

17509
JWB/loj

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

-----x
ALLIANCE FOR GLOBAL JUSTICE :
Plaintiffs, :
v. :
DISTRICT OF COLUMBIA, et al :
Defendants. :

-----x

DEPOSITION OF KEITH EDWARD DEVILLE

Washington, DC

Wednesday, December 10, 2004

REPORTED BY:

JANE W. BEACH

ACE-FEDERAL REPORTERS, INC.

Nationwide Coverage

202-347-3700

800-336-6646

410-684-2550

1 attending meetings, organizing meetings organizing
2 for the purpose of protests or demonstration
3 activity?

4 A No, sir.

5 Q With respect to your training duties, what
6 have your training responsibilities been insofar as
7 they pertain to anything that an officer may do
8 relating to protests, protesters, or mass
9 demonstrations?

10 A My training responsibilities are to
11 provide training to all recruit officers in the
12 Police Academy. That encompasses 40 hours of civil
13 disorder training.

14 My responsibilities are to provide
15 semiannual training to all active members of the
16 Civil Disturbance Platoons on the Metropolitan Police
17 Department.

18 Q Any other training that you provide that
19 relates to the subject of protests and mass
20 demonstration assignments?

21 A No.

22 Q This semiannual training that you are

ACE-FEDERAL REPORTERS, INC.

Nationwide Coverage

202-347-3700

800-336-6646

410-684-2550

1 referring to, is that the refresher course?

2 A Yes, sir.

3 Q And how long is the refresher course? How
4 many hours?

5 A Eight hours.

6 Q And where -- given the period of time from
7 200 to present, where have the -- physically, where
8 has the basic 40-hour CDU training physically taken
9 place?

10 A It has physically taken place in Lorton,
11 Virginia, the Metropolitan Police Academy,
12 Metropolitan Police Residential Training Facility,
13 and adjacent parking lots and open-field areas and
14 parking lots of RFK Stadium.

15 Q And the open-field areas are open fields
16 adjacent to RFK Stadium, or are they located
17 elsewhere as well?

18 A Open-field areas adjacent to the -- in the
19 Lorton training facility area that we no longer
20 occupy, and adjacent to the Police Academy and the
21 Residential Training Facility.

22 Q Don't you do CDU training in open fields

ACE-FEDERAL REPORTERS, INC.

Nationwide Coverage

202-347-3700

800-336-6646

410-684-2550

1 sidewalk.

2 Q You compacted the crowd by use of a
3 line of police?

4 A Yes, the southbound line.

5 Q Did you observe this individual that
6 you placed the handcuffs on before your line went up,
7 the northern line?

8 A No. I observed him at the time the
9 northern line went up.

10 Q Did you observe him one minute before
11 the line went up?

12 A I observed the protest marching
13 towards me and I observed us stop the northern
14 progress. Before I placed handcuffs, I observed him
15 chanting with other protestors. I observed him
16 belittling police officers. He was the first one
17 that was handcuffed. He was handcuffed based on the
18 probably cause that he was engaged in illegal protest
19 action by parading without a permit.

20 Q Did you observe him before the
21 northern police line obstructing forward movement was
22 put up?

ACE-FEDERAL REPORTERS, INC.

Nationwide Coverage

202-347-3700

800-336-6646

410-684-2550

1 A Him, individually?

2 Q Yes.

3 A No.

4 Q Is it fair to say you do not know
5 precisely what this individual was doing other than
6 he was there before the northern line obstructing
7 forward movement went up? Is that accurate?

8 A No.

9 Q What was he doing in the time before
10 the northern line went up?

11 A I don't know what he was doing.

12 Q Where was he in the one minute before
13 the line went up?

14 A The one minute is not critical. I
15 don't know why the one minute is critical.

16 MR. KOGER: Argumentative.

17 THE WITNESS: He was stopped. His
18 northern progress was stopped. He was at the front
19 of the protest march. He was engaged in protest
20 chants. He was engaged in chants at police. He was
21 arrested based on a probably cause that he was
22 parading without a permit. I don't know how to state

ACE-FEDERAL REPORTERS, INC.

Nationwide Coverage

202-347-3700

800-336-6646

410-684-2550

1 it any more simply.

2 BY MR. MESSINEO:

3 Q You don't know what he was doing in
4 the minute prior to the northern line obstructing
5 forward motion being --

6 A Probably cause to believe he was
7 engaged in a protest.

8 Q Okay. That's what you arrested him
9 for?

10 A Yes.

11 Q You gave a directive for your
12 subordinate officers to place handcuffs on protestors
13 for the purpose of confining them, restraining them
14 and arresting them. Is that correct?

15 A I gave orders to arrest.

16 Q And, in terms of what had transpired,
17 the northern line went up and you've also testified
18 that there was compression through the use of a
19 police line. Can you just explain what transpired
20 between the northern line being erected side-to-side
21 and how the compression was affected?

22 A The southern line marched towards the

ACE-FEDERAL REPORTERS, INC.

Nationwide Coverage

202-347-3700

800-336-6646

410-684-2550