

① Sara Diamond
Tel 403 762 6696
Fax 403 762 6665

To: 213 -
250-3919

May 1, 1994

TRACY RICE + ROBIN TOMA:

Please forgive the lateness of this submission but I travel on business a great deal and was away, returned to find the request already past my / your deadline. I'm on a plane again and will have this faxed to you; I hope I am not too late.

A concern of mine is the notion, "attorney-client privilege": I do not know what this includes or excludes and will have to rely on your knowledge to choose appropriate details.

By the way, I return to Canada on May 10th & would very much like to touch base on how the case is proceeding. I was concerned on reading the submission of the City, etc. to discover a tone that implied issues of legitimacy in the ways that our case was brought forward.

I had forgotten all about the implications that an obscure political sect had planned this event but was reminded (it) of reading the case papers. I certainly hope this is not a central focus of the court case brought forward by the LAPD - I would never have attended such an event under the circumstances. I am not particularly

(2)

Sara Diamond

eternally linked to such a formation!

If you need speedy response from me you can use my fax 403-762-6665; direct information to my attention & my secretary will make sure I see it. She usually can reach me within 24 hours when I travel. I have voicemail as well. This ability to be reached does not apply from May 1-8th as I am not in a part of the world with easy telephone access (thank goodness!).

Re: documents. I would like to know what is appropriate to send (not that I have tons.) Do you need originals or copies?

In addition, I must state that I was outraged by the City of L.A.'s request for admissions of "truth" and find that their questions are provocative and confusing as I will state in my responses.

In any case, thanks again for taking up our case.

Sincerely, Sara Diamond

Request for Admissions page 1

#1: Not Relevant

#2: I do not know the exact figures, nor did I at the time, but I do recall the National Guard being made available.

#3: I don't recall the details of this request for admission

#4: I recall the state of emergency declaration. I also recall discussions about the legality of peaceful protest even within a state of emergency as the news media discussed these implications.

#5: I do not recall the specifics of this proclamation. The intention of the protest on May 2, 1994 was peaceful as were the actions of the protestors. There was no "violence," or "disorder" undertaken.

#6: Curfew was respected in the instance of this protest - it took place during daylight hours at a time when curfew was not in effect.

#7: I engaged, with others, in a quiet + peaceful protest walk, ostensibly initiated by The First AME Church on this date. The so-called rally was a moment when those on the walk paused

Request for Admissions Page 2

#7 cont.

to regroup and disband -- we were surrounded by L.A.P.D. and then National Guardsmen + summarily arrested.

#8: N/A.

#9: I was not aware that participants in this peaceful event "blocked vehicular traffic". Rather, seeing the signs we held, drivers + passengers opened their windows + called out their support for our concern at the King verdict. Indeed, some honked horns while expressing their verbal approval.

#10: I saw + heard no one beating a drum. (Is a drum an illegal weapon these days?!!)

#11

↳ NO! Quite the opposite. The police DID NOT AT ANY TIME order the participants to disperse! We were arrested without a request or opportunity to disperse.

#12: I was not aware of "the police order" to disperse? because to my knowledge there was no police order to disperse. I repeat as I have stated in this + other testimony, we were never told to disperse, never given opportunity to do so, the professor closest to me who tried to leave peacefully was

Request for Documents

Sara Diamond

(3)

I will answer this by May 13/94.

Special Interrogatory

#1: I learned there was a rally through an announcement on the L.A. radio. It stated that first AME church had called a rally. At one point it was stated that Mayor Bradley might attend.

#2: I was previously acquainted with Judy Bamber, John Bermudes, Lyle Harris, Clea Jones, Matias Viegner, Anne Walsh.

#3: Carol Downer was key in convening several meetings after the arrests. I participated in these - I do not recall the names of others present.

#4 (A) I mentioned the "rally" to several others, always believing it was called by First AME, was peaceful & lawful. I was saddened by the violence; disappointed with the verdict and was seeking a peaceful means of dissent.

(B) I remember expressing grave concern that no one official of First AME had not arrived at the appointed hour or later. I stated to others the need for peaceful, orderly behavior & movement.

Special Interrogatory

Sara Diamond ④

4. con't © I had suggested to people right before the arrest that we should cease our protest + leave the area.

5. N/A.

#6 : Frankly, the LAPD were not even around us during much of our peaceful walk through downtown L.A. They had been surrounding the police headquarter and the protest consciously moved away from that area TO AVOID CONFLICT! When we walked into the cul de sac at 2nd + LA street we were quickly surrounded. There was no communication, in fact the silence was uncanny! We sat down out of fear, to indicate our peaceful intentions. People who were on the walk were terrified + helpless. No person from the police force or National Guard ever communicated or attempted to communicate with us. We (the people I was with) would have willingly left. In fact, I turned to a companion + said, "I don't want to be arrested, I want to leave." ^(sic) He said, "I don't think we have a choice at this point." ^(sic) I was absolutely horrified + would have attempted to leave except that a young African-American woman who approached a police officer + asked to leave was beaten.

