

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Dear Fellow Board Members, General Manager, & Public,

Attached are materials that you may find elucidating in terms of better understanding Police Services. The material produced here aims to investigate concerns raised since the Matrix Phase 1 Draft & Final Report, to better understand the strong community support for the police, and to highlight some important historical considerations.

All data/material is obtained from local agency sources or personnel. This includes, but is not limited to:

- Publically available legacy reports produced by the KPD (<https://www.kppcsd.org/monthly-police-reports>) - though, records for 2010-01 to -07 were obtained from the old website archive, now accessible to Directors & District Staff.
- Querying the KPPCSD & KPD for publically accessible information
- Communications obtained from neighboring police departments

The purpose of this packet is meant to highlight three major points:

- 1. KPD operational value is spread across tasks that are not captured completely by “Calls for Service”. The Matrix data presented in the Phase 1 report is incomplete and, at times, somewhat misleading on its own.**
 - o A1 - Analysis of *recorded* police activity statistics for an 8-year period.
 - o A2 - Breakdown of *recorded* KPD activities.
 - o A3 - Some caveats on statistics.
 - o *<See Appx01-04 for detailed month-by-month plotting and raw Richmond PRA data>*
- 2. That there is a very qualitative (“in the trenches”) and personal initiative factor to the police work in town that is missed by the Matrix report.**
 - o B1 - A series of clippings from the old Monthly Police Reports meant to give a flavor to aspects of what the police do.
- 3. Historical cost analyses do not support any financial advantages to contracting out**
 - o C1 - Clippings from the LAFCO 2011 (Law Enforcement) MSR related to service indicators.
 - o C2 - Clippings from the LAFCO 2011 (Law Enforcement) MSR related to staff and budget indicators.
 - o C3 - Figure 14 from the *Ad hoc committee*, providing a historical comparison of KFPD & KPPCSD operating costs.
 - o *<See Appx05 for Director attempt at contemporary “LAFCO-like” calculations using more current budget information>*
 - o *<See Appx06-08 for historical and contemporary context to contracting out>*

Expanded and additional information is provided as an appendix:

Appx01 & 02 – Plotting of the A1 data points against month and sworn officer counts; transition to the Albany PD’s RIMS software is also marked for reference.

Appx03 & 04 – Original email correspondence from Richmond PD related to PRA request for dispatch numbers. (*Note: the sudden zero-ing in Jun 2017 is due to transition to Albany*)

Appx05 – Director’s contemporary “LAFCO-like” calculations and analysis

Appx06 – Clipping from the LAFCO 2009 (Fire) MSR regarding the potential for annexation of Kensington by El Cerrito.

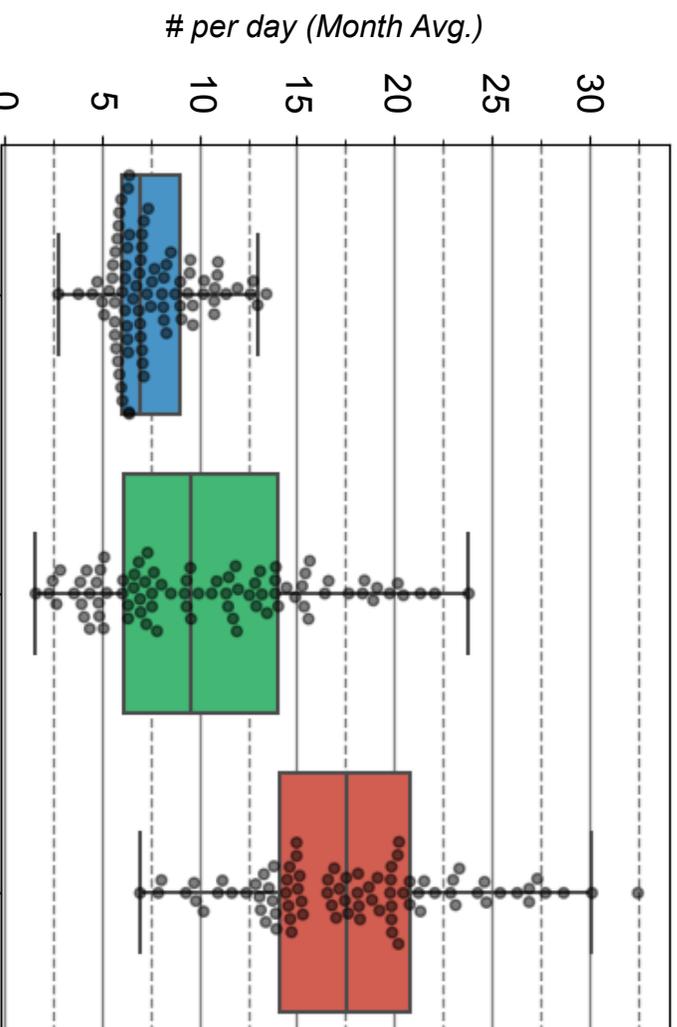
Appx07 – Clipping regarding Kensington and El Cerrito History

