

# July 2014 Police Department Report

August 8, 2014

- Department Personnel
  - We are fully staffed at 10 sworn positions with three reserve officers.
  - We are continuing the background process for a fourth reserve officer candidate.
- Commendations and Correspondence
  - On July 17<sup>th</sup>, Sergeant Hui received a thank you note from Penny Ha for the way he conducted himself during his investigation of her incident.
  - On July 19<sup>th</sup>, the Department received a thank you note and cookies from “Lily & Pam”, who stated we were “super heroes” and “awesome!”
- Investigation of Alleged Misconduct
  - Citizen’s Complaint #CI 2014-03 was initiated on May 12<sup>th</sup> on an allegation that an officer failed to perform his duty and that another allowed this failure to occur and had used a despairing remark in describing the community. This investigation is being conducted by Sergeant Hui.
- 9-1-1 / Richmond Communication Center Information.
  - The Ring Time Report for June identified 21 “911” calls for service with no calls having a ring time over 20 seconds. The average ring time for the month of June was 6 seconds.
  - The Ring Time Report for July identified 43 “911” calls for service with two calls having a ring time over 20 seconds. The average ring time for the month of June was 9 seconds.

- Community Networking
  - On 7-02-14, Chief Harman attended the West Contra Costa County Police Chief's meeting in Hercules.
- Community Criminal Activity
  - This section of the Watch Commanders Reports are prepared by Corporal Stegman for Team One, Sergeant Hui for Team Two, and Sergeant Barrow for Investigations.
- Watch Commander Reports
  - **Corporal Stegman**

Team 1 Statistics

Officer:	Ramos K41 (0800 - 1800)	Turner (0600- 1800)	Wilson (1800- 0600)
Days Worked	14	14	8
Traffic Stops	7	40	2
Moving Citations	5	24	1
Parking Citations	0	5	1
Vacation Security Checks	4	29	20
Field Interviews	0	0	0
Traffic Collision Reports	4	1	0
Cases	3	3	1
Arrests	2	1	0
Calls for Service	18	64	8

BRIEFING/TRAINING:

- Reviewed Penal Code 602 - Trespassing
- Reviewed Case Law: People v. Waxler
- Reviewed Case Law: People v. Sprigs
- Reviewed KPD Policy 364 – Private Persons Arrests

## SERGEANT'S SUMMARY:

This month the task of finding a subject for my summary was easy because of a particular case we investigated, but it is time we stress the critical urgency beyond our previous attempts. The subject of locking doors and securing the premises under resident's control, to prevent physical harm or loss of valued possessions has been iterated, re-iterated, and re-re-iterated, but it is quite clear the message has been ignored despite many attempts by KPD to raise awareness. So in order to beat the putrid rotting carcass of the proverbial dead horse one more time, I will review the importance of locking and securing your property. This month however, I will try *not* to bore you to death, in the guarded hope some will regard what I have to say.

This month the officers of Kensington PD investigated a very serious and disturbing crime where a young girl woke up with a strange adult male in her bed. Although I can assure you there is a great deal more to the story, I am unable to share the details. I can tell you it was traumatizing for the victim, her family, and yes even for the officers who investigated it. First, I want to say the officers involved in the investigation did an outstanding job in producing quality work, conducting themselves in a professional manner, and in many cases working long hours with little to no sleep, to accomplish our mission.

Sergeant Barrow and I worked on this case as investigators and additionally I served the watch commander function. Often when an investigator is in the trenches during an intricate case, it is not uncommon to get so focused on the tasks at hand, the investigator can lose sight of the implications of information, and the bigger picture of intertwined events.

Once I finally had a day off following this case, I found myself reflecting on the case and processing some of the poignant emotions I was experiencing. I ultimately came to the conclusion this was a crime achieved because of, apathy, lack of awareness, and complacency, and it could have been easily prevented.

If what I have to say ruffles a few feathers I apologize but that is in fact the point. This is not the first time someone from the KPD has pled with the community to take a more active role in their own safety but thus far I believe such requests have largely fallen on deaf ears. Many of the people in Kensington seem to ignore the fact they are surrounded by some of the most dangerous urban areas in the country. A statement I have heard many times is, no crime happens in Kensington because good people live in Kensington. Although I would agree the majority of people in Kensington are decent, upstanding, hardworking people, who live by an acceptable moral standard, there is no barrier around Kensington to keep people of lower moral standard out.

