

Protesters Accused Of Painting Salt Lake County District Attorney's Office Red Plead Guilty To Lesser Charges

KUER 90.1

By [Emily Means](#)

Published June 16, 2021

<https://www.kuer.org/politics-government/2021-06-16/protesters-accused-of-painting-salt-lake-county-district-attorneys-office-red-plead-guilty-to-lesser-charges>



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Last July, demonstrators protested Salt Lake County District Attorney Sim Gill's ruling in the Bernardo Palacios-Carbajal case, where Gill found officers justified in shooting and killing him. Protesters painted the street and Gill's office building red to signify blood. Last summer, demonstrators painted the Salt Lake County District Attorney's office red. They were protesting District Attorney Sim Gill's ruling which found police were justified in [shooting and killing Bernardo Palacios-Carbajal](#).

The defendants were charged with first-degree felonies last August. Those charges carried potential life sentences.

On Tuesday, four of the protesters pleaded guilty to misdemeanor charges.

Now, as part of their plea deals, they'll have to pay \$8,442 each in restitution and can't break any laws for a year. After that, the case can be dismissed.

Madalena McNeil is one of the defendants. Even though she's no longer facing life in prison, she doesn't view this as a fair resolution.

“I lost my job. I was being surveilled by police. I was getting threats,” McNeil said. “The process itself is the punishment. That's really the point of all this. Justice for us would be none of this ever having to happen in the first place.”

When Gill charged McNeil and the other protesters who painted his office with a felony, it made [international headlines](#). He enhanced the penalties, saying the alleged crime was committed as a group. Gill then sent the case to an outside prosecutor.

Gill said those felony charges weren't personal — and that his office responded the same way with dozens of other protesters from that summer.

“Subjectivity is introduced by prosecutors’ complete discretion to do whatever they want,” Gill said. “We try not to introduce any bias, but we treat everybody the same on the allegations and the charging.”

Jason Groth, an attorney with the American Civil Liberties Union of Utah and a former public defender, said prosecutors should be making “fair and sensible” charges from the beginning of a case.

Even if they're lessened at the end — like in this case — Groth said those initial charges can have major consequences for people.

“The public scrutiny around an individual that has very significant charges will carry forward,” Groth said. “Those charges often get shared on social media. They live on the web forever.”

Groth also said high-level charges for protesters can have a chilling effect on free speech.

“Not only do these unwarranted charges intimidate people from expressing their views, but they also artificially raise bail amounts,” he said. “They cause people to lose their jobs. They also estrange those targeted from their friends and family. Those are pretty intimidating things to look at.”

McNeil said going forward, protesters need to be more strategic in the movement against police brutality.

“The people and the institutions to maintain the system that we have now, that a lot of people agree is not working, ... will keep their power at any cost,” she said. “We have to have solidarity with each other. We have to understand that there's a lot of risk to this kind of action.”

One defendant is left from the protest. Their case is scheduled for a hearing in August.