(5)

Special Interrogatory con't Sara Diamond

7. We were never told by an individual police officer or National Guardsman or by anyone representing those authorities that we "were engaged in unlawful assembly." We were not told this near Parker Centre, when we walked through the streets or when we gathered. Police presence is NOT equivalent to being told our actions were illegal. Police presence to protect a protest event is as normal as police presence in other contexts. Remember, the police had also walked, or marched, with the Korean community that very morning.

8. A young African-American woman tried to leave the area where we were congregated + where the police surrounded us (2nd & E.A.) She was very frightened; approached an officer to ask if she could leave + was assaulted by that officer.

9. N.A.

10. There was both constitutional evidence + circumstantial evidence. At no time were we told as a community (L.A.) that all civil rights were amended. In fact, it was stated that the right to peaceful protest continued even in a state of emergency, by a number of area radio stations. What's more, the protest was called by a significant religious organization + publicized by the mass media.

#10 cont.

⑥ Sara Diamond Special Interrogatory

There were actions which the government considered illegal such as breaking curfew, or illegal violence; neither of these activities occurred.

Finally, there was another march that very day by the Korean community; we passed this en route downtown; this event had police presence + even participation + positive press coverage. I believed my actions would show another, positive alternative to violent protest. Basic freedom of speech and right to assembly are pinnacles of the American constitution!

#11: He denied the protestors including myself, the right to gather + to freely express our dissenting opinions. His officers were, frankly, confrontational near the Parter Centre prompting us to move quietly away. He allowed his officers to arrest us without warning. He engendered an atmosphere in which protestors were attacked; painful handcuffs made tighter + abusive comments deemed somehow appropriate. Really!

#12: This gentleman arrested me without informing me that I was engaged in anything illegal + giving me the opportunity to desist. He painfully tightened my handcuffs when I expressed initial discomfort. He took away my right to protest, to free speech + freedom of movement.

Sera Diamond Special Interrogatory (7)

13

This is stated in # 11, but I will restate the facts:

- ① Gates denied me the right to freedom of expression, assembly + movement.
- ② I was ^{made} physically uncomfortable because of his actions in the ways I was handcuffed.
- ③ I was denied dignity; my employers had to bail me out of prison!
- ④ I was jailed unlawfully.
- ⑤ I witnessed + was saddened by seeing very young, peaceful people, mostly young women, feminized; arrested. I will never forget the moment of being surrounded by bayonet wielding national Guardsmen + riot geared LAPD, looking around me at young women dressed in their Sunday best, little cotton dresses + pumps, crouching in sheer, overwhelming fear on the pavement + then pulled into jail in tears.
- ⑥ I suffered anxiety after these events for many months; have been very worried about a criminal record + of the ways that arrest records are now made public + used against people (L.A. Times for e.g.) when I was unlawfully arrested.

14

Ron Newton failed to inform me that the protest was unlawful if this was the case. He did not inform me that I could disperse, nor permit this. He placed handcuffs on me after unlawfully arresting me, tightened them when I complained. I was loaded by

#14 con 4
⑧ Sara Diamond, Special Interrogatory

him onto a prison bus + driven from place to place until a prison with space could be found. I was then unlawfully detained after his arrest.

⑨ I believe the City is liable:

- ① No statement ^{by police} that our actions were illegal.
- ② NO opportunity given to disperse.
- ③ Unlawfully arrested.
- ④ Detained in prison.
- ⑤ Denied freedom of expression; speech; movement, assembly.
- ⑥ The City was appealed to by defendants (I for one wrote asking that charges be dropped) meetings occurred with our representatives + The City. The City maintained the charges + prosecuted us.

#16 I make this contention because the police were shouting at protestors, who to their credit refused to be provoked + walked away. Secondly, I saw a young woman assaulted. Finally, I was handcuffed very tightly which really hurt.

⑩ Exactly the same as #16

⑪ Exactly the same as #16

⑩ Interrogation S. Diamond

#22 can't ③ Police Chief Bates had been quoted by the press we later discovered saying that he would not allow any protests to occur near his police station.

④ The denial of basic information which would allow an informed decision to be made (ie the protest was "illegal") is pretty malicious.

⑤ WHY was the protest illegal in the first instance?! Other protests were allowed, even supported by the City/CAPP. Why was this one deemed inappropriate?

⑥ Surely the City knew the First AME had withdrawn + could have let us know instead of letting us wait + then arresting us!

⑦ People were hurt by police before + during the protest for no apparent reason.

⑧ I was denied my rights: freedom of speech, assembly, movement.

⑫ Same as #22

⑬ Same as #22 + Newton was the direct AGENT of the decisions made by Bates + the City of L.A.

⑭ Same as #22

⑪ Interrogatories S. Diamond

#26 We were threatened + intimidated by LAPD as authorized by City's Order. It was stated in the press + television that a rumour had begun by the City that a communist group was motivating the protest. It seems that this may have encouraged First AME to cancel. It may have led police + public to believe we were members of that group. I had no knowledge and have no knowledge about that group. If police actions were motivated by this belief then it constitutes political discrimination.

#27 as above

#28 as above

#29 as above.

That's it.

Sincerely,

Sara Diamond