



FW: Request for Investigation by BPD // By: | **As to: Lance Goree**
// Re: 2/4/22 Battery Incident at YMCA (Berkeley) // BPD Report No. 22-5533

Michael Slater <mslater@theslaterlawfirmmapc.com>
To: <@gmail.com>

Mon, Mar 13, 2023 at 11:25 AM

MICHAEL SLATER

Principal | Partner

The Slater Law Firm, APC

M: (818) 645-4406

A: 515 S. Flower St., 18th Fl., Los Angeles, CA 90071

W: www.theslaterlawfirmmapc.com

E: mslater@theslaterlawfirmmapc.com

Wilson, Jennifer <JWilson@berkeleyca.gov>
Friday, March 10, 2023 3:02 PM
Michael Slater <mslater@theslaterlawfirmmapc.com>
RE: Request for Investigation by BPD // By:

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

Michael Slater <mslater@theslaterlawfirmapc.com>
Monday, March 6, 2023 4:54 PM
Wilson, Jennifer <JWilson@berkeleyca.gov>
Maldonado, Carlos <CMaldonado@cityofberkeley.info>; Futch, Kajahna <KFutch@cityofberkeley.info>;
@gmail.com>
RE: Request for Investigation by BPD // By: | As to: Lance Goree // Re: 2/4/22 Battery

MICHAEL SLATER

Principal | Partner

The Slater Law Firm, APC

M: (818) 645-4406

A: [515 S. Flower St.](#), 18th Fl., Los Angeles, CA 90071

W: www.theslaterlawfirmapc.com

Michael Slater
Friday, February 10, 2023 12:26 PM
Wilson, Jennifer <JWilson@berkeleyca.gov>
Maldonado, Carlos <CMaldonado@cityofberkeley.info>; Futch, Kajahna <KFutch@cityofberkeley.info>;
<@gmail.com>
RE: Request for Investigation by BPD // By: | As to: Lance Goree // Re: 2/4/22 Battery

first to make physical contact with

force that even
, and for nearly fifteen minutes—is

____ (1948) 31 Cal.2d 586, 600; Boyer v. Waples (1962) 206 Cal.App.2d 725, 727. Mr. Goree's use of

(1992) 8 Cal.App.4th 1060, 1066. ***The use of hands or fists alone may constitute force likely***
. People v. Aguilar (1997) 16 Cal.4th 1023, 1028.

See, e.g., People v. Gomes, 2023 WL 1193032, at *17 (Cal. Ct. 2023), review
People v. Becerra, 2020 WL 6110985, at *2 (Cal. Ct. App. Oct. 16, 2020).

MICHAEL SLATER

Principal | Partner

The Slater Law Firm, APC

M: (818) 645-4406

A: 515 S. Flower St., 18th Fl., Los Angeles, CA 90071

W: www.theslaterlawfirmapc.com

E: mslater@theslaterlawfirmapc.com

Wilson, Jennifer <JWilson@berkeleyca.gov>

Tuesday, February 7, 2023 12:22 PM

Michael Slater <mslater@theslaterlawfirmapc.com>

Maldonado, Carlos <CMaldonado@cityofberkeley.info>; Futch, Kajahna <KFutch@cityofberkeley.info>

RE: Request for Investigation by BPD // By:

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

he assaulted Mr. Goree, despite the officer's requests to see the entire video. Officer

Michael Slater <mslater@theslaterlawfirmapc.com>

Monday, February 6, 2023 3:30 PM

Wilson, Jennifer <JWilson@berkeleyca.gov>

Maldonado, Carlos <CMaldonado@cityofberkeley.info>; Futch, Kajahna <KFutch@cityofberkeley.info>; BPD
<bpdwebmail@cityofberkeley.info>; <@gmail.com>

RE: Request for Investigation by BPD // By:

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

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

blue bold.