Appx08 – A curious email obtained from a PRA packet

SUBMITTED BY: Director Cyrus Modavi

KPD Call-Activity Statistics

Key: Box-plot analysis of 83 months worth of “# per day (for a given month)” data, with statistical analysis provided at bottom



Non-outlier Max
 Q3 = 3rd Quartile
 Q2 = 2nd Quartile**
 Q1 = 1st Quartile
 Non-outlier Min

* Inter-Quartile Range =
 measure of data point
 spread; range that captures
 50% of the data

** Also known as the “Median”

Calls for Service (CFS) + **Non-Call Activities (NCA)** = **Activity Count Total (ACT)**

Number of calls to
 Richmond or Albany
 dispatch for police

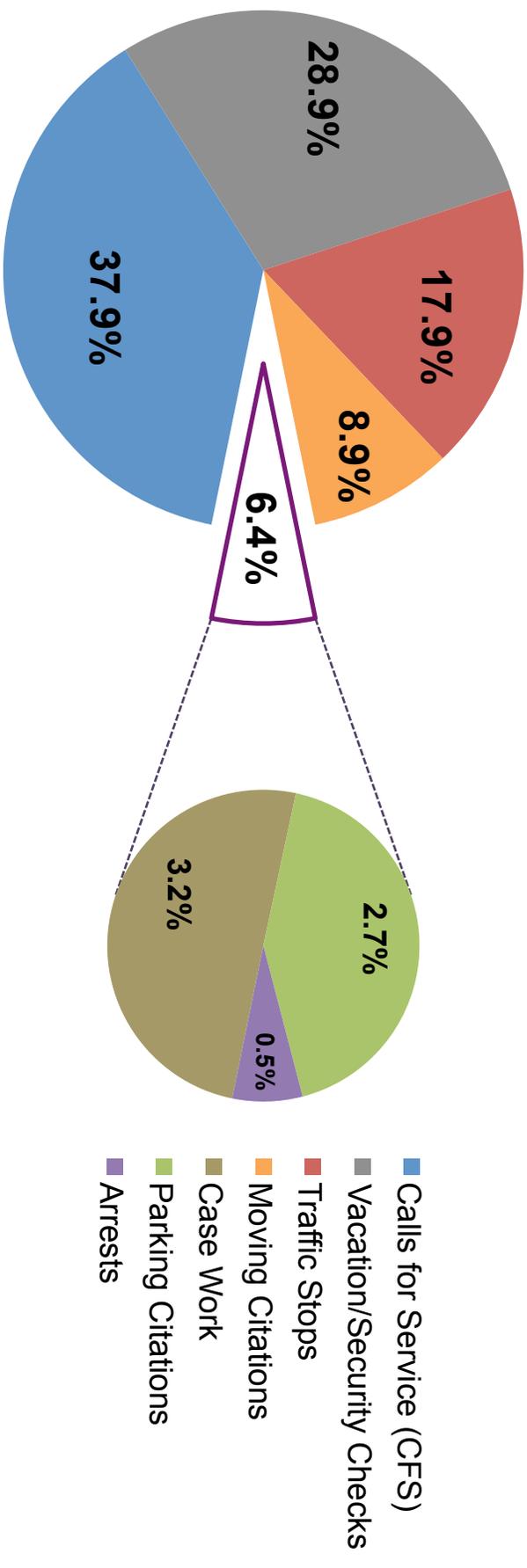
Number of other
 activities or events
 recorded by KPD officers

Combined statistic of
 recorded calls and other
 activities

Item	Avg.	N =	Min	Max	Q1	Q2	Q3	IQR
CFS	7.4	83	2.7	12.7	5.9	6.9	8.8	2.9
NCA	10.4		1.5	23.7	6.1	9.5	13.9	7.8
ACT	17.8		6.9	30.1	14.0	17.5	20.7	6.7

KPD Call-Activity Statistics

Key: Percentage breakdown of different reported police activities as recorded in the KPD Monthly Police Reports. Data represents the average across 2010-2015 (3 months randomly selected for each year, for a total of 18 months).



Note: Percentage breakdown does NOT reflect overall officer daily activity time. It is only the proportions of reported activities in the Monthly Police Reports.

Caveats of Call-Activity Statistics

A3

Note: Not an exhaustive list, just some of the major items that came up as a result of communication with the KPD

- Availability status measurements fail to account for **how officers choose to mark themselves as available / in-service (“10-8”) even while working on collateral tasks** so that they can be dispatched to respond to a community call.
 - *e.g.) Detective Martinez: besides being a Patrol Officer & Detective, is also the department’s fleet manager.*
- Value of **high-visibility constant police cruiser presence or strategic “idling” to control traffic** are not directly quantifiable by dispatch or “recorded activities”.
 - *e.g.) Police presence around the school in the mornings or at the Kensington Farmers’ Market on Sundays.*
- Does not account for crime prevention/deterrence by Kensington’s built-up reputation as a heavily patrolled area with officers that will **respond to and diligently investigate even “petty” and non-Part1 crimes.**
 - *Which again links into Kensington’s status as one of the safest areas in the state and bay area.*

Stories from the KPD's Records

B1

2010-1138

On 3-19-2010, at approximately 1254 hours, Officer Martinez took a report of a stolen bicycle from the 200 block of Amherst Avenue. A resident left an expensive mountain bike unsecured in the front yard and discovered it had been stolen the next morning.

