30 p.m. **Six demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3), including two who had been arrested and field released minutes earlier at Armory Park.** Associated enforcement concluded at approximately 12 a.m., and no force was used during the contacts.

While at Veinte de Agosto Park, another adult male subject was found to be asleep in the park. He denied being associated with the Occupy Tucson movement. He was provided with the same warnings about being in violation of Tucson City Code and was given the opportunity to leave the park. He refused to leave the park and also refused to sign criminal citation. By refusing to sign the criminal citation, he refused to promise to appear in court at a later date to answer to the

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charges. While addressing this subject, officers also discovered that he had an outstanding misdemeanor warrant for his arrest. He was taken into custody and transported to the Pima County Adult Detention Center for booking without incident.

With the willingness of Occupy Tucson demonstrators to split up and move to other nearby parks, the Tucson Police Department will continue to apply equal enforcement action to those found in violation of state or local laws. The Department will also continue to monitor other city parks and properties for violations of the law, and will enforce violations as they are found.

**Sgt. Matt Ronstadt – October 24, 2011**

**\*\*\*UPDATE – OCTOBER 21, 2011\*\*\***

On October 20, 2011, Tucson Police Department personnel contacted Occupy Tucson demonstrators at the Armory Park at approximately 10:35 p.m. Officers made contact with and arrested demonstrators who refused to exit the park after being warned that they were in violation of Tucson City Code for remaining in the park after hours. Enforcement was completed at 11:15 p.m. and no force was used during the contacts. **28 demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code 21-3(7)(3).**

**Sgt. Matt Ronstadt – October 21, 2011**

**\*\*\*UPDATE – OCTOBER 20, 2011\*\*\***

On October 19, 2011, Tucson Police Department personnel contacted demonstrators at the Armory Park at approximately 10:25 p.m., after the park closed. Officers contacted and arrested demonstrators who refused to vacate the park after being warned of the existing ordinance, and completed the enforcement just over an hour later. While some of the arrestees met with officers to be arrested, officers also walked through the park to locate and arrest others who did not come forward voluntarily. No force was used as **37 demonstrators who refused to leave the park were arrested, issued criminal citations, and field released at the scene for violation of TCC 21-3(7)(3).**

**Sgt. Matt Ronstadt – October 20, 2011**

**\*\*\*UPDATE – OCTOBER 19, 2011\*\*\***

On October 18, 2011, Tucson Police Department personnel responded to the Armory Park to enforce Tucson City Code (TCC) 21-3(7)(3). Officers began their enforcement activities shortly after 10:30 p.m. when the park closed, and were finished with their enforcement by approximately 11:10 p.m. Enforcement took place in a similar manner to the previous enforcement, and **11 demonstrators who refused to leave the park were arrested, issued criminal citations, and field released at the scene for violation of TCC 21-3(7)(3).**

**Sgt. Matt Ronstadt – October 19, 2011**

**\*\*\*UPDATE – OCTOBER 18, 2011\*\*\***

On October 17, 2011, a group of people associated with the Occupy Tucson movement continued their demonstration in Armory Park. Demonstrators again indicated their intent to

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violate Tucson City Code (TCC) 21-3(7)(3) by remaining in the park after hours. At approximately 10:40 p.m., after the park closed, demonstrators were contacted and advised that they were in violation of the City Code and subject to arrest if they did not leave. **24 demonstrators who refused to leave the park were arrested, issued criminal citations, and field released at the scene for violation of TCC 21-3(7)(3).** No force was used during the contacts, which were videotaped by police personnel.

The Tucson Police Department will continue to enforce applicable state and local laws and ordinances, and to provide public safety for the community.

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**Sgt. Matt Ronstadt – October 18, 2011**

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**\*\*\*UPDATE – OCTOBER 17, 2011\*\*\***

On October 16, 2011, demonstrators supporting the Occupy Tucson movement were again gathered at the Armory Park. Throughout the day, the demonstration was both peaceful and lawful. By early evening, the number of demonstrators in the park had reduced to approximately 100. Members of the group announced their intent to remain in the park again after hours during a General Assembly meeting of participants. Members expressed their desire to once again accept a criminal citation without resistance or conflict. As the posted 10:30 p.m. park closing time approached, a significant number of the demonstrators voluntarily left the park.

