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Media Release



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Chief of Police

Date: October 16, 2011

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OCCUPY TUCSON DEMONSTRATION

221 SOUTH 6TH AVENUE

UPDATE – DECEMBER 14, 2011

On December 13, 2011 between approximately 10:30 p.m. and 11 p.m., officers contacted individuals in the Veinte de Agosto Park. Four people were located in the park during the deployment. **All four people were cited and field released for violation of TCC 21-3(7)(3).** No force was used.

Sgt. Matt Ronstadt – December 14, 2011

UPDATE – DECEMBER 13, 2011

On the evening of December 12, 2011, **7 individuals were cited and released for violating TCC 21-3(7)(3) at Veinte de Agosto Park.** The Tucson Police Department initiated enforcement activities at approximately 11:00 p.m. and concluded at approximately 11:30 p.m. No force was used.

Sergeant Maria Hawke – December 13, 2011

UPDATE – DECEMBER 12, 2011

Officers from the Tucson Police Department continued nightly enforcement of **violations of TCC 21-3(7)(3)** on the evenings of December 8th, 9th, 10th, and 11th, 2011. No force was used during any of the deployments. In addition, there were no full custody arrests, and each individual that received a citation was cited and released. All enforcement activities took place at **Veinte de Agosto Park**, and at total of **17 citations** were issued over the span of the four nights.

On the evening of December 8, 2011 a total of **5 individuals were cited and released.** Enforcement activities initiated at approximately 11:20 p.m. and concluded at approximately 11:55 p.m.

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A total of **2 individuals were cited and released** on the evening of December 9, 2011. The officers began their enforcement at approximately 10:30 p.m. and finished at approximately 10:50 p.m.

On the night of December 10, 2011, **6 persons were cited and released**. Enforcement activities initiated at approximately 11:30 p.m. and finished at approximately 12:15 a.m. on December 11, 2011.

There were **4 persons cited and released** on the evening of December 11, 2011. The officers began their deployment at approximately 11:05 p.m. and concluded the enforcement at approximately 11:30 p.m.

Sergeant Maria Hawke – December 12, 2011

*****UPDATE – DECEMBER 8, 2011*****

On December 7, 2011, Tucson Police officers entered Veinte de Agosto Park at approximately 11:20 p.m. to contact subjects who were remaining in the park after it had closed. Four subjects were located within the park. **All four people were cited and field released for violation of TCC 21-3(7)(3)**. No force was used.

Sgt. Matt Ronstadt – December 8, 2011

*****UPDATE – DECEMBER 7, 2011*****

On December 6, 2011 at approximately 10:30 p.m., officers contacted subjects in the Veinte de Agosto Park. **Eleven subjects were found to be in violation of TCC 21-3(7)(3), and were cited and field released**. No force was used during the contacts, and officers completed the assignment at approximately 11 p.m.

Sgt. Matt Ronstadt – December 7, 2011

*****UPDATE – DECEMBER 6, 2011*****

On December 5, 2011 at approximately 10:30 p.m., Tucson Police officers made contact with demonstrators at the Veinte de Agosto Park. **Eight subjects were contacted and found to be in violation of TCC 21-3(7)(3). Six were cited and field released. One subject was booked into the Pima County Adult Detention Center after refusing to sign the criminal citation/promise to appear form. One subject was also charged with Arizona Revised Statute (ARS) 13-2810 Interfering with Judicial Proceedings and TCC 21-3(5)(4) Camping Prohibited, both misdemeanors, and booked into the Pima County Adult Detention Center.**

Sgt. Matt Ronstadt – December 6, 2011

*****UPDATE – DECEMBER 5, 2011*****

Between December 2-5, 2011, officers from the Tucson Police Department contacted demonstrators at the Veinte de Agosto Park each night to conduct enforcement related to the Occupy Tucson movement. A total of 20 arrests were made, including two full-custody arrests. On December 2, 2011, officers began their enforcement at approximately 10:40 p.m. **Five demonstrators were found to be in the park in violation of TCC 21-3(7)(3). Four were cited and field released. One subject was also charged with Arizona Revised Statute (ARS) 13-2810 Interfering with Judicial Proceedings, a misdemeanor, and booked into the Pima County Adult Detention Center.**

On December 4, 2011, officers arrived at the park at approximately 12:10 a.m. Officers located **two people in the park in violation of TCC 21-3(7)(3). One was cited and field released. One was also charged with ARS 13-2810 Interfering with Judicial Proceedings, TCC 21-3(5)(4) Camping Prohibited, and TCC 21-3(1)(4) Erection of a Structure, all misdemeanors, and booked into the Pima County Adult Detention Center.**

On December 5, 2011, officers arrived at the park at approximately 1 a.m. As officers approached, a small group of demonstrators attempted to leave the park to avoid being cited. Three of them were contacted and cited. Ten additional people were located within the park. In total, **thirteen demonstrators were found to be in the park in violation of TCC 21-3(7)(3), and were cited and field released.**

The full-custody arrestees were booked after being found in violation of conditions of release imposed by the Tucson City Court, prohibiting them from being in Veinte de Agosto Park. None of the contacts or arrests required the use of force.