[20]14-0552 Warrant Arrest

Sergeant Barrow, Reserve Officer Armanino, and I [Stegman] went to Oakland on an anonymous tip that the primary suspect in one of KPD's extensive identity theft cases, had resurfaced at a family member's home. While attempting to serve the arrest warrant the suspect attempted to flee the house and was apprehended running out the back door. *Due to the scope and extensive criminal activity this case will be further investigated by the FBI for further victims/suspects.*

2011-2194, 2706, and 3560 Residential Burglaries

On 4/7/2011 and 4/28/2011, Officers responded to the 100 block of Highland Blvd and 00 block of Highgate Road, for reported residential burglaries. During the investigation we were able to link two of the burglaries to a suspect in numerous other burglaries throughout Contra Costa and Alameda County's. The suspect was arrested and charged with eight residential burglaries. *On 4/21/2015, the suspect was sentenced to four years prison.*

2015-1926 Warrant Arrest

On 5/18/2015, I [*<officer unclear>*] noted a white male adult standing across the street from the police department, 217 Arlington Avenue. The male was standing next to some bushes looking through a set of binoculars and into a residence. Officer Ramos and I contacted the male who was wanted from the California Department of Corrections and classified as a parolee at large. He was taken into custody without incident. *Case closed by arrest.*

[20]12-7574 Burglary

On 12/12/12, a residential burglary occurred on the unit block of Stratford Rd. The suspect entered a ground level window by removing a screen and entering an open window. A short time after KPD responded, I [Stegman] located some of the stolen property at a "cash for gold" store in El Cerrito. I recovered the stolen property and was able to identify the suspect that sold the stolen property to the business. On 12/21/12, Sgt. Barrow, Officer Martinez, Officer Wilkens, and I served a search warrant at the suspect's residence. We subsequently arrested the suspect for burglary and possession of stolen property. *This was submitted to the DA and the case is closed.*

Then on January 21st [2012], I [Harman] received an e-mail from Officer Doug Wilson. Officer Wilson described how he had received a call from an elderly resident informing him that her fire alarm was going off but there was no fire. She had asked Officer Wilson if he could stop by and shut the alarm off. Officer Wilson went to the residence and learned that the alarm was sounding from a newly installed carbon monoxide detector. The resident felt that it could have been a defective unit or a bad battery and wanted Officer Wilson to re-set it so the alarm would be silenced.

Officer Wilson could have done just that, re-set the alarm and gone back out on patrol. However, he decided to call the fire station and speak to one of the firefighters about the alarm. The firefighter suggested that they go out and use their carbon monoxide detector on their fire rig and see if they would pick anything up. They did, and they were getting high readings of carbon monoxide. After investigating further, they all decided to contact PG&E. A PG&E technician arrived and after testing with his unit, which maxed out the unit for high readings, located the problem with the furnace. The technician then capped the defective furnace to eliminate the problem until it could be repaired.

Historical note: Stegman was the KPD's assigned detective at the time

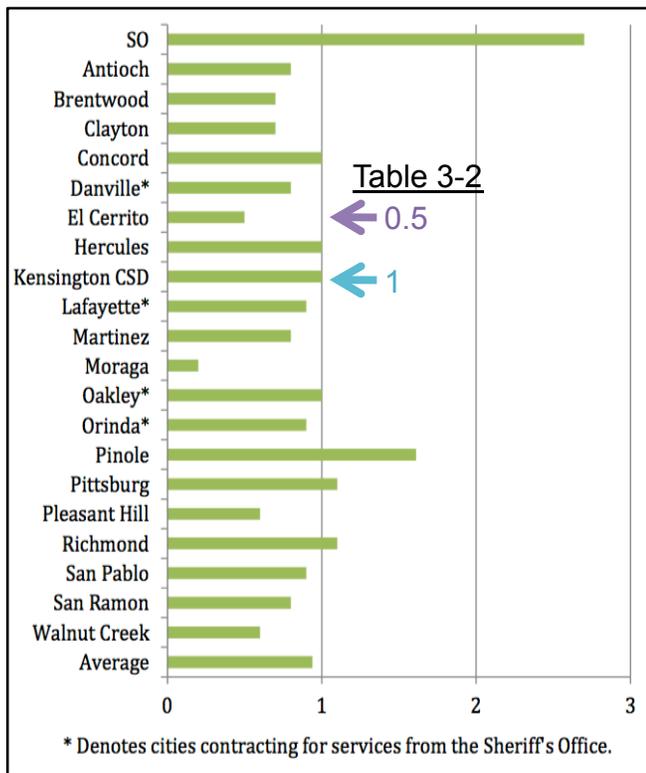
LAFCO 2011 (Police) MSR Clippings

<http://contracostalafco.org/agencies/municipal-service-reviews/>

← Kensington

Figure 3-4

Annual Average Service Calls per Capita (CY 07-09)



