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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DISTRICT OF COLUMBIA

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RAYMING CHANG, et al., :
Plaintiffs, : Civil Action No.
vs. : 02-2010 (EGS)
UNITED STATES OF :
AMERICA, et al., :
Defendants. :

- - - - -x

DEPOSITION OF ALFRED JOHN BROADBENT, SR.

Washington, DC
Friday, October 19, 2007

REPORTED BY:
DONALD R. THACKER

ACE-FEDERAL REPORTERS, INC.
Nationwide Coverage

202-347-3700 800-336-6646

1 Q Do you recall what he related was going
2 on?

3 A He said he had a lot of protesters in the
4 park, they were very agitated, they were loud. I
5 asked him questions, are they hurting anybody, any
6 officers being injured, are they destroying any
7 property, and he said no to all those questions.

8 So, my direction to him, again, I can only
9 give direction, he is the command person on the
10 scene, so I can't tell him how to handle it, my
11 direction to him was Pete, keep an eye on them and
12 keep me advised if anything changes.

13 Q Did he request additional resources from
14 you?

15 A Yes, he did.

16 Q Do you recall, did he describe for what
17 purpose the additional resources were needed?

18 A He was asking for additional resources, I
19 don't remember specifically why he needed them, but
20 I remember the first time or one of the first times
21 he called me, I didn't have resources I could send
22 him, they were tied up doing other things.

1 Q Do you recall that one of the first times
2 that he called you and you didn't have resources to
3 send him, do you recall for what purpose he was
4 requesting resources?

5 A No, other than like I said, he had a very
6 large crowd in the park and he was concerned about
7 the behavior of the group, and he wanted to make
8 sure he had enough police officers down there in
9 case something were to happen.

10 Q At any point in time did you and Assistant
11 Chief Newsham discuss the subject or the possibility
12 of arrests at Pershing Park?

13 A Yes.

14 Q What was that discussion?

15 A Again, I gave him an overview of what was
16 happening throughout the city, that there were a lot
17 of situations occurring simultaneously, and I
18 recommended to him at the time, from where I was
19 sitting, that he should not make arrests, because I
20 didn't have resources that I could give him that he
21 was asking for.

22 Q At some point in time did you give him

1 sufficient resources to make arrests?

2 A As units became available I sent
3 additional units down to the area, and had them
4 report to Chief Newsham.

5 Q Did this factor in any way, in terms of
6 your advice to Newsham, that he should not make
7 arrests, did it factor that he responded in the
8 negative to your three questions as to whether the
9 protesters were hurting anyone, whether officers
10 were being injured or whether property was being
11 destroyed?

12 A In our conversation none of those things
13 were happening at the time.

14 Q Was that a factor, was the absence of
15 those conditions a factor in you recommending or
16 advising that he should not make arrests?

17 A From where I was sitting, yes.

18 MR. MESSINEO: It is 12:50, I am actually
19 going to change topics, so it might make sense to
20 break at this point. Are you comfortable, it
21 doesn't interfere with your schedule at all?

22 MS. BRASWELL: No, I am happy to