

January 18, 2022

Kevin Conway
State Forests Program Manager
PO Box 944246
Sacramento, CA 94244-2460

Dear Mr. Conway,

I write on behalf of the Environmental Protection Information Center concerning harassment of protestors within Jackson Demonstration State Forest (JDSF) by hired private security. As CAL FIRE has made clear, the agency alone is responsible for law enforcement and security purposes and private timber companies are prohibited from utilizing private security to complete their operations. Recent events have demonstrated that timber companies are utilizing private security officers, resulting in escalating tensions within the forest. By this letter, we demand that CAL FIRE reassert control and firmly prohibit private security officers in JDSF.

EPIC believes that allowing a private company to hire private security to police public lands violates state law. This opinion is supported by the Chief Legal Counsel of Cal Fire. On July 2nd, 2021, in a letter to James King, Esq. regarding the use of private security within the forest, Cal Fire Chief Legal Counsel Bruce A. Crane stated the following: "Cal Fire cannot cede control of activities on JDSF, for law enforcement and security purposes, to any person or entity at any time as JDSF is required by Public Resources Code Section 4656.2 to always be under the direction and control of Cal Fire personnel. Moreover, Cal Fires has legal authority under 14 CCR 1439 to close JDSF to certain groups or classes of individuals. The current JDSF forest closure order prohibits any private security, armed or unarmed, from entering JDSF. This will be clearly detailed in a revised forest closure order that Cal Fire will republish." (Emphasis not in the original.)

As you are aware, citizens are concerned with the management of JDSF and have engaged in peaceful protest of proposed logging within these state-owned forests. These protests have been made unsafe by the presence of Paul Trouette, chief executive officer for the private security firm Lear Asset Management, Inc. Lear Asset Management has been hired by Mendocino Redwood Company. In a statement released by Mendocino Redwood Company on October 11th, the company confirmed that they had hired unarmed “safety specialists” to observe and alert people who enter the active timber operation.

Regardless of what Mendocino Redwood Company chooses to call him, it is clear from Trouette’s background and actions within the forest that he is operating as a security guard. Trouette recently directed a “citizen’s arrest” of protestors on the forest, directing timber operators to forbid protestors from leaving. Trouette’s other actions have served to raise tensions in the forest unnecessarily. Trouette has been seen photographing protestors and the license plates of cars parked along Highway 20. He has also approached protestors who had not given him their name and used their names in a way that implied that he had researched their lives. Trouette has also permitted the loggers to engage in dangerous behavior such as cutting into trees in the presence of loggers and leaving trees that have been mostly cut standing precariously. Trouette also witnessed an incident where a protestor was sexually harassed by a timber operator and did not intercede. These are not the actions of a “safety manager.” Rather, Trouette is behaving exactly like private security for the timber operators.

Trouette is well known within Mendocino County for his aggressive tactics. He has favorably compared himself to the Pinkertons, the notorious private detective agency that used violence to break up strikes and chase outlaws in the 19th and 20th centuries. Lear Asset Management has been known to wear military fatigues and use helicopters and firearms in their

work. At other similar protests on forestlands within Mendocino County, Trouette has open-carried a pistol while interacting with protestors.

As the state agency responsible for managing JDSF, CAL FIRE has a responsibility to ensure that everyone obeys State law. EPIC demands that you immediately move to prohibit Lear Asset Management and Paul Trouette's ongoing activities in JDSF. This is both legally required as well as essential for the safety of all involved.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Simmons", with a stylized, cursive script.

Matthew Simmons
Staff Attorney
EPIC

CC: Resources Secretary Wade Crowfoot
Jason Liles for Senator Mike McGuire
Ruth Valenzuela for Assembly Member Jim Wood
Supervisor Dan Gjerde
Supervisor Ted Williams