

From: Asheville Blade <ashevilleblade@gmail.com>
Sent: 8/16/2016 2:49:25 PM
To: Christina Hallingse <CHallingse@ashevillenc.gov>
Cc:
Subject: Re: Arrest, lockdown and post-protest citation questions

Thanks for the follow-up.

Re: question 3, please provide me a list of names of those cited/arrested, as those are necessary to get the information from the clerk's office.

Thanks,

David

On Tue, Aug 16, 2016 at 3:45 PM, Christina Hallingse <CHallingse@ashevillenc.gov> wrote:

David,

Please find responses to your questions below in red.

Thank you,

Christina Hallingse

Public Information Officer

Asheville Police Department

Office: [\(828\) 259-5881](tel:(828)259-5881)

Cell: [\(828\) 230-4471](tel:(828)230-4471)

From: Asheville Blade [mailto:ashevilleblade@gmail.com]
Sent: Tuesday, August 16, 2016 15:21 PM
To: Christina Hallingse
Subject: RE: Arrest, lockdown and post-protest citation questions

Christina,

Thanks. Some questions still remaining.

1) So we're still at 20 total people cited in the July 21 morning and evening protests? With 16 already cited and 4 still outstanding? **That is correct, 16 demonstrators have already been issued citations and there are currently 4 remaining warrants issued for individuals not previously located.**

2) How long was "the time period in which citations were issued?" On what date did the citations become warrants for those not yet served? **Dates of citations and warrants are listed on the documents themselves.**

3) Also: this is an open records request for electronic copies of the citations/arrest warrants. **These documents are available through the Buncombe County Clerk of Courts office.**

Thanks,

David

On Aug 16, 2016 3:12 PM, "Christina Hallingse" <CHallingse@ashevillenc.gov> wrote:

David,

As of today, August 16th, there are four remaining warrants that were issued for individuals not previously located during the time period in which citations were issued. The charge is the same.

Thank you,

Christina Hallingse

Public Information Officer

Asheville Police Department

Office: [\(828\) 259-5881](tel:(828)259-5881)

Cell: [\(828\) 230-4471](tel:(828)230-4471)

From: Asheville Blade [mailto:ashevilleblade@gmail.com]

Sent: Monday, August 15, 2016 16:25 PM

To: Christina Hallingse

Subject: Re: Arrest, lockdown and post-protest citation questions

Thanks, Christina.

Best,

David

On Mon, Aug 15, 2016 at 10:03 AM, Christina Hallingse <CHallingse@ashevillenc.gov> wrote:

David,

Morning. I received your follow-up request. I have an email into one of our officers requested updated numbers. She is off on Mondays but when I hear back from her tomorrow I will be back in touch.

Thank you,

Christina Hallingse

Public Information Officer

Asheville Police Department

Office: [\(828\) 259-5881](tel:8282595881)

Cell: [\(828\) 230-4471](tel:8282304471)

From: Asheville Blade [mailto:ashevilleblade@gmail.com]

Sent: Friday, August 12, 2016 13:17 PM

To: Christina Hallingse

Subject: Re: Arrest, lockdown and post-protest citation questions

Follow-up question on this part of the response:

"As of August 4th the Asheville Police Department has charged 20 individuals, however a few of these are outstanding warrants. The Asheville Police Department is no longer working to identify additional protesters, but the investigation is considered ongoing as we work to serve the remaining warrants."

Does this mean that some of the citations are now warrants for arrest? If so, how many? When did the citations change to warrants for arrest? Which individuals are affected?

Thanks,

David

On Wed, Aug 10, 2016 at 1:56 PM, Asheville Blade <ashevilleblade@gmail.com> wrote:

Christina,

No apologies needed, just glad we could clear that up. Thanks.

Best,

David

On Aug 10, 2016 1:51 PM, "Christina Hallingse" <CHallingse@ashevillenc.gov> wrote:

David,

Good afternoon. I apologize that I neglected to include the presentation in my response. Attached please find a .pdf of the presentation. On the fourth page you can find a link to the video clip that was shown at the Citizen's Police Advisory Committee meeting.

Thank you,

Christina Hallingse

Public Information Officer

Asheville Police Department

Office: [\(828\) 259-5881](tel:(828)259-5881)

Cell: [\(828\) 230-4471](tel:(828)230-4471)

From: Asheville Blade [mailto:ashevilleblade@gmail.com]

Sent: Wednesday, August 10, 2016 13:48 PM

To: Christina Hallingse

Subject: RE: Arrest, lockdown and post-protest citation questions

Christina,

Thanks for the info. What's the eta on receiving Deputy Chief Baumstark's presentation, including the video clips?

Best,

David

On Aug 9, 2016 11:45 AM, "Christina Hallingse" <CHallingse@ashevilleenc.gov> wrote:

David,

Good morning. Please find the answers to your inquiries below in red.

Thank you,

Christina Hallingse

Public Information Officer

Asheville Police Department

Office: [\(828\) 259-5881](tel:(828)259-5881)

Cell: [\(828\) 230-4471](tel:(828)230-4471)

From: Asheville Blade [mailto:ashevilleblade@gmail.com]

Sent: Friday, August 05, 2016 18:30 PM

To: Christina Hallingse

Cc: Dawa Hitch

Subject: Re: Arrest, lockdown and post-protest citation questions

I also have a revision to the last question, marked in asterixes:

7) The photo on the APD's July 27 facebook post about those citations doesn't appear to be of the march on the morning of ***July 21***. When was that photo taken and why was it used for this particular post?

