

# October 2014 Police Department Report

November 7, 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- None this Month
- 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.
  - Department Investigation DI #2014-04 was initiated on May 23<sup>rd</sup> on an allegation that an officer engaged in conduct unbecoming an officer while off duty. This investigation is being conducted by Chief Harman.
  - Citizen's Complaint CI #2014-06 was initiated on October 31<sup>st</sup> on a allegation that a police officer was rude during a traffic stop. This investigation is being conducted by Sergeant Hui.
- 9-1-1 / Richmond Communication Center Information.
  - The Ring Time Report for September identified 38 Total 911 calls with 5 having ring times over 20 seconds. The average ring time for September was 11 seconds.
  - The Ring Time Report for October identified 42 Total 911 calls with 4 having ring times over 20 seconds. The average ring time for October was 8 seconds.

- Community Networking
  - On 10-06-14, Officer Wilson attended the Cub Scout meeting and taught fingerprinting to the Cub Scouts.
  - On 10-11-14, Chief Harman participated in the KIC Town Hall meeting.
  - On 10-14-14, Officer Wilson participated in the Annual Boy Scout Troop 100 Induction meeting.
  - On 10-19-14, Chief Harman, Master Sergeant Hull, Sergeant Stegman, Officers Ramos, Wilkens, Turner, Reserve Officers Armanino, Foley, and Rosette participated in the KCC Fall Parade and Picnic.
- 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**

<b>Officer:</b>	<b>Ramos K41</b> (0800 - 1800)	<b>Turner</b> (0600- 1800)	<b>Wilson</b> (1800- 0600)
<b>Days Worked</b>	16	15	14
<b>Traffic Stops</b>	14	28	2
<b>Moving Citations</b>	7	16	0
<b>Parking Citations</b>	0	2	13
<b>Vacation</b>			
<b>Security Checks</b>	2	32	16
<b>Field Interviews</b>	0	0	0
<b>Traffic Collision Reports</b>	2	1	0
<b>Cases</b>	2	3	0
<b>Arrests</b>	0	5	0
<b>Calls for Service</b>	33	81	25

\*My team has been experiencing problem with their in car computers. As a result some of their proactive statistics may be inaccurate.

#### BRIEFING/TRAINING:

- Reviewed Penal code sections concerning subjects carrying concealed weapons.
- Reviewed KPD policy 388, Illness and injury protection program
- Reviewed KPD policy 400, Patrol function.
- Reviewed Case law regarding public records request and private cell phones.
- Reviewed Case law regarding search warrants for cell phones.

#### SERGEANT'S SUMMARY:

I'll be the proverbial broken record. Lock you houses. Lock your cars. Lock anything you wish to keep safe or retain as your property. If my redundant message seems to be getting annoying I apologize, but it is certainly with benevolent intent. Below you will read about a search for a very dangerous criminal that we undertook this month. One thing not mentioned in the synopsis is the difficulty the search team had because instead of searching just back yards looking for a suspect, we had to go house by unlocked house, because the assailant could have strolled into any number of unsecured residences. Sure he could have broken into a house to hide but that would have provided us with what we refer to satirically in this business as an "FBI clue."

We did ultimately find the suspect inside a home hiding. Did I mention he has a history of home invasion robbery? His method of entry is still in question as there was no force detected. But luckily no one was home and regardless of how he got in, there was no shortage of unlocked doors in the neighborhood he could have strolled right in instead.

So please with all the sincerity I possess, if an object has a lock, it would stand to reason someone thought it a valuable feature which most would find useful, please use it.

#### SIGNIFICANT EVENTS:

- 2014-5252 – On 10/7/14, Officer Turner attempted to stop a vehicle occupied by two subjects which subsequently fled from him. Officer Turner found the vehicle abandoned a short time later on Wellesley Ave and determined it was stolen. Officer Turner coordinated KPD personnel

as well as officers from ECPD to contain the suspects who were believed to be hiding in the area. A canine and helicopter were requested to aid in the search but ultimately the suspects were not located. A search of the stolen vehicle yielded a concealed firearm and several articles of stolen property.

Hours later, a Good Samaritan who had apparently witnessed the suspects fleeing from Officer Turner earlier, reported she saw the suspects walking on Arlington Ave. KPD responded to the area. When the suspects spotted KPD units they again fled on foot through the back yards of several residences. Detective Sergeant Barrow and Corporal Stegman engaged in a foot pursuit of the suspects eventually containing them in the block between Arlington Ave and York Ave, with the assistance of Chief Harman, Officer Ramos, and Officer Turner.

Chief Harman took the female suspect in custody nearby while we attempted to locate the male suspect. After an extended search and the assistance of an ECPD canine unit, the suspect was located hiding inside a house on York Ave. It turned out both suspects had an extensive criminal history including home invasion robbery, and auto theft to name a few. The male suspect was a parolee at large and a member of a very pervasive street gang.

As of 10/27/14, the male suspect has been held to answer on multiple felony charges stemming from this arrest, and is currently in custody awaiting trial.

This was an example of outstanding performance by all the officers on scene. It is this kind of dedication and professionalism that makes me proud to work with the individuals involved in this scene.

