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Charges Against 227 Arrested During RNC Dismissed

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Charges against 227 anti-war protesters who were arrested during the Republican National Convention were dismissed by a Manhattan Criminal Court judge Wednesday at the request of the district attorney's office.

Judge Katherine Fried dropped disorderly conduct and parading without a permit charges after being told that the march, sponsored by the War Resisters League, was nonviolent and resulted in neither personal nor property damage.

Assistant District Attorney William Beesch also told Fried that the 227 marchers, among more than 1,800 arrested during the Republican convention, may have been confused by instructions police gave them before the procession began.

Beesch said police had reason to believe the protesters intended to violate the law by marching without a permit, but by telling them they could have a "safe march" under strict limitations, "police likely created the impression among participants that the march had official sanction."

The marchers, part of a group of several hundred, were arrested around 4 p.m. on Aug. 31 on Fulton Street between Church Street and Broadway, a few yards from the World Trade Center site.

March leaders, who had no parade permit, told police they planned to walk up Broadway to Madison Square Garden where the Republican convention was in its second day. The stated goal of the group was to stage a "die-in" at the Garden.

Police told march leaders that without a parade permit would have to obey all traffic laws, heed all traffic lights and signs, walk two abreast, walk only on the sidewalk and avoid blocking pedestrian or vehicular traffic.

Beesch told Fried that some marchers failed to follow police directions. While there seemed to be no deliberate effort to block traffic, he said, large numbers of protesters did impede foot and vehicular movement.

Within two minutes, Beesch said, police stopped the march and ordered participants to disperse or face arrest. Moments later, marchers on Fulton Street were arrested but an equally large number who had not reached Fulton Street were not arrested, he said.

"Once informed they were under arrest, the defendants remained civil and followed the directives of the police, who also behaved in a professional and restrained manner," Beesch told the judge.

In light of the brief duration of the march, the conduct of the protesters and other circumstances, "no useful purpose would be served by continuing the prosecution of any cases arising out of the Fulton Street protest of Aug. 31," Beesch said.

Martin B. Stolar, lawyer for the marchers, told Fried before she dismissed the charges that he "obviously" agreed with Beesch.

One protest defendant, Richard Hardie, 73, a retired Air Force major and furniture designer of Northampton, Mass., appeared in court. He said he had been prepared to go to trial but he never intended to plead guilty.

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