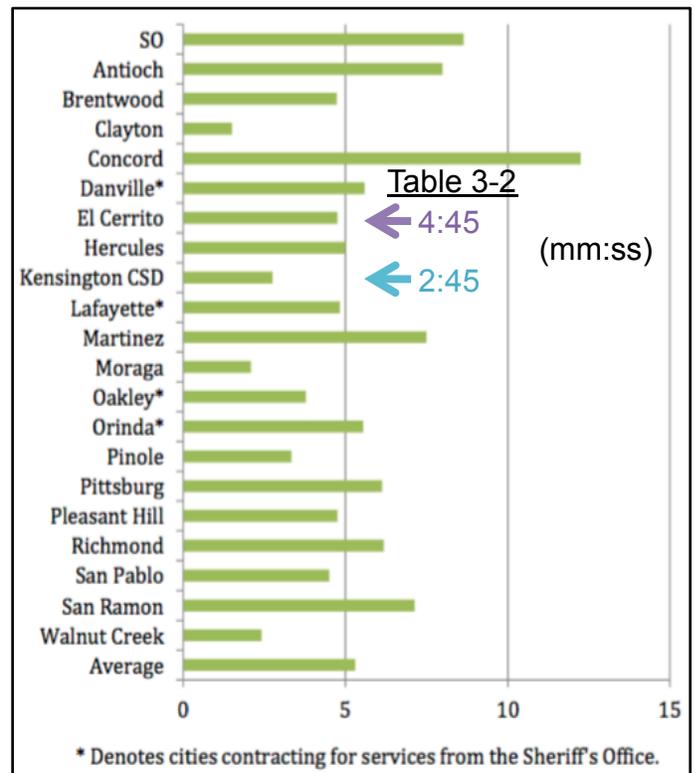
Notes:

- “Most service calls are not emergency responses, and most do not involve a crime. Service calls reflect a community’s need for emergency and non-emergency services.”

← El Cerrito

Figure 3-7

Priority 1 Response Times (2010)



Notes:

- Both ECPD & KPD shared Richmond Dispatch
- Countywide Avg ≈ 5:19

Table 3-2 [selected rows & columns]

Service Indicators (based on 3-year average)

Agency	Service Calls	Calls per Capita	Violent Crimes [VC]	Property Crimes [PC]	Total Crimes per 1000 population	[VC] Clearance Rate	[PC] Clearance Rate
EC	35,000	0.5	155	570	30.8	35% ^{DOJ}	15% ^{DOJ}
K-CSD	5,000	1	4	64	13.4	44% ^{DOJ} 65% ^{Agency}	2% ^{DOJ} 17% ^{Agency}

~4.6 calls per day

Note: DOJ vs. Agency discrepancies (for cases where both data sets presented) are present for Antioch, Brentwood, Clayton, Pinole, & Walnut Creek. Only Pittsburg showed congruence.

LAFCO 2011 (Police) MSR Clippings

<http://contracostalafco.org/agencies/municipal-service-reviews/>

← Kensington

← El Cerrito

Figure 3-2

Staffing Levels per 1,000 Residents (FY 10-11)