- 2014-5531 – On 10/20/14, Corporal Stegman responded to a report of a prowler, in the unit block of Edgcroft Rd, where a woman was walking around a resident's yard and acting strange. The subject is well known to KPD as a drug user and burglar. Corporal Stegman obtained a citizen's arrest from the resident and took the suspect into custody. During the booking process the suspect first attempted to bribe Corporal Stegman, and then thought it wise to threaten Corporal Stegman and Officer Turner's lives.
- 2014-5532 – On 10/20/14, Officer Ramos took a report of a hit and run on the 100 block of Highland Blvd.
- 2014-5699 – On 10/28/14, Team One personnel (Corporal Stegman, Officer Turner and Officer Ramos), with help from Detective Sergeant Barrow and Officer Wilkens, carried out a probation search in the 200

block of Arlington Ave. The Officers located methamphetamine and drug paraphernalia in the residence and took the only occupant into custody on related charges.

- 2014-5703 – On 10/28/14, Detective Sergeant Barrow, Corporal Stegman, Officer Ramos, and Officer Wilkens responded to a disturbance on the 100 block of Arlington Ave. The victim claimed her son had been using drugs, was extremely agitated, and making threats to kill her. The son was arrested for making criminal threats.
- 2014-5711 – On 10/29/14, Officer Turner stopped a vehicle on the 400 block of Grizzly Peak Blvd and arrested the driver for an outstanding warrant.
- 2014-5716 – On 10/29/14, Corporal Stegman took a hit of a hit and run on the 200 block of Kenyon Ave.

#### TRAFFIC STATISTICS:

Team #1 took 4 traffic collision reports during the month of October.

12 Moving citations were issued on Arlington Ave.

4 Moving citations were issued on Colusa Ave.

2 Moving citations were issued on Sunset Dr/ Franciscan Way.

5 Moving citation was issued on Grizzly Peak Blvd.

#### •• **Sergeant Hui**

Due to illness, Sergeant Hui's October Report will not be ready until next month.

#### •• **Detective Sergeant Barrow**

#### **SIGNIFICANT EVENTS:**

#### **2014-5252 Auto Theft, Burglary, Possession of Stolen Property, Possession of Burglary tools, Felon in Possession of Firearm with Prior Conviction, and Resist or Obstruct Public Officer.**

On Tuesday, October 7, 2014, KPD Officer Turner observed a vehicle occupied by a male driver and female passenger pass him at the north end of Lake Drive. As he passed them the driver sped away. The vehicle was located crashed on Wellesley Avenue and the two occupants had fled the scene. A perimeter was established with the aid of Officer Ramos, El Cerrito Officers, El Cerrito K9, CHP Helicopter, Corporal Stegman, and I. After an extensive search the suspects were not located and the perimeter was lifted. Approximately 1 ½ hours later a citizen had spotted the suspects walking north bound in the 100 block of

Arlington Avenue. Corporal Stegman and I spotted the suspects and after a brief foot chase another perimeter was established by Kensington and El Cerrito Officers. The female suspect was detained by Chief Harman and the male suspect was located in an attic of a residence that he had no connection with. After a brief standoff, the suspect was taken into custody without further incident.

**2014-5303 Missing Person.**

On Thursday, October 9, 2014, a resident was reported missing by a family member. Days later the subject's vehicle was located unoccupied in a desolate area of Arizona. The local Sheriff's Department conducted an extensive search with negative results. Twelve days after the subject went missing I located him in a hotel in the City of Laguna Beach California. Local police were called and conducted a welfare check and found him in good health. No further action will be taken in this case.

**2014-5703 Terrorist Threats and Resist or Obstruct Public Officer.**

On Tuesday, October 28, 2014, Officers Ramos, Wilkens, Corporal Stegman, and I were dispatched to an out of control subject in the 100 block of Arlington Avenue. We arrived and contacted the victim who was scared and believed the suspect was under the influence of a controlled substance. We then contacted the suspect who I later arrested for the above offences. The suspect was booked into county jail without incident.

**KPD INVESTIGATIONS INFORMATION:**

**During the month of October we took several thefts from vehicles and hit and run vehicle collisions.**

**I would ask that if you see anything suspicious to please call 911 and report it as soon as possible.**

**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 and had two arrest warrants signed by judges.
- 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 of suspects.
- I have also been assisting patrol during traffic stops, calls for service, and acting as a cover officer.

