

# October 2013 Police Department Report

November 1, 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 October 11<sup>th</sup>, we received a card from resident Gretchen Gilfillan thanking us after her recent completion of the Kensington Police Department Citizen's Academy.
  - On October 11<sup>th</sup>, we also received a letter from the California Department of Justice documenting that the Kensington Police Department was found to be in compliance with CLETS/NCIC policies following their audit.
  - On October 15<sup>th</sup>, I sent a letter to resident Rosary Matteson regarding her comments made at the September 12<sup>th</sup> KPPCSD Board meeting and that she followed up with an e-mail regarding her dissatisfaction with the service she received from the Kensington Police Department.

All of the above letters can be found in the Correspondence Section of the November 6<sup>th</sup> KPPCSD agenda packet.

- Investigation of Alleged Misconduct
  - Citizen's Investigation 2013-002 was initiated on March 21<sup>st</sup> on an allegation that an officer(s) intimidated the complaining party. This investigation was completed by Master Sergeant Hull on October 25<sup>th</sup>, and both officers were exonerated.
  
- 9-1-1 / Richmond Communication Center Information.
  - The Ring Time Report for September identified 39 total 911 calls with none having ring times over 20 seconds. Average ring time for the month of September was 5 seconds.

- As excellent as the September Ring Time report was, unfortunately, we experienced a dropped call for service on October 28<sup>th</sup>.

At 12:12 PM, we received an alarm call on what turned out to be a residential burglary on Beloit. We had two officers at the Beloit residence continuing their investigation, when another resident on Highgate came home at 1:34:26 PM and found their residence had been broken into. The Computer Assisted Dispatch (CAD) log clearly shows the time the Highgate resident called in their burglary, and the dispatcher assigned it as a "Priority 1" call.

For whatever reason, the dispatcher never dispatched the Kensington officers to the Highgate call. I can only assume that because the officers had not cleared the Beloit call, the dispatcher held the call even though they clearly identified it as a Priority 1 call.

At 2:05 PM, the CAD call timer expired on the call, and under normal circumstances, that should have notified the dispatcher that Highgate call was still holding and that no officers had been dispatched.

It wasn't until 3:47:23 PM, that another dispatcher identified the dropped call and generated a new call for service, dispatching Kensington officers to the Highgate residence. At 3:49:26 PM, two minutes and three seconds after the officers were dispatched to the Highgate residence; they arrived and began their investigation.

We have notified Richmond Dispatch that we expect all Kensington calls for service be dispatched, whether or not Kensington officers are showing "clear" or available for service in the CAD system. Apparently, the El Cerrito Police Department has been having the same issue with calls being held while units were on other calls for service, and they too have directed that all calls be dispatched when received.

We have been assured by the Richmond Dispatch Supervisor that the dispatchers will be advised of the procedural change and calls will not be held pending field units clearing their previous calls for service.

- Community Networking
  - On 10-07-13, Officer Wilson gave a presentation to the Cub Scout troop.
  - On 10-08-13, Chief Harman participated in the Boy Scout Court of Honor program.
  - On 10-14-13, Officer Wilson attended the Kensington Public Safety Council meeting.
  - On 10-20-13, Chief Harman, Sergeant Barrow, Officers Ramos and Wilkens, and Reserve Officer Armanino, participated in the KCC Annual Fall Parade and Picnic. KPPCSD Director Welsh also attended the picnic.
  - On 10-21-13, Chief Harman and KPPCSD Board President Lloyd attended the Contra Costa County CSDA meeting held in Concord.
  - On 10-23-13, Chief Harman attended the Contra Costa County Police Chief's Association meeting in Martinez.
  - On 10-26-13, Chief Harman and KPPCSD Board President Lloyd spoke at the Annual KIC Town Hall meeting. Also in attendance were KPPCSD Vice President Gillette, and KPPCSD Directors Lipscomb and Welsh.
  - On 10-31-13, Chief Harman, Master Sergeant Hull, Sergeant Hui, Traffic Officer Ramos, and Officer Turner patrolled the District during the Halloween night activities.
- 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)<br>(0600-1800) | Wilson (K38)<br>(1800-0600) | Wilkins (K50)<br>(1800-0600) |
|--------------------------|----------------------------|-----------------------------|------------------------------|
| Days Worked              | 14                         | 9                           | 13                           |
| Traffic Stops            | 40                         | 10                          | 7                            |
| Moving Citations         | 35                         | 9                           | 5                            |
| Parking Citations        | 5                          | 8                           | 1                            |
| Vacation/Security Checks | 8                          | 26                          | 48                           |
| FI-Field Interview       | 0                          | 1                           | 0                            |
| Traffic Accident Reports | 1                          | 0                           | 3                            |
| Cases                    | 1                          | 2                           | 11                           |
| Arrests                  | 0                          | 0                           | 0                            |
| Calls for Service        | 26                         | 12                          | 69                           |