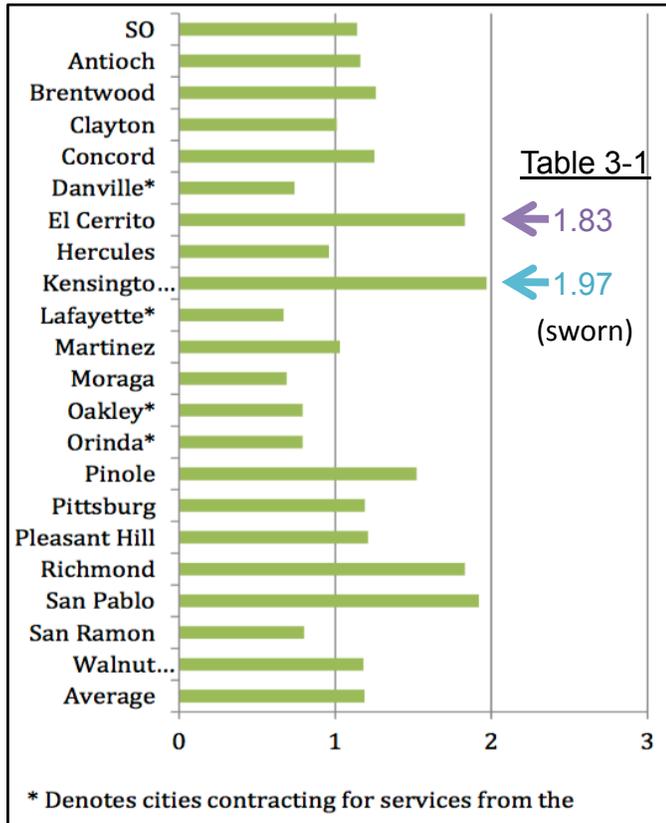
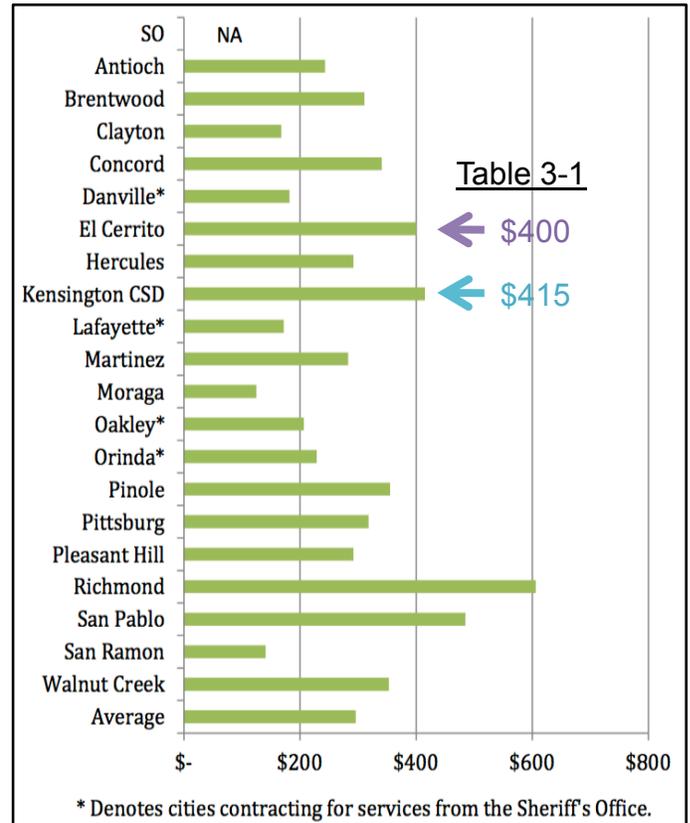


Figure 3-3

General Fund Expenditures Per Capita (FY 09-10)



Note: "General Fund" refers to police agency's General Fund

Table 3-1 [selected rows & columns]

Staff and Budget Indicators

Agency	(2010 Census)	Sworn Staff	Police General Fund Expenditure	Percent of Agency General Fund	Cost per Capita
EC	23,549	43	9.4 million	35.70%	400
K-CSD	5,077	10	2.1 million*	N/A	415

*Includes expenditures from all sources of District funds

Pg. 44-45 [selected]

"...below are those police agencies whose General Fund budgets have increased over the past three years."

El Cerrito	increased from \$7.8 million to \$9.4 million; a 21.0% increase.
Kensington CSD	increased from \$2.0 million to \$2.1 million; a 6.7% increase.

