



# MALDEF

Mexican American Legal Defense and Educational Fund

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May 3, 2007

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Chief William Bratton  
**LOS ANGELES POLICE DEPARTMENT**  
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**Via Facsimile & U.S. Mail**  
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**Re: May 1, 2007 MacArthur Park**

Dear Chief Bratton,

On behalf of the Mexican American Legal Defense and Educational Fund, I write to urge you not only to conduct a careful review and complete investigation of police action during the peaceful march and gathering at MacArthur Park on May 1, 2007, but also to be accountable to the community with the findings, conclusions, and remedies that are warranted.

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In October 2006, MALDEF assisted a coalition in Tucson, Arizona with filing formal complaints by individual victims against the City and the Tucson Police Department after a strikingly similar situation that occurred during the April 10, 2006 immigration marches there. During the 2006 Tucson march, counter-demonstrators known as the Border Guardians shouted racial slurs and lit two Mexican flags on fire. When some teenagers threw water bottles in the direction of the burning flag, the Tucson City Police took actions, including deploying pepper spray, that sparked additional engagement between police and demonstrators that resulted in perceived unlawful conduct by law enforcement officers.

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As in Tucson, we are concerned that the First, Fourth, and Fourteenth Amendment rights of citizens and immigrants alike in Los Angeles were violated by local law enforcement. Ensuring that local law enforcement agencies do not violate the constitutional and civil rights of Latinos is one of MALDEF's core missions. Here, it is particularly important that Latinos' voices are not silenced in the critical national policy debate surrounding comprehensive immigration reform.

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We understand that you will be meeting with community leaders who were present during the incidents and that you have called for a thorough investigation. What occurred on May 1 can not be undone, but the steps you take as Chief of the Los Angeles Police Department are critical to restoring faith in the Department.

*Celebrating Our 37<sup>th</sup> Anniversary*  
*Protecting and Promoting Latino Civil Rights*  
www.maldef.org

This matter has already garnered national and international attention and, as you know, many in our community still remember the horrible police incident that resulted in the death of KMEX and Los Angeles Times journalist Ruben Salazar. While that incident occurred in 1970, it demonstrates how difficult it is to restore faith once it is lost. That effort may require outside investigations by state or federal civil law rights law enforcement authorities, either parallel to or superceding your own and we would support those actions, if warranted. At the same time, we recognize the progress you have made to improve police-community relations, such as continued support of Special Order 40, and we offer our cooperation in continuing that progress. Thus, we urge you to take seriously all complaints that are filed by actual victims in the coming weeks, acknowledge the specific tactical errors, if any are found, issue a public apology, set out plans for department training and supervision, and discipline those officers who acted inappropriately and/or without regard for their legal duties.

While there are many details that remain unclear, it appears unquestioned that the marchers who gathered for a peaceful call for comprehensive immigration reform did not initiate any violence. This is equally true of members of the press and electronic media. The immediate LAPD response, which included pepper spray, rubber bullets, and the extensive use of batons, appears to be excessive and completely uncalled for. As the details unfold, it is important to be in constant communication with community groups to: ensure that all persons, including undocumented immigrants, have confidence in the police department; promote public safety and trust; and, to encourage the participation and involvement of the entire community in achieving law enforcement's goals of protecting and serving the people.

We look forward to having the opportunity to discuss this with you in person.

Sincerely,



Annabelle C. Gonzalves  
Regional Counsel