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**From:** Kingsbury, Erin, DA <[erin.kingsbury@acgov.org](mailto:erin.kingsbury@acgov.org)>

**Sent:** Tuesday, January 3, 2023 3:30 PM

**To:** Michael Slater <[mslater@theslaterlawfirmapc.com](mailto:mslater@theslaterlawfirmapc.com)>

**Subject:** RE: Request for Investigation and Criminal Charges // By:  
2/4/22 Battery Incident at YMCA (Berkeley)

| As to: Lance Goree // Re:

Good Afternoon, Mr. Slater,

The District Attorney's Office does not conduct investigations as you have requested. Any statements or evidence concerning this incident should be provided directly to the Berkeley Police Department for follow-up investigation, if appropriate. Upon completion of their investigation, they may present all information to the District Attorney's Office for review and charging consideration.

Thank you.

Sincerely,

*Erin Kingsbury*

Erin Kingsbury

Deputy District Attorney

Alameda County District Attorney's Office

661 Washington Street, Room 225

Oakland, CA 94607

(510) 268-7553



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**From:** Jenezon, Bonnie, DA <[Bonnie.Jenezon@acgov.org](mailto:Bonnie.Jenezon@acgov.org)>

**Sent:** Tuesday, December 27, 2022 2:53 PM

**To:** Kingsbury, Erin, DA <[erin.kingsbury@acgov.org](mailto:erin.kingsbury@acgov.org)>

**Cc:** Michael Slater <[mslater@theslaterlawfirmmapc.com](mailto:mslater@theslaterlawfirmmapc.com)>

**Subject:** FW: Request for Investigation and Criminal Charges // By:  
2/4/22 Battery Incident at YMCA (Berkeley)

| As to: Lance Goree // Re:

Hi Erin,

Mr. [REDACTED] called regarding the email that his attorney sent on 12/9. I told Mr. [REDACTED] that our office did not file charges against him in the interest of justice. I told him I would forward the email to you, and would cc his attorney. Please see last paragraph of this email. They would like Lance Goree to be charged with battery.

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**From:** [REDACTED] <[\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com)>

**Sent:** Tuesday, December 27, 2022 2:38 PM

**To:** Jenezon, Bonnie, DA <[Bonnie.Jenezon@acgov.org](mailto:Bonnie.Jenezon@acgov.org)>

**Subject:** Fwd: Request for Investigation and Criminal Charges // By:  
2/4/22 Battery Incident at YMCA (Berkeley)

| As to: Lance Goree // Re:

----- Forwarded message -----

From: **Michael Slater** <[mslater@theslaterlawfirmmapc.com](mailto:mslater@theslaterlawfirmmapc.com)>

Date: Fri, Dec 9, 2022 at 4:34 PM

Subject: Request for Investigation and Criminal Charges // By:  
Battery Incident at YMCA (Berkeley)

| As to: Lance Goree // Re: 2/4/22

To: [info@alcoda.org](mailto:info@alcoda.org) <[info@alcoda.org](mailto:info@alcoda.org)>

Cc: [askvw-da@acgov.org](mailto:askvw-da@acgov.org) <[askvw-da@acgov.org](mailto:askvw-da@acgov.org)>, [REDACTED]

<[\[REDACTED\]@gmail.com](mailto:[REDACTED]@gmail.com)>

Good afternoon,

My law firm has been retained by [REDACTED] (copied) to represent him in connection with a February 4, 2022 battery incident that occurred between Mr. [REDACTED] and three YMCA employees, including Lance Goree, at the Downtown Berkeley YMCA Residence ("YMCA Residence")—located at [2001 Allston Way](#) in Berkeley, California 94704—where Mr. [REDACTED] lives.

In summary, Mr. Goree (who is much larger than Mr. [REDACTED]) confined Mr. [REDACTED] to a corner of the cafeteria in the YMCA Residence to confront Mr. [REDACTED] about changes Mr. [REDACTED] had allegedly made to the front door lock of his apartment at the YMCA Residence. ("Door Lock Issue.") Mr. [REDACTED] indicated dozens of times that he did not want to talk to Mr. Goree about the Door Lock Issue at that time; that Mr. Goree was making him feel unsafe; and that he wanted to leave. But Mr. Goree would not allow Mr. [REDACTED] to leave, and **for more than fifteen (15) minutes** berated Mr. [REDACTED] with questions and thinly veiled threats. When Mr. Goree threatened Mr. [REDACTED]'s safety directly, as well as the safety of Mr. [REDACTED]'s girlfriend, who was standing nearby, Mr. [REDACTED] attempted to push through Mr. Goree.