## KPD Monthly Crime Statistics

October 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	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	1	0	0	1	1
Residential Burglary	0	0	0	0	0
Larceny Theft	5	0	5	0	0
Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
<b>Part 1 Totals</b>	<b><u>6</u></b>	<b><u>0</u></b>	<b><u>5</u></b>	<b><u>1</u></b>	<b><u>1</u></b>

<b>Other Crimes</b>					
Auto Burglary	0	0	0	0	0
Identity Theft	0	0	0	0	0
Fraud	0	0	0	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)	1	0	0	1	1
Vandalism	1	0	1	0	0
Drugs	1	0	0	1	1
Warrant	3	0	0	3	3
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	3	0	3	0	0
Other Misdemeanor Traffic	0	0	0	0	0

<b>Other Crime Totals</b>	<b><u>9</u></b>	<b><u>0</u></b>	<b><u>4</u></b>	<b><u>5</u></b>	<b><u>5</u></b>
<b>All Crime Totals</b>	<b><u>15</u></b>	<b><u>0</u></b>	<b><u>9</u></b>	<b><u>6</u></b>	<b><u>6</u></b>

Traffic Accidents (Non Injury)	4
Traffic Accidents (Injury)	0

\* Stats not received



## KPD Crime Statistics

YTD 2014

<b>Part 1 Crimes</b>	<b>Reported</b>	<b>Open/ Pending</b>	<b>Suspended</b>	<b>Closed</b>	<b>Arrest</b>
Homicide	0	1*	0	0	0
Rape	1	0	0	1	1
Robbery	0	0	0	0	0
Assault	9	1	0	8	4
Residential Burglary	10	5	5	0	0
Larceny Theft	24	2	21	1	0
Vehicle Theft	3	3	0	0	0
Arson	1	0	1	0	0
<b>Part 1 Totals</b>	<b><u>48</u></b>	<b><u>11</u></b>	<b><u>27</u></b>	<b><u>10</u></b>	<b><u>5</u></b>

<b>Other Crimes</b>					
Auto Burglary	0	0	0	0	0
Identity Theft	22	9	13	0	0
Fraud	6	1	5	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	1	0	0	1	1
Sex Crimes (other)	1	0	1	0	0
Assault/ Battery (other)	4	0	0	4	2
Vandalism	17	6	11	0	0
Drugs	9	0	0	9	9
Warrant	13	0	0	13	13
Hit and Run Felony	1	0	0	1	0
Hit and Run Misdemeanor	18	4	13	1	0
Other Misdemeanor Traffic	12	1	0	11	10
<b>Other Crime Totals</b>	<b><u>104</u></b>	<b><u>21</u></b>	<b><u>43</u></b>	<b><u>40</u></b>	<b><u>35</u></b>
<b>All Crime Totals</b>	<b><u>152</u></b>	<b><u>32</u></b>	<b><u>70</u></b>	<b><u>50</u></b>	<b><u>40</u></b>

Traffic Accidents (Non Injury)	35
Traffic Accidents (Injury)	3

\* 2011 case

•• **Chief Harman**

Corporal Stegman provides a nice synopsis of the events that occurred on Tuesday, October 7<sup>th</sup>, in which we arrested two career criminals.

What isn't described in the synopsis is the criticism I received from some in the community for failing to lift the "lock down" at the school, and later for not calling for the "lock down of the school, the library, and the nursery schools during the search for the suspect at large.

First, let me provide and respond to a few facts in place of the rumors, false information, and innuendos being spread by some.

No one from the police department called for a lock down at the school during either time we were searching for the suspects. During the first search between 11:30 AM and 1:30 PM, we had established a perimeter in an area far enough away from the school, park, library, and nursery schools. Additionally, we never had a sighting of the suspects in the first place. We had brought a K9 in for a search to take place from where the suspects abandoned their stolen vehicle and we never picked up a track.

During the second search between 4:00 PM and 5:00 PM, we had officers chase the male suspect on foot and had him secured in an area of approximately 8 residences. We had a very secure perimeter set up, and felt that we had him contained in this very small coverage area.

***At no time did I ever feel that there was a safety issue for anyone in the area outside of the perimeter we had set.***

However, during this second search, a concerned parent had seen the activity occurring a quarter mile from the school and called the school to ask what was going on. Hearing about the police activity, school personnel contacted the police department non-emergency office line and did not get a response. That was because our office is not staffed after 3:30 PM and all of our police personnel were at the scene. School personnel then contacted our dispatch center and asked the dispatcher if they should place the students still on campus after school on a "lock down"? The dispatcher responded that if the school was on lock down, they should stay that way until they heard further. The school personnel hearing this, thought they should call for a school lock down and they did.

Our dispatcher then came over the police radio and asked us if the school should stay on lock down. Having never called for a lock down in the first place, I responded that it was not necessary and go ahead and lift it.

***At no time did I feel there was any danger to anyone outside of this secured***

**perimeter.** (Now, as far as the resident who thought it was a good idea to allow her dog off leach and run across the street over to the K9 unit while they were conducting a search of a residence, that's a topic for another day)

Some in the community have asked, "What about children walking home from school, what if they had walked into the police activity?" When we set a perimeter, we do so not only do we keep people from leaving the secured area, but to keep people and children from entering the secured area. ***That was never an issue or concern.***

I have since met with Principle Judy Sanders and staff from the nursery schools to discuss lock downs and better ways of communication when there is a question regarding police activity or just general safety concerns. If there was ever a need to advise the library staff of a safety concern, we would do that, however, I am unaware of the public library having the authority to "lock down" their facility and only release children to their parents when safe to do so.

***The safety of the community is every member of the police department and my primary concern.*** We will take every action possible to maintain the safety of the community. That is our primary mission, our main organizational value, and what each one of us believes in and swears to uphold to the point of risking our lives to save yours. Please never forget this.