

According to Santa Clara County Deputy District Attorney Peter Waite

"If the guy says, 'I'm not gonna give you an ID,' and they have no reason to suspect a crime, then they should have said, 'OK, thank you for your time and I'll see you later,' " said Waite.

"A citizen was doing nothing wrong but **didn't cooperate** . . . for some reason the officers tried to arrest him and beat him, and that's a crime," said Santa Clara County Deputy District Attorney Peter Waite.

San Francisco Chronicle July 31, 2003 [Ryan Kim, Alan Gathright, Chronicle Staff Writers](#)

Waite frames the case to the press: *"A person who is minding their own business, sitting in a car on a public street, doesn't have to identify themselves to police, and the police are not entitled to arrest them or to beat them."*

The Stanford Review January 29, 2004 by Alec Rawls

Under the law Hopkins would not be required to provide identification or give his name and would be free to leave.

Waite suggested Hopkins' "detention" by police was illegal and therefore the use of force----batons and pepper spray ----was illegal, as was the arrest for resisting arrest. Palo Alto Daily News April 6, 2008

Hopkins refused to show identification to the cops, as was his right, according to the prosecution.

Prosecutor Peter Waite, *"they, (Palo Alto Police Officers Kan and Lee), committed a crime and they tried to frame an innocent man. It's repulsive."*

Hopkins admitted he swore at Lee and suggested Kan was a racist.

"Why not just shoot Hopkins in the head if he is so afraid?" Waite asked the jury. *"That's the difference between a free society and a police state."*

"Sometimes it's not bad to stand up for your rights," Waite told the jury.

Palo Alto Daily News April 12, 2005 pg. 1, 48 & 49.

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"Once he jumped out, cussing and yelling in their face, at that point they have a right to detain him." Alcalá said.

*The entire incident was a shame, Alcalá said, because with **a little more cooperation**, "both sides could have avoided this whole thing."*

Palo Alto Daily News December 4, 2008 Will Oremus

Officer Wagner states: "All we needed was **a little cooperation** from you today, that's all we were asking," at the 10:11:44 mark of Burger's MAV audio.