

April 2012 Police Department Report

May 4, 2012

- Department Personnel
 - We are currently staffed at 9 sworn positions and 3 reserve officers.
- Commendations and Correspondence - None this month
- Investigation of Alleged Misconduct
 - Department Investigation 2011-004 was initiated on July 5, 2011 on allegations that an officer violated department reporting procedures. This investigation is being conducted by Sergeant Hull.
 - Citizen's Investigation 2011-005 was initiated on October 5, 2011, on allegations that an officer was rude while signing off on a fix it ticket. This investigation is being conducted by Sergeant Hull.
 - Citizen's Investigation 2012-001 was initiated on January 8, 2012 on an allegation that an officer used racial profiling in issuing a traffic citation. This investigation is being conducted by Sergeant Hull.
- 9-1-1 / Richmond Communication Center Information.
 - The Ring Time Report for March documented 54 total 911 calls received by dispatch with none having a ring time of over 20 seconds.

The Ring Time Report for April documented 61 total 911 calls received by dispatch with 3 having a ring time of over 20 seconds. The first occurred on 04-09-12, at 1:36 PM, with a ring time of 1:12 seconds. The caller spoke to the dispatcher for 1:12 seconds but there is no indication of the type of call or if a call was generated.

The second occurred on 04-19-12, at 11:44 AM, with a ring time of 1:10 seconds. The call appears to be a mis-dial with the dispatcher speaking to the caller for 2 seconds.

The third also occurred on 04-19-12, at 1:29 PM, with a ring time of 1:10 seconds. This was a call a medical call of a 50 year old fall victim at the Hilltop School.

The average ring time for the month of March was 4 seconds.

The average ring time for the month of April was 8 seconds.

- Community Networking

- On 04-04-12, Chief Harman attended the West County Police Chief's meeting in Hercules.
- On 04-19-12, Officer Doug Wilson, Chief Harman, and KPSC Chair Peter Liddell co-sponsored with the Kensington Fire Protection District, "Smoke Detectors, Carbon Monoxide Detectors, and Wildfire Workshop" presented by Fire Marshal Michael Bond.
- On 04-23-12, Chief Harman attended the KIC meeting.
- On 04-28-12, Sergeant Barrow, Detective Stegman, and the crew of Engine 65 participated in the National Drug Take Back Day, collecting 112 pounds of unneeded prescription medications.

- Community Criminal Activity

- This section of the Watch Commander's Reports are prepared by Sergeant Hui for Team One, Sergeant Barrow for Team Two, and Detective Stegman.

- Watch Commander Reports

- **Sergeant Hui**
(1600-0400)

TEAM #1 STATISTICS

Officer:	Ramos (K41) (0600-1800)	Wilson (K38) (1800-0600)
Days Worked	14	10
Traffic Stops	17	4
Moving Citations	11	3
Parking Citations	--	--
Vacation/Security Checks	91	55
FI-Field Interview Cases	0 1	1 1
Self Initiated Cases	0	0
Arrests	0	0
Calls for Service	53	21

Note: Parking citation data was not available at the time of this report.

Officer Wilson recovered 12 hours of comp time.

Officer Wilson took 44 hours of vacation time.

Officer Ramos took 5 hours of vacation time.

Acting Sergeant Hui recovered 12 hours of comp time.

Officer Ramos attended an 8 hour report writing class.

BRIEFING/TRAINING:

- Reviewed KPD Policy #100 – Law Enforcement Authority
- Reviewed KPD Policy #200 – Organizational Structure
- Reviewed KPD Policy #203 – Orders by Supervisor
- Reviewed KPD Policy #320 – Domestic Violence
- Reviewed KPD Policy #332 – Missing Person Reporting
- Reviewed KPD Policy #342 – Department Computer Use
- Reviewed KPD Policy #344 – Report Preparation
- Reviewed KPD Policy #360 – Death Investigation
- Reviewed KPD Policy #500 – Traffic Function Responsibility
- Reviewed KPD Policy #502 – Traffic Collision Reporting
- Reviewed KPD Policy #700 – Department Owned and Personal Property
- Reviewed KPD Policy #1020 – Personnel Complaint Procedure
- Reviewed KPPCSD Policy 3010.1 – Occupational Injury Reporting
- Reviewed KPD Victim Non-Disclosure Request
- Reviewed Miranda Warning Update
- Reviewed Traffic Issues within Kensington
- Reviewed Child Abuse reporting and paperwork
- Reviewed Case Law – Miranda v. Shatzer
- Reviewed patrol responsibilities
- Discussed use of social media websites in Law Enforcement
- Reviewed updates on Child Passenger Restraint laws

