

Office of the City Manager

December 14, 2011

To: Honorable Mayor and  
Members of the City Council

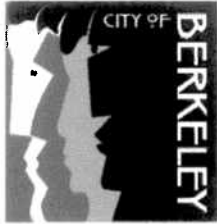
From: Christine Daniel, Interim City Manager 

Subject: Encampment in Civic Center Park

We are distributing the attached Notice in Civic Center Park today. There has been a substantial increase in illegal activities and safety violations in the Park associated with the current encampment. Some of these activities are detailed in the Notice. I have asked City staff from various different departments to establish a significant presence in the Park on a regular basis to address these issues. Staff will take enforcement action as necessary to respond to illegal activities and safety and sanitation issues. We will continue to monitor and assess the situation as it progresses. Please let me know if you have any questions.

#### Attachment

cc: William Rogers, Interim Deputy City Manager  
Deanna Despain, City Clerk  
Scott Ferris, Acting Parks, Recreation and Waterfront Director  
Ann-Marie Hogan, City Auditor  
Mary Kay Clunies-Ross, Public Information Officer



PARKS RECREATION & WATERFRONT

December 14, 2011

### **Notice Regarding the Civic Center Park Encampment**

There has been a substantial increase in illegal activities in Civic Center Park since the last week in November associated with the current encampment (see details below). These activities include a disturbing increase in criminal activity (including physical assaults) and a significant number of health, sanitation and safety concerns.

The situation in the park is unacceptable. The City is concerned about the health and safety of both the members of the encampment and the general public including school age children. To address this, City staff from various departments will inspect the park on a regular basis and will take enforcement action as necessary to respond to illegal activities, address unsanitary conditions, and keep people safe. This enforcement action could include, if necessary, citations (including citations for unlicensed or unvaccinated dogs) and arrests.

Civic Center Park is, of course, an appropriate place for freedom of expression. The City encourages the public to use the park in this way, while at the same time abiding by all park rules to ensure that everyone has access and everyone is safe.

Unfortunately, the following are some of the serious criminal activities that have required City intervention since the end of November:

<b>Activity</b>	<b>Details</b>	<b>Date and Time</b>
<b>Possession of a Deadly Weapon, False Identification to a Police Officer, Probation Violation, Theft</b>	Three members of the camp in Civic Center Park attempted to steal alcohol from Safeway. One of the suspects was found to have an outstanding warrant for possession of a controlled substance and was on probation for possession of a controlled substance and battery. A search of his person incident to arrest found him to be in possession of a machete, a hammer, a gas mask, and a BB gun	12/10/11 1856 hrs
<b>Battery</b>	Victim, a female juvenile, reported being victim of battery in Civic Center Park.	12/07/11 1717 hrs

