

# August 2012 Police Department Report

September 7, 2012

- Department Personnel
  - We are currently staffed at 9 sworn positions and we currently have two reserve officers. We have begun the background process on two candidates, one currently attending a police academy and the other looking to join our reserve program.
  
- Commendations and Correspondence
  - Police commendations will be presented at the September 13, 2012 KPPCSD Board meeting.
  
- Investigation of Alleged Misconduct
  - Citizen's Investigation 2011-005 was initiated on October 5, 2011, on allegations that an officer was rude while signing off on a fix it ticket. This investigation has been completed and the officer was exonerated on the first allegation and the second allegation was not sustained.
  
  - Citizen's Investigation 2012-001 was initiated on January 8, 2012 on an allegation that an officer used racial profiling in issuing a traffic citation. This investigation is being conducted by Sergeant Hull.
  
  - Department Investigation 2012-002 was initiated on May 14<sup>th</sup>, on an allegation that an officer was insubordinate. This investigation is being conducted by Sergeant Hull.
  
  - Citizen's Investigation 2012-003 was initiated on June 28<sup>th</sup>, 2012, on an allegation that 3 officers were rude during a traffic stop. This investigation is being conducted by Sergeant Hui.
  
  - Citizen's Investigation 2012-004 was initiated on June 29<sup>th</sup>, 2012, on an allegation that an officer used racial profiling in making a traffic stop. This investigation is being conducted by Sergeant Hull.
  
- 9-1-1 / Richmond Communication Center Information.

- The Ring Time Report for July documented that of the 39 total 911 calls, only one had a ring time over 20 seconds. That occurred on 07-18-12, at 11:17 PM with a ring time of 48 seconds. The caller reported they heard someone knocking on the front door however no one was located in the area.

The average ring time for July was 5 seconds.

- The Ring Time Report for August documented that of the 48 total 911 calls, five had ring times over 20 seconds. Two had ring times of 28 seconds.

On 08-15-12 at 12:37 PM, the ring time was 1:32 seconds however, there was no call for service initiated.

On 08-29-12, at 3:33 PM, the ring time was 2:10 seconds and the call for service was for a fall victim.

On 08-31-12, at 2:31 PM, the ring time was 1:59 seconds and the caller wished to speak to an officer regarding a disturbance.

- Community Networking

- On 08-07-12, Officer Wilson organized 2012 National Night Out with Chief Harman, Sergeant Hui, Officer Martinez, Officer Ramos, Reserve Officer Armanino, and Reserve Officer Foley attending the 23 parties that were held in Kensington. Great job Doug!
- On 08-27-12, Chief Harman attended the KIC meeting.

- Community Criminal Activity

- This section of the Watch Commander's Reports are prepared by Sergeant Hui for Team One, Sergeant Barrow for Team Two, and Detective Stegman.

- Watch Commander Reports
- **Sergeant Hui**

TEAM #1 STATISTICS

Sergeant Hui (K42)  
(1600-0400)

Officer:	Ramos (K41) (0600-1800)	Wilson (K38) (1800-0600)
Days Worked	13	11
Traffic Stops	9	5
Moving Citations	11	5
Parking Citations	1	3
Vacation/Security Checks	34	48
FI-Field Interview	0	0
Cases	5	0
Arrests	0	0
Calls for Service	53	21

Officer Ramos took 13.5 hours of vacation time.  
Officer Wilson recovered 12 hours of comp time.  
Officer Wilson took 24 hours of vacation time.  
Sergeant Hui took 12 hours of vacation time.

BRIEFING/TRAINING:

- Reviewed Supplemental Traffic Enforcement Hot Sheet
- Reviewed KPD Policy #416 – Response to Bomb Calls
- Reviewed KPD Policy #380 – Child Safety Policy
- Reviewed concepts of Qualified Immunity
- Reviewed traffic issues at Ocean View Ave
- Reviewed Community Caretaking Doctrine
- Reviewed Pitchess Motions
- Reviewed 403 PC – Disturbing a public meeting or assembly

SERGEANT'S REVIEW:

- Reviewed 14602.1 VC – Vehicle Pursuit Reporting
- Reviewed impact of Brady v. Maryland in regard to personnel records
- Reviewed Strickler v Greene

## SERGEANT'S SUMMARY:

This month, I would like to take the opportunity to thank all of the residents who hosted a National Night Out Party and Officer Wilson for coordinating the entire evening. I had the opportunity to stop by five parties this year and it is always a pleasure to meet with all of the wonderful residents at these parties.

