

September 2013 Police Department Report

October 11, 2013

- Department Personnel
 - We are fully staffed at 10 sworn positions with two reserve officers however; we are beginning the background process on two new reserve officers candidates.
- Commendations and Correspondence
 - On September 5th, we received a thank you letter from El Cerrito Police Chief Sylvia Moir, thanking Master Sergeant Ricky Hull and Officer Rodney Martinez for their response and assistance with an in progress residential burglary in El Cerrito.
- Investigation of Alleged Misconduct
 - Citizen's Investigation 2013-002 was initiated on March 21st on an allegation that an officer intimidated the complaining party. This investigation is being conducted by Master Sergeant Hull.
- 9-1-1 / Richmond Communication Center Information.
 - The Ring Time Report for August identified 46 total 911 calls with 7 having ring times over 20 seconds. Average ring time for the month of August was 11.4 seconds.
- Community Networking
 - On Saturday, 09-07-13, Chief Harman participated in the KCC Movie Night held at the park.
 - On 09-09-13, Sergeant Barrow participated in the Arlington Parking meeting held at the Arlington Deli and sponsored by John Gioia.
 - On 09-09-13, Officer Wilson attended the Kensington Public Safety Council meeting.
 - On 09-11-13, Chief Harman attended the West County Police Chief's meeting in Hercules.

- On 09-21-13, Officer Stephanie Wilkens participated in the Tri- City Day held at the El Cerrito Plaza.
- On 09-23-13, Chief Harman attended the KIC meeting.
- On 09-25-13, Chief Harman attended the Contra Costa County Police Chief's Association meeting in Martinez.
- On Saturday, 09-28-13, Chief Harman participated in the "Kensington Animal Fair-Blessing of the Animals", sponsored by the Arlington Church and held at the Community Center.
- Community Criminal Activity
 - This section of the Watch Commanders Reports are prepared by Sergeant Barrow for Team One, Sergeant Hui for Team Two, and Detective Stegman.
- Watch Commander Reports
 - **Sergeant Barrow**

TEAM #1 STATISTICS

Officer:	Ramos (K41) (0600-1800)	Wilson (K38) (1800-0600)	Wilkens (K50) (1800-0600)
Days Worked	16	16	16
Traffic Stops	29	6	20
Moving Citations	41	4	12
Parking Citations	0	7	0
Vacation/Security Checks	5	29	46
FI-Field Interview	0	0	0
Traffic Accident Reports	0	0	1
Cases	2	1	5
Arrests	0	1	0
Calls for Service	15	18	64

- BRIEFING/TRAINING:
 - Reviewed KPD Policy 323 – Fire Prevention Planning
 - Reviewed KPD Policy 322 – Search and Seizure
 - Reviewed KPD Policy 320 – Domestic Violence
 - Reviewed KPD Policy 316 – Officer Response to Calls
 - Reviewed KPD Policy 314 – Vehicle Pursuit
 - Reviewed KPD Policy 312 – Firearms

- Reviewed Warrantless Searches
- Reviewed Search Warrant to Ping a Cell Phone
- Reviewed PC 844 and PC 153 Forcible Entry, Knock and Notice
- Reviewed Salinas V. Texas, 5th Amendment
- Reviewed Qualified Immunity of Unlawful Arrest and Use of Force
- Reviewed H&S 11376.5 Medical Assistance for Person Experiences Drug regarding Overdose
- Reviewed Search Warrants for drawing Blood, for DUI's

SERGEANT'S SUMMARY:

Tis' the season for Halloween. The holiday is usually filled with good times and we hope to keep all of you safe during Trick-or-Treating and parties, again this year. Please make sure if you are out and about after dark, that you stay off the roadways and wear some kind of reflective clothing or carry flash lights. Parents stay with smaller children and check all candy before it is eaten.

There has previously been a Haunted House on Ardmore and it has been well attended. I spoke with the organizer, and there is a good chance the Haunted House will not go up *this year*, but maybe next year. Please be safe and always stay in groups and watch out for your valuables. Please report rowdy kids or any kind of graffiti and/or vandalism immediately.

