

Resisting Police Desires Is Labeled “Violence” ... Even If Police Action Is Unlawful

By [Washington's Blog](#)

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Police Captain On Brutality Against UC Berkeley Students: “The Individuals Who Linked Arms And Actively Resisted, That In Itself Is An Act Of Violence ... Linking Arms In a Human Chain When Ordered To Step Aside Is Not A Nonviolent Protest”

Police [bludgeoned peaceful occupy UC Berkeley protesters with batons](#).

In response, the police are trying to blame the protesters.

The San Francisco Chronicle [notes](#) today:

University police say the students, who chanted “You’re beating students” during the incident, were not innocent bystanders, and that the human fence they tried to build around seven tents amounted to a violent stance against police.

But many law enforcement experts said Thursday that the officers’ tactics appeared to be a severe overreaction.

Both the ACLU and the National Lawyers Guild said they had “grave concerns about the conduct” of campus police.

“Video recordings raise numerous questions about UCPD’s oversight and handling of these events, including whether law enforcement were truly required to beat protesters with batons,” the two groups wrote in a letter to campus officials.

“The individuals who linked arms and actively resisted, that in itself is an act of violence,” UC police Capt. Margo Bennett said. “I understand that many students may not think that, but linking arms in a human chain when ordered to step aside is not a nonviolent protest.”

Bennett said police merely wanted to enforce the ban on camping on Sproul Plaza, but were prevented from doing so by students.

“Students who linked arms were interfering with the officers who were attempting to remove those tents,” she said.

Sgt. J.D. Nelson, a spokesman for the Alameda County Sheriff's Department, said he saw nothing inappropriate in how one deputy shown in a video used his baton. Nelson said it appeared the deputy was trying to keep students from breaching a police line.

"Using a baton to go through a nonviolent crowd is as inappropriate today as it was in the South when they used it to enforce segregation in the 1960s," said Jim Chanin, a Berkeley attorney who specializes in police misconduct issues.

Sam Walker, a professor emeritus of criminal justice at the University of Nebraska at Omaha who has served as a consultant to the Oakland Police Department, said he thought the campus response was "unprovoked" and "completely unnecessary."

Using a baton to aggressively poke protesters can be dangerous, Walker said.

"The way they were using it, you're very likely to hit the groin or kidney," he said. "I think it is an excessive action and totally unwarranted in the circumstances we see on the video."

This isn't the first time university officers have been accused of excessive force during a protest.

In November 2009, hundreds of students orchestrated a chaotic, daylong rally against tuition increases, among other issues. At one point during the demonstration, protesters pushed a police line back by about six feet. Officers, with no direction from commanders, reacted by striking students with batons, using both jabs and overhead strikes, to re-establish the perimeter.

A review led by Wayne Brazil, a UC Berkeley law professor and retired federal magistrate judge, said the effort to push the crowd back a few feet was "incomprehensible" and "resulted in chaos, confusion and considerable violence."

The Problem: Criminalization of Dissent

Similarly, in response to DC protesters being struck by a car, [police cited the protesters - instead of the driver - and then promised to "get tough" with the protesters.](#)

The bigger issue is that dissent has become criminalized in modern America.

Peaceful protest - as shown by the Berkeley example - is considered "violence".

Indeed, disagreeing with the government [may get one labeled as a "terrorist"](#):

The Department of Homeland Security and police forces label anyone who they disagree with - or who disagrees with government policies - as "terrorists".

Don't believe me?

Well, [according to a law school professor](#), pursuant to the Military Commissions Act, "Anyone who ... speaks out against the government's policies could be declared an 'unlawful enemy combatant' and imprisoned indefinitely. That includes American citizens."

And according to an [FBI memo](#), peace protesters are being labeled as

“terrorists”. Indeed, police have been terrorizing [children, little old ladies and other “dangerous” people](#) who attempted to peacefully protest.

And a 2003 FBI memo describes protesters’ use of videotaping as an “intimidation” technique, even though – as the [ACLU](#) points out – “Most mainstream demonstrators often use videotape during protests to document law enforcement activity and, more importantly, deter police from acting outside the law.” The FBI appears to be objecting to the use of cameras to document unlawful behavior by law enforcement itself.

And the Internet has been [labeled](#) as a breeding ground for terrorists, with anyone who questions the government’s versions of history being especially equated with terrorists.

Now, the state of Missouri has [labeled](#) as terrorists current Congressman Ron Paul and his supporters, former Congressman Bob Barr, libertarians in general, anyone who holds gold, and a host of other people.

In other words, anyone who disagrees with the “acceptable” way of looking at things is a terrorist.

The problem is that our country is [using anti-terrorism laws to crush dissent](#). And see [this](#), [this](#), [this](#) and [this](#).

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