SERGEANT'S SUMMARY:

In the past several months, we have had two instances of residential burglaries where the residents were home when the suspect forced entry into the residence. In both of these events, it appears that the suspect first knocked on the door and then forced entry into the residence after no one answered the door. In many burglaries, the suspect will walk up to the front door and knock or ring the doorbell to see if anyone is home. If the resident is home, they will often pose as a solicitor. If the resident is not home, the suspect will then look for a means of gaining entry into the residence.

If someone knocks on your door that you do not recognize, one effective method that I have seen in dealing with the subject is to:

1. Call KPD's non-emergency dispatcher at 510-236-0474
2. Without opening the door, tell the person that you are not interested in whatever they wish to discuss and that you have already called the police.

Many of our residents are worried about getting someone in trouble. In a "suspicious person" type of call, responding officers will contact the subject and check why they are knocking on your door. If they are supposed to be in the area, the officer will quickly conclude his contact with the subject and be on his way.

One important item to remember is that all solicitors must have a Contra Costa County Solicitors permit that is issued by the Contra Costa County Sheriff's Records department. The permit should identify the company that the permit has been issued to, and list each solicitor that is allowed to conduct business within the county. The purpose of issuing solicitor permits is to ensure that the companies and their solicitors are of a legitimate nature and within compliance with local planning and health ordinances. If you are interested in learning more about these permits, you can call the Contra Costa County Records Unit at (925)335-1570.

SIGNIFICANT EVENTS:

- o 2012-2427 – On 4/10/2012, Officer Ramos met a resident at KPD on a report of a petty theft.
- o 2012-2608 – On 4/18/2012, Sergeant Hui responded to the unit blk of Arlmont Dr on a report of an identity theft.
- o 2012-2744 – On 4/24/2012, Officer Wilson responded to the 100 blk of Windsor Ave on a report of a petty theft.

Reserve Officer:	Colon (K44)	Armanino (K47)
Days Worked	0	4
Traffic Stops	0	16
Moving Citations	0	8
Parking Citations	0	--
Vacation/Security	0	24
Checks		
FI-Field Interview	0	0
Cases	0	0
Self Initiated Cases	0	0
Arrests	0	0
Calls for Service	0	11

•• **Sergeant Barrow**

Sgt. Barrow, issued 9 moving citations, and made two arrests. One with Detective Stegman, and the other with Officer Turner.

TEAM #2 STATISTICS

Officer:	Martinez (K31) (0600-1800)	Turner (K46) (1800-0600)
Days Worked	9	14
Traffic Stops	13	50
Moving Citations	7	17
Parking Citations	N/A	N/A
Vacation/Security Checks	39	94
FI-Field Interview	0	0
Cases	3	2
Self Initiated Cases	0	1
Arrests	0	2
Calls for Service	26	42

Parking citation data was not available at the time of this report.

BRIEFING/TRAINING:

Sergeant Barrow attended an 8 hour Business writing class.

- o Reviewed KPD Policy #100 – Law Enforcement Authority
- o Reviewed KPD Policy #200 – Organizational Structure
- o Reviewed KPD Policy #203 – Orders by Supervisor
- o Reviewed KPD Policy #320 – Domestic Violence
- o Reviewed KPD Policy #344 – Report Preparation
- o Reviewed KPD Policy #360 – Death Investigation
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- o Reviewed Miranda Warning Update
- o Reviewed Traffic Issues within Kensington
- o Reviewed Child Abuse reporting and paperwork
- o Reviewed Case Law – Miranda v. Shatzer
- o Reviewed patrol responsibilities
- o Discussed use of social media websites in Law Enforcement
- o Reviewed updates on Child Passenger Restraint laws

SERGEANT'S SUMMARY:

The Kensington Police and Fire Departments participated in the **National Dug**

Take Back Initiative on April 28, 2012. The Police department received over 112 pounds of pills and various medications. The Fire Department filled five 18 gallon plastic containers with various medical waste, syringes, inhalers, and non-prescription medications. The Kensington Police Department has hosted three **National Dug Take Back Initiatives and to date have received over 390 pounds of pills** and various prescription medications. I hope we will be having another event in approximately six months. As soon as a new date is determined I will forward it through the outlook and the Police Department Monthly report.

