

MYUNG J. CHUN Los Angeles Times

'THE NATURE OF THINGS

ready dramatic landscape at Vasquez Rocks Natural Area in Agua dry, but heavy rainfall is forecast for Tuesday and Wednesday.

Torrance settles swastika lawsuit

BY CHRISTIAN MARTINEZ

The city of Torrance has paid a Redondo Beach man \$750,000 after two police officers allegedly spray-painted a swastika inside his car in 2020.

The investigation into that incident led to the discovery of a trove of racist and homophobic text exchanges among Torrance police officers. The resulting scandal prompted prosecutors to toss dozens of felony cases.

In January 2020, after discovering a swastika on his car's back seat, Kiley Swaine filed a federal lawsuit against the city and its Police Department.

The alleged incident occurred after he and two other men were arrested on suspicion of mail theft from an apartment building.

Swaine was later cleared of the mail theft charges.

Two Torrance police officers, Christopher Tomsic and Cody Weldin, allegedly spray-painted the swastika, as well as a happy face on Swaine's front passenger seat, and damaged the interior before having it towed away, Swaine's attorney, Jerry Steering, said in a news release.

After Swaine was released and went to retrieve his car, he saw the graffiti and reported it to Torrance police.

The case was referred to the Los Angeles County district attorney's office, which filed conspiracy and vandalism charges against Tomsic and Weldin, both of whom have left the force.

The two men, who pleaded not guilty, are awaiting trial.

In a comment provided to The Times through Steering, Swaine expressed disappointment that he was not told by Torrance police who vandalized his vehicle despite a promise that they would do so.

Despite filing the report about the vandalism less than two days after it occurred, Swaine was not notified about the case against Tomsic and Weldin until October 2021, after L.A. County Dist. Atty. George Gascón announced the charges.

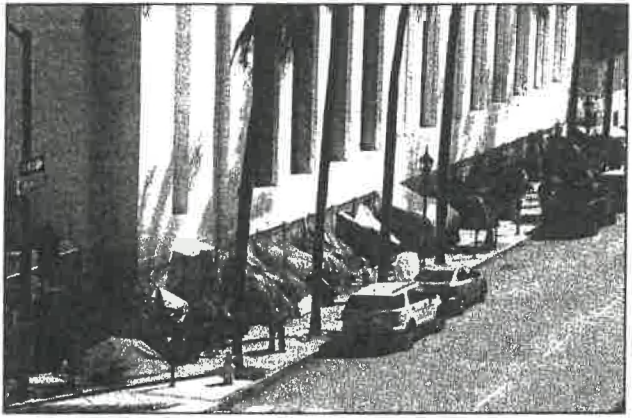
"I have been suing police officers for 39 years and I have never seen anything like this," Steering said in a statement. "It never ceases to amaze me that quite often the very people entrusted by our citizens to protect us are more dangerous than the criminals who they are supposed to be protecting us from."

The investigation into Tomsic and Weldin prompted prosecutors to search the officers' phones. The search turned up text exchanges among more than a dozen officers that included racist, antisemitic and homophobic comments.

After the text messages came to light, the L.A. District Attorney's

Residents grow weary as homeless incidents rise

on, who lives in the 11-unit condominiums on Park Avenue. Parkloft, a 120-unit, 11-story building, is one of the residential buildings in downtown San Diego where people who live there, where the units with views of Park sell for more than \$1 million, say they are getting tired of the worsening conditions in their neighborhood.



NELVIN C. CEPEDA San Diego Union-Tribune

TENTS forming an encampment for homeless people line a fence along 8th Avenue in downtown San Diego.

conducted by the Downtown San Diego Partnership found about 160 homeless people on sidewalks and in cars and tents between 6th and 12th streets in the blocks from E Street to the north and Market Street to the south.

In all of downtown, the number of homeless people living outdoors has surged in the last few months.

day-to-day, declining quality of life experienced by downtown residents is often overlooked.

"You name it, I've seen it," Levenson said, describing the contrast of walking from a \$1-million unit into abject poverty, drug use and mental illness. "I've seen people OD on the street, seizing, foaming at the mouth. Every day I walk past people doing

Parkloft residents who say they have lost patience. She suggests hiring companies to tow away tents and requiring homeless people to pay to retrieve them and awarding tax benefits to commercial building owners or tenants who prohibit camping around their premises.

"These are not homeless persons in search of a new life," she said. "They are vagrants who live in our beautiful city rent- and tax-free, enjoying handouts and supplies like tents and blankets."

Last week, City Council member Stephen Whitburn announced he is proposing an ordinance to ban encampments on sidewalks and public places.

The city also is launching a pilot program to house and bring services to homeless people in the area where Levenson walks every day, with a plan to keep the sidewalks permanently cleared.

A temporary women's shelter has opened in the

our house right now is a market because I do feel safe," said Elizabeth who has lived at Parkloft since 2014 and has a 3-year-old daughter. "I can't even go to Petco Park to the playground without going into a homeless person's God forbid I try to go to CVS."

Levenson and his wife live at a unit in the building since 2010. They had lived in the unit as renters seven years earlier. Back then, Levenson said, it was an up-and-coming East Village neighborhood and side-

8/7/23

Watts v. United States

PETITIONER

Robert Watts

RESPONDENT

United States

LOCATION

Washington Monument Grounds

DOCKET NO.