The second Citizen's Academy has concluded and it was a success. There were 16 students and they all graduated on October 1st. I took note of how enthusiastic the class was and how much the students appreciated their experience. I really appreciate that the officers took a vested interest in these classes and for their participation. Stay tuned for 2015 as Officer Wilson will be looking for people to signup for the department's third Citizen's Academy.

We have also seen an increased number of animal complaints, specifically in regards to dogs being off leash at the Kensington Park, as well as on the streets and paths. We also have seen more calls for service in regards to barking dogs and aggressive dog behavior. Please keep your dogs on leash and under control. It is the law and a citable offense.

- SIGNIFICANT EVENTS:
- 2013-4254 – On 9-2-2013, Officer Wilson and Sergeant Barrow responded to the 7000 block of Stockton Avenue to assist El Cerrito PD during a warrant arrest.
- 2013-4289 – On 9-4-2013, Sergeant Barrow responded to the 00 block of Highland Blvd for a reported identity theft.
- 2013-4460 – On 9-16-2013, Officer Wilkens responded to the 00 block of Highland Blvd for a reported non-injury vehicle collision.

- 2013-4479 – On 9-17-2013, Sergeant Barrow, Officers Wilson and Armaninio responded to the 400 block of Ocean View Avenue for a reported missing person.
- 2013-4492 – On 9-18-2013, Officer Wilkens responded to the 300 block of Colusa Avenue for a reported illegal dumping.
- 2013-4591 – On 9-23-2013, Officer Wilkens responded to the 00 block of Kerr Avenue for a reported fraud.
- 2013-4607 – On 9-24-2013, Officer Wilkens responded to the 200 block of Arlington Avenue for a reported identity theft
- 2013-4609 – On 9-24-2013, Officer Wilkens responded to the 00 block of Edgcroft Drive for a reported vandalism.
- 2013-4610 – On 9-24-2013, Officer Wilson responded to the 100 block of Highland Blvd for a reported domestic violence and an arrest was made during the investigation.

TRAFFIC STATISTICS:

Team #1 took 1 traffic collision report during the month of September.

8 moving citations were issued on Colusa Ave.
 46 moving citations were issued on Arlington Ave.
 1 moving citation was issued on Rincon Road.
 4 moving citation was issued on Westminster Ave.
 1 moving citation was issued on Eureka Ave.

•• Sergeant Hui

TEAM #2 STATISTICS

Sergeant Hui (K42)
 (1600-0400)

Officer:	Martinez (K31) (0600-1800)	Turner (K46) (1800-0600)
Days Worked	12	8
Traffic Stops	12	21
Moving Citations	10	7
Parking Citations	10	2
Vacation/Security	18	21
Checks		
Cases	2	1
Arrests	0	1
Traffic Accident Reports	0	0
Calls for Service	61	20

Officer Turner took six days of vacation.
Sergeant Hui recovered twelve hours of comp time.

BRIEFING/TRAINING:

- Reviewed KPD Policy 312 – Firearms
- Reviewed KPD Policy 316 – Vehicle Pursuit
- Reviewed KPD Policy 320 – Domestic Violence
- Reviewed KPD Policy 322 – Search and Seizure
- Reviewed KPD Policy 310 – Officer Involved Shooting
- Reviewed Traffic Enforcement Issues
- Reviewed Search Warrant Requirements for DUI Blood Draws
- Reviewed Qualified Immunity of Unlawful Arrest and Use of Force
- Reviewed Salinas v. Texas
- Reviewed PC 844 and PC 1531 – Forcible Entry and Knock and Notice

SERGEANT'S SUMMARY:

For this month's summary, I would like to stress the importance of calling for police services as soon as practicable. This past month, we received a call for service for a suspicious person who contacted a juvenile who was walking home from school and offered her a ride home. In this particular instance, we received the call for service approximately one week after the incident occurred.

Many of the calls for service that we receive are time sensitive. As the time frame increases from when an incident occurred to when we are notified, our ability to bring an incident to a successful conclusion decreases.

In the above referenced incident, it is unknown whether the suspicious person was simply offering the juvenile a ride home or if he was attempting an abduction. Unfortunately, due to the delay in reporting the suspicious person, our odds of locating this person are very low. If you have an incident that you believe requires a police response, please call promptly.

