

19284
BMS

1

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ALLIANCE FOR GLOBAL JUSTICE, :

Plaintiff, :

Case Number

vs. :

010811 PLF

DISTRICT OF COLUMBIA, :

Defendant. :

DEPOSITION OF JOSE ACOSTA

Washington D.C.

Thursday, July 7, 2005

REPORTED BY:

BRENDA SMONSKEY

ACE-FEDERAL REPORTERS, INC.

Nationwide Coverage

202-347-3700

800-336-6646

410-684-2550

1 Q Of your own initiative --

2 A I was in the area. I was right there.

3 Q When you arrived, what did you observe?

4 A A lot of people. A lot of people were in
5 the streets. There were several CDU platoons
6 already there to control the crowd from the back
7 side and the north side, I think it was.

8 Q So at the time you arrived, there was a
9 corral in place?

10 A There were hundreds of people there,
11 absolutely.

12 Q But I'm asking specifically. At the time
13 that you arrived on the scene, there was already a
14 corral in place?

15 A They were in the street. That's what you
16 are asking me.

17 Q When you use the word "corral," to what
18 are you referring?

19 A There was a large group of demonstrators.
20 Obviously the protest march was there. There were a
21 lot of other people there too.

22 Q When you say that they were corralled, are

ACE-FEDERAL REPORTERS, INC.

Nationwide Coverage

202-347-3700

800-336-6646

410-684-2550

1 people in the street?

2 A Yes.

3 Q And did you approach from the south? The
4 north?

5 A I was on the north side of it. It would
6 have been K Street.

7 Q Did you receive information when you
8 communicated with the command bus about the fact of
9 whether the march was being escorted by police?

10 A No. They were with them. It was a march.
11 They had no permit for it. The police were with
12 them, sure, to monitor them.

13 Q Do you need a permit to march on the
14 sidewalks?

15 A In the street you do.

16 Q Do you know, do you need a permit to march
17 on the sidewalks?

18 A No, not that I know of, unless they
19 changed the law recently.

20 Q I mean at the time.

21 A No.

22 Q You said you approached from the north; is

ACE-FEDERAL REPORTERS, INC.

Nationwide Coverage

202-347-3700

800-336-6646

410-684-2550

1 A I don't know who was. A lot of people
2 came and joined them, splintered in. They were
3 feeding all the time.

4 Just because you have one group at the
5 start doesn't mean you have other people that didn't
6 join with them.

7 Q What else did Lieutenant Harold convey to
8 you?

9 A That's basically it. I don't remember
10 anything else.

11 Q Was there a discussion between you and
12 Lieutenant Harold about what the next steps would be
13 by the MPD in response?

14 A Yes. At that point I took it from there
15 and talked to the command bus, what are we going to
16 do.

17 Q Where was Lieutenant Harold?

18 A He was there at the front with me.

19 Q Was he in a cruiser?

20 A I think he was in a cruiser. I don't know
21 where he put it. I think he was on foot when I
22 talked to him.

ACE-FEDERAL REPORTERS, INC.

Nationwide Coverage

202-347-3700

800-336-6646

410-684-2550

1 lines?

2 A There was a mixture of people in place at
3 the time when the march got there. We let those
4 people go.

5 Once they saw the police, a lot of the
6 people left, including some of the demonstrators.

7 Q When we are talking about use of police
8 lines, we are talking about lines of police that the
9 civilians are not authorized to cross?

10 A Right.

11 Q After the two police lines had been set up
12 and some number of protestors were trapped inside,
13 was it you who gave direction to give warnings?

14 A Yes. I told Harold to do that.

15 Q What did you tell Harold?

16 A Give the three warnings.

17 Q What did he do?

18 A He did exactly that, the standard warnings
19 that we give out.

20 Q You were describing how he used amplified
21 sound?

22 A Yes, the motorcycle, yes.

ACE-FEDERAL REPORTERS, INC.

Nationwide Coverage

202-347-3700

800-336-6646

410-684-2550