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10 Attorneys for CITY OF SAN JOSE; SAM LICCARDO
11 and EDGARDO GARCIA

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 OAKLAND DIVISION

15 JANICE ALTMAN, an individual;
16 RYAN GOODRICH, an individual;
17 ALBERT LEE SWANN, an individual;
18 ROMAN KAPLAN, an individual;
19 YAN TRAYTEL, an individual; DMITRIY
20 DANILEVSKY, an individual; GREG
21 DAVID, an individual; SCOTT
22 CHALMERS, an individual; CITY ARMS
23 EAST LLC; CITY ARMS LLC; CUCKOO
24 COLLECTIBLES LLC d.b.a. EDDY'S
25 SHOOTING SPORTS; SECOND
26 AMENDMENT FOUNDATION;
27 CALIFORNIA GUN RIGHTS
28 FOUNDATION; NATIONAL RIFLE
ASSOCIATION OF AMERICA;
CALIFORNIA ASSOCIATION OF
FEDERAL FIREARMS LICENSEES,
INC.; and FIREARMS POLICY
COALITION, INC.,

Plaintiff(s),

v.

COUNTY OF SANTA CLARA,
CALIFORNIA; LAURIE SMITH, in her
capacity as Sheriff of the County of Santa
Clara; JEFFREY ROSEN, in his official
capacity as Santa Clara County District

Case Number: 4:20-cv-02180-JST

**DECLARATION OF LIEUTENANT
ROBERT IMOBERSTEG IN
OPPOSITION TO MOTION FOR
PRELIMINARY INJUNCTION**

Date: May 13, 2020
Time: 2:00 p.m.
Location: CourtCall
Judge: Hon. Jon S. Tigar

1 Attorney; SARA CODY, in her official
 2 capacity as Santa Clara County Health
 3 Officer; CITY OF SAN JOSE,
 4 CALIFORNIA; SAM LICCARDO, in his
 5 official capacity as Mayor of San Jose;
 6 EDGARDO GARCIA, in his official
 7 capacity as Chief of Police for the City of
 8 San Jose; CITY OF MOUNTAIN VIEW,
 9 CALIFORNIA; MAX BOSEL, in his official
 10 capacity as the Chief of Police for the City
 11 of Mountain View; COUNTY OF
 12 ALAMEDA, CALIFORNIA; GREGORY
 13 AHERN, in his capacity as Sheriff
 14 of the County of Alameda; ERICA PAN, in
 15 her capacity as Health Officer of the
 16 County of Alameda; COUNTY OF SAN
 17 MATEO, CALIFORNIA; CARLOS
 18 BOLANOS, in his capacity as Sheriff of
 19 the County of San Mateo; SCOTT
 20 MORROW in his capacity as San
 21 Mateo County Health Officer; CITY OF
 22 PACIFICA, CALIFORNIA; DAN STEIDLE,
 23 in his official capacity as the Chief of
 24 Police for the City of Pacifica; COUNTY
 25 OF CONTRA COSTA, CALIFORNIA;
 26 DAVID LIVINGSTON, in his capacity as
 27 Sheriff of the County of Contra Costa;
 28 CHRIS FARNITANO, in his capacity as
 Health Officer of Contra Costa County;
 CITY OF PLEASANT HILL, CALIFORNIA;
 BRYAN HILL in his official capacity as
 Chief of Police for the City of Pleasant Hill,

Defendant(s).

I, ROBERT IMOBERSTEG, declare:

1. I am a Lieutenant with the San Jose Police Department, Bureau of Field Operations, Administrative Unit. I have personal knowledge of each of the facts set forth in this declaration, and can testify competently thereto.

2. I have been employed by the San Jose Police Department since 1993, and have been in my current position since 2018. My duties include overseeing and managing the deployment of Officers in the Bureau of Field Operations. I am also in charge of

1 enforcement in the City of San Jose the March 16, 2020, and the March 31, 2020, shelter-
2 in-place orders issued by the Public Health Officer for the County of Santa Clara.

3 3. San Jose Police Department has patrol Officers dedicated to enforcement of
4 these orders. San Jose Police Department receives referrals of complaints of potential
5 violations of these orders from the Santa Clara District Attorney's Office. The Department
6 also receives such complaints from 911 and 311 calls. My Unit refers those complaints to
7 the patrol Officers for enforcement. The patrol Officers also perform "on-view"
8 enforcement.

9 4. Between March 17, 2020, and today, San Jose Police Officers contacted
10 over 1,800 locations, both businesses and individuals, in connection with the Public Health
11 Officer's shelter-in-place orders. My Unit maintains a record of those contacts.

12 5. Nearly all of those contacts were handled from an informational standpoint,
13 i.e. the Officers explained the Public Health Officer's order and provided a copy to the
14 responsible person, and advised the person whether or not a violation of the Order
15 occurred.

16 6. The Officers contacted a broad cross-section of locations, such as
17 automobile sellers, bars, cafes, churches, construction sites, grocery stores, parks,
18 residences, schools, spas, barber shops, salons, vape/cigarette shops, and other
19 miscellaneous businesses.

20 7. The Department forwarded one citation, against a café, to the Office of the
21 District Attorney for prosecution.

22 8. The Department contacted one firearms retailer on March 30, 2020, and
23 provided the responsible person with information regarding the shelter-in-place order,
24 treating it as a courtesy service. The Department has not had any contacts at shooting
25 ranges related to the Public Health Officer's Order. I do not know of any public shooting
26 ranges in the City of San Jose.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on April 21, 2020, at San Jose, California.

 #3054
LT. ROBERT IMOBERSTEG (#3054)