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Memorandum

To : Governor Reagan

Date : October 24, 1967

Subject: Oakland Anti-Draft Incidents

From : Ed Meese

Since you may receive questions at the Press Conference today concerning the police handling of illegal activities in connection with the anti-draft demonstrations in Oakland last week, the following information is provided:

On Monday, October 16, approximately 1,500 persons picketed the Armed Forces Induction Station at 15th and Clay Streets in Oakland. A group of these demonstrators, who were identified with arm bands, "packed in" the doors of the station, and by sitting in the entry way, prevented anyone from entering or leaving this facility. It was necessary for the police to clear the doorway so that employees, inductees, and other persons using the induction station could obtain entrance and exit. Approximately 119 persons were arrested for this illegal activity.

On Tuesday, October 17, approximately 4,000 persons took over the streets in the vicinity of the induction station. These persons totally occupied the sidewalk and street area for two full blocks and the adjacent intersections. By this action the group denied access to any of the buildings in this area, including the induction station and several stores, hotels, and office buildings. Police officers made several requests over a public address system for the demonstrators to clear the streets and move up on the sidewalk. When the demonstrators refused to do this, the police commanding officer declared an unlawful assembly, and ordered all persons to leave the area (pursuant to §726 of the Penal Code). This order was given three times over a period of at least 20 minutes. When a large mob still remained in the streets, the police formed a tactical wedge formation, and cleared the streets, dispersing the law violators. This reopened the streets to traffic, and another cordon of police officers then escorted the buses carrying civilian employees of the station and those men appearing for draft examinations and induction to come into the area. The employees and others were then able to enter the induction station.

While the police were attempting to clear the street, the law violators threw bottles, chunks of concrete, rocks, garbage can lids, burning rags and paper, a magnesium flare, and cyanide bomb at them. The demonstrators also struck the officers with heavy wooden sign boards and sticks.

October 24, 1967

~~Because of the very militant and defiant attitude of the mob, it was necessary for the officers to use reasonable force to disperse the crowd and clear the streets. The amount of force used was proportionate to the requirements of the situation and was not excessive. This is shown by the fact that although approximately 500 police officers successfully dispersed 4,000 law violators, no major injuries were suffered. Only about 24 persons were treated at local hospitals, even for minor injuries. The most serious injury was a broken ankle received by a highway patrolman who was stomped by a demonstrator.~~

Some newsmen came into physical contact with the police because they remained at the scene of the unlawful assembly, and did not move out of the area when ordered to do so by the police. In addition to the numerous warnings given to the entire crowd, a special warning was given to the press, requesting them to leave the area. Many members of the press remained in the mob among the demonstrators, and when the police lines moved to clear the area, they were caught up in the sweep of the streets. Many news media personnel have admitted to me privately that those newsmen who came into physical contact with the police should not have been there, and any injuries they received were their own fault.

On Wednesday, October 18, the demonstrators again resorted to picketing the induction center and did not mass in the streets. A number of arrests were made of those who persisted in sitting in around the entrances and interfered with access to the station.

On Thursday, October 19, the "Stop the Draft Week" committee had scheduled no activity at the induction station, although some pickets did ~~not~~ appear. On this date a large rally was held on the Berkeley Campus of the University of California to generate support for another attack against the induction station on Friday.

On Friday, October 20, more than 5,000 persons again took over the street and sidewalk area surrounding the induction center and closed this area to traffic or to citizens attempting to enter the adjacent buildings. The police warned them several times to clear the streets and then declared an unlawful assembly, ordering all persons to clear the area. When the demonstrators refused to leave the scene of the unlawful assembly, the police again formed tactical formations and cleared the streets. The demonstrators moved ahead of the police lines avoiding physical contact in most cases. However, by prearranged plans, the law-breakers would then take over intersections and streets ahead of the police lines. The mob then moved cars from the curb into the center of the street, let the air out of tires and slashed the tires on these vehicles so that they could not be moved, and moved benches, flower pots, newspaper racks, and other objects into the streets as barricades. While being dispersed, the crowd

again threw bottles, cans, rocks, magnesium flares, and other objects at the police, and struck the officers with sticks and boards. Persons in the crowd also painted crude signs on buildings and on the street and smashed several windows in stores and office buildings. The demonstrators stopped moving vehicles in the middle of the street and then let the air out of the tires to further impede traffic.

California

At this time police reinforcements arrived from the Highway Patrol and surrounding police departments, and the law violators were finally cleared from the streets.

The police action was conducted by the Oakland Police Department, assisted by the Alameda County Sheriff's Department, and the California Highway Patrol. On October 20, reinforcements were received from local police departments in Alameda County, San Francisco, Marin County, San Mateo County and Contra Costa County, pursuant to Mutual Aid agreement.

The California Highway Patrol was utilized in this instance pursuant to sections of the Military and Veterans Code, under which the Governor is authorized to use any department of state government for the mitigation of an emergency beyond the control of local resources. The Highway Patrol was utilized in a manner consistent with their traffic duties, the clearing of law violators from the streets. The Commissioner of the Highway Patrol and the Finance Department are now working on methods by which state emergency funds (rather than gas tax funds) can be used to pay highway patrol expenses incurred during such emergencies.

The issue in these incidents was not the war in Viet Nam, or the draft, but rather whether or not a mob could take over a section of the city and prevent its use by peaceful citizens who were entitled to safe passage to and from their places of business. The police exercised their responsibilities in a disciplined and trained manner, and demonstrated great professional skill in restoring order and preserving the peace.

EM:fx

cc: W. Clark
L. Nofziger
P. Beck