Thanks again, especially for the prompt reply right before the weekend. It's appreciated.

Best,

David

On Fri, Aug 5, 2016 at 6:25 PM, Asheville Blade <ashevilleblade@gmail.com> wrote:

Christina,

Glad we could clear that up. No worries, I know how email mishaps can go. Thanks and enjoy your weekend.

Best,

David

On Fri, Aug 5, 2016 at 6:22 PM, Christina Hallingse <CHallingse@ashevillenc.gov> wrote:

David,

I apologize but for some reason I never received these requests for additional information. I have been having issues with some addresses (even those I have received email from before) going to spam, and I wonder if this happened. I will begin working on a response to your inquiry first thing on Monday and I send you the presentation from DC Baumstark as well. I hope you have a wonderful weekend.

Thank you,

Christina Hallingse

Public Information Officer

Asheville Police Department

O: [\(828\) 259-5881](tel:(828)259-5881)

C: [\(828\) 230-4471](tel:(828)230-4471)

On Aug 5, 2016, at 6:19 PM, Asheville Blade <ashevilleblade@gmail.com> wrote:

Hey Christina, I wanted to check in on the status of these information requests. Also: at the Aug. 3 CPAC meeting Deputy Chief Baumstark showed some videos of protesters. Please send those over as well.

Best,

David

On Tue, Aug 2, 2016 at 4:32 PM, Asheville Blade <ashevilleblade@gmail.com> wrote:

Good afternoon and hope you're doing well. I had some questions about the aftermath of the sit-in, the lockdown and the ensuing arrests.

1) In addition to the protesters arrested July 22, Mountain Xpress reporter Dan Hesse was also arrested. Why was Hesse arrested and what were the circumstances of his arrest? Hesse was present for at least two of the discussions between the demonstrators and police liaison, Captain Stony Gonce, in which participants were asked to voluntarily come into compliance with laws that they were in direct violation of. In addition, Mr. Hesse was also present when demonstrators were provided with a final notification to voluntarily leave the Municipal Building and that those who chose not to voluntarily leave would be arrested. At the time of the final notification, approximately 17 individuals were present – including media representatives from other agencies - and approximately half of those individuals voluntarily left the building. There is no statutory exemption for media representatives to be in violation of the law and not be charged.

2) After the arrests, a spokesperson for the protesters released a statement which, regarding the arrest of Amy Cantrell, read in part:

"Cantrell was then separated and taken to an impromptu meeting inside the building with police Chief Tammy Hooper. Present were Hooper, a sergeant and three other officers. Hooper expressed extreme frustration that protestors had created a spectacle by occupying the lobby of the APD. She demanded a meeting with Cantrell, who could not accommodate the request, being in handcuffs, without a calendar, and separated from the rest of her group who would also want to attend any meeting."

Did the "impromptu meeting" described above take place? Chief Hooper did meet with Mrs. Cantrell, as she was the designated spokesperson for the group. During this meeting Chief Hooper offered to schedule a follow-up meeting, however Mrs. Cantrell was unable to do so at the time. Chief Hooper offered to follow-up with her regarding the scheduling of a meeting and neither Chief Hooper, nor the Asheville Police Department, have heard from Mrs. Cantrell since July 22nd.

3) After the July 21-22 sit-in, the APD offices were on lockdown. How long did this lockdown last? What did it entail? Is there any estimate on its additional cost? The lockdown was put in place until we could ensure that normal operations could assume at both the police and fire departments. An officer was present at the front door of the Municipal building until Tuesday, July 26th. There was no additional cost, as this officer was working his regular on-duty shift.

4) At the July 25 public safety committee meeting Chief Hooper mentioned that the building was still on lockdown due to concern about safety and security. What was the specific nature of those concerns? The Asheville Police Department wanted to ensure that we could provide unobstructed access to the public for both police and fire services.

5) Over the ensuing week, the APD began issuing citations for participants in the July 21 morning march. How many citations were issued? As of August 4th the Asheville Police Department has charged 20 individuals, however a few of these are outstanding warrants. The Asheville Police Department is no longer working to identify additional protesters, but the investigation is considered ongoing as we work to serve the remaining warrants.

6) To my knowledge, the APD had not issued after-the-fact citations for blocking traffic as part of a protest since 2011. Why the choice to change enforcement procedures after this particular march and sit-in? The demonstrators did not obtain a lawful permit, therefore the City of Asheville was unable to provide advanced notice of the route or possible traffic disruption in the downtown area. As a result it caused delays for many citizens traveling through, and working in, the downtown area. The Asheville Police Department strongly supports and respects the constitutional right of individuals to practice their freedom of speech and protest, and we have demonstrated that respect throughout this process. Individuals are not entitled to conduct themselves in a manner that is unlawful and infringes on the rights of others.

7) The photo on the APD's July 27 facebook post about those citations doesn't appear to be of the march on the morning of July 22. When was that photo taken and why was it used for this particular post? The Asheville Police Department utilized publically available information in order to assist in the identification of those that participated in the march. This information came from the organization's Facebook page, YouTube and media footage. The photograph was derived from those sources.

Thanks for your help.

Best,

David Forbes

Editor, Asheville Blade

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