If you are not familiar with National Night Out, it is a unique crime prevention event that is hosted by the National Association of Town Watch. The NATW began organizing National Night Out with the purpose of:

- Heightening crime and drug prevention awareness
- Generating support for, and participation in, local anticrime programs
- Strengthening neighborhood spirit and police-community partnerships
- Sending a message to criminals letting them know that neighborhoods are organized and fighting back.

Our National Night Out parties present an opportunity for our officers to get to know our residents and to help provide information on the many programs that we have available within the community.

If you did not have the opportunity to attend one of the many National Night Out parties this year and would like to know more about our key program, vacation watch program, or if you just have a general question that you want to ask, I would suggest giving us a call at 510-526-4141 during our regular business hours, or waving down an officer when he does not appear busy.

And again, I would like to thank all of the time and effort that our hosts and Officer Wilson put forth to make National Night Out another success.

## SIGNIFICANT EVENTS:

- 2012-5220 – On 8/05/2012, Officer Ramos responded to the 800 blk of Coventry Rd on a report of a vandalism.
- 2012-5222 – On 8/05/2012, Officer Ramos responded to the unit blk of Arlmont Dr on the report of a residential burglary.
- 2012-5223 – On 8/05/2012, Sergeant Hui responded to the unit blk of Highgate Rd on a report of a stolen vehicle.
- 2012-5234 – On 8/06/2012, Officer Ramos responded to the 100 blk of Highland Blvd on a report of a vandalism.
- 2012-5354 – On 8/13/2012, Officer Ramos responded to the 600 blk of Coventry Rd on a report of a homicide.
- 2012-5467 – On 8/20/2012, Officer Ramos responded to the 200 blk of Arlington Ave on a report of criminal threats.
- 2012-5472 – On 8/20/2012, Sergeant Hui responded to the above address and arrested the suspect from incident 2012-5467 for criminal threats.

- 2012-5510 – On 8/22/2012, Sergeant Hui responded to the 100 blk of Windsor Ave on a report of a theft.
- 2012-5511 – On 8/22/2012, Sergeant Hui responded to the 200 blk of Arlington Ave on a report of a restraining order violation.

Reserve Officer:	Armanino (K47)
Days Worked	3
Traffic Stops	8
Moving Citations	5
Parking Citations	0
Vacation/Security	13
Checks	
FI-Field Interview	0
Cases	0
Arrests	0

•• **Sergeant Barrow**

TEAM #2 STATISTICS

Officer:	Martinez (K31) (0600-1800)	Turner (K46) (1800-0600)
Days Worked	19	19
Traffic Stops	24	43
Moving Citations	14	12
Parking Citations	10	6
Vacation/Security	43	74
Checks		
FI-Field Interview	0	0
Cases	4	7
Arrests	0	3
Calls for Service	79	73

BRIEFING/TRAINING:

- Reviewed KPD Policy #416 – Response to Bomb Calls
- Reviewed KPD Policy #402 – Racial / Bias Based Profiling
- Reviewed PC 403 – Disturbing a Public Meeting or Assembly
- Reviewed VC 14602.1 – Reporting Vehicle Pursuits to CHP
- Reviewed SDRMA Resolving Conflicts
- Reviewed Patrol Guide AB 109
- Reviewed KPD Policy #1058 – Employee Speech, Expression and Social Networking
- CHP Bulletin #219 – on Duty Emergency Vehicle Collisions
- Reviewed KPD Policy #400 – Patrol Function

## SERGEANTS REVIEW

- Reviewed The Impact of Brady on Police Personnel Records.

