



**Office of the District Attorney  
Alameda County**

**Nancy E. O'Malley**  
District Attorney  
Kevin E. Dunleavy  
Chief Assistant District Attorney  
alcoda.org

July 10, 2020

Paul Roller  
Chief of Police  
Alameda Police Department  
1555 Oak Street  
Alameda, CA 94501

Dear Chief,

This letter is regarding the case of Mr. Mali Watkins, the suspect cited for "resisting arrest" on May 23, 2020, report #20-02239. The Alameda County District Attorney's Office has reviewed this case. We have also met with Mr. Watkins. We will not file charges against Mr. Watkins for a violation of Penal Code section 148, resisting arrest. We do believe that the Officers did not have sufficient probable cause to detain him, making the citation null and void.

We did consider whether any laws were violated by your arresting Officer Smith and Officer Buck. Based on our review of the case, and as stated above, we find there was no probable cause to detain Mr. Watkins. Mr. Watkins should have been free to leave if he did not want to engage in a consensual contact initiated by Officer's Smith and Buck. We have also concluded that based on the totality of circumstances, no criminal charges will be filed against Officer Smith and Officer Buck.

We do believe, however, that these Officers require training regarding contacts, detentions, citations and arrests of individuals. The law allows a member of the public to walk away from a consensual contact with the police if there is no legal authority to detain the individual. I am offering one of my experienced Assistant District Attorneys to provide training to your officers, particularly related to detentions and consensual contacts to prevent any similar events from occurring in the future.

Sincerely,

*Nancy E. O'Malley*  
NANCY E. O'MALLEY  
District Attorney

**RECEIVED**  
**JUL 14 2020**  
**CHIEF'S OFFICE**