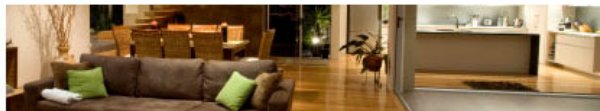


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## \$2M settlement is a cop wakeup call

Tuesday, August 19th 2008, 9:24 PM

Around 8 a.m. on the morning of April 7, 2003, [Sarah Kunstler](#), daughter of legendary civil rights lawyer Bill Kunstler, joined a small protest in [Manhattan](#) against the fledgling [Iraq](#) war.

"I was in law school at [Columbia](#) at the time," Sarah Kunstler recalled Tuesday. "I had my knapsack and books with me, and I thought the demonstration was early enough so I'd be able to get to class on time."

She thought wrong.

Kunstler hadn't counted on the ironfisted crowd-control tactics the [NYPD](#) had begun to adopt, tactics the department would later employ in even more shocking mass arrests at the Republican convention in 2004.

That day in 2003, Kunstler started walking in a picket line outside the offices of [The Carlyle Group](#), a major war contractor.

"After about half an hour we were surrounded by cops in riot gear," she said. "I'd never seen that kind of response. There were more of them than there were of us."

Police immediately cordoned off the street and allowed no one to enter or leave. Then, without any announcement, they started arresting all the protesters on trumped-up charges.

This according to dozens of witnesses and the NYPD's videotape of events that day, all of which came to light as part of a 2004 federal civil rights suit that the Bloomberg administration finally agreed to settle Tuesday for \$2million.

The case is called Kunstler et al. v. [New York City](#).

It should serve as a wakeup call to police departments across the country, especially those in [Denver](#) and St. Paul that are preparing to confront new anti-war protests at the Democratic and Republican conventions.

The lesson is simple: In the [United States of America](#), you don't arrest people simply because they assemble to protest government policy.

You can do that in [China](#) or [Pakistan](#) or some other authoritarian state, but here we have something called the Constitution.

Kunstler and 51 others sued the city for false arrest and civil rights violations. She spent 12 hours in jail on charges of disorderly conduct, then refused an offer of an ACD - adjournment contemplating dismissal.

At the time of her arrest, Kunstler had just completed producing a documentary film, "Scenes from the Drug War."

Her film is about [Tulia, Tex.](#), a tiny town that became infamous a decade ago for the wrongful drug convictions of dozens of black men through a sting organized by a corrupt cop.

Now Kunstler was facing her own false charges right here in [Michael Bloomberg's New York](#).

Her mother, [Margie Ratner](#), represented her in the case and won a quick acquittal.

Kunstler and 51 others then sued the city with the help of the [Center for Constitutional Rights](#) and the law firm of [Emery Celli Brinkerhoff & Abady](#).

"The city went to great lengths, almost in a punitive measure to fight these plaintiffs," said [Sarah Netburn](#), one of the lawyers in the civil case.

Unfortunately for the city, the NYPD videotape of the scene that day left no doubt that most of those arrested were law-abiding, and that police never gave anyone an order or chance to disperse.

[Susan Halatyn](#), of the city's Law Department, said the city agreed to the \$2 million settlement "rather than incur additional costs with a lengthy trial." It did so "without any admission of liability," Halatyn said.

Next month will mark 13 years since Bill Kunstler died. Judging by his daughter, the filmmaker and newly minted defense lawyer, the Kunstler spirit lives on.

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"I hear the police in Denver and St. Paul have the NYPD advising them," she said. "I hope they learn from what happened to us."

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**enigmablack** Aug 20, 2008 8:05:16 AM [Report Offensive Post](#)  
 "In the United States of America, you don't arrest people simply because they assemble to protest government policy." That used to be the case until Bush and his people used the Constitution as toilet paper, they laid the foundation for all of this

**tkfaclark** Aug 20, 2008 8:20:40 AM [Report Offensive Post](#)  
 enigmaback you are 100% correct. We thru away our rights under the premise of fear and terrorism. Homeland security/the patriot act...have all replace the constitution. Its a Police State.

**tkfaclark** Aug 20, 2008 9:20:31 AM [Report Offensive Post](#)  
 It doesn't matter who gave the orders, they are all liable. And instead of the citizens paying these judgements it should be equally divided and come out of the cops paychecks.

**patrick james** Aug 20, 2008 9:27:42 AM [Report Offensive Post](#)  
 This country has become a world disgrace, thanks to our president.

**POLICE POWER** Aug 20, 2008 9:55:25 AM [Report Offensive Post](#)  
 Gonzalez is an anti-cop POS. If it wasn't for bashing the police weekly in the Daily News, he would be delivering arroz com pollo for Malecon up in the Heights. You can tell he has no talent, he never went anywhere. What a sad career.

**middleclassguy** Aug 20, 2008 9:58:28 AM [Report Offensive Post](#)  
 Next month will mark 13 years since Bill Kunstler died. Judging by his daughter, the filmmaker and newly minted defense lawyer, the Kunstler spirit lives on. Kaching!!!!!! The Kunstler spirit.

**Spider** Aug 20, 2008 10:01:48 AM [Report Offensive Post](#)  
 It's no surprise that comrade Sarah turned out to be a communist just like her anti-American father.

**crazyiness** Aug 20, 2008 10:43:18 AM [Report Offensive Post](#)  
 u are all idiots thinking this is all bush's fault. that monkey can't pass laws. congress does. blame the idiot democrats who control congress and the senate. they passed the monkeys laws. which ofake said he would repeal. but when push came to shove, he not only did not vote against the law, he voted for it. \*SIGH\*

**hinky** Aug 20, 2008 11:12:52 AM [Report Offensive Post](#)  
 Kuntsler, Kuby = scum. They make money by defending the worst human beings on the planet and then trying to get money from the city for pushing buttons and violating civil rights. Remember people, it's your taxpaying dollars lining their limos. Talk big all you want against the police but who are the real perpetrators of the fraud here?

**moderatemanyc** Aug 20, 2008 11:44:03 AM [Report Offensive Post](#)  
 this article is nonsense people. first did they have a permit? were they blocking pedestrian/vehicular traffic? did they become unruly? did they antagonize the officers? etc!!! He never answered these questions...

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