## SERGEANT'S SUMMARY:

This month I would like to talk about **Right-of-way at crosswalks**, and some of the misconceptions I believe people have concerning **crosswalks**. The **California Vehicle Code section 21950(a), (b), and (c)** states in part:

**(a) The driver of a vehicle shall yield the right-of-way to a pedestrian crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection, except as otherwise provided in this chapter.**

**(b) This section does not relieve a pedestrian from the duty of using due care for his or her safety. No pedestrian may suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close as to constitute an immediate hazard. No pedestrian may unnecessarily stop or delay traffic while in a marked or unmarked crosswalk.**

**(c) The driver of a vehicle approaching a pedestrian within any marked or unmarked crosswalk shall exercise all due care and shall reduce the speed of the vehicle or take any other action relating to the operation of the vehicle as necessary to safeguard the safety of the pedestrian.** I hope this helps to clarify how motorists and pedestrians should approach crosswalks. By not obeying these California Vehicle Codes you are subject to a citation.

## SIGNIFICANT EVENTS:

- 2012-5157 – On 8-03-2012, Officer Turner located a stolen vehicle with the suspect asleep in the 600 block of Oberlin Avenue. The suspect was taken into custody without incident.
- 2012-5184 – On 8-03-2012, Officer Turner took a reported vandalism from the unit block of Highgate Road. The victim reported their vehicle's ignition and door handle broken.
- 2012-5343 – On 8-11-2012, Officer Turner and Sergeant Barrow responded to the unit block of Arlington Avenue for a reported vehicle accident. A vehicle had driven off the embankment and into the tennis court fence causing major damage to the vehicle, hand railing, and fence. The vehicle was removed and the damage repaired. The driver and passenger were not injured.
- 2012-5358 – On 8-13-2012, Officer Turner responded to the unit block of Highgate Court for an attempted identity theft report. An unknown person(s) attempted to remove a large amount of currency out of the victims account but the account manager detected the attempt and denied the transaction.

- 2012-5531 – On 8-23-2012, Officer Martinez took an incident report of a bicycle colliding with a vehicle causing minor damage at the corner of Kenyon Avenue and Lake Avenue. Both parties did not wish to make a formal report and no further action was taken.
- 2012-5600 – On 8-30-2012, Officer Turner and Sgt. Barrow arrested the passenger after a vehicle stop at Sea View Avenue and Eureka Avenue for a probation violation. The suspect was cited and released without incident.
- 2012-5677 – On 8-30-2012, Officer Martinez responded to a residential burglary in the unit block of Kenilworth Court. The front window was used as the point of entry and several items were stolen.
- 2012-5682 – On 8-30-2012, Officer Turner contacted seven people in a parked van who had been drinking and smoking marijuana at Terrace Drive and Craft Avenue, El Cerrito. A passenger was arrested for various misdemeanors and the driver was allowed to drive away as he had not been partaking in the festivities.

TRAFFIC STATISTICS:

21 moving citations were issued on Colusa Ave.  
 13 moving citations were issued on Arlington Ave.  
 2 moving citations were issued on Grizzly Peak Blvd.  
 4 moving citations were issued on Franciscan Way.  
 4 moving citation was issued on Westminster Ave.  
 3 moving citation was issued on Kenyon Avenue.  
 1 moving citation was issued on Liberty Street.  
 1 moving citation was issued on Terrace Ave.

JULY 2012 (Not reported last month due to vacation)

TEAM #2 STATISTICS

Officer:	Martinez (K31) (0600-1800)	Turner (K46) (1800-0600)
Days Worked	11	13
Traffic Stops	28	39
Moving Citations	21	12
Parking Citations	5	8
Vacation/Security Checks	59	73
FI-Field Interview	3	3
Cases	4	2
Arrests	0	1
Calls for Service	87	47

## BRIEFING/TRAINING

- Reviewed KPD Policy #450 – Use of audio recorders
- Reviewed KPD Policy #452 – Medical Marijuana

## SERGEANTS REVIEW

- Reviewed the Police Officer Bill of Rights sections 3300 To 3312.

## SERGEANT'S SUMMARY:

This month I would like to talk about **Stop Sign Violations**, and some of the misconceptions I believe people have concerning when and where to stop their vehicles at an intersection with a stop sign. The **California Vehicle Code section 22450(a) stop requirements**, states in part: **The driver of any vehicle approaching a stop sign at the entrance to, or within, an intersection shall stop at a limit line, if marked, otherwise before entering the crosswalk on the near side of the intersection. If there is no limit line or crosswalk, the driver shall stop at the entrance to the intersecting roadway.** I hope this is clear to motorists, and that they now understand that they must stop at these designated areas or they will be subject to citation. Just for your information the California Vehicle Code and traffic courts do not recognize a, "California Stop." Please stop completely before proceeding.