The criminals who prey on Kensington residents are more often than not from another city. However, they can drive here, ride public transit here, and if they

get a good hit of methamphetamine or crack cocaine, they will walk up the 400 foot elevation climb from San Pablo Avenue to Arlington Avenue, like it is a leisurely stroll in the park. In short, your neighbor might not break into your house or rob you at gunpoint, but the people who do those things are close, mobile, and know what a target rich environment Kensington is.

As a patrol officer, a detective, and now a watch commander, I have found a common theme that comes out of these suspect's mouth's is they come to Kensington because people don't lock their doors, or their cars, and don't pay attention. My favorite example of this was a heroin addict from Albany who would ride the bus to various points in Kensington and then proceeded down the hill towards home, trying every car door he passed under the cover of darkness. He would net approximately \$40-\$50 a night with this modus operandi, focusing mainly on change trays. This went on for weeks as he hit various parts of the District, until we finally caught him. Certainly there are many unlocked cars in Kensington, and I would surmise there are just as many unlocked, or unsecured houses.

Unlocked cars that cause KPD officers to take report after preventable report, I can live with. It's an unfortunate use of resources but its part of our job. However, what disturbs me to my core is that any person regardless of their zip code would ever consider not taking basic steps such as locking their house to protect themselves and their loved ones.

There is no police force that will be able to protect everyone all the time. If you are standing next to a police officer you are for all reasonable purposes in a safe environment. As soon as you part ways with that officer your safety becomes solely your responsibility. As Kensington residents I would venture a guess you enjoy one of the fastest police response times in Contra Costa County, however it is all too common that events transpire faster than a person can even call the police, let alone wait for the police to arrive.

I do not mean to suggest all crime will be snuffed out simply by locking doors. But a less conducive environment will certainly reduce nearly every conceivable type of crime, certain crimes more than others, but none the less an almost certain reduction based on environmental factors. Many people will ignore this advice yet again, and continue living the way they always have. That is to be expected, as it has always been the way of things. I assure you I have nothing to gain by making this appeal to you to exercise better judgment and discipline, however the door you lock every day, every time you walk through it, may be the door that keeps some mysterious intangible evil from becoming a travesty for you or someone you care for.

## SIGNIFICANT EVENTS:

- 2014-3291 –On 7/6/14, Officer Turner and Corporal Stegman served an outstanding arrest warrant on a resident living in the 200 block of Cambridge Ave. The subject was located, arrested, and booked into the Martinez County Detention Facility (MDF).
- 2014-3292 –On 7/6/14, Corporal Stegman and Sergeant Hui responded to a domestic violence on the unit block of Arlington Ct. Corporal Stegman arrested the female suspect booked her at MDF.
- 2014-3295 –On 7/6/14 Officer Ramos took a report of a theft on the 200 block of Amherst Ave.
- 2014-3298 –On 7/7/14, Officer Ramos responded to the unit block of Lenox Rd regarding a report of a forcible sexual assault on a minor. In addition to Officer Ramos, Detective Sergeant Barrow, Corporal Stegman, Officer Turner, Officer Wilkins and Reserve Officer Armanino assisted investigating this case. The suspect in this case was located by the Berkeley Police Department and they turned the suspect over to KPD officers. The suspect was booked into MDF and remains in custody as of the date of this report. See Detective Sergeant Barrow's report for further.
- 2014-3305 –On 7/7/14, Officer Turner took a report of a burglary on the 200 block of Amherst Avenue.
- 2014-3340 –On 7/9/14, Corporal Stegman took a report of an identity theft from the unit block of Anson Way.
- 2014-3463 –On 7/13/14, Corporal Stegman took a report of a burglary on the unit block of Arlington Avenue.
- 2014-3564 –On 7/20/14, Officer Turner took a report of an assault on the 00 block of Anson Way. The suspect was cited and released and the case will be forwarded to the CCC DA's Office.
- 2014-3598 –On 7/22/14, Officer Turner took a report of a domestic violence assault, which allegedly occurred a day before, on the 00 block of Arlington Avenue.
- 2014-3745 –On 7/30/14, Officer Wilson took a report of annoying phone calls on the 300 block of Berkeley Park Blvd.