On a side note, I would like to recognize the work of Officer Wilkens and Reserve Officer Armanino for their work on a medical call this month. On September 7th, we received a report of an unresponsive male who was not breathing. Officer Wilkens and Reserve Officer Armanino located the subject and determined that he did not have a pulse and was not breathing. They immediately began CPR on the subject and were successful in reviving him. Nice job!

SIGNIFICANT EVENTS:

- 2013-4314– On 9/6/2013, Sergeant Hui responded to the intersection of Canon Dr and Parkside Ct and arrested a subject for an outstanding warrant.
- 2013-4385– On 9/11/2013, Officer Martinez responded to the unit blk of Kerr Ave on a report of an attempted residential burglary.
- 2013-4395– On 9/12/2013, Officer Martinez responded to the unit blk of Ardmore Ave on a report of an identity theft.
- 2013-4405– On 9/12/2013, Officer Turner responded to the unit blk of Eureka Ave on a report of a residential burglary.
- 2013-4407– On 9/12/2013, Officer Turner arrested a subject on the 300 blk of Arlington Ave for driving under the influence of alcohol.

Reserve Officer:	Armanino (K47)
Days Worked	3
Traffic Stops	7
Moving Citations	4
Parking Citations	0
Vacation/Security	2
Checks	
Cases	0
Arrests	0
Traffic Accident Reports	0
Calls for Service	7

Traffic Totals for Team 2 – includes Master Sergeant Hull

14 citations were issued on Arlington Ave
11 citations were issued on Colusa Ave
2 citations was issued on Coventry Rd
1 citation was issued on Franciscan Way

•• **Detective Eric Stegman**

SIGNIFICANT EVENTS:

Suspicious event

On 9/20/13 at approximately 1420 hours, a female student from the Hilltop School, was asked by a man if she wanted a ride home, as she walked down the stairs on the south side of the park after school. On 9/27/13, the incident was reported to KPD. The subject was described as a white male with a thin build and sand colored hair.

On 9/23/13, El Cerrito had a similar incident at Tehiyah Middle school involving a

white van with red writing on it.

If you have any information regarding this or similar incidents please contact Detective Stegman. Additionally, if you see any suspicious subject in or around the school, or park area, please call KPD immediately.

KPD INVESTIGATIONS INFORMATION:

13-3288 Assault (Possible Homicide/ Manslaughter)
Details are pending the conclusion of this case.

12-5354 Murder

On 8/13/12 at approximately 1145 hours, Officer Ramos responded to a welfare check for a potential fall victim (James Durkin). Shortly after his arrival Officer Ramos requested I respond to the scene. Due to the initial circumstances I began investigating the case as a homicide. During the investigation it was revealed the victim had been stabbed in the chest with a serrated kitchen knife. Later in the investigation, the suspect (Diane Sydenham), was identified. Early on 8/14/12, Sydenham was arrested for the Murder of James Durkin. On 8/16/12 the Contra Costa County District Attorney's Office formally charged Sydenham with Murder and she was arraigned.

On 8/30/12 a judge granted an increase in Sydenham's Bail from \$1,000,000 to \$2,000,000. On 9/20/12 Sydenham entered a not guilty plea. **On 8/28/13, I testified at the preliminary examination. Subsequently Sydenham was given an arraignment date of 9/20/13, in which she will re-enter a plea. The trial date is TBD.**

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

- I made court runs to file cases, and retrieve court notifications.
- I updated the KPD Case Review Log.
- I reviewed the "Trak Flyer" messages and maintained the flyer board.
- I instructed the Officer Safety and Use of Force portion of the Citizen's Academy.
- I took Officer to the range and qualified him with his duty weapon.
- I assisted WestNET with a search warrant service in San Pablo.

