

REDWOOD CURTAIN COPWATCH

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February 15, 2010

Re: EPD Sergeant Michael Quigley

Open Letter To Eureka Police Chief Garr Nielsen,
Eureka City Council members,
Eureka Mayor Virginia Bass
Eureka City Attorney Sheryl Schaffner:

We, of Redwood Curtain CopWatch, receive *report after report* of unprovoked, vicious behavior by Sergeant Michael Quigley toward houseless people. With this letter we intend, once again, to alert you to Quigley's regular practice of abusing his authority and abusing people whom he apparently perceives to have little to no political power. As exhibited by his indecent and cruel behavior, Quigley believes he has absolute impunity to blatantly and repeatedly violate peoples' human and constitutional rights. This open letter goes out to hundreds of individuals and groups to call attention to Quigley's ongoing unacceptable behavior and to publicly call on you to correct it immediately and prevent any such misconduct and abuse in the future.

Redwood Curtain CopWatch aims to stop oppressive, abusive police activity, support victims of police abuse, and provide education regarding rights and social action. We observe and film police activity in the streets in an effort to hold the police accountable for their behavior, and we speak with many people about their experiences with the police in this area. We have informed you in the past of Quigley's vile and discriminatory behavior toward poor and houseless people, and have received no substantial response nor seen any change on his part. In fact, Quigley seems to have become increasingly hostile.

As CopWatch, we see that Quigley is more concerned with undermining our work than upholding his duty. He has a habit of approaching whoever is using a camera to observe, and using his chest to obscure the view of the camera and prevent documentation. The night after the January 9, 2010 earthquake, Redwood Curtain CopWatch responded to a call from a resident of a damaged building. The resident requested our presence because her landlord and the police were both present at the evacuated building. Upon our arrival, Quigley shoved his body close to the camera-person and moved around to block our view of the situation. We then overheard Quigley lie to a resident family with a baby, telling them that they could not go retrieve things from their apartment because "They [CopWatch] have us on video and if I let you go up there, they will sue us." Quigley's behavior indicates that he is actively suppressing CopWatch's right to observe police activity, and that he is attempting to influence people to fear or dislike our presence. Furthermore, he makes a spectacle to intimidate more of the public from exercising their constitutional rights to observe and videotape police activity. Many of the incidents documented by Redwood Curtain CopWatch wherein Quigley hurts and degrades people occur in relative isolation.

Every day, Quigley intimidates and bullies poor people.

Toward the end of January, Quigley and Eureka Police Officer Wayne Rabang approached a van parked near the Marina. They banged on the vehicle, shouted, rocked the vehicle and made lots of noise. Quigley then slid the screen part of the window open and put his hand inside. He pushed away the curtain and threatened to smash the windows if the person inside did not come out. After the owner of the van

rolled down the window about halfway in the front/cab, Quigley then grabbed with both hands the window and started shaking it back and forth. He then reached one hand in, unlocked and opened the door, and physically grabbed the owner of the van, pulling him out of the van and onto the front of the police car.

Quigley then demanded identification from the van's owner. The owner, a calm and soft-spoken person, stated that his ID was inside the van; when he went to get the ID, Quigley grabbed him and pushed him down. Although Quigley physically refused to let the man retrieve any of the van's paperwork *and* the man had not been driving, Quigley began interrogating the man about the vehicle and made irrelevant comments and accusations about "people pissing and shitting on the streets." Quigley spoke menacingly to the man and told him to appreciate that he [Quigley] was being a nice guy because he "could have just climbed into the vehicle."

Rabang at some point said "We've had a lot of trouble with this vehicle." Quigley then told the man (owner) that the vehicle did not belong to him! When the man replied that it does, the officers said (if you can believe this) that the same vehicle was parked "over there" the other day, but "at that time it was brown."!! Then Quigley told the man that he did not have a valid driver's license. The man *has* a valid license from another state, and had just arrived in this area. Quigley told him that if he wanted to drive here, he would have to register "with my king." Quigley then cited the man for *camping* and threatened to have the vehicle towed if he if he saw it again.

A camping ticket is an infraction accusation/charge. It is not a driving violation charge. It does not warrant entry into a person's vehicle. It does not require force. It does not warrant a tow or the threat of a tow. It certainly does not warrant the rude, intimidating, and violent behavior exhibited by Quigley. But, Quigley is a repeat offender of people's rights- particularly people whom he perceives to have no shelter, or limited resources.

Poverty is not a crime, yet Quigley criminalizes houseless people and makes them unsafe, thereby exacerbating their condition of poverty.

-Quigley told people who were in an alley that if "anyone gets caught pissing in the alley, they'll get beat up and put on a bus to Sacramento."

-He aggressively awoke one houseless woman from sleep, accused her of being high on methamphetamines, *bruised her up and down her arms* and threw her in jail.

-After Quigley's return from a leave of absence, he approached a young man sitting in his truck and, assuming that the man had been sleeping in the truck, told him "now that I'm back, you and the other parasites better watch out."

-Quigley ran a black man and his children – a homeless family – out of Eureka by harassing and threatening them constantly.

-Quigley harasses people at St. Vincent de Paul's Free Meal *day after day*, going so far as to ticket poor people whom he *accused* of sleeping in their vehicles the night before. He has been heard there saying "There's no free lunch in Eureka"

-In December, Quigley walked up to an officer who had twice confirmed that the two people he'd approached were not breaking any laws and were free to go. Quigley clearly wanted to arrest someone, so he almost instantly 'ordered' the arrest of the houseless man (one of the two people) who was *not* being detained- for not providing his name to the other officer. The DA rejected

prosecuting the case “in the interest of justice”. You can watch video of what happened at:
<http://vimeo.com/9410853>

Quigley acts despicably toward houseless people. As a police officer, Quigley is a representative of the City of Eureka and the Eureka Police Department and therefore his aggressive harassment of Eureka’s residents should concern city officials and the community. He physically and verbally assaults houseless people with his invasive and criminal behavior. Quigley's targeting and punishing people based on their status (or perceived status) must stop. He is a danger to our community. There are hundreds of incidents involving Quigley that prove it. He exhibits a complete lack of compassion and professionalism. His inhumane treatment of some of the most vulnerable people in our community is unfair, unnecessary, and illegal. Appropriate action on the part of the City of Eureka and the Eureka Police Department would include **disciplinary action** or **firing**. We expect a timely response explaining how this situation is being satisfactorily remedied.

Please remind Sergeant Quigley that retaliation for this or any other complaint is against the law.

Sincerely,
Redwood Curtain CopWatch

*cc: Civil Liberties Monitoring Project
Civil Liberties Defense Center
Humboldt County Human Rights Commission
Ms. Susie VanKirk
Eureka Times-Standard
Humboldt County Public Defender
Humboldt County Conflict Counsel
Humboldt County Alternate Conflict Counsel
National Law Center on Homelessness and Poverty*