

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

March 10, 2016

To: Board of Directors
Kensington Police Protection Community Services District

From: Kevin Hart 

Re: Pending Investigation Into October 7 Traffic Stop

This memo presents a status report on the above matter and describes the process going forward.

The Investigation

The traffic stop of Vanessa Cordova made by Kensington Police Department officers on October 7, 2015 has generated significant public interest and comment. Surrounding that stop are public allegations that the two KPD officers who engaged in that stop abused their authority. Given these serious allegations, I directed that a full, fair and independent investigation be immediately initiated. To assure that the interests of all parties would be protected, I referred the matter to the Richmond Police Department, which assigned the matter to Internal Affairs Lieutenant Brian Dickerson. The investigator was given full discretion and independence in the conduct of the investigation. The Investigator applied U.S. Department of Justice Standards and Guidelines for Internal Affairs Investigations. Over a 10-week period of time, the Investigator interviewed 12 witnesses. After fully assessing witness statements and all available evidence, the Investigator completed his confidential report on February 16, 2016. The report is currently under review, with the next step being an assessment of whether or not the subjects of the investigation engaged in inappropriate conduct and of whether any department policies or procedures should be modified to assure that the Kensington Police Department provides the highest level of responsiveness, accountability and professionalism to our residents.

Next Steps

Investigations such as this one are required by law to be confidential, in order to protect the statutory and constitutional rights of individuals identified as the subjects of the investigation. At the conclusion of such investigations, police department management confidentially analyzes the results of the investigation and determines next steps, which may include initiating corrective or disciplinary action against subject of the investigation as well as determining whether department policies or practices need to be adjusted. At the conclusion of this deliberative process, if discipline is to be imposed, management is required to strictly abide by constitutional and statutory provisions that honor the privacy and Due Process rights of subject officer(s). For serious discipline, this process includes a full right of appeal after any administrative action is taken. When serious disciplinary action is sustained on appeal, information relating to a change in the employee's status is non-confidential. In the interim, the law requires police departments to maintain strict confidentiality.

I expect to conclude my responsibilities in this endeavor within the next few weeks. Meanwhile, one of the two subjects has been placed on administrative leave with pay. Administrative leave with pay is neither a disciplinary action nor an indication of wrongdoing.