

Statement Regarding The Mass Arrest of Peaceful Protestors at Virginia Tech
Virginia Appalachian Justice Chapter, National Lawyers Guild
May 5, 2024

The Virginia Appalachian Justice Chapter (VAJC) of the National Lawyers Guild supports a Legal Observer program with the goal of enabling people to “express their political views as fully as possible without unconstitutional disruption or interference by the police and with the fewest possible consequences from the criminal justice system.” Legal Observers are third-party non-participants trained to document and report police-protester interactions. Responding to a request, Legal Observers from the VAJC monitored the Palestinian Solidarity protest on the Graduate Life Center lawn from Friday, April 26, 2024, through the arrests of 82 individuals in the early morning hours of Monday, April 29.

Over the course of the weekend, Legal Observers (LOs) documented multiple interactions between participants and campus police and observed peaceful protestors exercising their First Amendment right to assemble and speak. At no time did any of the ten LOs observe hate speech, intimidation, disorder, or violence on the part of protestors. We offer this statement as a corrective to the claims circulating in the media about the protest and the police response. We particularly object to the mischaracterization of the protest as “uncivil and unlawful” by Virginia Tech President Tim Sands in his [statement to the Virginia Tech community](#) on April 29, 2024.

LOs observed protestors negotiating with Virginia Tech Police Department officers and complying fully with the outcome of negotiations. LOs noted that campus police explicitly gave protestors permission to stay Friday night and Saturday night. On Sunday, students again offered to alter the event to fit within regulations but the Vice President of Student Affairs told them that was not possible.

LOs did not observe any complaints by campus police or Virginia Tech administrators about the nature of the protest (e.g. too loud, disruptive, violent, hate speech, etc). Police and the sole representative of the administration who spoke with protestors focused only on policies about reserving campus spaces. Participants asked for the VT administration to acknowledge their demands in writing, a request that seems to remain unmet.

To the collective observation of the LOs, protestors were peaceful for the entire duration of the encampment. LOs did not observe protestors who were eventually arrested behaving uncivilly towards law enforcement. The size and rowdiness of the group outside the police line greatly increased after the police perimeter was established and the VT Alert was sent out (at 10:18pm) to the student body at large as well as members of the Blacksburg community. VT Alerts sent at 11:03 pm and 12:15 am had similar effects. The President's statement conflates the actions of the larger bystander group with the actions of those who were eventually arrested from the Graduate Life Center lawn.

To the observation of the LOs, the protestors did not interfere with the rights of others. They did not interfere with students' ability to go to classes. They did not create a safety threat. We observed that the administration called out law enforcement only to enforce policies that govern gatherings and not because the protestors' presence was a threat. The scope and scale of the punishments are stunning compared to the peaceful and cooperative manner of the arrested protestors.

Virginia Tech enlisted multiple law enforcement agencies, including the Virginia Tech Police Department, Virginia State Police, Blacksburg Police, City of Radford Police, and Roanoke County Police to remove peaceful protestors at great risk to the health and well-being of students, faculty, staff, and community members. Both our observations and reports of others indicate that the police action caused unnecessary, and potentially intentional, injury to the protestors who had chosen “peaceful, respectful protest” and sought to understand and be understood “through difficult yet civil discourse across differences.”

On Behalf of the Virginia Appalachian Justice Chapter of the National Lawyers Guild,

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