## TRAFFIC STATISTICS:

Team #1 took 5 traffic collision reports during the month of June.

12 moving citations were issued on Arlington Ave.

9 moving citations were issued on Colusa Ave.

8 moving citations were issued on Sunset Dr./ Franciscan Way.

1 Moving citation was issued on Grizzly Peak Blvd.

•• **Sergeant Hui**

TEAM #2 STATISTICS

Sergeant Hui (K42) - (1600-0400)

Master Sergeant Hull (K17) – issued 16 moving citations and 10 parking citations this month.

Officer:	Martinez (K31) (0600-1800)	Wilkins (K50) (1800-0600)
Days Worked	9	11
Traffic Stops	9	13
Moving Citations	5	10
Parking Citations	0	1
Vacation/Security Checks	4	128
Cases	1	0
Arrests	0	0
Traffic Accident Reports	0	0
Calls for Service	12	33

- Officer Martinez attended a two week traffic motorcycle enforcement school.
- Officer Wilkins took 12 hours of vacation leave.
- Sergeant Hui took 44 hours of vacation leave.
- Sergeant Hui took 8 hours of comp time.

BRIEFING/TRAINING:

- Reviewed Penal Code 602 - Trespassing
- Reviewed Case Law: People v. Waxler
- Reviewed Case Law: People v. Sprigs
- Reviewed KPD Policy 364 – Private Persons Arrests

SERGEANT'S SUMMARY:

With the month of August upon us, one event I always look forward to is National Night Out. For those of you that are unaware, National Night Out is August 5<sup>th</sup> this year and is “America’s night out against crime.” National Night Out originated to help develop and promote various crime prevention programs. In the District of Kensington, National Night Out manifests itself in the form of small gatherings hosted by residents. Officers from KPD attend each National Night Out party, talk about various programs that we offer within the community, and answer any questions that our residents might have.

I have always enjoyed National Night Out events simply because it presents an opportunity for Officers to interact with our residents on a much more informal level.

If you have not had the opportunity to attend a National Night Out party in the past, I would highly encourage you to do so. If you are not aware of anyone hosting a gathering in your neighborhood, please email Officer Douglas Wilson at [dwilson@kensingtoncalifornia.org](mailto:dwilson@kensingtoncalifornia.org) and he can assist.

**SIGNIFICANT EVENTS:**

- 2014-3748– On 7/30/2014, Officer Martinez responded to the unit blk of Franciscan Way on a report of a vandalism.

Reserve Officer:	Armanino (K47)
Days Worked	2
Traffic Stops	3
Moving Citations	3
Parking Citations	0
Vacation/Security	5
Checks	
Cases	0
Arrests	0
Traffic Accident Reports	0
Calls for Service	2

Traffic Totals for Team 2 – includes Master Sergeant Hull

17 citations were issued on Arlington Ave  
12 citations were issued on Colusa Ave  
3 citations was issued on Grizzly Peak Blvd  
1 citation was issued on Kerr Ave  
1 citation were issued on Kenyon Ave

**•• Detective Sergeant Barrow**

**SIGNIFICANT EVENTS:**

**2014-3305 Residential Burglary.**

On 7/7/14, Officer Turner responded to the 200 block of Amherst Avenue for a reported residential burglary. The suspect(s) entered through the unlocked front door and took numerous electronics and jewelry. The suspect(s) left in an unknown direction. This case is under investigation.

**2014-3463 Residential Burglary.**

On 7/13/14, Corporal Stegman and I responded to the 00 block of Arlington Avenue for a reported residential burglary. The suspect(s) entered through a rear locked door by kicking it in. The suspect(s) left in an unknown direction. This case is under investigation.

**KPD INVESTIGATIONS INFORMATION:**

**2012-7261 Residential Burglary**

On 11/24/12, Officer Martinez responded to the 00 block of Arlington Avenue for a reported residential burglary. During the investigation items of evidentiary value were recovered at the scene and submitted to the Contra Costa County Crime Lab. Due to a back log at the crime lab this case was suspended. On 7/2/14, we received a completed crime lab report identifying a suspect in this case. The suspect is already in custody for similar crimes but not related to this case. This case has been reopened and I will be conducting a follow-up investigation.

