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FOR IMMEDIATE RELEASE

BART Police Deputy Chief Faces Trial for Retaliation

Journalist Targeted for Reporting on Killings of Oscar Grant and Charles Hill

San Francisco, California: On September 22, 2014, former BART Police Deputy Chief Dan Hartwig will be called to account for his role in targeting and arresting independent journalist David Morse during a “No Justice No BART” protest at the Powell Street BART station three years ago. Morse was the only credentialed journalist who was handcuffed, arrested, and held in police custody for several hours, while other reporters with and without credentials were all released without citation from a police encirclement.

Plaintiff David Morse is a veteran journalist and long-time member of the San Francisco Bay Area Independent Media Center ([Indybay](#)). At the time of his arrest, Morse had published over 250 separate reports related to the killings of Oscar Grant and Charles Hill and “openly mocked and ridiculed the agency and its officers,” in the words of Magistrate Judge Jacqueline Scott Corley. “These declarations did not go unnoticed at BART,” Corley continued, ruling that the case can go forward to trial.

Judge Corley also noted that BART took the unusual step of ordering that a “Be on the Look Out” flyer depicting Morse be created and distributed to BART police officers prior to the protest on September 8, 2011. Police radio transmissions, depositions, and other evidence reveal the strong focus BART police had on Morse prior to and during the protest.

“BART police tried to say I was chanting and deliberately blocking fare gates during the protest, but after more and more evidence came out, including their own video of me, they’ve scaled that back,” Morse says. “Yet they still argue that their prior targeting of me was unrelated to my arrest. This trial is an opportunity to let the evidence speak for itself and finally hold BART accountable for their actions.”

“We are confident that Hartwig will be held accountable for his retaliation against David Morse,” said Dan Siegel, civil rights lawyer and Oakland Mayoral Candidate.

The trial is expected to last five days starting on Monday, September 22, 2014, with proceedings scheduled to occur from 8:30am to 2:30pm. The trial will be held in Courtroom “D” on the 16th floor of the US District Court in San Francisco with the Honorable Judge Scott Corley presiding.

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