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Media Release



Roberto A. Villaseñor

Chief of Police

Date: October 16, 2011

Contact: Sgt. Matt Ronstadt

OCCUPY TUCSON DEMONSTRATION

221 SOUTH 6TH AVENUE

*****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 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 31-3(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.

Sgt. Matt Ronstadt – October 18, 2011

*****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.**

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For accommodations; materials in accessible formats; foreign language interpreters; and/or materials in a language other than English, please contact the Tucson Police Department Public Information Office at (520) 791-4852 or (520) 791-2639 for TDD at least five (5) business days in advance. Para arreglos; materiales en formatos accesibles; interpretes de idioma extranjero; y/o materiales en otro idioma que no sea inglés, por favor comunicarse al Departamento de la Policía de Tucson a la sección de Información Pública al (520) 791-4852 o (520) 791-2639 para TDD por lo menos con cinco (5) días hábiles de anticipación.

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.

Sgt. Matt Ronstadt – October 17, 2011

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 6th 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 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.,

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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 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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