

Neighbor's Murderous Act Sparks Lawsuit Against Alameda County and Oakland for Failure to Protect Victim

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/EINPresswire.com/ -- Negligence and various violations of civil rights by the Alameda County Probation Department and Oakland Police are responsible for a man's death at the hands of a violent, mentally ill next-door neighbor in 2020, according to a federal lawsuit filed late Monday, April 3, in U.S. District Court in San Francisco.



The murder of Miles Armstead serves as a reminder that law enforcement officers have a duty to protect and serve their communities, and any failure to do so can have tragic, irreversible consequences."

*Oakland Civil Rights Attorney
Adanté Pointer*

According to the lawsuit, Oakland Police emboldened the man's threats and violence against Miles Armstead and his family by dismissing their fears, with responding officers telling Miles — in front of the next door neighbor — that his concerns would never be a priority for them, and they would do nothing to help.

Alameda County probation officers' lackadaisical, hands-off approach to Jamal Thomas, who was on supervised release, only emboldened the family's tormentor: Probation officers didn't know where he was staying, lost contact with him and didn't bother to even look for him

during the two months leading up to Armstead being killed, according to the lawsuit.

The County's supervised release policy required probation to connect with Thomas weekly, and to have face-to-face meetings with him twice each month. "He was in violation of the protective order the very first time they met with him," said Oakland civil rights attorney [Adanté Pointer](#), co-founder of [Pointer and Buelna, LLP](#), which represents the Armstead family. On that occasion, Thomas and the probation officers were standing directly in front of the Armstead home.

"The County is complicit in the killing of Mr. Armstead," Pointer said. "Thomas was purportedly on the highest level of supervised release, yet they turned a blind eye to supervising him, granting him the leeway and the confidence to continue menacing the frightened family with impunity."

Within only six months, starting on Thanksgiving 2019, the Armsteads made at least 23 calls to Oakland Police reporting Jamal Thomas' violent felonies, which he committed on an almost weekly basis, according to the lawsuit.

Oakland officers responded to only 11 of those calls for help, despite the Armsteads reporting that Thomas broke into their house, threw stones and bricks through their windows, severely injured Melina Armstead while she was pregnant, threatened to burn down their house, and repeatedly violated the restraining order the Armsteads had against him, the lawsuit states.



Miles Armstead

At one point an officer told Miles Armstead that he and Thomas were "acting like girls," and then complained about Armstead while Thomas was listening, the lawsuit states.

"This sneering lack of seriousness from Oakland Police, and the probation department's failure to do their job, freed Thomas to escalate his campaign of terror," Pointer said.

The harassment and assaults grew more dangerous, forcing the Armsteads to board up their newly purchased home to try to protect themselves from Thomas. At the same time, Pointer said, county probation officers "abdicated their duty" by not monitoring Thomas' repeated violations of the protective order.

Distressed by the authorities' lack of concern, they decided to move away and sold their house in April 2020.

Armstead was shot to death on May 1, 2020, as he was tidying up the yard for the new homeowners. At the time, the Armsteads believed Thomas was still in the county jail for violating the restraining order, but Alameda County probation officers failed to warn the Armsteads that he'd been set free, the lawsuit states.

Armstead, 44, was a wealth manager at Fremont Bank. When he died he had three biological children and a step-daughter, and his wife, Melina Armstead was expecting their first child. A devoted father, he coached and refereed for youth soccer, was a mentor and active school

volunteer.

“The murder of Miles Armstead serves as a reminder that law enforcement officers have a duty to protect and serve their communities, and any failure to do so can have tragic and irreversible consequences,” Pointer said.

The lawsuit filed April 3 ([Armstead, et al, v. County of Alameda, et al; Case 3:21-cv-05257-LB](#)) is an amended complaint after a judge dismissed a motion for summary judgment filed by attorneys representing the county and the city.

The city sought to dismiss the initial lawsuit filed in 2021 by arguing that it had no duty to protect anyone from third parties. That argument was rejected last March by U.S. District Judge Laurel Beeler, who ruled that the city could be found negligent for escalating the danger Thomas presented to the Armsteads.

About Pointer & Buelna, LLP, Lawyers for the People: Civil rights attorneys Adanté Pointer and Patrick Buelna started their law firm to give people a chance against large institutions like the police, government, corporations and insurance companies. They have secured many of the largest trial verdicts and settlements in these practice areas.

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