SIGNIFICANT EVENTS:

- 2012-2340 – On 4-5-2012, Officer Turner was assisting El Cerrito Police with a search for a stolen vehicle. Officer Turner contacted a similar subject who was wanted on a no bail warrant out of Richmond. He took the suspect into custody without incident.
- 2012-2385 – On 4-7-2012, Officer Turner and I responded to the 400 block of Colusa Avenue for a reported strong arm robbery. A female adult victim was walking in the 400 block of Colusa Avenue when the suspect grabbed her purse and ran south bound Colusa Avenue. See Detective Stegman's report for further.
- 2012-2455 – On 4-11-2012, Detective Stegman and I responded to Wellesley Avenue for an attempted suicide by hanging. The subject telephone 911 after the tree branch gave way causing injuries. We arrived and found the subject and cut him down. The subject was unresponsive and as we prepared to begin CPR the subject coughed and gasped for air. The subject was given medical aid and transported to the hospital. The subject is expected to make a full recovery.
- 2012-2643 – On 4-20-2012, Officer Martinez responded to the unit block of Sunset Terrace for a reported residential burglary. The door had been damaged and the victim could not find any loss at the time of this report.
- 2012-2754 – On 4-25-2012, Officer Martinez responded to the unit block of Highland Blvd. for a reported non-injury hit and run vehicle collision.
- 2012-2757 – On 4-25-2012, Officer Martinez responded to the unit block of Ardmore Drive for a reported petty theft from a residence.
- 2012-2762 – On 4-25-2012, Sergeant Barrow responded to the unit block of Avon Drive for a reported domestic dispute. Sergeant Barrow arrived and contacted the parties. Officer Turner arrived at work and immediately responded to my location to assist me. One of the subjects was arrested and booked into county jail.
- 2012-2815 – On 4-27-2012, Officer Turner responded to the unit block of Arlington Avenue for a reported petty theft. A UPS package was reported stolen but was delivered to the wrong address. The package was returned and no further action was taken.

TRAFFIC STATISTICS:

24 moving citations were issued on Colusa Ave.
16 moving citations were issued on Arlington Ave.
8 moving citations were issued on Grizzly Peak Blvd.
2 moving citations were issued on Franciscan Way.
1 moving citation was issued on Kenyon Ave.
1 citation was issued on Highland Blvd.
1 citation was issued on Berkeley Park Blvd.
2 citations were issued on Rincon Rd.

•• **Detective Eric Stegman**

SIGNIFICANT EVENTS:

12-2385- On 4/7/12, at approximately 1843 hours, a “rip and run”, strong arm robbery occurred, near Colusa Circle. The suspect was a thin build Black male, approximately 17-18 years old, 5’ 8”, and 115-130 lbs. He was wearing a grey hooded sweatshirt with the hood covering his head and saggy blue jeans. He also was wearing black gloves, and black and white shoes (probably Converse Chuck Taylors). By 2159 hours, the same day, charges were being to be made to the victim’s American Express card at various locations in Pinole. **This case is under investigation.**

On 4/17/12 Sgt. Barrow and Detective Stegman arrested a Parolee at Large who is believed to have information about case 11-1618 (Homicide).