Sgt. Matt Ronstadt – December 5, 2011

*****UPDATE – DECEMBER 2, 2011*****

On December 1, 2011, Tucson Police Department officers made contact with demonstrators at the Occupy Tucson encampment at Veinte de Agosto Park at approximately 10:35 p.m. **Officers arrested and field released 10 demonstrators, who were found to be in the park in violation of TCC 21-3(7)(3).** No force was used during the contacts, and officers completed the deployment at approximately 11 p.m.

Sgt. Matt Ronstadt – December 2, 2011

*****UPDATE – DECEMBER 1, 2011*****

On November 30, 2011, Tucson Police Department personnel responded to the Veinte de Agosto Park to conduct enforcement of violations associated with Occupy Tucson demonstrators. **Officers identified and contacted 11 demonstrators who were in the park after hours, in violation of TCC 21-3(7)(3). Ten were cited and field released. One refused to sign the criminal citation/promise to appear form and was booked into the Pima County Adult**

Detention Center. There was no use of force during the deployment, which ran from approximately 11:45 p.m. to 12:45 a.m. on December 1, 2011.

_____ **Sgt. Matt Ronstadt – December 1, 2011** _____

*****UPDATE – NOVEMBER 30, 2011*****

On November 29, 2011 at approximately 11:15 p.m., Tucson Police personnel made contact with demonstrators at the Veinte de Agosto Park. **Twenty-four demonstrators were found to be in the park in violation of TCC 21-3(7)(3), and were cited and field released.** No force was used during the contacts, which concluded at approximately 12:05 a.m.

_____ **Sgt. Matt Ronstadt – November 30, 2011** _____

*****UPDATE – NOVEMBER 29, 2011*****

On the evening of November 28, 2011, Tucson Police Department personnel responded to several incidents at or around the Veinte de Agosto Park, beginning at approximately 5 p.m. with several 911 calls reporting a group of up to 8-10 subjects armed with bats and clubs engaged in a fight at the park. Officers searched the area and were unable to locate suspects or victims in that incident. During the investigation officers contacted potential witnesses associated with the Occupy Tucson movement, who were in the park at the time of the reported activity but there were no cooperative witnesses forthcoming from that group.

At approximately 11:30 p.m., an on-duty Sergeant observed a male subject writing Occupy Tucson-related slogans with colored chalk on a wall at the Tucson Police Department Headquarters building at 270 South Stone Avenue. The male, identified as **28-year old demonstrator Jonathan L. McLane**, was detained after writing in several locations on the flagstone face of the wall on the north side of the public parking lot at the station. He was charged with **one count of Tucson City Code 16-30(B)(1) Graffiti Prohibited**, a misdemeanor, and booked into the Pima County Adult Detention Center.

At approximately 12:30 a.m. on November 29, 2011, officers were searching for a subject believed to be associated with the Occupy Tucson demonstrations, who was a suspect in an unrelated incident. A Sergeant assisting in the search made contact with a female subject, who was staying in a tent. The female, identified at this time as an approximately **21-year old Jane Doe**, struck the Sergeant in the hand, knocking his flashlight to the ground, as he inquired about the male suspect. The female was arrested and charged with **one misdemeanor count each of ARS 13-1204 Aggravated Assault and TCC 21-3(7)(3) Remaining in City Park After Hours**. She was booked into the Pima County Adult Detention Center.

During the course of the evening and the early morning of November 28 and 29, 2011, a series of high-priority incidents occurred in the city that each required a significant response of police personnel. Due to the staffing requirements needed to adequately respond to these incidents, personnel who were originally slated to assist with Occupy Tucson-related enforcement were reassigned to other duties. As a result, the decision was made to suspend enforcement of Tucson

City Code violations at Veinte de Agosto Park for the night. The response to, and any subsequent enforcement actions at, the Occupy Tucson demonstration remains something that the Tucson Police Department will evaluate on a daily basis. The department will continue to prioritize our staffing assignments to ensure that we maintain an adequate response to public safety concerns throughout the city. This may include delaying our response to lower-priority incidents that do not present immediate threats to life or property, to include enforcement of City Code violations.