KPD Monthly Crime Statistics

September 2013

Part 1 Crimes	Reported	Open/ Pending	Suspended	Closed	Arrest
Homicide	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	1	0	0	1	1
Residential Burglary	2	2	0	0	0
Larceny Theft	1	0	1	0	0
Vehicle Theft	1	1	0	0	0
Arson	0	0	0	0	0
Part 1 Totals	<u>5</u>	<u>3</u>	<u>1</u>	<u>1</u>	<u>1</u>
Other Crimes					
Auto Burglary	0	0	0	0	0
Identity Theft	3	2	1	0	0
Fraud	1	0	1	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	0	0	0	0	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	1	0	1	0	0
Drugs	0	0	0	0	0
Warrant	1	0	0	1	1
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	0	0	0	0	0
Other Misdemeanor Traffic	1	0	0	1	1
Other Crime Totals	<u>7</u>	<u>2</u>	<u>3</u>	<u>2</u>	<u>2</u>
All Crime Totals	<u>12</u>	<u>5</u>	<u>4</u>	<u>3</u>	<u>3</u>

Traffic Accidents (Non Injury)	3
Traffic Accidents (Injury)	0

KPD Crime Statistics

YTD 2013

Part 1 Crimes	Reported	Open/ Pending	Suspended	Closed	Arrest
Homicide	0	1*	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	5	1	0	4	1
Residential Burglary	23	11	8	4	1
Larceny Theft	24	3	21	0	0
Vehicle Theft	12	2	9	1	0
Arson	1	0	1	0	0
Part 1 Totals	<u>65</u>	<u>17</u>	<u>39</u>	<u>9</u>	<u>2</u>
Other Crimes					
Auto Burglary	0	0	0	0	0
Identity Theft	26	9	14	3	0
Fraud	1	0	1	0	0
Forgeries	1	0	1	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	2	1	0	1	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	17	3	12	2	0
Drugs	0	0	0	0	0
Warrant	12	0	0	12	14
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	10	0	9	1	0
Other Misdemeanor Traffic	11	0	0	11	11
Other Crime Totals	<u>80</u>	<u>13</u>	<u>37</u>	<u>30</u>	<u>25</u>
All Crime Totals	<u>145</u>	<u>30</u>	<u>76</u>	<u>39</u>	<u>27</u>
Traffic Accidents (Non Injury)	32				
Traffic Accidents (Injury)	0				

* 2011 case

•• **Chief Harman**

Early in the new school year, several concerned parents contacted the County and me regarding the dangerous intersection at Arlington Avenue and Kensington Park/ Rincon. A meeting was held on September 3rd between the parents, County representatives, and me to discuss possible solutions to make the intersection safer.

First, a bit of history on the issue. In 2009, the Kensington Police Protection and Community Services District requested that the Technology Transfer Program of the Institute of Transportation Studies at University of California, Berkeley conduct a Traffic Safety Evaluation (TSE) study for vehicle traffic and pedestrian safety issues at a crosswalk on Arlington Avenue and Kensington Park Way. A team of two traffic safety experts consisting of a traffic engineer and a traffic enforcement expert conducted the Kensington Police Protection and CSD TSE in January 2010 and prepared a report. The report focused on the specific location in the community of Kensington – the signalized pedestrian crossing of Arlington Avenue adjacent to its intersections with Kensington Park Road and Rincon Road.

The report identified that the community was concerned that vehicles speed through the intersection and fail to stop when the red indication is given during pedestrian crossings. The TSE reviewed these concerns and identified potential improvements at this location. The report's factual findings, comments, and possible options were as follows:

“The signalized pedestrian crossing of Arlington Avenue is the only traffic signal located in the community of Kensington. The pedestrian crossing provides access across Arlington Avenue to the Kensington Hilltop Elementary School, the Kensington Library, an adjacent church and preschool school, and area residences. A school crossing guard is provided during school commute times occurring weekdays from 7:45 to 8:45 AM and 2:30 to 3:30 PM. The school crossing guard reported that approximately 70 pedestrian utilize the signalized pedestrian crossing during each school commute period.

The signal is pedestrian actuated and provides a protected pedestrian phase during which vehicles on Arlington Avenue, Kensington Park Road, and Rincon Road are given a red indication. Therefore, the signal provides an exclusive pedestrian phase. Kensington Park Road and Rincon Road are controlled by both stop signs and traffic signals. The operational characteristics of the signal are summarized below.

