



News from: Oakland Police Department

FOR IMMEDIATE RELEASE

January 3, 2012

City of Oakland Revokes and Denies Permit for Teepee on Frank Ogawa Plaza

Oakland, CA – Yesterday, January 2, 2012, Interim Police Chief Howard Jordan revoked the temporary encroachment permit issued by the City Administrator's Office to Becca Von Behren. The temporary, three-day permit had been issued on November 29, 2011, and renewed for one-week periods thereafter, for a teepee structure and one table. The City did not grant the permit in perpetuity. The permit was originally issued and renewed with a number of conditions, including:

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- One symbolic teepee structure was permitted between 6 am and 10 pm;
- The teepee structure was to be taken down by 10 pm each night;
- No lodging was permitted;
- No food storage and/or cooking was permitted in the teepee or in association with the vigil;
- The teepee and associated activity could not impede the pedestrian right of way;
- Nothing could be attached or affixed to any fixture, tree, or structure in the Plaza;
- The area was to be maintained free and clear of litter, trash, and debris;
- The vigil could not obstruct the free enjoyment of the public Plaza by other residents, visitors, or guests of the City of Oakland.

The permit stated that the City reserves the right to revoke the permit and to deny any future permits should the permit terms be violated

City staff had discussed concerns about the expanding nature of activity associated with the permitted teepee and requested that the permittee take steps to address the unpermitted activity associated with her permit. The permit holder failed to address these issues, and on December 15th the City Administrator's Office informed the permittee in writing of the continued violations of the permit conditions, which were creating a threat to public welfare.

On Friday, December 30, 2011, Interim Police Chief Howard Jordan and Deputy Police Chief Jeffrey Israel personally spent about an hour with the participants to inform them that the storage of personal belongings, including sleeping bags and food, was in violation of the permit conditions and that the items must be removed by 2 pm that day. When the unpermitted items remained after the deadline and officers attempted to remove the items, participants assaulted an officer and vandalized a police car.

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On that date, thirteen (13) people were arrested; charges included: battery on an officer (officers were punched, spat on, and pushed); assault with a deadly weapon on an officer (an officer was hit in the head twice from behind with a chair); urging a riot; attempting to free those arrested from police officers through force; and delaying or obstructing an officer.

Yesterday, Interim Chief Jordan informed the permit holder that recent incidents have demonstrated that the teepee and table attract nuisances and illegal activity.

Specifically, individuals associated with the permitted activities are sleeping and lodging around the teepee and table, food is being distributed without the necessary health permits, garbage cans have been erected, and the area is being used as long-term personal storage (tables, chairs, mats, tarps, bedrolls, sleeping bags, food, coolers, etc.).

He also stated that participants have impeded and confronted law enforcement officers with hostility, threats, and violence when the officers have attempted to curtail violations of the permit or nuisances and illegal activity attracted by the permitted activity.

Early this morning, City staff extinguished a fire at the Frank H. Ogawa statue in front of 150 Frank Ogawa Plaza, and steps away from the teepee and table. Incidents such as the fire and City employee complaints about unsafe conditions, including the presence of human waste near City buildings, further demonstrate the exigency of removing the unpermitted activities.

While the City of Oakland will continue to facilitate the expression of First Amendment rights to free speech, in the interest of public health and safety, and the public enjoyment of Frank Ogawa Plaza, unpermitted and unregulated conditions will not be allowed.

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