



# KENSINGTON POLICE DEPARTMENT

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**Kevin E. Hart**  
Chief of Police

December 29, 2015

To: Residents of Kensington

On August 4, 2015, I initiated an independent audit and review of the investigation involving Kensington Police Department's Sergeant Keith Barrow. At my request, an independent audit and review of this investigation was conducted by a member of the Contra Costa County Sheriff's Office Internal Affairs Unit, at no cost to the District. I would like to thank Contra Costa County Sheriff David Livingston for his assistance in this matter.

The investigation at issue and that led to the discipline imposed on Sergeant Barrow was based on an incident in Reno, Nevada that occurred on May 23, 2014. That investigation was conducted by Gregory Harman, then Chief of Police of the Kensington Police Department. The investigation was concluded in December 2014, and Barrow was apprised of the results and the disciplinary action in January 2015. He chose not to contest the discipline so it became final in January 2015. The investigation was conducted and completed in less than the one-year period required by section 3304 (d) (1) of the California Government Code.

Because this investigation was completed and discipline was imposed by Chief Harman before this audit was conducted, the results of this review cannot change the conclusions of the investigation or any discipline administered by Chief Harman. However, I thought it was important to conduct this audit to help our department move forward and ensure that we have the proper procedures in place for any future internal affairs investigations.

The independent audit concluded that the underlying investigation by Chief Harman was not conducted in a manner consistent with the best practices of an objective internal affairs investigation. Nor was it conducted in a manner consistent with the policies of the Kensington Police Department. We cannot and shall not allow that to happen again.

Therefore, going forward I intend to use the following approach to ensure that all internal affairs investigations are conducted in a professional manner, consistent with established best practices and KPD policies:

1. The Chief will determine whether, given the seriousness and complexity of the allegations, an investigation should be conducted by an outside investigator.
2. The investigation will proceed as expeditiously as possible, while ensuring that it is conducted in a thorough manner.
3. The KPPCSD Board will be apprised on a regular basis of the progress, but not the substance, of the investigation.

4. All material witnesses will be interviewed, preferably by the same investigator.
5. All interviews will be tape recorded.
6. All documentary and physical evidence will be gathered by the investigator and maintained in accordance with best practices.
7. Discipline shall be determined by the Chief after the investigation has been completed and a final written report is prepared.
8. All of the processes and policies contained in the KPD policy manual relating to these types of investigations will be followed.

It is my intention, and I am committed, to fully and thoroughly investigate any internal affairs issues brought to my attention. I believe this will serve our Department and Community well. This investigation process will also ensure that the men and women of the Kensington Police Department are reminded of our moral and ethical responsibilities to our colleagues, our Department, and, most importantly, the citizens of Kensington. The community expects no less, and, moving forward, we must ensure that we more than meet those expectations.



Kevin E. Hart  
Interim Chief of Police