

Los Angeles Community Action Network (LA CAN) Statement at Press Conference re: *First Amendment and Malicious Prosecution Case against City of LA, LAPD, CCEA, et al*

LA CAN works to promote and defend human rights in Downtown and South Los Angeles. We are here this morning to announce our lawsuit against the City of Los Angeles, LAPD, and the Central City East Association because of their coordinated efforts to silence LA CAN, prevent us from exercising our first amendment rights, and their malicious acts that resulted in the wrongful prosecution of one of LA CAN's longest term organizers, Deborah Burton.

This lawsuit is a result of years of unfair and unjust targeting of LA CAN staff and members by LAPD, a long history of retaliation against us for fiercely and loudly opposing LAPD's racist Safer Cities Initiative in Skid Row, and, more recently, their efforts to even more blatantly favor the Downtown business community's position by stifling our right to protest and manufacturing charges against our staff.

LA CAN has opposed the gentrification of Downtown LA since its beginnings in the late 1990s. Gentrification is the process by which neighborhoods are improved at the expense of long-time low-income residents of color – usually resulting in people being forced out of their communities. We have for many years promoted an alternative vision for Downtown – focused on preserving and increasing affordable housing, creating local hiring opportunities, and other equity principles. And much to the disappointment of deep pocket interests, LA CAN has secured many policies and practices that ensure our right to remain in our community.

Despite LA CAN's victories in promoting equity in Downtown, LAPD still decided to launch the supposed "Safer Cities Initiative" in 2006 as another tool of gentrification – designed to make the environment so hostile to homeless residents that they would simply move elsewhere.

We opposed this "broken windows" style of policing from the start and quickly learned that it wasn't just homeless folks that would be targeted and Safer Cities would never focus on serious crime – instead mass arrests were made and mass citations were issued to low-income and homeless residents, almost all who were people of color and most of whom were African American.

We refused to simply sit by and watch our community be devastated by the criminalization of the most basic everyday activities, like resting on the sidewalk. We would not sit silent while oppressive drug war policies were applied at a scale never seen before, and while the use of force, unconstitutional practices, and other LAPD abuses ran rampant in Skid Row. LA CAN is driven by the legacy of social movements determined to secure civil and human rights, and Dr. Martin Luther King Jr.'s words still ring true today: "We who engage in non-violent direct action

are not the creators of tension. We merely bring to the surface the hidden tension that is already alive.”

We were met with hostility from LAPD right from the start. For years we have dealt with LAPD’s intimidation tactics and violations of our first amendment rights, often with support from the City Attorney and other City officials. LAPD officers continually interfere with our right to monitor their activities with cameras or other observation in public spaces. Most of our staff and core members have been arrested and/or threatened with arrest for engaging in perfectly legal police monitoring and public protests. We have lost members of the organization because of fear of arrest or other retaliation by LAPD.

In 2011, efforts by LAPD and the City Attorney to silence our voices and shut us down escalated even more. And they began to collaborate with Estela Lopez and other private citizens working at the Central City East Association to expedite their attempts to stop us.

LA CAN members and other community partners decided to begin legal protests of the business community’s “public safety walks” because they were intended to promote gentrification and other interests of business improvement districts and place blame for the community’s problems squarely on poor and homeless people.

Throughout every monthly protest, we were continually threatened with arrest, met with dozens of officers on site, filmed, and in one instance the Co-Director of LA CAN, Pete White, was wrongfully arrested. Lt. Shannon Paulson, then the head of the Safer Cities Initiative, worked overtime to crack down against our first amendment protected activities. Emails and videos over several months show her incessant communication with Estela Lopez and others from the CCEA about their common goal to stop our legal protests.

One evening prior to a regularly scheduled protest, Lt. Paulson videotaped her roll call with Safer Cities officers where she handed out photos of Becky Dennison, Deborah Burton, and many other LA CAN leaders, telling her subordinates she believed we had already committed crimes and to prepare for arrests that evening.

After various tactics to stop the legal protests failed, Lt. Paulson finally succeeded in ensuring criminal charges were filed against Deborah Burton. The crime? Blowing a toy airhorn at the protest. When? More than a year prior to charges being filed. For months Lt. Paulson and Estela Lopez worked to create a falsified and unsubstantiated police report stating that Deborah actually willingly and intentionally blew the airhorn in Ms. Lopez’s ear to cause damage. Though there was no evidence to support this claim, Deborah was caught up in the criminal justice system for almost a year before a jury found her not guilty on all 8 charges in July of 2013.

Deborah is a 62 year old woman. A mother, a grandmother, a friend and a colleague. She has faced numerous hardships and challenges throughout her life, and has worked for the past 10 years to improve her community of Skid Row and ensure low-income and homeless residents are protected and treated fairly. Yet because she and everyone at LA CAN are brave enough to speak out against LAPD's policies and against the moneyed interests of Downtown, Deborah was framed as a criminal. She isn't. She is an organizer. We all are, and we plan to continue to unashamedly challenge those with money and power who use those things to marginalize, displace, or brutalize those with low and no income.

But Deborah's case is just one extreme example of the City and LAPD's efforts to squash dissent and silence LA CAN. All of us continue to face the same patterns and practices year after year – just in different forms. And, as we learned with the public safety walks and the documents regarding Deborah's case, what happens behind the scenes we often don't or won't know until it's too late. Since Deborah's case, we've had another staff arrested and had members and staff targeted for citations while others engaged in the exact same activity on the same street are not cited. We continue to see extra LAPD officers show up in City Hall when we are there just to give public testimony or otherwise participate in public processes. We continue to have multiple officers respond and/or try to move us off public space when we simply observe or document LAPD practices. Why? Because they don't want us to document their oppressive practices and be able to engage the general public in these issues, because that might actually be successful in stopping them.

So today we are here to say enough is enough. Yesterday we filed our lawsuit in Federal Court. Today we are going into the Police Commission, where we have testified to try and get some intervention on these violations for year, to tell them they and LAPD officers must be held accountable for illegal actions. We are here to say that collusion and malicious prosecution by LAPD Lt. Shannon Paulson, Estela Lopez and the City Attorney is NOT acceptable and cannot be tolerated by us or any other Angelinos that might be targeted next. The voices of low-income people will not be silenced. Those that criticize LAPD or engage in other lawful protest must be protected in a democracy.

Through all of the attempts to criminalize us and silence us, LA CAN leaders and members remain unified and strong. We will continue to organize, continue to protest when needed, and we are hopeful the federal courts will uphold our constitutional rights and direct the City and LAPD to change their tactics, since all efforts at engaging with City officials to stop the years of harassment have failed.