- BRIEFING/TRAINING:
  - Reviewed KPD Policy 324 – Temporary Custody of Juveniles
  - Reviewed University Police V. Superior Court Alameda
  - Reviewed People V. Leath
  - Reviewed People V. Ermi
  - Reviewed PC. 26 and W&I Code 601 and 602
  - Reviewed Officer’s Report of the Use of Excessive Force may be protected by the First Amendment
  - Reviewed H&S 11376.5 Medical Assistance for Person Experiences Drug regarding Sept. 2013 Legal Update; Firearms Possession by the Mentally ill
  - Reviewed Civil Liability for Police Failure to Disclose Exculpatory Evidence
  - Reviewed Warrants for DUI Blood Draws

Officers Ramos, Turner and Wilkins attended a 4 hour PAS certification course.

SERGEANT’S REVIEW:

- Police Questioning of Juveniles (Minors) in California Criminal

## SERGEANT'S SUMMARY:

KPD and KFD participated and conducted another Drug Take Back event here at the Public Safety building on October 26. It was successful in that we accepted 122.5 lbs of prescription, over the counter drugs, as well as other medications. Officer Wilson transported the drugs to Oakland where they were later incinerated by the DEA, who sponsors the event. Officer Wilson said that residents seemed appreciative of the event. The event is announced in the Kensington Outlook newspaper, as well as other local publications and these events are being held semi-annually at the Public Safety Building. The next Drug Take Back event should be held in approximately 6 months.

This is the time of year when people are enjoying holiday celebrations and parties, so this is a reminder to drive safety and to not drink and drive. Please report drunk drivers to police and please do not attempt to contact them as this may lead to a traffic altercation.

It is also the time of year that we are seeing more fog and slippery roadways. Please pay more attention to your driving. For example, leave more space between you and the vehicle in front of you, stop for yellow turn signal lights and drive safely for the conditions in general. Historically we see more traffic collision this time of year.

Patrol officers have advised me, during late night patrols, they have observed an unusual number of residents who have left their vehicle doors wide open and vehicle interior lights left on. Additionally they have observed many open garage doors.

### ○ SIGNIFICANT EVENTS:

- 2013-4691 – On 10-1-2013, Officer Wilkens responded to the 400 block of Wellesley Ave for a reported vandalism.
- 2013-4698 – On 10-1-2013, Officer Wilkens and Sergeant Barrow responded to the 400 block of Ocean View Ave for a reported missing adult at risk. The adult was found hours later unharmed.
- 2013-4704 – On 10-1-2013, Officer Wilkens responded to the 00 block of Highgate Road for a reported theft.
- 2013-4711 – On 10-2-2013, Officer Wilkens responded to the corner of Arlington Avenue and Arlington Court for a reported non-injury vehicle collision.
- 2013-4787 – On 10-6-2013, Officer Wilkens responded to the 400 block of Yale Ave for a reported non-injury hit and run vehicle collision.
- 2013-4796 – On 10-7-2013, Officer Wilkens responded to the 200 block of Edgcroft Road for an attempted residential burglary.
- 2013-4812 – On 10-7-2013, Officer Wilson responded to the 300 block of Ocean View Ave for a theft.

