

Homeless Activist Wins in Federal Court Suit Against Santa Cruz Police for False Arrest

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“It’s a matter of the privatization of the police force by the merchant class.” — Santa Cruz Attorney Kate Wells

Santa Cruz Police Sgt. Loran Baker arrested activist Robert Norse for “obstructing the sidewalk” in response to a citizen’s arrest from Sushi Now! owner Matisse Selman on January 30, 2002. After videotaping Norse for several days, Baker then handcuffed and transported him to the local police station, even though the “crime” was a minor infraction, normally handled like a traffic ticket.

This was the third time within a seven-month period that Baker had arrested Norse on charges that were later dropped or never even filed.

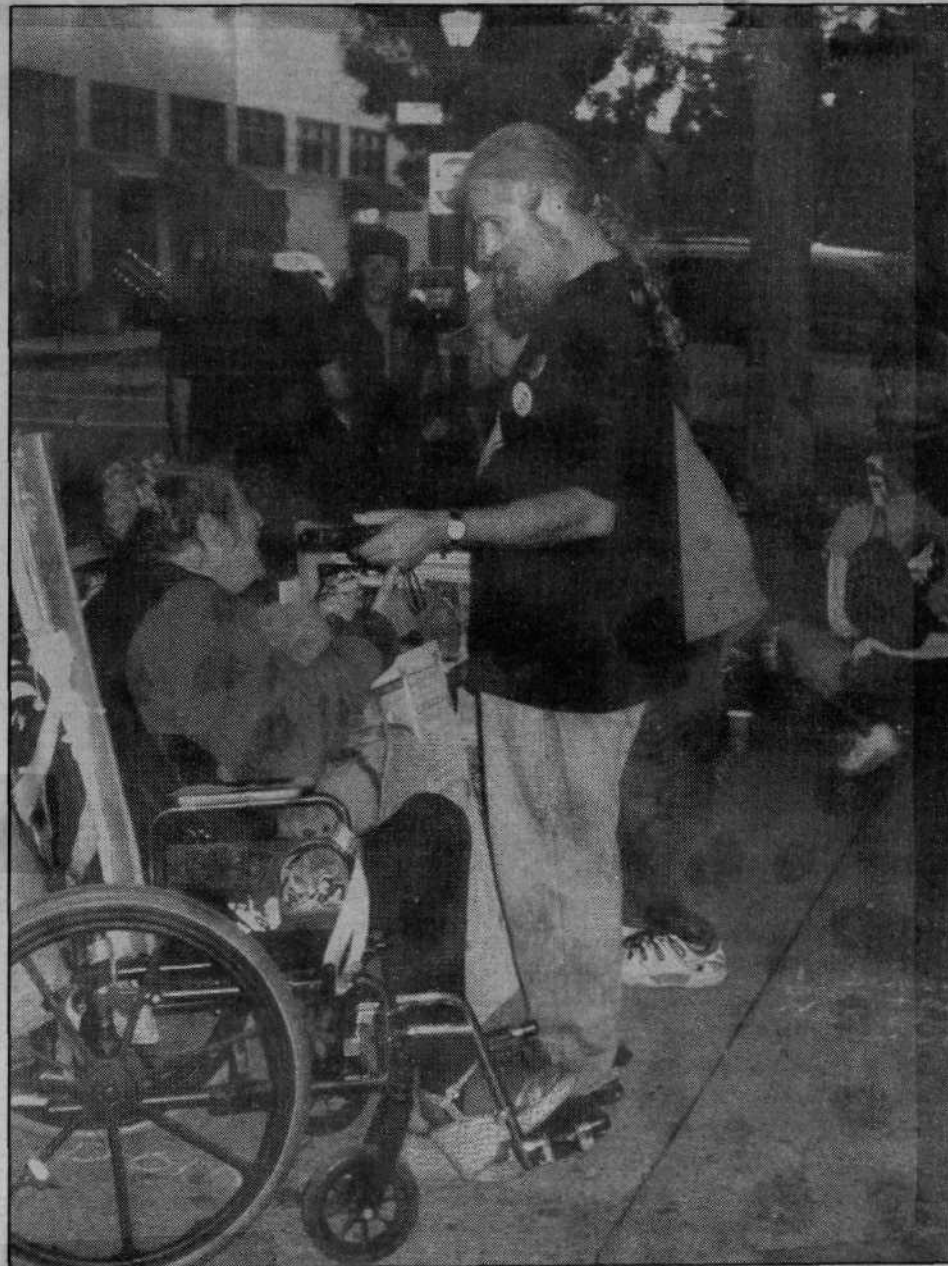
When arrested, Norse was signing up people urging a public boycott of Sushi Now!, for its initiative to remove “undesirables” from the sidewalk by privatizing a 40-foot swath of sidewalk and removing a public seating area where youth and poor folk often gathered.

Selman and Santa Cruz City Attorney John Barisone dragged Norse through seven months of court action, then dropped the prosecution on the day of trial.

Attorney Kate Wells, a longtime Santa Cruz civil rights lawyer, along with attorneys Jim and Rhonda Fossbinder, then sued the City, Selman, and Sgt. Baker in Federal Court for false arrest and violation of the First Amendment right to speak and assemble.

Two years later, on September 14, 2004, the Santa Cruz City Council approved an out-of-court settlement of \$5000 to the plaintiffs.

Norse interviewed Kate Wells about the case, and began by asking her to comment about the significance of the legal and civil rights issues involved.



Activist Robert Norse interviews Melvia Johnson for his radio show. Alene Smith photo