1107 MISC

DECIDED BY

Warren Court (/courts?court=Warren Court)

LOWER COURT

United States Court of Appeals for the District of Columbia Circuit

CITATION

394 US 705 (1969)

DECIDED

Apr 21, 1969

Facts of the case

On August 27, 1966 while attending a protest and discussing police brutality, eighteen-year-old Robert Watts stated, "I have already received my draft classification as 1-A and I have got to report for my physical this Monday coming. I am not going. If they ever make me carry a rifle the first man I want to get in my sights is L.B.J." A federal statute makes it a crime to "knowingly and willfully" threaten the life of the President. Watts was arrested, tried, and convicted in federal court for violating this statute. Watts argued the statement "did not

8/7/23

constitute a 'threat' within the language of the statute." On appeal, the United States Court of Appeals for the District of Columbia rejected this argument, finding that the statement violated the statute even if Watts had no intention of carrying out his threat, and affirmed the lower court's judgment.

Question

Was Watt's statement a legitimate threat within the meaning of the statute?

Conclusion

Sort: [by seniority](#) [by ideology](#)

DECISION FOR ROBERT WATTS

PER CURIAM OPINION

Hugo L. Black, William J. Brennan Jr., Charles E. Whittaker, Warren E. Burger, and John H. Steward



William J. Brennan Jr., Warren E. Burger, and John H. Steward

No. In a per curiam opinion, the Court concluded, without hearing arguments, that Watts' statement was "political hyperbole". The Court noted, "The language of the political arena... is often vituperative, abusive, and inexact." Thus, considering the "context, and regarding the expressly conditional nature of the statement and the reaction of the listeners," the Court ruled that Watts' statement was not a true threat.

Cite this page

[APA](#) [Bluebook](#) [Chicago](#) [MLA](#)

"Watts v. United States." Oyez, www.oyez.org/cases/1968/1107%20MISC. Accessed 24 Jul. 2023.

POLITICAL ARENA is often Abusive!

Accordingly, we are here confronted with a statute which, by its own words and as applied, purports to punish mere advocacy and to forbid, on pain of criminal punishment, assembly with others merely to advocate the described type of action. [n4] Such a statute falls within the condemnation of the First and Fourteenth Amendments. The contrary teaching of *Whitney v. California, supra*, cannot be supported, and that decision is therefore overruled.

Reversed.

AUG 01, 2023

1. The significant portions that could be understood were:

How far is the nigger going to -- yeah.

This is what we are going to do to the niggers.

A dirty nigger.

Send the Jews back to Israel.

Let's give them back to the dark garden.

Save America.

Let's go back to constitutional betterment.

Bury the niggers.

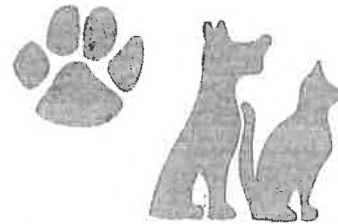
We intend to do our part.

Give us our state rights.

Freedom for the whites.

Nigger will have to fight for every inch he gets from now on.

PUBLIC ISSUES should be UNINHIBITED, Robust, & wide open & include vehement, caustic & sometimes VERY UNpleasant sharp attacks ON gov.



2. It was on the theory that the Smith Act, 54 Stat. 670, 18 U.S.C. § 35 embodied such a principle and that it had been applied only in conformity with it that this Court sustained the Act's constitutionality. *Dennis v. United States*, 341 U.S. 494 [341 U.S. 494 (1951)]. That this was the basis for *Dennis* was emphasized in 341 U.S. 494 (1951). That this was the basis for *Dennis* was emphasized in *Yates v. United States*, 354 U.S. 298, 320-324 (1957), in which the Court overturned convictions for advocacy of the forcible overthrow of the Government under the Smith Act, because the trial instructions had allowed conviction for mere advocacy, unrelated to its tendency to produce forcible

3. The first count of the indictment charged that appellant did unlawfully by word of mouth advocate the necessary unlawful methods of terrorism as a means of

The second count charged that appellant "did u assemblage of persons formed to advocate the judge's charge merely followed the language of tt the Ohio courts has brought it within constitutional has considered the statute in only one previous cas N.E. 521 (1932), where the constitutionality of the st

4. Statutes affecting the right of assembly, like those touching on fre speech, must observe the established distinctions between mere advocacy and incitement to imminent lawless action, for, as Chief Justice Hughes wrote in *De Jonge v. Oregon, supra*, at 364: "The right of peaceable assembly is a right cognate to those of free speech and free

CALIFORNIA LEGISLATURE



LISA CALDERON
ASSEMBLYMEMBER, FIFTY-SIXTH DISTRICT

CAPITOL OFFICE
1021 O STREET, SUITE 4650
SACRAMENTO, CA 95814
(916) 319-2056
FAX (916) 319-2156

DISTRICT OFFICE
13181 N. CROSSROADS PKWY., STE. 160
INDUSTRY, CA 91746-3497
(562) 692-5858
FAX (562) 695-5852
ASSEMBLYMEMBER.CALDERON@ASSEMBLY.CA.GOV

184

(213) 330-9803 or FBI (310) 477-6565 4
HOMELAND SECURITY