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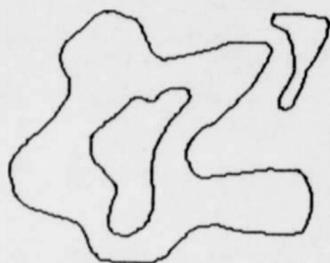


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national news

Police raid "outrageous"

San Francisco rings in the New Year with a police raid
on a private AIDS benefit

by Inga Sorensen

An early-morning police raid on an invitation-only AIDS benefit in San Francisco has the city's sexual minorities and civil rights communities in an uproar. Witnesses who were at the event describe the raid as "brutal," "outrageous," and "totally unwarranted," and attorneys for some of those in attendance say they plan to file a class-action lawsuit against the San Francisco Police Department for violating participants' First Amendment rights to assemble and freely associate with whomever they please.

"We've received calls from across the country because people can't believe this is happening in San Francisco—in 1995, no less," says Kate Dyer, an attorney with the San Francisco firm Steel, Clarence & Buckley, which has taken on the case pro bono. "This was a peaceful party and an AIDS benefit. No alcohol was being served. Everything was fine until the police came in wielding their batons. Some people didn't even know they were police because their badges were hidden. It was a very terrifying situation for many people."

The incident began shortly after 4 am on New Year's Day. Witnesses say 40 police officers invaded the private affair at a warehouse that serves as a home and workspace in an area of San Francisco known as South of Market. The event, which was attended by about 500 artists, activists and others, was also a fund-raiser for Visual Aid, a nonprofit organization dedicated to serving artists with AIDS.

"A few days before, the organizers went to the police and told them about the fund-raiser and that no alcohol was going to be served. The police said fine," says Raymond Liberti, a 27-year-old book clerk who was at the gathering. "On the night of the raid, some officers checked in at about 2 am to see how things were going. We told them everything was in order and they left. Two hours later they showed up again and immediately ordered that the party come to an end."

"We figured since it was so late it was probably a good idea to shut down anyway, and we started to tell people that the party was closing down," Liberti continues. "It was a rainy and cold night, and nearly everyone had checked their coats and umbrellas. As people were going to get their coats the police started shouting, 'Get out. Get out now.' They wouldn't let people get their coats. The next thing we know, 40 officers with batons are crashing through the doors."

Liberti says when partygoers asked for officers' badge numbers, they were knocked to the ground and shoved up against walls. "It was terrifying," he says, adding he hasn't seen a violent police sweep in the Castro district since 1989, when the largely gay and lesbian neighborhood was raided following an AIDS demonstration.

Dennis Conklin, a writer for the gay and lesbian newsweekly *Bay Area Reporter*, agrees: "This is the most serious incident involving the police and gays, lesbians, bisexuals and transgendered people since the October 1989 police sweep of the Castro. As a police beat reporter in San Francisco, I can tell you that I've seen good cops and I've seen bad cops—and I've seen gay activists with agendas. After talking with many people at the party, I can

tell you that this seems to be a totally unjustified raid, and many of these people sincerely believe they were brutalized."

Witnesses have reported that several officers shoved a female photographer against a wall and pinned her to prevent her from documenting the events; another man was reportedly poked in the eyes and thrown to the ground by officers when he asked them why the party was being closed down. Police also allegedly ignored repeated requests for a search warrant and proceeded to scan through documents on a personal computer. Sources say at least 13 people were taken to the police station and held without charges for approximately four hours.

"It's amazing the police would pick an AIDS benefit to run a raid," says Dyer. "Not only was this outrageous, it was stupid."

Gerald Koskovich, a longtime San Francisco legal observer adds: "The list of laws that the police broke in their violent crackdown is astounding—including the illegal use of force, such as punchings in the face, baton thrusts, and carotid holds; the covering of badges and refusal to show badges; unlawful search and seizure; false arrest; and unlawful detention."

Sgt. Barbara Davis, a police spokeswoman, refused to comment on the incident, but did send *Just Out* a copy of an "unofficial police statement"

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which claims "persons responsible had previously been advised that any party at the premises would be illegal." When police arrived at the fund-raiser, the report says, police found "dancing and entertainment in progress.... Officers attempted to clear the building and identify those responsible. Two persons

were charged with running and illegal resisting/interfering. Video and sound equipment were seized as evidence, along with \$700 in cash."

The statement, which does not allude to any claims of police brutality, says: "Allegations have been made regarding officer misconduct during this incident. These allegations are being investigated by the Management Control Unit of the Police Department and the Office of Citizen Complaints. If these allegations are sustained, appropriate disciplinary measures will occur."

A short statement was also issued by Mayor Frank Jordan, who says, "I am aware of the allegations lodged against the San Francisco Police Department in a pre-dawn raid in the South of Market on New Year's Day. Chief [Anthony] Ribera has ordered Police Management Control to conduct an investigation into these charges. He has assured me that if these allegations are found to be true, the department will take disciplinary action. A separate investigation has been requested and is ongoing by the Office of Citizen Complaints. I must reiterate that at this time we do not know all the facts. We are only at the investigation stage. I hope the public and the press will withhold judgment until such time as all the facts are brought to light."

According to Conklin, the San Francisco Board of Supervisors, which has a handful of openly lesbian and gay members, will also hold public hearings on the incident.

"This is a touchy situation, and I think it could take months for this whole thing to really shake out," he says.