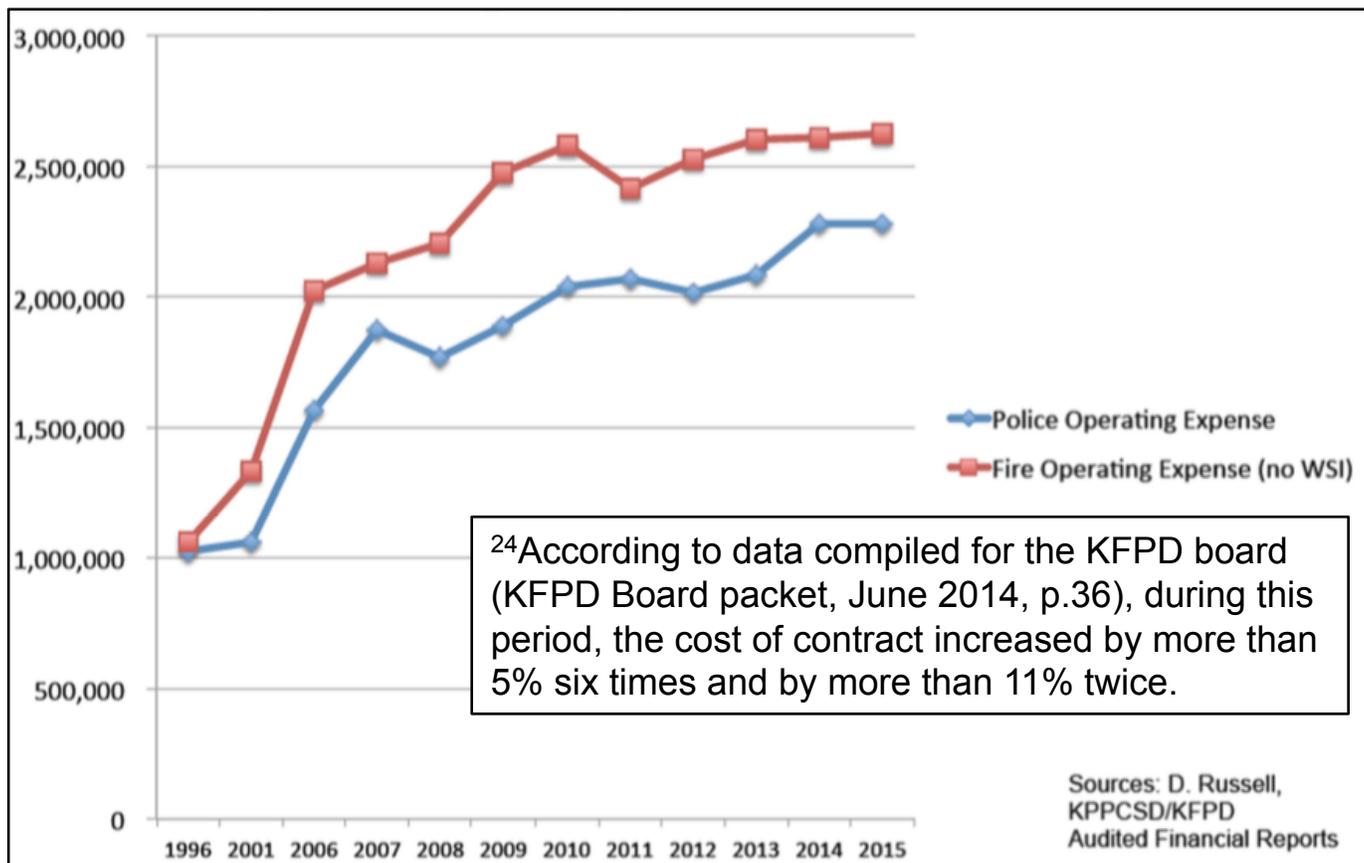
Historical Case-Study: KFPD

Final Report of the Ad Hoc Committee for Governance and Operations Structure

<https://www.kppcsd.org/ad-hoc-committee-documents>

Figure 14 - Pg. 84-85

KPPCSD (Police) and KFPD (Fire) Operating Expenses - Historical



“Figure 14 shows the historical operating expenses for fire and police services. **In theory, these are the most comparable features of the two districts, since staffing levels are very similar (at roughly 2/1,000 residents, or 10 full-time employees).**”

As with revenues, 20 years ago, these expenses were roughly equal. However, from 1996 to 2006, as shown in Figure 14, operating expenses for fire services increased much faster than for police services(91% vs. 53%).

As the KFPD began contracting with the city of El Cerrito for fire services in 1996, and most of the KFPD costs in Figure 14 are the result of this contract, **the rate of increase may have been connected to the cost of the contract.**²⁴ Whatever the reason, expenses were significantly different at the end of this period.

Fortunately, during this time period the revenue for KFPD increased by 80%, as mentioned previously (note the revenue and expense lines in Figure 13).

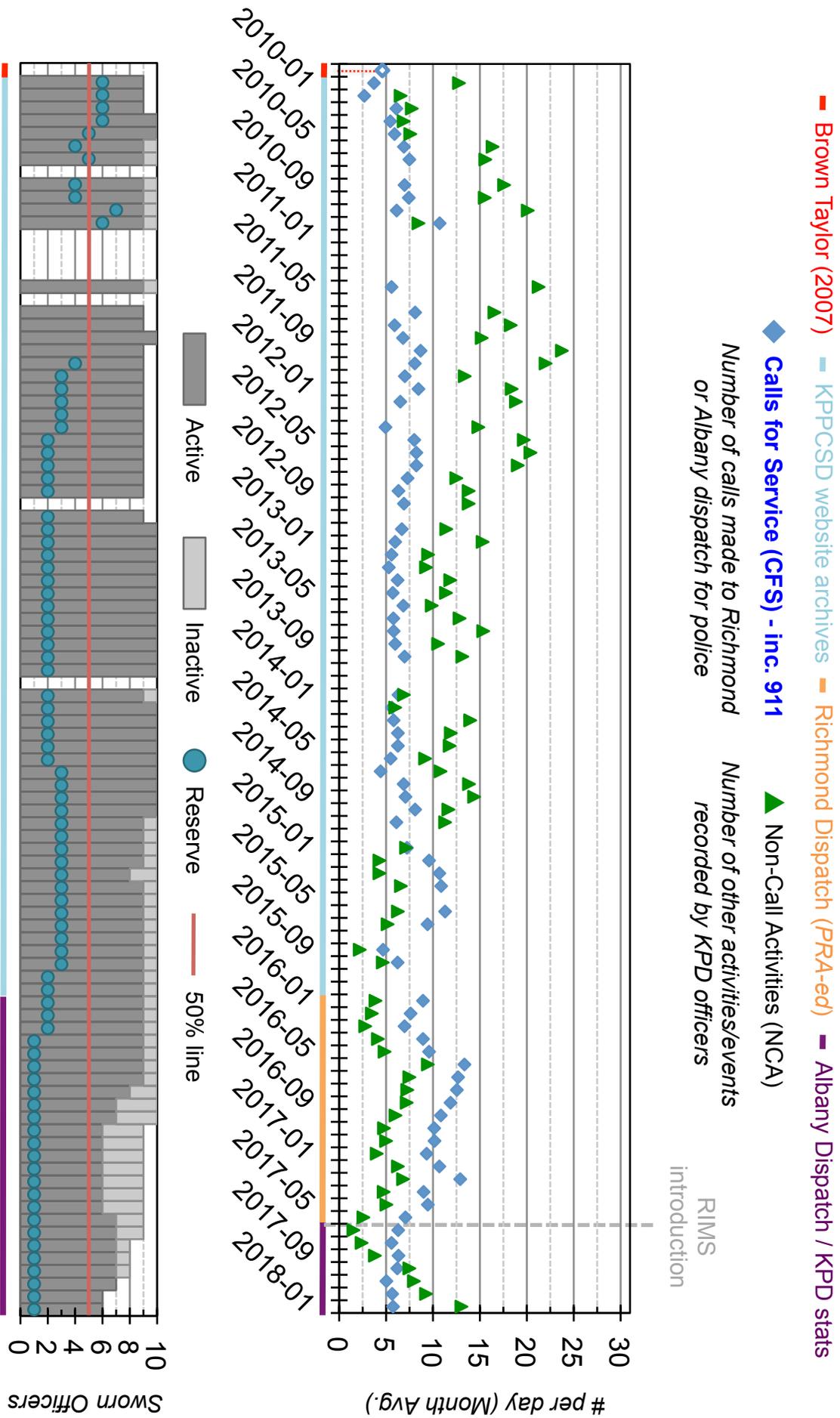
This large increase in revenue allowed the district to cover the significant cost increases in the early years of contracting with El Cerrito.