12-2590- On 4/17/12, a burglary occurred on Franciscan Way. Entry was gained by forcing the front door open. The loss was several valuable musical instruments and electronics. **This case is under investigation. Anyone with information please call Detective Stegman.**

12-2643- On 4/20/12, a burglary occurred on Sunset Terrace. Entry was gained by forcing the front door open. There was nothing taken from the residence as it was vacant. **This case is under investigation.**

On Saturday 4/28/12, Sergeant Barrow and Detective Stegman, in conjunction with the El Cerrito Fire Department, and the DEA, participated in Drug Take Back Day. The event took place from 10 AM thru 4PM. We collected 112 pounds of medications in pill and powder form. This does not include the large unmeasured amounts of cream, liquid, and aerosol medications that were collected separately, to be disposed of by ECFD.

KPD INVESTIGATIONS INFORMATION:

2011-1618 Homicide.

On 03-12-11, KPD Officers were dispatched to a possible dead body in the 00 block of Arlington Avenue. The individual was pronounced dead at the scene. This case is being investigated as a homicide.

KPD INVESTIGATIONS

- Made court run for filling cases, and retrieve court notifications.
- Updated the KPD Case Review Log
- Updated stolen property log.
- I'm currently assigned one day per week as a Field Training Officer

KPD Monthly Crime Statistics

APRIL 2012

Part 1 Crimes	Reported	Open/ Pending	Suspended	Closed	Arrest
Homicide	0	1	0	0	0
Rape	0	0	0	0	0
Robbery	1	1	0	0	0
Felonious Assault	0	0	0	0	0
Residential Burglary	2	1	1	0	0
Grand Theft	0	0	0	0	0
Vehicle Theft	0	0	0	0	0
Part 1 Totals	3	3	1	0	0
Other Crimes					
Auto Burglary	0	0	0	0	0
Identity Theft	2	2	0	0	0
Fraud	0	0	0	0	0
Forgeries	0	0	0	0	0
Petty theft	4	1	2	1	0
Restraining Order Violations/ Stalking/ Criminal Threats	0	0	0	0	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	1	0	0	1	1
Vandalism	0	0	0	0	0
Drugs	0	0	0	0	0
Warrant	2	0	0	2	2
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	1	1	0	0	0
Other Misdemeanor Traffic	0	0	0	0	0

Other Crime Totals	<u>10</u>	<u>4</u>	<u>2</u>	<u>4</u>	<u>3</u>
All Crime Totals	<u>13</u>	<u>7</u>	<u>3</u>	<u>4</u>	<u>3</u>

Traffic Accidents (Non Injury) 1
Traffic Accidents (Injury) 0

•• **Chief Harman**

Rumor, rumor, rumor...

Webster’s Dictionary defines rumor as, “a story or statement in general circulation without conformation or certainty as to facts”. There are many rumors in our community, how and why they are started is as many as the rumors themselves. However, as the Webster definition would indicate, the best way to deal with rumors is to provide the facts. Therefore, I will provide the facts.

Rumor: “Questions about the chaos and lack of systems in payroll, receivables, payables, and reimbursements go unanswered, and Chief Harman has proposed no new systems.”

Fact: Changes in personnel have been made and all of the suggestions in both the KPPCSD Fiscal Year Audit of 2010 prepared by our auditor and the suggestions made in December 2011 by the forensic auditor hired by the District have been implemented and are in place and have been since the first of the year.

Rumor: “Questions about the source for data Chief Harman cited when he claimed to have reduced crime in Kensington by 50% last year and 62% over 4 years has gone unanswered for over 3 months”.

Fact: All questions about the source of data cited in the reduction of crime were reported at the April 12th meeting of the KPPCSD Board, also in the April 2012 Police Monthly report which is available on line at www.kensingtoncalifornia.org, and on Page 8 of the May 2012 issue of the Outlook.

Rumor: “Why is it that during Mr. Harman’s tenure we have lost 15 employees? We only have 10 full time employees?”

Fact: Since taking office in September of 2007, we have had 10 full time sworn positions in the police department. Over the course of the last 5 years, we have

had one officer resign during probation, one officer retire, one officer resign, one officer retire due to a medical condition, and one officer that was terminated. That would be five officers in five years, for an average of one a year or 10% attrition rate of the sworn force a year. In Brown Taylor's Audit of the Police Department completed and presented to the Board in January 2008, Taylor identified industry standards as, "officer attrition can be anticipated to be "15%" per year". The Kensington Police Department attrition rates are lower than industry standards.