1. *When no pedestrian actuation has been received:*
 - * *Flashing yellow indications are displayed to both directions of Arlington Avenue.*

- * *Flashing red indications are displayed to both Kensington Park Road and Rincon Road.*
 - * *A steady don't walk (upraised hand) indication is displayed at the pedestrian crossing.*
2. *When a pedestrian actuation is received:*
- * *A steady yellow indication is displayed followed by a solid red indication for both directions of Arlington Avenue.*
 - * *Solid red indications are displayed to both Kensington Park Road and Rincon Road.*
 - * *A walk (walking person) indication is displayed once the solid red indication is given to Arlington Avenue. A pedestrian clearance interval (flashing upraised hand) is then displayed.*
3. *When the pedestrian clearance interval is complete:*
- * *Flashing yellow indications are once again displayed to both directions of Arlington Avenue.*
 - * *Flashing red indications are once again displayed to both Kensington Park Road and Rincon Road.*
 - * *A steady don't walk (upraised hand) indication is once again displayed at the pedestrian crossing.*

The intent of the traffic signal control is to allow vehicles to travel through the area unencumbered when no pedestrians are present. This is accomplished through the use of flashing yellow indications on Arlington Avenue that do not require vehicles to stop. This is further accomplished by the stop signs and flashing red indications on Kensington Park Road and Rincon Road, which allow vehicles to proceed onto Arlington Avenue when it is safe to do so after coming to a complete stop.

When pedestrians are present, the solid red indications on Arlington Avenue, Kensington Park Road, and Rincon Road are intended to keep vehicles from traveling through the area. However, the juxtaposition of stop signs and signal provides slightly mixed direction to drivers.

A solid red signal means that a driver cannot proceed to make a left turn while a stop sign means that a driver can proceed when it is safe to do so.

Drivers on Kensington Park Road and Rincon Road must identify acceptable gaps in vehicular traffic on Arlington Road to safely make their turns onto that roadway. To accomplish this, adequate sight distance is required. Adequate sight distance is available for drivers on Kensington Park Road, but it is not available for drivers on Rincon Road. The primary sight distance constraint for drivers on

Rincon Road is parked vehicles along the west curb north of the intersection.

The signal system located on Arlington Avenue is out of compliance with the California Vehicle Code and the California Manual on Uniform Traffic Control Devices (CAMUTCD). The noncompliance arises from the juxtaposition of stop sign control and signal control on the Kensington Park Road and Rincon Road approaches to the intersection. California Vehicle Code section 21355(a) and CAMUTCD section 4D.01 state that stop signs shall not be used in conjunction with traffic signal control and operation. While the traffic signal system is out of compliance with these codes and standards, it does not appear to operate in an unsafe manner. Field observations revealed that drivers are not confused by the signal system and stop signs. Further, the traffic collision history indicates that drivers are able to safely travel through the area. However, to promote uniformity with traffic control device application throughout the nation and to minimize potential driver confusion, compliance with these codes and standards is recommended. This issue cannot be resolved by simply removing the stop signs and pavement legends on Kensington Park Road and Rincon Road because CAMUTCD section 4K.02 requires that a stop sign be used on all approaches to which a flashing red indication is shown. The flashing red beacon would essentially be serving as an intersection control beacon without the required stop sign, which would result in a different non-compliance issue.

A range of potential improvements were identified to assist the community of Kensington and Contra Costa County with the enhancement of safety and the resolution of the non-compliance issues. A range of potential improvements is offered because each option carries various disbenefits. Further, even though non-compliance and sight distance issues were identified, the intersection does not appear to present unsafe conditions. Therefore, the local agencies must evaluate these improvement options in conjunction with overall community needs and value and ultimately determine the appropriate course of action at this location.

Option 1 – Install a full traffic signal. This intersection could be converted to a full traffic signal by installing red-yellow-green indications for all vehicular approaches and walk-don't walk indications for all pedestrian crossings. This would require the installation of additional traffic signal poles and associated infrastructure. The stop signs on Kensington Park Road and Rincon Road would be eliminated, and the sight distance constraints for drivers turning left from Rincon Road would become less of an issue. This option would be fairly costly, and it would create traffic congestion on Arlington Avenue. Further, this location would probably not satisfy standard traffic signal warrants.