- 2013-4907 – On 10-14-2013, Sergeant Barrow responded to the 200 block of Lawson Drive for a reported juvenile out of control.
- 2013-4915 – On 10-14-2013, Officer Wilkens responded to the 100 block of Lawson Ave for a reported cruelty to animals.
- 2013-4926 – On 10-15-2013, Officer Wilkens responded to the 00 block of Wellesley Ave for a reported theft from an unlocked vehicle.
- 2013-4930 – On 10-15-2013, Officer Wilkens responded to the 00 block of Colusa Ave for a reported theft of a license plate.
- 2013-4934 – On 10-15-2013, Sergeant Barrow responded to the 200 block of Lake Drive for a reported vandalism.
- 2013-5022 – On 10-20-2013, Officer Wilkens and Sergeant Barrow responded to the 500 block of Kenyon Ave for a reported deceased subject, no signs of foul play.
- 2013-5024 – On 10-20-2013, Officer Wilson responded to the 100 block of Colusa Ave for a residential burglary.
- 2013-5040 – On 10-22-2013, Officer Wilson responded to the 00 block of Franciscan Way Ave for an auto burglary.
- 2013-5169 – On 10-28-2013, Officer Wilkens responded to the 00 block of Highgate Blvd for a reported residential burglary.
- 2013-5165 – On 10-28-2013, Officer Wilkens responded to the 00 block of Beloit Ave for a reported residential burglary.
- 2013-5184 – On 10-29-2013, Officer Wilkens responded to the 00 block of Avon Drive for a reported vandalism.
- 2013-5207 – On 10-30-2013, Officer Wilkens responded to the 600 block of Coventry Road for a reported non-injury vehicle collision.

#### TRAFFIC STATISTICS:

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

5 moving citations were issued on Colusa Ave.

39 moving citations were issued on Arlington Ave.

1 moving citation was issued on Sunset Road.

1 moving citation was issued on Oak View Ave.

3 moving citations were issued on Franciscan Way.

1 moving citation was issued at Thousand Oaks Ave @ Santa Fe Ave.

•• **Sergeant Hui**

TEAM #2 STATISTICS

Sergeant Hui (K42)  
(1600-0400)

| Officer:                 | Martinez (K31)<br>(0600-1800) | Turner (K46)<br>(1800-0600) |
|--------------------------|-------------------------------|-----------------------------|
| Days Worked              | 14                            | 16                          |
| Traffic Stops            | 24                            | 39                          |
| Moving Citations         | 19                            | 18                          |
| Parking Citations        | 9                             | 8                           |
| Vacation/Security        | 26                            | 35                          |
| Checks                   |                               |                             |
| Cases                    | 3                             | 2                           |
| Arrests                  | 0                             | 1                           |
| Traffic Accident Reports | 0                             | 0                           |
| Calls for Service        | 63                            | 43                          |

Officer Turner attended a two day class on search warrants.  
Sergeant Hui recovered six hours of comp time.

BRIEFING/TRAINING:

- Reviewed KPD Policy 324 – Temporary Custody of Juveniles
- Reviewed University Police V. Superior Court Alameda
- Reviewed People V. Leath
- Reviewed People V. Ermi
- Reviewed PC. 26 and W&I Code 601 and 602
- Reviewed Officer's Report of the Use of Excessive Force may be protected by the First Amendment
- Reviewed H&S 11376.5 Medical Assistance for Person Experiences Drug regarding Sept. 2013 Legal Update; Firearms Possession by the Mentally Ill
- Reviewed Civil Liability for Police Failure to Disclose Exculpatory Evidence
- Reviewed Warrants for DUI Blood Draws

SERGEANT'S REVIEW:

- Elder and Dependent Adult Abuse

## SERGEANT'S SUMMARY:

As we come into the holiday season, many of us begin shopping for gifts. A portion of us will look to the convenience of the internet to purchase gifts. Historically, every year during the holiday shopping season, cities see an increase in mail and package thefts. These thefts not only present an inconvenience, but also potentially leave the intended recipient of your gift empty handed. This month, I would like to cover a few tips that will help reduce your likelihood of becoming the victim of mail theft.

1. Secured mailboxes - I am a big fan of locked mailboxes. Mail drop slots in your front door or garage door are also better than an unsecured mailbox. Secured mailboxes are great in keeping thieving fingers out of your mail. Stolen mail is often a precursor to identity theft too.
2. Timing your purchases - Many of the large online retailers can provide accurate shipping estimates. By timing your online purchases, you can try to schedule your delivery for a day that you will be home.
3. Shipping to a business address – If feasible, sending your purchase to a business address where someone can physically receive your package is a very safe option. Unfortunately, it is not available to all of us.
4. Neighbors and friends - If you are expecting a package on a particular day and you know that you will not be home, ask someone trustworthy to secure your package once it is delivered.
5. Signature required – Some online retailers allow you to select the option to require a signature on delivery. By selecting this option, the delivery driver should not leave the package without someone physically signing for it. Unfortunately, some shipping companies now charge a fee for this service.
6. Hold for pickup – Several of the large shipping companies will allow you to have your package held for pickup at their local office. They will hold your package until you show up to sign for it. This option is very secure, however tends to be inconvenient because you will have to drive over to the local office.

