



**ATTENTION DEMONSTRATORS**

**Date: October 20, 2011, 8:00 pm**

**NOTICE TO VACATE FRANK OGAWA PLAZA**

*The City of Oakland is committed to facilitating peaceful forms of expression and free speech rights, and protecting personal safety and property.*

From the outset of the demonstration on October 10, the City of Oakland has maintained its commitment to facilitating the peaceful expression of First Amendment rights, balanced with the City's equal commitment to protecting and maintaining public safety, public health, and crowd control. While demonstrators have a right to peaceful expression, the City has a responsibility to ensure a public health and safety plan during such events.

During the past 10 days, City officials have provided written documentation—handed out in person and posted on the City's web site—outlining specific public health, safety, and crowd control issues to be addressed by demonstrators.

We believe that after 10 days, the City can no longer uphold public health and safety. In recent days, camp conditions and occupants' behavior have significantly deteriorated, and it is no longer manageable to maintain a public health and safety plan. These conditions, which have not been sufficiently addressed, include:

- **Fire hazards:** cooking with open flame, improper storage and disposal of propane tanks, storage of grease, inadequate fire extinguishers, density of tents and flammable materials, smoking in tents, piles of hay and wood
- **Safety hazards:** increasing frequency of violence, assaults, threats and intimidation
- **Denial of access:** to emergency personnel to treat injured persons and to police to patrol the Plaza
- **Sanitation hazards:** public urination and defecation, litter, improper food preparation and storage practices
- **Health hazards:** existing rodent problem has been exacerbated and is endangering public health. County vector control is unable to implement measures to control the rat population under current conditions
- **Physical damage:** graffiti, vandalism and other damage to Plaza infrastructure and the historic tree
- **Disruption of the Plaza for public use:** some events for groups who have complied with City regulations have been reprogrammed or relocated

As a result of these serious conditions, the Administration has determined that facilitating this expression of speech is no longer viable, nor in the interest of public health and safety. Peaceful daytime assembly will continue to be allowed between 6 am and 10 pm daily. No tents or overnight camping permitted.