Option 2 – Remove signal control from Kensington Park Road and Rincon Road. The stop signs would remain. This would eliminate the non-

compliance issue, but it would not address the sight distance issue. This option would result in two stop sign controlled approaches within the envelope of a signalized pedestrian crossing which could create conflicts between pedestrians crossing during the signalized pedestrian phase and drivers using gaps created by red indications on Arlington Avenue to make left turns from the side streets.

- Option 3 – Remove the signal control and replace with all-way stop control. This option would eliminate the non-compliance issue and alleviate the sight distance issue. However, it would create significant congestion on Arlington Avenue.*
- Option 4 – Remove the signal in its entirety. The stop signs on the two side streets would remain. The non-compliance issue would be eliminated, but the sight distance issue would remain. This option would eliminate signal control protection for pedestrians crossing Arlington Road at this intersection, which would degrade overall pedestrian safety at this location. However, adequate sight distance and gaps would exist for pedestrians to safely cross the street, but pedestrians would need to exercise a high degree of attentiveness and judgment. This may not be a suitable option given the high number of school children who use this crossing.*
- Option 5 – Eliminate on-street parking along the west curb line north of Rincon Avenue. This option could eliminate or alleviate the sight distance issue depending upon how much parking was eliminated. It would not address the non-compliance issue. This option could be implemented in combination with any of the other four options. This on-street parking is heavily utilized and its elimination would impact area residents, and the adjacent church and preschool.*
- Option 6 – Implement enhanced traffic law enforcement. Enhanced law enforcement would probably increase compliance with traffic signal control during pedestrian crossings. This would address the primary issue that prompted the request for this TSE.*

The level of enforcement action for traffic violations, a citation or verbal warning, is left to the officer's discretion based upon extenuating circumstances and/or whether or not the violator is a local resident. This is a reality in small communities where citizen's concerns and complaints bear a significant influence on community leadership. A citation is the most effective tool to influence and change a driver's behavior leading to a raised level of compliance with traffic laws. This result is achieved by the violator remembering the incident, the resulting fine and the effect on the driver's record and auto insurance rates. An added benefit is when the violator relates the incident to friends and neighbors

who hopefully remember the circumstances when driving through that particular location to focus on driving safely. Verbal warnings are ineffective in enhancing driver safety as the violator has a tendency to forget the incident, or if the driver relates the circumstances to associates, the 'spin' most likely ends with the offender "talking the officer out of a ticket".

The Kensington Police Department knows that the probability of fatal or serious injury to a pedestrian, especially a child at the pedestrian crossing would have serious consequences in their community. It is very important that the community understands, accepts and supports the importance of a Zero Tolerance enforcement policy for the intersection and crosswalk at Arlington Avenue and Kensington Park Way.

The community of Kensington is relatively free of serious traffic problems. Measuring traffic problems is accomplished by compiling collision data; however it is impossible to measure collisions that have been prevented by police presence and traffic enforcement. Unfortunately most traffic safety and preventative programs begin after a tragedy occurs and a public outcry motivates community leaders to take action.

The problem of motorists failing stop for the red light at the signalized crosswalk on Arlington Avenue has all the elements of a tragic occurrence.

For many years motorists have believed that municipalities with a zero tolerance for traffic violations use the program as a source of generating revenue for the city. The policy also results in drivers being very careful to obey the traffic laws when traveling through a targeted area and a reduction in the number and severity of traffic collisions.

"Zero Tolerance Policy" is a more positive spin on preventing serious traffic collisions. The goal would be to inform and gain the agreement of law enforcement officers, governmental and judicial representatives, community representatives, and media support the program. It is important to keep the public informed through media of all aspects of the "Zero Tolerance Policy" program, including the purpose and goals, and to warn the public where the focused traffic enforcement would take place, and that a "Zero Tolerance Policy" would be in effect."

The above report was submitted to the KPPCSD Board for consideration in May of 2010. (The full report can be viewed on the District's website.)

