

October 1, 2006

Section A. Situation

This is a case of two individuals who made the decision to enforce the standards (become vigilantes) of the Save The Seals Protestors who daily harass visitors and those who use the Childrens Pool.

The seal protestors put up signs daily at the cp which are not authorized by the city. The messages on the signs are erroneous and the activists accuse the users of the beach to be a danger and a threat to the seals life and long term survival.

The Childrens Pool beach was unoccupied that afternoon when I arrived. I placed my beach chair and duffle bag with connecting cable and lock in a location where the Life Guards could naturally see them while over looking the beach. The ocean waters were calm with one foot waves which were from a Southerly direction so that no waves were entering the Childrens Pool and the surge was minimal. The ocean and land environment were equally peaceful. There were no seals on the beach.

I decided to go for a swim and when I returned from my swim I noticed that my chair and duffle bag had been moved about fifty feet south from the original location. Upon reaching my belongings I returned them to their original location. I placed them approximately twenty-five feet from two adult seals which were now on the beach. I then noticed two male adults entering the Childrens Pool via the stairs. They were moving at a brisk pace. Due to the age, body build, sex and body language, rate of pace, swing of the arms and straight bee line direction toward my position, I feared another verbal assault at the least and a physical assault at worst. I dialed 911 on my cell phone as the two intruder approached. They demanded that I defend my presence on the beach. Their voice quality was gruff, angry and intense. I was fearful for my personal safety.

Person#1 What are you doing back over on this side of the rake line?

Im the one who put your stuff on the other side of the rake line.

My comment was that the raked line is an unauthorized line on the beach made by the Seal Activists.

Persons#1 or 2 It is illegal for you to be over here. You are disturbing the seals.

Me "You are not the authorities at this beach. This is a public beach and it is legal to be anywhere on this beach

Persons#1 or 2 Those seals need to get rest on this beach

Me The seals can sleep in the water, they are not harmed by people being on the beach.

Persons#1 or 2 How do you do when you are fatigued in the water?

Me I am not a seal

Person #2 "We are going to throw you and your stuff in the water and see how you like it.

Me I was talking to 911 telling them the location and that I was being threatened at that time.

Person#2 "Go ahead and hit me so I can" (give you what you deserve).

Me I was talking to 911 requesting that the police be sent to the Childrens Pool.

Person#2 "Just like I thought, youre a wimp."

Person#2 "Go ahead and hit me so I can" (give you what you deserve)

Me I was still talking to 911 asking that a squad car be sent to the Childrens Pool.

I then held the cell phone up person #2 asking for him to make a statement. Then he stopped talking. I then continued to listen for further questions from 911

V#2 "You are definitely a wimp."

Me Addressing HP2 "You are disturbing the peace, get out of here." and when I said that I was pointing up to the street level with my cell phone.

Person#2 He grabbed my hand that held the cell phone with his left hand and hit my right shoulder with his right hand.

Me Talking to 911, "Get a squad car down here, he has hit me and is disturbing the peace."

Person#2 "I did not hit you."

Witness#1(Trent) walks up and announces that he is a witness to this event.

Me 911 asked me to describe Person#2.

Person#2 becomes pale and appears to be confused, and then he turned and walked away toward the gate next to the Life Guard tower.

Me I tell 911 that I am following Person#2 in order to get his car license plate number.

I stopped pursuit when I saw the Life Guards directing Person #2 into the Life Guard Tower.

Person#1 I told this individual that I felt that he was an accessory to the assault and that I would be telling the police about him as well. However I was not able to keep track of this individual and he left the scene.

Witnesses: Trent, Woman who filmed some of the event, Jim Ahern and Life Guards

Section B

MY HISTORY: This is at least the 6th time the peace has been broken while I have been using the Childrens Pool

This is the 4th time I have feared for my well being in a year, I have received threats to my personal safety.

This is the 3rd time I have feared for my well being in two months, I have been approached by angry individuals where I have received threats to my well being.

This is the 2nd time I have feared for my well being in one week. On the other incident Don was present and the police were called and responded but the individual escaped the area prior to their arrival.

I have been berated for being on the beach whether or not seals are on the beach.

I have had my back pack disturbed three times now within a three month period of time.

It was taken successfully completely from the beach once approximately three months ago.

An attempt to take it was unsuccessful, approximately a month ago.

And on October 1st it was successfully moved without my permission from one part of the beach 20 feet or so across the raked line to 10-15 feet back of the raked line.

I have had my back pack taken and thrown over the cliff. The back pack was near the stairs where the Life Guards (LGs) could not see the pack. I was advised by the LG s to put the pack near the breaker wall so they can see it.

(Not more than a week before I had been threatened with bodily harm by an adult male and the police were called and responded to that situation.)

From previous confrontations the dialogue follows a pattern of question then demand. General questions of why I am on the beach leading to the demand that I vacate the beach followed by a threat of forced removal or physical injury on the beach or at another location away from the beach.

The complicating factor is that I have witnessed that the Life Guards do not intervene until one party has initiated physical assault.

The individuals that choose to become confrontational do so based upon the premise of the signs stationed at the entrance to the Childrens Pool. The sign states that the seals are exhausted and those who use the beach are a threat to the safety and very life of the seals. The common refrain of those educated and thereby incensed by the Protestors is that **we are seal killers and deserve whatever may happen to us** whether it be in the water, that we ourselves drown, or whether we receive what we deserve, bodily harm at their hands be it on the beach if we do not follow their commands or be it on the street away from the area.

Individuals are approaching the users of the CP incited to an intense level of anger and emotion that in itself gives us a sense of danger and the possibility of unpredictable actions. The premise is that I and the others are **intentionally drowning exhausted seals**. This information is being fed to these individuals and the information is accepted without question.

Witnesses

Trent 760 994-8401

Cheryl Collands 760 212-6262

ludekabuki@cox.net

Has picture of the event

Jim Ahern 619 235-4617

David Johnson