MICHAEL SLATER

Founding Partner

The Slater Law Firm, APC

M: (818) 645-4406

A: 515 S. Flower St., 18th Fl., Los Angeles, CA 90071

W: www.theslaterlawfirmapc.com

E: mslater@theslaterlawfirmapc.com

Michael Slater
Monday, February 6, 2023 3:28 PM
jwilson@cityofberkeley.info
cmaldonado@cityofberkeley.info; kfutch@cityofberkeley.info; police@cityofberkeley.info;
[>](mailto:@gmail.com)

RE: Request for Investigation by BPD // By:

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

High

1. **BPD's Investigation into 2/4/22 Incident (BPD Report No. 22-5522).** Mr. _____ reported to me that you told him BPD has already investigated the 2/4/22 incident (described in detail below) and that BPD is not going to conduct any additional investigation. Did BPD investigate the conduct of Lance Goree, _____ or both? What evidence did BPD consider? It is my impression that Mr. _____ was investigated for PC 242 misdemeanor assault—the charges of which were later dropped. However, it is also my impression that Lance Goree was never investigated, including for PC 242 felony assault or for any other criminal charge. Please advise.

_____. If, based on the BPD's investigation, it determines that different criminal

2. **BPD is not going to get involved in Mr. _____' civil lawsuit.** Mr. _____ reported to me that you told him BPD was not going to get involved in his civil lawsuit. Nor are we making such a request. To the extent my email below was unclear, we wrote to request that BPD conduct a criminal investigation into the conduct of Lance Goree. We are not asking the BPD to get involved in any way whatsoever in Mr. _____' civil suit.

3. **The District Attorney determined that Mr. Goree's conduct did not amount to attempted murder.** Mr. _____ reported to me that you told him the Alameda County District Attorney's Office determined Mr. Goree's conduct **did not amount** to attempted murder. I am given pause at how that could be, given the District Attorney's Office has not investigated the criminality of Mr. Goree conduct on 2/4/22 – it has only investigated Mr. _____, and determined not to pursue charges against him. Please advise.

4. **The agency responsible for investigating the criminality of Mr. Goree's conduct.** On 12/9/22, I emailed _____ during the 2/4/22 Incident. On 1/3/23, Erin Kingsbury of the District Attorney's Office provided the following response: "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." To the extent the BPD is not the appropriate agency to be directing our requests, please advise.

5. **Evidence of the 2/4/22 Incident.** Whether BPD has conducted an investigation into the potential criminality of Lance Goree's conduct on 2/4/22 or not, any such investigation without considering the video and audio evidence of the 2/4/22 incident would be incomplete. Here is the media evidence again: (1) **cell phone video footage** captured by Mr. _____' girlfriend, Veronica; (2) **cell phone audio** also captured by Veronica (including the minutes preceding the video footage); and (3) **surveillance footage** from a YMCA camera inside the cafeteria. All of these links are secure DropBox links to my firm's DropBox account.

MICHAEL SLATER

Founding Partner

The Slater Law Firm, APC

M: (818) 645-4406

A: 515 S. Flower St., 18th Fl., Los Angeles, CA 90071

W: www.theslaterlawfirmapc.com

E: mslater@theslaterlawfirmapc.com

Michael Slater

Wednesday, January 25, 2023 1:48 PM

jwilson@cityofberkeley.info

cmaldonado@cityofberkeley.info; kfutch@cityofberkeley.info

Request for Investigation by BPD // By:

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

[2001 Allston Way](#) in Berkeley, California

for more than fifteen (15) minutes berated Mr.

with questions

For no less than fourteen (14) minutes, Mr. Goree employed a **carotid**
(periodically, together with an airway choke) against Mr. , who showed little resistance other than

cell phone video footage
cell phone audio also captured by Veronica (including the minutes
surveillance footage from a YMCA camera inside the cafeteria. These are

MICHAEL SLATER

Founding Partner

The Slater Law Firm, APC

M: (818) 645-4406

A: 515 S. Flower St., 18th Fl., Los Angeles, CA 90071

W: www.theslaterlawfirmapc.com

E: mslater@theslaterlawfirmapc.com