Sgt. Matt Ronstadt – November 29, 2011

*****UPDATE – NOVEMBER 28, 2011*****

Officers from the Tucson Police Department continued enforcing violations of Tucson City Code (TCC) that demonstrators associated with the Occupy Tucson movement committed over the Thanksgiving holiday weekend. On the evening of November 24, 2011, **18 individuals received an arrest citation and were released for violating TCC 21-3(7)(3). One person refused to sign their arrest citation for a violation of TCC 21-3(7)(3), which resulted in a full custodial arrest.** There was no force used during the course of the full custody arrest or during the issuing of the other 18 arrest citations. The deployment activities initiated at Veinte de Agosto Park at approximately 11:20 p.m. on November 24, 2011 and concluded at approximately 12:10 a.m. on November 25, 2011.

At approximately 12:15 a.m. on November 26, 2011, officers again responded to Veinte de Agosto Park to conduct enforcement activities related to violations of TCC 21-3(7)(3). **A total of 14 individuals were cited and released for violating TCC 21-3(7)(3). Two persons refused to sign their arrest citations for a violation of TCC 21-3(7)(3).** Once again, this resulted in a full custody arrest of both persons. There was minimal force used during the course of the full custody arrests to get each individual in a vehicle for transport to jail. There was no force used during the issuing of the other 14 arrest citations. The deployment concluded at approximately 1:00 a.m. on November 26, 2011.

On November 26, 2011 at approximately 10:45 p.m., officers initiated the enforcement activities for continued violations of TCC 21-3(7)(3) at Veinte de Agosto Park. **There were 19 individuals that were cited and released for violating TCC 21-3(7)(3). Four people refused to sign their arrest citations for violating TCC 21-3(7)(3) and were subsequently transported and booked into the Pima County Jail (full custodial arrest).** There was minimal force used during the course of the full custody arrests and no force used during the issuing of the other 19 arrest citations. The deployment was finished by approximately 1:00 a.m. on November 27, 2011.

On the evening of November 27, 2011, Tucson Police Department officers responded to Veinte de Agosto Park to check for violations of TCC 21-3(7)(3) and take appropriate enforcement action. The deployment initiated at approximately 10:30 p.m. and concluded at approximately 11:30 p.m. **A total of 17 individuals were cited and released for a violation of TCC 21-3(7)(3).** None of the cited individuals refused to sign their arrest citations, and none of the

demonstrators were transported or booked into jail. There was no force used during the issuing of the citations.

When a person signs an arrest citation, they are promising to appear at a scheduled court date (generally scheduled for approximately 10 days from the date of offense) for purposes of arraignment, but they are not admitting fault or guilt. This is referred to as an “arrest/cite and field release.” As such, by refusing to sign the arrest citation, they are essentially not promising to appear at the scheduled court date. This leaves officers no choice but to arrange for the person to be present at the next available court appearance for their arraignment and book them into jail (known as a full custodial arrest).

Sergeant Maria Hawke – November 28, 2011

*****UPDATE – NOVEMBER 23, 2011*****

The Tucson Police Department’s approach to enforcement of Tucson City Code violations by Occupy Tucson demonstrators has been to enforce the law, while exercising discretion in the form of allowing those in the park at the time of the enforcement the option to leave without receiving a citation. Over the course of time, members of the movement have adopted a tactic of leaving the park while officers are conducting enforcement, waiting from an adjacent sidewalk, then returning to the park to camp as soon as the officers have left the area. In the past two weeks, a significant number of demonstrators have employed this tactic, leaving a token group of demonstrators in the park to be arrested, while the majority simply returned to the park with impunity after officers completed the deployment.

On the morning of November 22, 2011, Tucson Police Assistant Chief Klein met with members of the Occupy Tucson movement at Veinte de Agosto Park and informed them that beginning on the evening of November 22, 2011, the officers conducting enforcement of after-hours violations at the park would no longer be allowing demonstrators to circumvent enforcement by leaving after the officers arrive. The Veinte de Agosto Park operating hours are from dawn until dusk, and demonstrators are in violation of Tucson City Code if they remain in the park after dusk. Demonstrators who attempt to leave the park when officers arrive after-hours will be contacted, arrested, and issued a criminal citation for applicable violations.

On November 23, 2011, officers contacted demonstrators at the Veinte de Agosto Park at approximately 12:30 a.m. In spite of the information communicated directly to the designee at the park earlier in the day, a number of demonstrators attempted leave the park as the officers arrived. They were identified, contacted, and arrested, as were the demonstrators who chose to remain in the park. **Thirty-four 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.

It is the Tucson Police Department’s continued intent to handle these contacts with the minimum level of force necessary to enforce the law, and as such, the department continues to work

directly with designated points of contact within the movement to communicate our intent. The department remains committed to enforcing applicable laws at Veinte de Agosto Park, as well as at other city sites, and remains open to modifying our response strategies as necessary to appropriately enforce the law.