But Mr. Goree did not fall down; was hardly even knocked off balance; immediately recovered; took a fighting stance; stalked closer to Mr. [REDACTED]—crouching and creeping forward much like a boxer or a martial artist (likely because Mr. Goree had formal training in boxing and/or martial arts); taunted Mr. [REDACTED] and invited further confrontation as

follows: “You want some? You want some? Hu? You want that? Hu? Hu? Hu? Hu? You really want it? You really want it? Hu? You do, hu? You really want this? Hu?” At that point, Mr. [REDACTED] retreated back to the corner of the cafeteria where he had previously been confined. Instead of walking away, Mr. Goree continued to close the gap between himself and Mr. [REDACTED]. From his posture, tone and demeanor, it was clear to Mr. [REDACTED] that Mr. Goree was dead-set on physically hurting Mr. [REDACTED]. To that end, when Mr. Goree got within arms-length of Mr. [REDACTED], and with a closed left fist Mr. Goree threw a powerful, devastating jab punch directly into Mr. [REDACTED]’s face—causing Mr. [REDACTED] to nearly lose consciousness and to nearly fall to the floor.

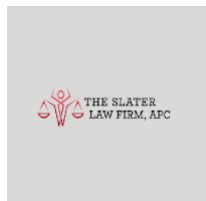
But Mr. Goree wasn’t done. Next, Mr. Goree grabbed Plaintiff around his shoulders and mid-section and threw Mr. [REDACTED] to the ground. The force of Mr. Goree’s takedown maneuver caused Mr. [REDACTED] to land on his back, immediately after which time Mr. Goree landed violently with the full weight of his body directly on top of Mr. [REDACTED]. (Mr. [REDACTED]’s doctors have since determined, among his many injuries, that Mr. [REDACTED] suffered structural damage and deformation to his breastbone.) Mr. Goree quickly got Mr. [REDACTED] into a chokehold. **For no less than fourteen (14) minutes**, Mr. Goree choked Mr. [REDACTED], who showed little resistance other than futile efforts to try to breathe. At one point, Mr. [REDACTED] managed to free his throat enough to plead “I can’t breathe,” to which Mr. Goree responded: “I know. That’s the point!” At another, Mr. [REDACTED] pleaded “I need air!,” to which Mr. Goree responded: “No. Don’t tell me what you need. It’s too late, Mr. [REDACTED]. It’s too late.”

Ultimately, Mr. [REDACTED] was arrested by the Berkeley Police Department (“BPD”) for reasons that are unclear to Mr. [REDACTED]—though we presume it was because the YMCA made the call to the BPD and reported to the BPD that Mr. [REDACTED]—and not Mr. Goree—was the aggressor; when in reality Mr. Goree was the aggressor and Mr. [REDACTED] was the victim. Indeed, Mr. [REDACTED] has suffered myriad, life-changing injuries as a direct and proximate result of the February 4, 2022 battery incident. Mr. [REDACTED]’s physical injuries include, but are not limited to: disfigurement (including deformation of his breastbone) and a traumatic brain injury. Mr. [REDACTED]’s emotional physical injuries include, but are not limited to: severe emotional distress, humiliation, depression and Post Traumatic Stress Disorder—as diagnosed by his doctors following the incident.

I am writing to respectfully request that the Alameda County District Attorney’s Office (“DAs Office”) investigate the February 4, 2022 battery incident and to pursue criminal charges against Lance Goree for PC 242 assault and battery and any other criminal charges the DAs Office determines is appropriate. I am attaching to this email Mr. [REDACTED]’s (operative) first amended complaint for damages against the YMCA, Lance Goree and the other YMCA employees involved in the February 4, 2022 battery—which contains a more detailed description of the subject incident. Additionally, Mr. [REDACTED]’s girlfriend captured the vast majority of the incident on her cell phone device. A secure link to that video, which is housed in my firm’s online DropBox account, can be accessed [here](#).

Thank you very much for your time and consideration. Please do not hesitate to contact me to discuss.

Michael Slater



**MICHAEL SLATER**

Founding Partner

**The Slater Law Firm, APC**

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