However, what about the reserve officer positions that have been in place at the Kensington Police Department. Upon my hire, there was 1 reserve officer position. That reserve officer resigned his position after moving out of the area.

I have hired 5 reserve officers, two that have resigned after moving out of the area, 1 that left to take a full time sworn position from the agency that she currently was working for, 1 that took a position at a large agency in another state, and 2 that have been promoted from the reserve program to full time paid status.

Finally, how about the civilians that have left the District? One left to take another position, 1 left to take a full time job, 1 left because the position was eliminated, and 1 was released before completing probation.

Rumor: "What is the rationale for promoting officers so that we now have 5 officers supervising 4 patrolmen? California Police Officer Standards & Training (POST) requires that sergeants have an advance degree."

Fact: For those in attendance at the March 8th KPPCSD Board meeting, this was explained by me to everyone in attendance. First, the KPPCSD Board negotiated the new positions of Master Sergeant and Corporal with the Kensington Police Officers Association. The costs of these promotions were fully discussed by the Board during negotiations. With these promotions, the structure of the department is as follows, 1 Chief, 1 Master Sergeant whose patrol duties include the supervision of the Detective and Traffic Officer. His administrative duties include the mentoring of the 2 newly promoted patrol sergeants that supervise two officers on their respective teams. The sergeants also supervise the reserve officers when they are on duty in the District. In addition, with the creation of the Master Sergeant position, this has allowed us to increase the shift coverage throughout the week, limiting the time officers would have to patrol the District alone.

In fact, in Taylor's audit he states, "As part of the 2007 / 2008 financial plan a new District Organizational Structure was adopted. The new structure, with full analysis, in the "Organizational Structure" Chapter III of this report, made the following modifications. (1) Reclassified 1 of 4 authorized Police Sergeant positions to a police officer classifications moving authorized sworn to 1 Chief, 3 Sergeants, and 6 Officers."

By increasing the 2 sergeant positions funded in 2011 to the 3 that includes the Master Sergeant in 2012, the Board and the KPOA negotiated the supervisory positions back to the recommendation of 2007/08.

The intent of the creation of the paid status of the Corporal position was to provide a salary increase for the duties and responsibilities that are associated with the Detective position.

As for the POST requirement that all sergeants have an advanced POST certificate, that is simply not true. The only POST requirement for sergeants is that they hold the Basic Peace Officer certification and that they eventually attend supervisor training in order to receive their supervisory certificate.

Rumor: "The funding measures sold to the community on the basis that we needed 11 officers to adequately provide patrol and safety to our community. We have never had 11 officers, currently we have just 9, and the first funding measure was passed in 1994."

Fact: The number of officer positions in the department is determined and approved by the KPPCSD Board and is authorized in the yearly budget.

Quoted from Taylor's 2008 audit, "A full staffing analysis follows in Chapter II of this report. In Summary: Nine Field Officers (3 Sergeants and 6 Officers) are recommended as optimum authorized strength". "Officer attrition can be anticipated to be "15%" per year".

Staffing and funding for sworn positions over the years since 1994 are as follows:

1993/94	8 Officers
1994/95	8 Officers
1995/96	10 Officers
1996/97	10 Officers
1997/98	10 Officers
1998/99	10 Officers
1999/00	10 Officers
2000/01	10 Officers
2001/02	10 Officers
2002/03	10 Officers
2003/04	10 Officers
2004/05	10 Officers
2005/06	10 Officers
2006/07	10 Officers
2007/08	10 Officers
2008/09	10 Officers
2009/10	10 Officers

2010/11 10 Officers
2011/12 10 Officers

The KPPCSD has never authorized or funded 11 officer positions. The funding measures that were voted in over the years were passed to increase revenue to off set the increase in District costs over the years. Even Measure G, that was passed in 2010, there is no mention of the number of sworn positions that were to be authorized by the District.

Since September of 2011, we have been at 9 sworn positions. Until the employment status of the 10th officer is determined, we need to maintain our staffing level at 9 officers. This 10% attrition rate is well within industry norms.

Will these facts eliminate the rumors? Unfortunately probably not, however, I believe it is important to try and get the facts out once these rumors are known to be circulated.