Sgt. Matt Ronstadt – November 23, 2011

*****UPDATE – NOVEMBER 22, 2011*****

Between November 18 and November 21, 2011, Tucson Police Department officers contacted demonstrators associated with the Occupy Tucson movement at Veinte de Agosto Park each evening at approximately 10:30 p.m. Officers concluded their deployment at approximately 11 p.m. each evening. **A total of 12 demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3).** There was no use of force during the contacts.

Sgt. Matt Ronstadt – November 22, 2011

*****UPDATE – NOVEMBER 18, 2011*****

On November 17, 2011, officers from the Tucson Police Department contacted demonstrators at the Veinte de Agosto Park at approximately 10:30 p.m. Most of the group left the park voluntarily. **Four demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3)** after refusing to leave the park. No force was used during the contacts.

Sgt. Matt Ronstadt – November 18, 2011

*****UPDATE – NOVEMBER 17, 2011*****

On November 16, 2011, at approximately 10:30 p.m., Tucson Police personnel made contact with demonstrators at the Veinte de Agosto Park. **Three demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3).** Enforcement activity concluded at approximately 10:50 p.m., and no force was used during any of the contacts.

Sgt. Matt Ronstadt – November 17, 2011

*****UPDATE – NOVEMBER 16, 2011*****

On the evening of November 15, 2011, Tucson Police Department officers once again conducted enforcement action related to persons remaining in a city park after hours, a violation of **Tucson City Code (TCC) 21-3(7)(3), at Veinte de Agosto Park.** A total of **4 individuals** associated with the Occupy Tucson movement were **cited and released** at the park for violating TCC 21-3(7)(3). No force was used during the deployment.

Sergeant Maria Hawke – November 16, 2011

*****UPDATE – NOVEMBER 15, 2011*****

On November 14, 2011, Tucson Police Department officers contacted Occupy Tucson demonstrators at Veinte de Agosto Park between 10:30 to 10:45 p.m. **Five demonstrators were arrested, issued criminal citations, and field released at the scene for violation of Tucson City Code (TCC) 21-3(7)(3)** after refusing to leave the park. No force was used during the contacts.

_____**Sgt. Matt Ronstadt – November 15, 2011**_____

*****UPDATE – November 14, 2011*****

The Tucson Police Department continued enforcement actions for violations of **Tucson City Code (TCC) 21-3(7)(3) at Veinte de Agosto Park** on the evenings of November 10th, 11th, 12th, and 13th. On the evening of November 10, 2011, enforcement activities commenced at approximately 10:30 p.m. and ended at approximately 11:05 p.m. A total of 10 protestors associated with the Occupy Tucson movement were cited and released for a violation of TCC 21-3(7)(3). On November 11, 2011, 9 demonstrators were cited and released for a violation of TCC 21-3(7)(3), with enforcement activities beginning at approximately 10:30 p.m. and ending at approximately 10:55 p.m. On the night of November 12, 2011, the officers began citing and releasing 13 protestors for violating TCC 21-3(7)(3) at approximately 10:30 p.m. The enforcement activities ended at approximately 11:15 p.m. Lastly, on November 13, 2011, a total of 9 demonstrators were cited and released for a violation of TCC 21-3(7)(3). The officers began issuing citations at approximately 10:30 p.m. and finished at approximately 11:00 p.m. There was no force used during the deployment on any of the four nights.

_____**Sergeant Maria Hawke – November 14, 2011**_____

*****UPDATE – NOVEMBER 10, 2011*****

On the evening of November 9, 2011, officers from the Tucson Police Department issued a total of **11 arrest citations** to demonstrators associated with the Occupy Tucson movement for a violation of **Tucson City Code (TCC) 21-3(7)(3)**. The violators were all **cited and released at Veinte de Agosto Park**. The enforcement activities initiated at approximately 10:35 p.m. and concluded at approximately 11:00 p.m. No force was used during the deployment.

_____**Sergeant Maria Hawke – November 10, 2011**_____

*****UPDATE – NOVEMBER 9, 2011*****

On November 8, 2011, officers again contacted demonstrators at Veinte de Agosto Park at approximately 10:30 p.m. to enforce Tucson City Code violations. A total of **11 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 9, 2011**_____

*****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.

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.

Sgt. Matt Ronstadt – November 4, 2011

*****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.

Sgt. Matt Ronstadt – November 2, 2011

*****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.

Sergeant Maria Hawke – November 1, 2011

*****UPDATE – OCTOBER 31, 2011*****

Over the weekend of October 28th, 29th, and 30th, 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 6th 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

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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

*****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

*****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

*****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

*****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

*****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. **Twenty-one 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 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 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.

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.** 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., 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.

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.