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## OAKLAND: HOW COULD IT HAPPEN?

*Dissecting the murder of four police officers, and its implications*



By *Julius (Jay) Wachtel*. The blame game's already underway. Only hours after parolee-at-large Lovelle Mixon [shot and killed four Oakland \(Calif.\) police officers](#), the horrific event was being portrayed as another example of America's losing battle against crime and violence.

Some, including [California Attorney General Jerry Brown](#), wagged their fingers at the State's much-maligned correctional system, which routinely places dangerous men like Mixon, who did six years for armed carjacking, under the supervision of vastly overburdened parole agents (Mixon was one of seventy.) Meanwhile [Los Angeles County Sheriff Lee Baca](#) and writer-activist [Earl Ofari Hutchinson](#) bemoaned practices that keep ex-cons from getting the jobs and education they need to succeed in law-abiding society. [Gun control advocates](#) complained of the ease with which would-be killers can circumvent the few meaningful restrictions that exist (two of the officers were reportedly shot with an assault rifle that is illegal in California but easily obtainable elsewhere.) Concerns were also raised, albeit far more discreetly, about the [tactical decisions](#) that might have led four experienced police officers, including two SWAT-team sergeants, to be gunned down by a single assailant.

[It all began](#) when sergeant Mark Dunakin stopped Mixon for an expired license tag. Returning to his motorcycle, Dunakin discovered that Mixon's driver license was fictitious and called for backup. Officer John Hege arrived. As Dunakin headed back to the car, possibly to make an arrest, Mixon stepped out with a pistol and opened fire. Both officers fell, wounded. Mixon walked up and shot them again at point-blank range. Dunakin died at the scene; Hege lingered for hours before being declared brain dead.

Mixon fled to his sister's apartment, where he had stashed an assault rifle. Less than two hours later, an Oakland PD SWAT team forced their way in. Mixon, who was hiding in a closet, fired wildly through the walls, fatally wounding sergeants Daniel Sakai and Ervin Romans, who were struck in the head. Other officers then shot Mixon dead.

There's no such thing as a "routine" traffic stop. Just hours after the Oklahoma City Federal Building was brought down by a truck bomb, killing 168 and injuring more than 400, a highway patrolman stopped [Timothy McVeigh](#) for a traffic violation. McVeigh, who had the advantage, could have reached for the loaded Glock 9mm. under his jacket. But he didn't.

Mixon chose differently. He had been avoiding his parole officer and probably guessed there was a warrant for his arrest. What's more, only a day before the shootings, Oakland police learned that Mixon's DNA profile matched biological evidence recovered from the [recent rape](#) of a twelve-year old girl. A suspect in a string of crimes including another rape, auto theft and murder (a witness who implicated him refused to testify), Mixon had just done nine months for parole violation after being caught with a drug scale and a stolen laptop. For a time he worked as a janitor but [according to a cousin](#) Mixon bought the car he was driving with proceeds from a far more lucrative gig: pimping.

Were the officers' deaths preventable? We can blame the "system" until the cows come home, but Mixon's conduct clearly suggests that there was no way to control him outside of a cell. And in a society where bearing assault rifles is considered a God-given right it was equally impossible to keep him away from guns.

If it's not the "system," might things have turned out differently had the motorcycle officers taken more care? Maybe, but cops can't draw down on everyone. Patrolling the inner cities, where a goodly proportion of adult males have spent time in prison, almost requires being in a state of denial. Paradoxically, experienced officers may be at special risk. Having managed to avoid serious trouble for years, they may get careless and ignore warning signs that would send a rookie diving for cover. Perhaps the second officer's arrival was a distraction. Maybe it lulled both into a false sense of security. We'll never know.

Once the unfathomable happened and two officers were down, having someone call to say where the shooter had holed up was an unexpected break. Normally such situations are resolved with a "surround and call-out," but [Mixon didn't respond](#). A cop killer was hiding in an apartment building whose design reportedly offered no safe way to evacuate its occupants. Since the murder of twelve students and a teacher at [Columbine High School](#), SWAT teams have been far more inclined to act sooner

rather than later when innocents are at risk, and that's what they did here. Throwing in two "flash-bang" grenades as a diversion, they stormed the apartment. We know what happened next.

Exactly how the SWAT team made entry and why it chose to proceed as it did will be a topic of analysis and debate for years. Although some practices may change, the prognosis is ultimately poor. Due to the penetrating power of modern ammunition and the difficulty of protecting the head many SWAT teams prefer to make entries "stacked" behind [hard armor](#). Unfortunately, [full-height shields](#) that can defeat rifle fire are too heavy and cumbersome to fit into tight spaces and may impede visibility. Many agencies have deployed robots, but they're also subject to constraints. For one thing, they can't see through walls; [Mixon](#), it's reported, was hiding in a closet.

Given the number of guns in civilian hands, when individuals are hell-bent to do the wrong thing assuring officer safety is well-nigh impossible. For madmen with a rifle there is simply no solution.