## SIGNIFICANT EVENTS:

- 2012-4689 – On 7-13-2012, Officer Turner made an arrest of a suspect who swallowed suspected methamphetamine while contacting him in the Kensington Park, unit block of Arlington Avenue. The suspect was taken to the hospital for treatment and then booked into County jail.
- 2012-4807 – On 7-18-2012, Detective Stegman and Sgt. Barrow made a \$10,000.00 warrant arrest during an on going investigation into a residential burglary that occurred within Kensington. The suspect was arrested in the 3400 block of Dakota Street in Oakland.
- 2012-4837 – On 7-19-2012, Detective Stegman and Sgt. Barrow made a warrant arrest for a probation violation in the 300 block of Merrimac Street in Oakland. This arrest is a part of an on going investigation into a residential burglary that occurred within Kensington.
- 2012-4992 – On 7-27-2012, Sgt. Barrow took a reported vandalism from the unit block of Highland Blvd. The victim reported several metal brackets that had been glued to the edges of cement benches damaged. The brackets were to keep skateboarders from grinding the cement corners off of the benches.
- 2012-4991 – On 7-27-2012, Sergeant Barrow responded to the 00 block of Purdue Avenue for a reported burglary of a home under construction.



## TRAFFIC STATISTICS:

29 moving citations were issued on Colusa Ave.  
35 moving citations were issued on Arlington Ave.  
9 moving citations were issued on Grizzly Peak Blvd.  
8 moving citations were issued on Franciscan Way.  
1 moving citation was issued on Rincon Road.  
4 moving citation was issued on Amherst Ave.  
1 moving citation was issued on Highland Blvd.  
1 moving citation was issued on Cowper Ave.  
1 moving citation was issued on Kenilworth Dr.  
1 moving citation was issued on Oak View Ave.  
1 moving citation was issued on Berkeley Park Ave.

•• **Detective Eric Stegman**

## **SIGNIFICANT EVENTS:**

### **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. No plea was entered and the case was continued until 9/20/12. This case has been CLOSED BY ARREST; however there is still a great deal of follow up to be completed in order gather additional pertinent information to the case.**

### **12-5022 and 12-5222 Burglary/ Trespass**

KPD Officers took several reports of a vacant home being entered and things being moved around. In the first occurrence the suspect removed a window pane and several items were stolen, including keys to the residence. During the second instance the suspect returned using the stolen keys to gain entry, and appeared to take nothing. The third time the suspect returned and began to move items out of the house but for unknown reasons left the items in a side yard.

Through detailed documentation and information collection our patrol officers gave me enough information to compare notes with Berkeley PD, who had recently arrested a subject several officers at KPD, including myself, are aware of. The subject remained in custody on Berkeley PD's case, and during a subsequent interview the suspect made several admissions which implicated her in these crimes. **Closed - Suspect identified and case will be forwarded to CCCDA's Office.**

#### **12-5223 Vehicle Theft**

On 8/5/12, an unlocked vehicle with the keys left inside, was stolen from an open garage. **This case is under investigation.**

#### **12-5510 Grand Theft**

On 8/22/12 a resident reported having a firearm stolen either from his home or from his residence in another jurisdiction. **This case is under investigation.**

#### **KPD INVESTIGATIONS INFORMATION:**

##### **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**

- Made court run for filling cases, and retrieve court notifications.
- Updated the KPD Case Review Log
- Updated the stolen property log.
- I'm currently assigned one day per week as a Field Training Officer

#### **KPD Crime Statistics update**

The changes to the crime statistics sheet this month were primarily to fix problems that arose from the addition of the arson category. As some may have noticed last month everything below a certain point was off by a line. This made it appear there were some drastic changes in certain crimes. For example the numbers for sex crimes were actually the numbers which belonged in the Restraining Order/ Stalking/ Criminal Threat categories. Hopefully this did not alarm anyone too much.

Finally, I combined all grand theft and petty theft into the Larceny category in order to more accurately reflect how the Federal UCR system will calculate larceny.

