



City of
OAKLAND
California

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News from: Emergency Operations Center

FOR IMMEDIATE RELEASE

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OPD Enforces "Notice of Violations and Demand to Cease Violations" in Frank Ogawa Plaza

Oakland, CA – This morning at 4:30 am, the Oakland Police Department began enforcement of the "Notice of Violations and Demand to Cease Violations" issued on Friday, October 21, to persons staying overnight in Frank Ogawa Plaza related to the Occupy Oakland demonstration.

By approximately 5:30 am, Frank Ogawa Plaza had been contained, and the City is in the process of mobilizing the clean-up phase.

Downtown employers and City employees are still advised to delay the start of the work day until further notice.

The 12th Street BART station is closed. AC Transit is re-routing buses downtown.

The City of Oakland appreciates the outstanding mutual aid assistance provided by local law enforcement agencies.

Additional updates will be forthcoming as information becomes available. The City will communicate via news releases until further notice. We anticipate holding a live media briefing in several hours.

Background

From the outset of the demonstration which began two weeks ago on Monday, October 10, the City of Oakland has focused on three clear goals: 1) facilitating the protesters' right to free speech and peaceful expression, 2) maintaining public health and safety, and 3) crowd control.

Two days into the demonstration, the City began providing written notices of the ground rules required in order to protect the health and safety of the group and to respect the Plaza, which is a public park.

After the first weekend, the City began getting reports of problems and communicated with the demonstrators about additional health and safety concerns (e.g., fire hazards, sanitation, food storage, unsafe structures built into the Plaza, noise).

By the second week, conditions began to deteriorate. On at least two occasions, American Medical Response (AMR ambulance company) was denied access to provide medical care. The Oakland Fire Department and Police Department were denied access to the Plaza to respond to calls for service. The City also received reports that an individual was severely beaten. Sanitation conditions worsened with

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frequent instances of public urination and defecation, as well as improper food storage. The existing rodent problem on the Plaza was exacerbated and vector control was unable to implement measures to control the rat problem due to the presence of overnight campers. The Plaza was physically damaged on a daily basis by graffiti, litter, and vandalism. Fire hazards continued unabated, including cooking with open flame, improper storage and disposal of propane tanks, storage of grease, inadequate fire extinguishers, density of tents and flammable materials, and smoking in tents. Specifically:

- On **Monday, October 17**, the City received its first report of a sexual assault, and a television reporter was bitten by a protester’s dog.
- On **Tuesday, October 18**, the dynamics of the group had changed. We began to receive numerous complaints of threatening, intimidating behavior; individuals threatened to riot if OPD facilitated their march through downtown that evening; public health and safety requirements were being ignored. The City began collecting intelligence to determine the amount of mutual aid that would be required to address the situation.
- On **Wednesday, October 19**, the City sent its fourth notice communicating additional health and safety concerns, including sexual offenses, fighting, public drinking, and intoxication. The County Health Department conducted its first inspection and the Oakland Fire Department conducted a second inspection. The City began putting appropriate plans in place to put an end to overnight camping and cooking in the Plaza, and OPD formally requested mutual aid.
- On **Thursday, October 20**, the City put the demonstrators on notice that as a result of multiple conditions—including fire hazards, increased levels of violence, denial of access to public safety personnel to assist injured people, mounting sanitation hazards, health hazards, physical damage to the Plaza and lawn, graffiti, and disruption of the Plaza for broader public use—they were required to vacate the Plaza between 10 pm and 6 am. The Fire Department “red tagged” Frank Ogawa Plaza and issued an order to abate and cease operations.
- On **Friday, October 21**, the City issued a formal notice of violations and demand to cease overnight camping and cooking operations. In addition, on Friday night and throughout the weekend, the City’s homeless services team coordinated with Operation Dignity and Alameda County to arrange for shelter, meals, and service referrals for the homeless population camping on the Plaza.
- On **Monday, October 24**, the Fire Department attempted to assist with the removal of propane tanks and cooking oil to address some of the fire hazards. The last notice was issued to cease overnight lodging.

The City of Oakland’s goal has been to facilitate individuals to remove their tents, cooking facilities, and belongings, and to leave cooperatively. The City has partnered with community allies to help facilitate communication with the protesters regarding their departure, and we provided services to assist those with housing and mental health needs.

Securing an adequate level of mutual aid has also been a primary goal, especially considering the regional impact that the Occupy demonstrations have had on local law enforcement agencies.

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The City remains committed to respecting free speech as well as maintaining the City’s responsibility to protect public health and safety. Peaceful daytime assembly will continue to be allowed between 6 am and 10 pm daily, but no camping or overnight stays will be permitted. There may be some disruption to the Plaza during the time that it takes to clean it up and ensure that the Plaza poses no health and safety hazard from those choosing to protest. The City of Oakland’s goal is to clean it up to facilitate free assembly in the Plaza as soon as practical.

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