If you plan on making any of your holiday purchases online this season, please keep these tips in mind. With your help, we can reduce the amount of mail theft this year.

SIGNIFICANT EVENTS:

- 2013-4752– On 10/04/2013, Officer Martinez responded to the unit blk of Highland Blvd on a report of an assault..
- 2013-4867– On 10/11/2013, Officer Turner arrested a subject on the 200 blk of Yale Ave for driving under the influence of alcohol.
- 2013-4966– On 10/17/2013, Officer Turner responded to the unit blk of Franciscan Wy on a report of an attempted residential burglary.
- 2013-5061– On 10/23/2013, Officer Martinez responded to the 200 blk of Colgate Ave on a report of an identity theft.
- 2013-5106– On 10/25/2013, Officer Martinez responded to the unit blk of Highland Blvd on a report of theft of mail.

|                          |                |
|--------------------------|----------------|
| Reserve Officer:         | Armanino (K47) |
| Days Worked              | 1              |
| Traffic Stops            | 0              |
| Moving Citations         | 0              |
| Parking Citations        | 0              |
| Vacation/Security        | 2              |
| Checks                   |                |
| Cases                    | 0              |
| Arrests                  | 0              |
| Traffic Accident Reports | 0              |
| Calls for Service        | 3              |

Traffic Totals for Team 2 – includes Master Sergeant Hull

18 citations were issued on Arlington Ave  
18 citations were issued on Colusa Ave  
1 citation was issued on Yale Ave  
1 citation was issued on Coventry Ave  
1 citation was issued on Kenyon Ave

•• **Detective Eric Stegman**

Due to the recent residential burglary investigations conducted and a complex child abuse report investigated the last week of October, Detective Stegman's October report is a bit limited in scope and information provided. His November report will be more detailed.

## **SIGNIFICANT EVENTS:**

### **13-5191 Corporal punishment of a child/ child abuse**

This case is closed and has been submitted to the DA. Details to follow next month.

### **13-5165 Burglary & 13-5196 Burglary**

These cases are both under investigation. Details to follow next month.

## **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 attended training Emergency vehicle operations training at ECPD.

## KPD Monthly Crime Statistics

October 2013

| <b>Part 1 Crimes</b>   | <b>Reported</b>  | <b>Open/<br/>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  | 3                | 0                        | 0                | 3               | 0               |
| Residential Burglary   | 2                | 2                        | 0                | 0               | 0               |
| Larceny Theft  | 6                | 3                        | 2                | 1               | 0               |
| Vehicle Theft  | 0                | 0                        | 0                | 0               | 0               |
| Arson  | 0                | 0                        | 0                | 0               | 0               |
| <b>Part 1 Totals</b>   | <b><u>11</u></b> | <b><u>5</u></b>          | <b><u>2</u></b>  | <b><u>4</u></b> | <b><u>0</u></b> |
| <b>Other Crimes</b>  |                  |                          |                  |                 |                 |
| Auto Burglary  | 0                | 0                        | 0                | 0               | 0               |
| Identity Theft   | 0                | 0                        | 0                | 0               | 0               |
| Fraud  | 1                | 0                        | 1                | 0               | 0               |
| Forgeries  | 0                | 0                        | 0                | 0               | 0               |
| Restraining Order<br>Violations/ Stalking/<br>Criminal Threats | 0                | 0                        | 0                | 0               | 0               |
| Sex Crimes (other)   | 0                | 0                        | 0                | 0               | 0               |
| Assault/ Battery (other)                                       | 0                | 0                        | 0                | 0               | 0               |
| Vandalism  | 4                | 0                        | 4                | 0               | 0               |
| Drugs  | 0                | 0                        | 0                | 0               | 0               |
| Warrant  | 0                | 0                        | 0                | 0               | 0               |
| Hit and Run Felony   | 0                | 0                        | 0                | 0               | 0               |
| Hit and Run Misdemeanor  | 1                | 0                        | 1                | 0               | 0               |
| Other Misdemeanor Traffic                                      | 1                | 0                        | 0                | 1               | 1               |
| <b>Other Crime Totals</b>                                      | <b><u>7</u></b>  | <b><u>0</u></b>          | <b><u>6</u></b>  | <b><u>1</u></b> | <b><u>1</u></b> |
| <b>All Crime Totals</b>  | <b><u>18</u></b> | <b><u>5</u></b>          | <b><u>8</u></b>  | <b><u>5</u></b> | <b><u>1</u></b> |
| Traffic Accidents (Non Injury)                                 | 6                |                          |                  |                 |                 |
| Traffic Accidents (Injury)                                     | 0                |                          |                  |                 |                 |