December 14, 2011

## Notice Regarding the Civic Center Park Encampment

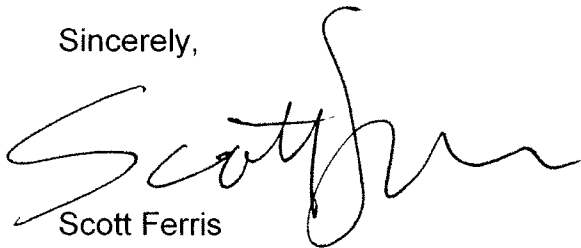
<b>Assault with a Deadly Weapon, Possession of Methamphetamine, Probation violation</b>	An unknown party called the police to report an assault via a two-by-four piece of lumber at the camp in Civic Center Park. The suspect was found to be in possession of methamphetamine and was on probation for possession of methamphetamine	12/06/11 2345 Hrs
<b>Alcohol Offense, Resisting Arrest, Parole Violation</b>	An unknown party called the police department to report a fight at the corner of Shattuck and Kittredge. When officers attempted to detain the suspect he attempted to spit on officers and yelled "No! I am not going to show you my fuckin' hands, I am with Occupy!". The suspect was clearly intoxicated and a records check found him to be on parole for home invasion robbery out of Los Angeles.	12/06/11 2230 Hrs
<b>Suspicious Circumstance</b>	Officers responded to a report of a 'brawl' with approximately 30 subjects yelling at each other and dogs barking. Subjects inside the camp began chanting "fuck the police". The disturbance apparently stemmed from an earlier fight between a man and a naked woman where the man dragged the naked woman out of his tent and slammed her on the ground.	12/06/11 2155 Hrs
<b>Assault with a Deadly Weapon, Battery, Criminal Threats</b>	Victim was accosted by the suspect in Civic Center Park. Suspect 'sucker-punched' the victim, knocking him to the ground, began making threats, and subsequently began strangling the victim until he could not breathe.	12/05/11 1632 Hrs
<b>Disturbance</b>	Victim reported that she and her friend were walking through Civic Center Park with two male friends when an unknown male approached them and flipped them off and began cursing at them. When they decided to leave the park, the suspect followed them until they began to run.	12/04/11 2020 Hrs
<b>Resisting Arrest, Probation Violation, Foot Chase</b>	The suspect was seen by an officer in the camp and matched the description of a suspect from a battery the day prior (12/03/11 0822 Hrs). The officer captured the suspect after a brief foot chase and he was arrested for the previous battery as well as resisting arrest and probation violation.	12/04/11 1058 Hrs

<b>Battery</b>	Victim was punched and knocked to the ground near the fountain area of Civic Center Park. His girlfriend, a tent resident at the camp, had been in a fight with another woman. When the victim tried to determine what had occurred in regards to the fight, an unidentified suspect punched him and knocked him down causing a gash to the back of his head.	12/03/11 0942 Hrs
<b>Battery</b>	Officers responded to a report of a fight in progress in the area of the camp.	12/03/11 0822 Hrs
<b>Animal Bite</b>	Victim was walking through the camp in Civic Center Park. A female with a dog was walking by him when the dog lunged and bit him on the stomach. He was transported to Alta Bates Hospital.	12/02/11 1404 Hrs
<b>Battery</b>	Victim, came to the police station to report a battery. He indicated he suffered a dislocated jaw when he was punched by another camper in the camp in Civic Center Park.	12/02/11 0801 Hrs
<b>Advice</b>	Two members of the camp came to the Public Safety Building requesting advice. They requested advice regarding what to do about increases in crime and safety issues inside the camp. They cited examples of fights, weapons, sexual assaults, bonfires, noise and drumming. They were told to contact the Police Department at any time. They were shown where the call box was located outside the night door.	12/01/11 1045 Hrs
<b>Theft, Possession of an unlawful weapon</b>	A suspect stole a bottle of alcohol from Trader Joe's at University Avenue and MLK Jr. Way. The suspect fled from store security into the camp and disappeared. The suspect was armed with a machete.	11/30/11 1746 Hrs
<b>Brandishing a Firearm, Battery</b>	The victim, a camper at Civic Center Park, reported his tent had been torn down and urinated on earlier in the day. Someone in the camp pointed out the person responsible to the victim and the victim confronted him about the incident. The victim told the suspect to leave the park. The suspect pulled out a silver or chrome handgun and pointed it at the victim. The suspect's friends surrounded the victim and	11/27/11 1801 Hrs

	one of them struck him over the head several times with a blunt object, causing an injury to his head.	
<b>Lewd Conduct, False Imprisonment, Possession of a Prohibited Weapon</b>	Suspect, a camper in Civic Center Park, entered the victim's tent (uninvited) and began masturbating in front of the victim while preventing her from leaving. From incident to arrest, the suspect was found to be in possession of a dagger.	11/26/11 0137 Hrs

The City's homeless outreach team has been attempting to make contact with individuals in the Park who are interested in alternate shelter locations. The City will continue to provide shelter information on a regular basis.

Sincerely,



Scott Ferris  
Acting Director  
Parks, Recreation and Waterfront