

## »»» F the SMC PD?

posted by David Markland at 5:07 PM on May 29, 2006

By "F", I mean should campus police be given an F for Failing to uphold the rights of students of Santa Monica College, and, instead be given an A for aggressively violating their free speech rights?

SMC student Jeff Higley describes a number of incidents at his blog, *The Siege Online*, of campus police abusing their power and intimidating students, among them Jeff Higgins himself. In his most recent entry, Higley provides video to a recent encounter with SMC PD where they told him he couldn't record a public event.

During a recent May 18 event, I tried to videotape an Associated Student sponsored performance of "the spoken word" in the public "free speech area" at the Clocktower for some positive coverage to put on *The Siege*, but SMC officers shut me down. When I redirected my videotaping towards them as I tried to discover the basis for their order, they became hostile and repeatedly threatened me.



The blog *Save SMC* defends Higley, and also offers a transcript of his videotaped encounter with police. *Save SMC* is equally critical of recent happenings at Santa Monica College.

Other seemingly peaceful situations that both Higley and *Save SMC* have written about have resulted in arrests and disciplinary actions that they claim are in direct violations of their rights as students, let alone citizens. I haven't had the opportunity to review all the charges and seek out counterarguments, but encourage other interested bloggers and readers to look into what appears to be the implosion of what used to be one of the coolest community colleges in the country.

*Image from Save SMC.*

**CORRECTION (7:00PM):** I mistakenly identified Jeff Higley as "Jeff Higgins" when I originally posted the above.



### Comments

Hey David,

That's Higley, not Higgins. Thanks for the write-up about The Siege and my unfolding coverage of SMC police misconduct.

Des Manttari (Save SMC) and I really appreciate the fact that more and more people are taking an interest in the goings-on at our school. Perhaps with enough scrutiny, there will arise the kind of public pressure to bring about the necessary corrections.

We are both actually quite appreciative about many aspects of the college, but are distressed with much that is happening to both students and faculty. Thanks again.

Best regards,

Jeff Higley

Posted by: Jeff Higley at May 29, 2006 06:08 PM

Apologies, Jeff. Since corrected!

Posted by: David Markland at May 29, 2006 07:03 PM

Hmmm, is this the SMC which hosts KCRW, the "flagship" station for NPR on the West Coast. No doubt KCRW and NPR News has been all over this, right?

Posted by: db at May 29, 2006 11:54 PM

From what I've seen from the video it looked like the student was causing a disturbance by interfering with the work of the police officers. What if a fight had broken out and the officers were too distracted by someone's prattling to do anything about it?

Posted by: Anonymous at May 31, 2006 09:10 AM

Yeah, because we all know how easily cops are distracted. Last time I robbed a bank, I just had my partner go down to the station during the morning briefing and hold bright, shiny objects and spiral pinwheels up in the air, and those cops never even made it out to the street.

Nice try, Anonymous. Actually, you know what? Lame try. Sorry.

Posted by: Questioner at June 2, 2006 03:11 PM

I agree with the equally anonymous "Questioner".

There's three cops. The cameraman and girls may be talking to them, but they aren't blocking their line of sight. The cops are deliberately NOT answering the questions being posed to them, but instead are threatening to arrest both of them without explaining how they're doing anything wrong, just rattling off lame and vague charges.

I'm a skeptic, so I would like to know why the cops told Jeff to stop taping to begin with. Was there a request by a performer for there to be no videotaping? Was Jeff harrassing anyone while taping? Did an individual point out Jeff to the SMPD and label him a threat?

There's always two sides to every story. Right now, I just have Jeff's. But to speculate so lamely by saying that merely by talking with the police he was "distracting" them is weak, lame, and bluntly, stupid.

Posted by: David Markland at June 2, 2006 04:23 PM

The paid performers requested that I not videotape them. In the absence of any signs prohibiting such and knowing that the performance was in a designated campus and public "free-speech" area, I continued to videotape. Thus the cops were called to intervene.

Upon officer Malone's arrival and at his order, I immediately ceased taping the event. The rub came regarding the fact that student friends of mine, who were not part of the initial paid portion of the event, wanted to be videotaped. Malone and the other officers were adamant that I couldn't tape these students either.

I have since secured a copy of the SMC police incident report. There were no allegations that I was harassing anyone, because I wasn't. Nor did anyone label me as a threat. My focus became the officers, the videotaping of whom is a constitutionally protected right as detailed in numerous case law decisions.

My intention, after being shut down for reasons given that were ambiguous at best, was to document attempts at clarification from the SMCPD as to the grounds for their order, believing as I did, and still do, that it was police overreach and not supported by the law.

All my videotape of the occasion evidences a general non-responsiveness from the officers, except for repeated threats of arrest if I videotaped the event, which I had earlier ceased doing.

It should also be noted that the three officers stayed in a group near where I was standing. Any disruption of the event was due to the heavy-handedness of the officers in response to me, to two student poets who wanted to be videotaped, and to a friend who shared the Universal Declaration of Human Rights insofar as it asserts in Article 19:

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

Posted by: Jeff Higley at June 4, 2006 11:16 AM

Hi David,

Your readers might be interested to learn that this last Monday, during the SMCPD's follow-up to my formal written complaints against the three officers involved in the May 18 "spoken word" incident, Sgt. Bays admitted that I was within my rights to videotape everything at the Clocktower that day, including the paid performers.

Posted by: Jeff Higley at June 15, 2006 06:29 PM

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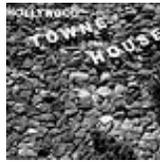
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