**2014-3298 Burglary/ Lewd and Lascivious Acts Committed Against a Child.**

On Monday, July 7, 2014, at 0113 hours, KPD Officers were dispatched to the 00 block of Lenox Road on a report of an unknown suspect found in bed with an 11 year old female victim. The suspect ran from the residence when the victim woke up and began to scream. An El Cerrito Police K9 unit searched the area but the suspect was not located.

At approximately 0439 hours, Berkeley Police Officers were dispatched to the 700 block Vicente Street in Berkeley for a reported prowler. Berkeley police officers stopped a subject matching the description of the Berkeley and Kensington suspect in the area of The Alameda and Tacoma Avenue in Berkeley.

An infield show-up positively identified Brian Hubbard, a black male adult, 22 years old, from the City of Richmond as the suspect in both incidents. Kensington Police took custody of Hubbard as the more serious crime occurred in Kensington. Hubbard was arrested and booked into the Martinez Detention Facility.

**Hubbard has been charged with 3 counts of PC. 459/460(a), First Degree Residential Burglary and 1 count of PC. 288(b)(1), Forcible Lewd Act upon a Child, with additional enhancements. Hubbard's bail was set at \$2,250,000.00. This case is still under investigation, other victims have been identified and we are working with the Contra Costa County DA's Officer seeking additional felony charges.**

## **KPD INVESTIGATIONS**

- I made court runs to file cases and retrieve court notifications.
- I updated the KPD Case Review Log.
- I review all cases and incidents to ascertain if any further follow up is warranted.
- I reviewed the "Trak Flyer" messages and maintained the flyer board.
- I assisted WestNet in serving several search warrants, made arrests, and surveillance for suspects.

## KPD Monthly Crime Statistics

July 2014

<b>Part 1 Crimes</b>	<b>Reported</b>	<b>Open/ Pending</b>	<b>Suspended</b>	<b>Closed</b>	<b>Arrest</b>
Homicide	0	0	0	0	0
Rape	1	0	0	1	1
Robbery	0	0	0	0	0
Assault	1	0	0	1	1
Residential Burglary	2	0	2	0	0
Larceny Theft	1	0	1	0	0
Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
<b>Part 1 Totals</b>	<u>5</u>	<u>0</u>	<u>3</u>	<u>2</u>	<u>2</u>
<b>Other Crimes</b>					
Auto Burglary	0	0	0	0	0
Identity Theft	1	0	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)	2	0	0	2	1
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	2	0	2	0	0
Other Misdemeanor Traffic	1	1	0	0	0
<b>Other Crime Totals</b>	<u>9</u>	<u>1</u>	<u>5</u>	<u>3</u>	<u>2</u>
<b>All Crime Totals</b>	<u>14</u>	<u>1</u>	<u>8</u>	<u>5</u>	<u>4</u>
Traffic Accidents (Non Injury)	4				
• Traffic Accidents (Injury)	1				

Year to date totals were not prepared in time for this report and will be included in next month's report.

•• **Chief Harman**

After reviewing Corporal Stegman's comments above, I was tempted to edit them in order to tone them down a bit, but I decided against it. I believe his comments show two things, one, that police officers are human and two, that police officers care for those in the community they serve.

I know how I felt after receiving the call that morning and during my response to the scene. Those feelings were intensified once I arrived on scene, received the details of the case, and began directing our efforts in locating the suspect, supervising the investigation, and most importantly, the care for the victim.

Police officers do care about their victims however, when the victims are children, the emotions you go through are much more intense. The younger the victim, the harder it is to deal with.

When the suspect was taken into custody, I know all of the officers involved in the incidents were very relieved and thankful that the suspect was in our custody.

I was very proud of the way the officers dealt with these investigations, and especially the professionalism demonstrated by Sergeant Barrow and Corporal Stegman during their interview of the suspect. Hopefully, as a result of the statements obtained from the suspect, we will never have to deal with him again.

I can't talk about the investigation, but I can state that we, as a community, were very lucky that night. And yes, it is frustrating working as a police officer, when you know that we can reduce crime and the risk of tragedy by a simple action, locking your doors and windows.