Enforcement of Tucson City Code 21-3(7)(3) Remaining in City Park After Hours began at approximately 10:40 p.m. As officers entered the park to begin enforcement, they were met by a group of approximately 30 demonstrators who had already organized themselves into lines and presented themselves for arrest. Each person contacted was individually advised that they were in violation of City Code and were subject to arrest if they chose to remain in the park. They were also advised that they were free to leave at that time to avoid arrest. Ultimately, **32 demonstrators were arrested, issued a criminal citation, and field released at the scene.**

No force was used during the arrests, and each contact was videotaped in the same manner as during the previous arrests. All enforcement action was completed by approximately 11:15 p.m.

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**Sgt. Matt Ronstadt – October 17, 2011**

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On October 15, 2011, a group of citizens demonstrating in support of the Occupy Tucson movement began to gather at Armory Park, located at 221 South 6<sup>th</sup> Avenue. Demonstrators gathered throughout the day, and the group was estimated to number approximately 500 at the height of the event. Groups of demonstrators periodically embarked on marches throughout the downtown area. These were conducted in an organized and responsible fashion, with demonstrators obeying State and local laws. At 10:30 p.m., when the Armory Park officially closed for the day, the crowd was estimated to number approximately 150 participants.

On October 12, 2011, the Tucson Police Department and executives and staff members from Parks and Recreation, the City Prosecutors Office, and other city departments met with sub-group organizers of the Occupy Tucson event. This meeting was held to establish points of contact with stakeholders, share information about the event, and to communicate to the group

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important information regarding regulations governing usage of the park. The organizers indicated that the group did not intend to comply with regulations regarding obtaining permits or paying appropriate fees for their planned usage of the park. They also communicated their intent to conduct a peaceful event.

During the event on October 15, 2011, the Tucson Police Department remained in frequent contact with members of the protest who were on site at the demonstration location. The group was informed that participants who chose to remain in the park after the posted closing time of 10:30 p.m. would be subject to arrest and criminal prosecution if enforcement action were taken. The Tucson Police Department conveyed that our goal was to preserve the constitutionally protected rights of the demonstrators, while upholding applicable State and local laws and ensuring public safety. Throughout these contacts, the demonstrators as a whole remained cooperative and continued to communicate their intent to hold a peaceful event, free from physical confrontation with police.

As the evening progressed and the 10:30 p.m. park closing time approached, a series of discussions occurred between the Tucson Police Department and sub-group leaders regarding the demonstrators' intent to willfully violate Tucson City Code 21-3(7)(3) by remaining in the park after the posted closing time. The Tucson Police Department informed General Assembly members (all demonstrators present) and their on-site legal advisors that enforcement of the City Code would occur, and that anyone refusing to leave the park after closing would be issued a criminal citation, and field-released at the scene. Many protestors chose to leave the park at this time.

Enforcement of Tucson City Code began at approximately 11:15 p.m., when Tucson Police Chief Roberto Villaseñor personally addressed the remaining demonstrators and explained the Department's intended actions. Chief Villaseñor expressed his appreciation for the cooperative nature of the group, explained that anyone could leave the park at any time prior to receiving a citation, and fielded several questions from demonstrators. At approximately 11:30 p.m., officers began to issue citations after informing each individual that they were in violation of Tucson City Code and subject to arrest, and affording them the opportunity to voluntarily comply by leaving the park. Most of the arrests occurred after demonstrators organized themselves into groups that presented themselves to officers and requested to receive a citation.

Officers designated as videographers filmed each arrest to assist with identification of the arrestees in court, and to preserve the nature of the contact for evidentiary purposes. Enforcement actions concluded at approximately 1:30 a.m. on October 16, 2011 when officers left the park.

**A total of 53 demonstrators were arrested for violation of Tucson City Code 21-3(7)(3) - Remaining in City Park After Hours.** All of the arrests were in the form of a criminal citation and field-release, and no force was used during the course of the event.

The Tucson Police Department is committed to protecting the rights of all citizens to engage in  
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constitutionally assured activities, to include freedom of speech and peaceful assembly. The Department will continue to adhere to this tenet, while also fulfilling our mission of protecting life and property through the unbiased and equal application of State and local laws and ordinances.

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