Had the increase in revenue been limited to that of the KPPCSD in the same time period (49%, shown in Figure 12), the KFPD would have been running a large deficit relative to total (operating and capital) expenditures.” [emphasis added]

KPD Call-Activity Statistics

Key: All points are monthly values presenting the average number of "CFS / NCA per day" of that month.

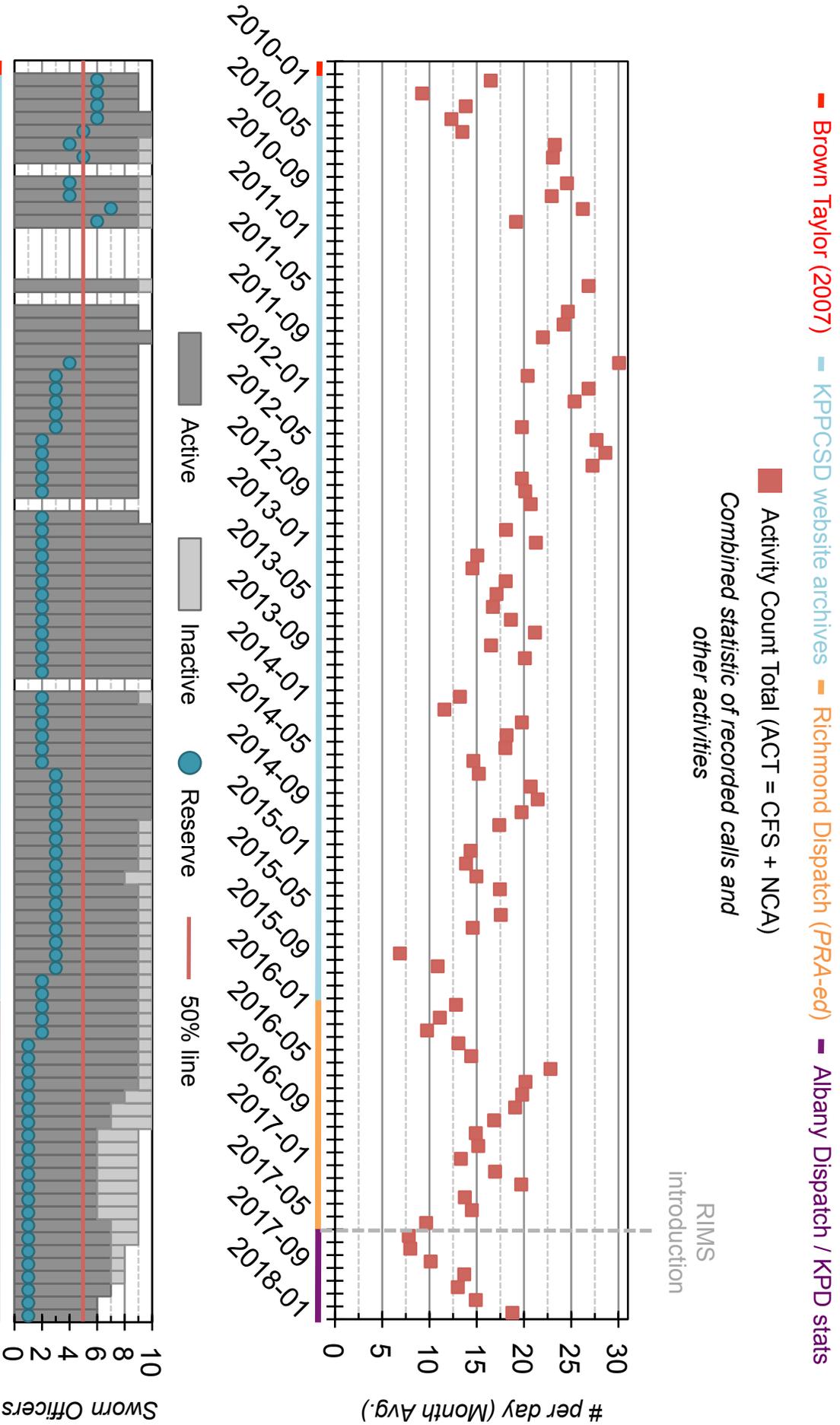
Note: For processing simplicity, all months were treated as 31 days