Note: Federal UCR Standards  
 Grand theft ≥ \$400  
 Petty Theft > \$400

However: State UCR Standards  
 Grand theft ≥ \$950  
 Petty Theft > \$950

## KPD Monthly Crime Statistics

**August 2012**

<b>Part 1 Crimes</b>	<b>Reported</b>	<b>Open/ Pending</b>	<b>Suspended</b>	<b>Closed</b>	<b>Arrest</b>
Homicide	1	0	0	1	1
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Felonious Assault	0	0	0	0	0
Residential Burglary	2	1	0	1	0
Larceny Theft	1	1	0	0	0
Vehicle Theft	1	0	1	0	0
Arson	0	0	0	0	0
<b>Part 1 Totals</b>	<b><u>5</u></b>	<b><u>2</u></b>	<b><u>1</u></b>	<b><u>2</u></b>	<b><u>1</u></b>
<b>Other Crimes</b>					
Auto Burglary	0	0	0	0	0
Identity Theft	1	1	0	0	0
Fraud	0	0	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	3	0	0	3	2
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	2	0	2	0	0
Drugs	1	0	0	1	1
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	0	0	0	0	0
<b>Other Crime Totals</b>	<b><u>8</u></b>	<b><u>1</u></b>	<b><u>3</u></b>	<b><u>4</u></b>	<b><u>3</u></b>
<b>All Crime Totals</b>	<b><u>13</u></b>	<b><u>3</u></b>	<b><u>4</u></b>	<b><u>6</u></b>	<b><u>4</u></b>

Traffic Accidents (Non Injury)	0 *
Traffic Accidents (Injury)	0 *

## KPD Crime Statistics

Year to Date 2012

<b>Part 1 Crimes</b>	<b>Reported</b>	<b>Open/ Pending</b>	<b>Suspended</b>	<b>Closed</b>	<b>Arrest</b>
Homicide	1	1	0	1	1
Rape	0	0	0	0	0
Robbery	3	0	1	2	0
Felonious Assault	1	0	0	1	0
Residential Burglary	23	7	12	4	4
Larceny Theft	24	3	17	4	0
Vehicle Theft	4	1	2	1	0
Arson	1	0	1	0	0
<b>Part 1 Totals</b>	<b><u>57</u></b>	<b><u>12</u></b>	<b><u>33</u></b>	<b><u>13</u></b>	<b><u>5</u></b>

<b>Other Crimes</b>					
Auto Burglary	0	0	0	0	0
Identity Theft	14	8	5	1	0
Fraud	1	1	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	6	0	0	6	3
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	2	0	0	2	1
Vandalism	17	2	14	1	0
Drugs	3	0	0	3	5
Warrant	10	0	0	10	9
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	5	1	3	1	0
Other Misdemeanor Traffic	2	0	0	2	1
<b>Other Crime Totals</b>	<b><u>60</u></b>	<b><u>12</u></b>	<b><u>22</u></b>	<b><u>26</u></b>	<b><u>19</u></b>

<b>All Crime Totals</b>	<b><u>117</u></b>	<b><u>24</u></b>	<b><u>55</u></b>	<b><u>39</u></b>	<b><u>24</u></b>
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Traffic Accidents (Non Injury)	9
Traffic Accidents (Injury)	2

•• **Chief Harman**

As mentioned in Detective Stegman's report, on Monday, August 13<sup>th</sup>, we began a homicide investigation. When I state "we", I truly mean "we" as in the entire department.

While this was a very tragic incident for the family and friends of the parties involved, I was very proud of how our staff responded to the incident, investigated, and closed the investigation with the arrest of the suspect responsible.

Homicide investigation is very difficult and takes a lot of time and staffing. This investigation was additionally difficult due to our having to secure two crime scenes as well as maintain our regular patrol duties. Our staff all worked extended hours, came in and worked on off time, and really pulled together to bring this investigation to closure.

For a department of our size, to be able to accomplish what we did in such a successful manner is really quite an accomplishment that the community should be very proud of. I am planning on recognizing our department for their professionalism and dedication to duty at the September 13<sup>th</sup> KPPCSD Board meeting. I hope that you will join me showing our appreciation for a job well done.