The KPPCSD Board accepted the recommendations of the report at the May 2010 KPPCSD Board meeting, and directed me to implement a "Zero Tolerance Policy" throughout Kensington for traffic enforcement. Following public education and outreach, the police department went to a "Zero Tolerance Policy" for traffic enforcement in 2011.

The County Public Works Department also made changes to the intersection. They adjusted the timing of the yellow flashing light to cycle slower when turning flashing yellow, to yellow, and then to red. This resulted in far fewer drivers driving through the red light. They also increased the number of traffic lights in the intersection, increasing the visibility of the signals as drivers approached the intersection.

However, the auto/ pedestrian near misses have continued, leading to the request of the meeting on September 3rd between all parties to identify additional measures that could be taken to make the intersection safer.

On September 23, 2013, County Traffic Engineer Monish Sen sent me the following e-mail, providing me with an update to our discussions of September 3rd.

“Here’s a quick update on some of the items that were discussed at our meeting at the intersection that day:

- 1. We are proceeding on adding “Stop Here on Red” (with arrow pointing to the limit line) R10-6 signs directly to the signal poles (one in each direction) to help reduce confusion as to when and where to stop (limit line when the signal turns red, activated by a pedestrian), and have issued a trim notice for the overgrown foliage at the northbound approach to the signal on Arlington (on the east side, just south of the signal).*
- 2. There were complaints about speeding and a lot of “red light running”. I understand your department has been very active in enforcing the red light violators, and the new signs should help you in your enforcement efforts. Speeding in excess of the speed limit, especially during school times does not appear to be factor at the intersection.*
- 3. Request for Speed Humps on Arlington Avenue. We would not recommend installation of speed humps on Arlington Avenue, considering its designation as an arterial roadway carrying a significant volume of traffic and the winding and relatively narrow nature of the roadway.*
- 4. Request for flashing lights or beacons on Arlington Avenue at the crosswalk. We would not recommend the installation of RRFB’s (Rapid repeating flashing beacons) at this location since it is already served by a pedestrian activated signal with a red light, as well as crossing guards during school drop off/pick up.*
- 5. The existing signal operates as a flashing yellow to alert drivers that a pedestrian crosswalk and intersecting roads are there. This has been mentioned as confusing. However, the signal was installed as pedestrian crossing and is activated only when the button is pressed at the*

crosswalk. It is not a fully actuated signal, with the Rincon and Library intersections operating as flashing red unless the pedestrian button is pushed and they go to red. After a delay, the signal on Arlington goes from flashing yellow to solid yellow, and then to solid red in all directions, giving the pedestrian a “walk” indication.

- 6. There has been a suggestion to modify the signal to be green on Arlington until a pedestrian pushes the button. However, this option would require a reworking of the entire signal and intersection to add detection loops and cycles for the intersecting roads, retiming and installation of additional signal equipment. A study and plans would have to be prepared with a funding source identified to implement the full signal. The existing skewed/offset intersecting roadways and the curves adjacent to the intersection make this a less than ideal location for a full signal. Also, it is not clear that a fully actuated signal at the intersection would lead to a reduction in red light violators.*
- 7. Also recommended was that the signal be made to be flashing red at all times in all the legs to slow drivers and force them to stop. We are concerned that this option would cause create traffic congestion that may impact drivers and adjacent neighborhoods, as motorists seek shortcuts away from the congestion on the Arlington. Right of way determinations at the offset intersection with limited visibility would not necessarily make pedestrian safety improved with this scenario.*
- 8. There has also been a recommendation to limit or restrict left turns to Rincon, the Library entrance, etc. We have conducted a turning movement count and are determining if the data justifies any restrictions, and how those restrictions may affect traffic further downstream of the intersection.”*

As far as traffic enforcement at the intersection, during the month of September (2013), 37 traffic citations were issued by the Kensington Police Department for moving violations at the intersection.

The police department will continue to enforce traffic safety at the intersection while we wait for the County to identify possible physical traffic safety improvement devices at the intersection in their attempt to improve traffic safety.

Additionally, this topic is on the agenda for the October 16th KPPCSD Board meeting for further Board and public discussion.