

From: Norton, Michael J., Sheriff <mnorton@acgov.org>
Sent: Wednesday, June 3, 2020 12:12 PM
To: Manheimer, Susan <SManheimer@oaklandca.gov>
Cc: Smith, Greg@CalOES <Greg.Smith@CalOES.ca.gov>; Holmgren, Roland <RHolmgren@oaklandca.gov>; Allison, Darren <DAllison@oaklandca.gov>; Wingate, Randell <rwingate@oaklandca.gov>
Subject: RE: request for resources

Good Morning Chief,

We were made aware of a letter addressed to you, the City Administrator and Mayor Schaff from members of your City Council (See attached). The letter urges the Oakland Police Department "to immediately halt the use of tear gas for crowd control..."

Mutual Aid is a voluntary system that provides additional officers to help your agency ensure the safety of the community and to help facilitate peaceful protests. The violent protests and looting over the weekend caused the Sheriff to proclaim a local emergency and established a curfew to help bring order back to your City and the rest of Alameda County.

After peaceful protest became violent, dispersal orders were given, when feasible, prior to deployment of crowd management munitions. Over the past several nights, the officers and deputies whom have responded to your City have been extremely restrained when confronted by violent protestors. The decision to utilize crowd management tools is not taken lightly and only used after the violent crowd has assaulted officers by throwing projectiles, to include Molotov cocktails. One of those devices caused second degree burns to our deputy's hands. Some of the protestors and/or looters have shot at law enforcement during the civil unrest. There is a bullet impact in one of our vehicles, which displays the very real threat that peace officers are facing.

Sheriff Ahern asked me to make you aware that if the Oakland Police Department restricts mutual aid agencies from the use of crowd management tools to protect themselves from violent encounters, the Alameda County Sheriff's Office will not provide mutual aid. If there is an emergency situation where Oakland Police Officers require emergency law enforcement help, we will respond. The other mutual aid agencies will be made aware of any new directive regarding crowd management tools and their Sheriff or Chief can make the decision for that agency.

Please let me know how you plan to proceed,

Thank you

Mike

From: O'Keefe, Donald (USMS) <Donald.O'Keefe@usdoj.gov>

Sent: Wednesday, June 10, 2020 9:22 PM

To: Robert Maginnis <accopsa@gmail.com>

Subject: Re: request for resources

Colleagues;

I rarely comment on state and local policy matters as a federal law enforcement officer with this association, even though I have over 30 years of city and county law enforcement experience. However, I feel compelled to comment here.

I totally support Sheriff Ahern's position on the use of chemical agents/tear gas.

On May 29th, the Oakland Federal Building and United States Court House was assaulted by rioters, causing hundreds of thousands of dollars in property damage.

Most importantly, two brave security officers on contract to the Federal Protective Service (FPS) were shot. Officer Underwood tragically died from his injuries.

I was on scene all night, as U.S. Marshals, FPS, and mutual aid law enforcement officers maintained the crime scene after it was overrun by violent rioters, until FBI crime scene personnel processed the scene, which went well into the morning. The smell of lawlessness and anarchy was in the air all night....

If the City of Oakland refuses to allow the use of chemical agents as a last resort to quell rioting and violence, I will advise the Chief Judge and United States Attorney, that the Oakland Court House & Federal Building, and its occupants, cannot be sufficiently protected during civil unrest, and recommend that all court proceedings be transferred to San Francisco or San Jose Court Houses for an indeterminate period.

Employees in the Oakland Federal building and United Court House rely on our Federal Protective Service, and the Oakland Police Department as first responders. The safety of our employees, and members of the public is paramount.

Banning the use of chemical agents/tear gas hampers our efforts to protect our employees and members of the public from rioters and violence. It also undermines the rule of law and administrator of justice.

Don

Donald M. O'Keefe
United States Marshal
Northern District of California &
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