

---

From: Downing, David

To: O'Connor, Charles

Sent: Sun May 09 08:56:14 2010

Subject: RE: Meserhle protest thoughts

Charles,

To answer the first issue, I don't think we will have a problem this time with council members or the mayor. Earlier in the year I briefed the Mayor's Office about New Year's Eve and New Year's Day events. I advised that if city leaders join the crowds in protest, that I would arrest them like everyone else. Dillum's is lucky the City did not get sued for what he did. His actions led directly towards additional vandalism taking place to local businesses. I think they learned their lesson on the last one. They have not been a problem since then. I will be ready to act if the decision needs to be made.

Issue two, yes we can take telephones and video equipment as evidence and we did that last year. Sometimes it works for us; sometimes it does not. Last year we took their telephones and hardly anyone got charged. During the 4 Mar 10 education protest, we didn't take any phones and they charged almost everyone. However, it is an election year and Nancy O'Mally wants to get elected this November, so she is going to do whatever we ask.

The problem with taking cell phones is that we do not have enough investigators to process them all for evidence. You would have to run each one through a "cell phone stripper" and review all the pictures and video from each one. It is a time consuming process for misdemeanors and infractions; although, the greater benefit is achieved by temporarily denying the opponent their communications. I will have to weigh the option of taking telephones into evidence. Our ops tempo will dictate if

we have the time to recover and turn in the evidence.

Capt Downing

-----

From: O'Connor, Charles

Sent: Sat 5/8/2010 8:20 PM

To: Downing, David

Subject: Meserhle protest thoughts

Rules of Engagement:

Captain,

We should come up with a set of ROE for unexpected events. Last year when city council and/or the Mayor decided to lead the protests, it stumped the field supervisors and quite frankly the ICS were second guessing themselves.

Also we need to reinforce the rules of engagement for field personnel when dealing with the protester s organized support members, ie their photo and video documentors (can we confiscate their video, cell phones or still cameras for crime documentation) legal councilors&

Very respectfully,

Charles O'Connor

P.S.

I will be at the PAB on Tuesday at 3 pm working on other stuff waiting for a community meeting to start should you need me to work on anything.