\* Stats not received

## KPD Crime Statistics

YTD 2013

| <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                 | 0                | 0                    | 0                | 0                | 0               |
| Robbery              | 0                | 0                    | 0                | 0                | 0               |
| Assault              | 8                | 1                    | 0                | 7                | 1               |
| Residential Burglary | 25               | 11                   | 9                | 5                | 1               |
| Larceny Theft        | 30               | 6                    | 23               | 1                | 0               |
| Vehicle Theft        | 12               | 1                    | 10               | 1                | 0               |
| Arson                | 1                | 0                    | 1                | 0                | 0               |
| <b>Part 1 Totals</b> | <b><u>76</u></b> | <b><u>19</u></b>     | <b><u>43</u></b> | <b><u>14</u></b> | <b><u>2</u></b> |

| <b>Other Crimes</b>  |                  |                  |                  |                  |                  |
|--|------------------|------------------|------------------|------------------|------------------|
| Auto Burglary  | 0                | 0                | 0                | 0                | 0                |
| Identity Theft   | 26               | 9                | 14               | 3                | 0                |
| Fraud  | 2                | 0                | 2                | 0                | 0                |
| Forgeries  | 1                | 0                | 1                | 0                | 0                |
| Restraining Order<br>Violations/ Stalking/<br>Criminal Threats | 2                | 1                | 0                | 1                | 0                |
| Sex Crimes (other)   | 0                | 0                | 0                | 0                | 0                |
| Assault/ Battery (other)                                       | 0                | 0                | 0                | 0                | 0                |
| Vandalism  | 21               | 3                | 16               | 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  | 11               | 0                | 10               | 1                | 0                |
| Other Misdemeanor Traffic                                      | 12               | 0                | 0                | 12               | 12               |
| <b>Other Crime Totals</b>                                      | <b><u>87</u></b> | <b><u>13</u></b> | <b><u>43</u></b> | <b><u>31</u></b> | <b><u>26</u></b> |

|                         |                   |                  |                  |                  |                  |
|-------------------------|-------------------|------------------|------------------|------------------|------------------|
| <b>All Crime Totals</b> | <b><u>163</u></b> | <b><u>32</u></b> | <b><u>86</u></b> | <b><u>45</u></b> | <b><u>28</u></b> |
|-------------------------|-------------------|------------------|------------------|------------------|------------------|

|                                |    |
|--------------------------------|----|
| Traffic Accidents (Non Injury) | 38 |
| Traffic Accidents (Injury)     | 0  |

•• **Chief Harman**

As reported last month, 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.

During the month of October, the County has added two "Stop Here on Red" (with arrow pointing to the limit line) 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).

Additionally, the County completed a one week survey of traffic counts on Arlington near Kenilworth. That survey is attached to this memo.

As a result of that survey, I have authorized overtime to the graveyard officers to provide additional traffic enforcement in the area of Arlington near Kenilworth between the hours of 0600 and 0900.

As far as traffic enforcement at these two areas, during the month of October (2013):

- 13 - Traffic citations were issued by the Kensington Police Department for moving violations at the intersection of Arlington & Rincon/Kensington Park.
- 20 - Traffic citations were issued by the Kensington Police Department for moving violations at the area of Arlington & Kenilworth.

The police department will continue to enforce traffic safety throughout the District and especially at the intersection of Arlington Avenue and Kensington Park/ Rincon 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, we will continue assigning overtime to officers to supplement our early morning enforcement efforts in the area of Arlington & Kenilworth in an effort to reduce speeds along this portion of the Arlington.