

## Ferlinghetti sues S.F. police for 'computer error' arrest

Computers supposedly make law enforcement agencies more effective but there is growing evidence that police reliance on them leads to some serious problems. There have been many complaints recently that the computer used by the San Francisco Police Department has caused many false arrests, invasions of privacy and wrongful assessments of fines. One such complaint resulted in an ACLU lawsuit last month.

Staff Counsel Joseph Remcho filed suit against Police Chief Donald Scott and the City and County of San Francisco for illegal arrest and confinement on behalf of poet Lawrence Ferlinghetti. He charged that Ferlinghetti was arrested on a warrant outstanding from a 1969 obscenity charge. That case had long since been dismissed but no one ever told the police computer.

"As a result, Ferlinghetti was falsely arrested and imprisoned on non-existent charges in violation of his constitutional rights," according to Remcho. Ferlinghetti had been stopped by police for a traffic citation and the officers ran a warrant check on him through their computer. When they told him they had discovered a warrant for his arrest, he

explained that the charges had been dropped and that the warrant was no longer valid. Rather than check out his story, the officers booked him.

Remcho commented that "this is only one example of many unconstitutional abuses that arise from police who are unwilling to recognize that they can make mistakes." He added that false arrests, break-ins and searches of the wrong homes, and reliance on computers that have not been updated "have led to injustices for which the police must be held responsible."

Computer checks are run on almost every citizen with whom the police come in contact, whether you are stopped for a traffic violation, a passenger of a stopped car, or even if you report a crime. "Citizens are afraid to cooperate with police knowing that warrant checks will be run on them," according to Remcho. "The police are losing their image as protectors of the peace through their over-zealous and often illegal activity," he continued.

The suit asks the court to award Ferlinghetti the legal costs incurred during his arrest and \$10,000 in compensatory damages.