

Guillen, Abel

Subject: RE: Transient returned to Keith avenue and committed another violent crime

From: Rick Hirsch

Sent: Monday, May 11, 2015 9:12 PM

To: Kalb, Dan

Cc: Ajay Kshatriya; Allison, Darren; Michael Kan; Bolotina, Olga; Hutzol, Anthony; Guillen, Abel; McElhaney, Lynette; Campbell Washington, Annie; Gallo, Noel; Brooks, Desley; Reid, Larry; At Large; Schaaf, Libby; OPD Media; Whent, Sean; Figueroa, Paul; Watson, Joe

Subject: Re: Transient returned to Keith avenue and committed another violent crime

Councilmember Kalb,

My family lives about four homes up the street from Ajay and his family. Homeless encampments under the Highway 24 underpass on Presley Way have been an ongoing problem for residents living along Keith Avenue for years. There is direct conflict between our families -- living in our homes that we have bought or rented, with our small children -- and these homeless men who come and set up illegal encampments, cooking, using drugs, defecating and urinating such that it trickles down the concrete embankment in little waterfalls onto the sidewalk below. While I feel sympathetic for their plight, it isn't fair that hard working residents who have worked their tails off to earn the privilege of living in this neighborhood must be subjected to daily torment by the homeless. We are done with this and expect more effective, more confident and more assertive action by OPD. It is unacceptable for the events described by Ajay to garner the response, "well sorry, they haven't violated the law and we cannot risk infringing on their civil rights." Unbelievable. Only in Oakland, San Francisco and Berkeley do homeowners have to face the miserable circumstances of being represented by a government and police department that are completely emasculated when it comes to enforcing laws regarding homeless behavior. Do the homeowners and residents of our street have any rights beyond being allowed to live in our homes? Do we have the right to be free of daily harassment and direct threats by mentally deranged men? Do we have the right to be free of danger to our children and illicit behavior unfolding right before our very eyes every day? Seems like not in Oakland, where the rights of the homeless far outweigh the rights of good law abiding homeowners and residents. You should not be surprised to see many good families moving away, seeking relief, refuge and safety beyond the hills in Orinda, Lafayette and Moraga.

I have copied many people on this response and email chain, as we will now begin to aggressively get the word out as to what is happening in the frontline war between the homeless and good law abiding residents of Keith Avenue.

Thank you.

Rick

Rick Hirsch, AICP
Permitting Specialist



On Mon, May 11, 2015 at 8:40 PM, Kalb, Dan <DKalb@oaklandnet.com> wrote:

Hi Ajay,

I'm so very sorry that this happened again to you and your family—again. This is completely unacceptable!

I received your email from March 31st and had asked my staff to set up a meeting. Unfortunately, my mother was admitted to the ICU in late March and ultimately passed away in April, so I was out of commission for a few weeks.

I will discuss this with OPD again and will make sure my staff sets up a meeting with you (and your neighbors) as you requested.

-Dan

DAN KALB

Oakland City Councilmember, District One

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<http://www2.oaklandnet.com/Government/o/CityCouncil/o/District1/index.htm>

To sign up for my District One Community Newsletter, please [click here](#).

From: Ajay Kshatriya [REDACTED]
Sent: Monday, May 11, 2015 7:38 PM
To: Hutzol, Anthony; Kalb, Dan; Bolotina, Olga; Bolton, Christopher

Cc: Michael Kan; Rick Hirsch

Subject: Transient returned to Keith avenue and committed another violent crime

Dear Councilman Kalb: I am sad to report that once again the vagrant has returned to terrorize our house and committed verbal assault on my wife and 1yr old daughter in broad daylight.

I called 911 and followed the vagrant for over 15min on foot. He ended up at the Rockridge BART station where I followed him in and FINALLY a group of officers showed up.

There's a warrant for his arrest so he is behind bars temporarily, but when the officer Ocampo was taking my wife's statement he "decided" that no crime was committed and was going to let him go! An unfortunate example of the police taking the sides of law breakers over law abiding citizens.

My wife was in tears and thankfully, Sgt Covington arrived and after hearing the facts, determined another citation needs to be issued to the vagrant. THEN, she had to endure an hour long trip to the police station in order to identify the guy.

I implore your help on this issue. This incident will be copied to our neighborhood groups, the Rockridge monthly newsletter and the broader District 1 community.

WE HAVE CONTEMPLATED MOVING OUT OF THE NEIGHBORHOOD. I am at my wits end on this issue and am baffled at the lack of attention and accountability from your office on this issue.

Please help.

Best,

Ajay

PS Officer Hutzol and I have not yet met.