KPD Call-Activity Statistics

Key: All points are monthly values presenting the average number of "ACT per day" of that month.

Note: For processing simplicity, all months were treated as 31 days



RE: Call Follow up (PRA data request)

Victor Wang [vwang@richmondpd.net]

Sent: Wednesday, April 10, 2019 10:39 AM**To:** Cyrus Modavi**Categories:** Old - District Info**Attachments:** RPD KPD CFS Data Comparis~1.xlsx (12 KB)

Cyrus, as per our discussion please find the information requested below. I have attached the spreadsheet for your further evaluation.

Month-Year	Richmond PD Total Calls for Service	Kensington PD Total Calls for Service	RPD Officer Initiated Activity	KPD Officer Initiated Activity
Jan 2016	8,454	277	2,968	120
Feb 2016	8,039	236	2,729	108
Mar 2016	8,720	219	3,337	83
Apr 2016	8,376	277	2,728	128
May 2016	8,525	297	2,765	150
Jun 2016	8,633	414	2,811	273
Jul 2016	8,943	393	2,882	232
Aug 2016	8,729	389	3,123	225
Sep 2016	8,428	368	2,847	223
Oct 2016	8,398	336	2,864	186
Nov 2016	8,030	314	2,589	148
Dec 2016	7,505	315	2,138	155
Jan 2017	7,960	289	2,661	124
Feb 2017	7,661	331	2,636	194
Mar 2017	8,684	400	3,248	211
Apr 2017	8,499	279	3,061	147
May 2017	8,675	293	2,936	156
Jun 2017	8,313	219	2,619	80
Jul 2017	8,727	7	3,022	0
Aug 2017	8,238	1	2,780	1
Sep 2017	7,654	2	2,254	2
Oct 2017	7,442	0	2,067	0
Nov 2017	7,035	2	2,054	1
Dec 2017	7,064	1	1,966	0
Jan 2018	7,129	1	2,359	0
Feb 2018	7,097	0	2,350	0
Mar 2018	7,667	2	2,454	2
Apr 2018	7,465	2	2,413	1
May 2018	7,865	3	2,469	3

VICTOR WANG

(510) 965-3274 [mobile] (510) 621-1708 [desk]

CRIME INTELLIGENCE ANALYST MON-THU

RICHMOND POLICE DEPARTMENT, SAN FRANCISCO BAY AREA, CALIFORNIA

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From: Victor Wang
Sent: Wednesday, April 10, 2019 9:37 AM
To: 'Cyrus Modavi' <cmodavi@kppcsd.org>
Subject: RE: Call Follow up (PRA data request)

Hello Cyrus,

Just informing you that we are still working on the request. After seeing how the PRA is worded and variables requested it will take a bit more time to compile the information to give the stats in this format. On the plus side we will be able to calculate for you what the KPD total calls for service were like, in comparison.

VICTOR WANG

(510) 965-3274 [mobile] (510) 621-1708 [desk]
CRIME INTELLIGENCE ANALYST MON-THU
RICHMOND POLICE DEPARTMENT, SAN FRANCISCO BAY AREA, CALIFORNIA

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From: Cyrus Modavi [<mailto:cmodavi@kppcsd.org>]
Sent: Monday, April 08, 2019 12:16 PM
To: Victor Wang <vwang@richmondpd.net>
Subject: Call Follow up (PRA data request)

<PRA form attached>

If possible at all, could the totals be provided on a per month (e.g., 2016-01 = X calls for service [including 911], Y total reported officer activities)?

Thank you so much for your assistance!

Sincerely,
KPPCSD Director Cyrus Modavi

Director's Contemporary Check

Disclaimer: This is only a very broad view of direct costs

Director's LAFCO-like comparison

Fund Expenditures Per Capita

City	FY18-19 Police Total Fund Expenditures	(2010 Census)	Per Capita
EC (biennial)	\$11,902,037 ¹⁾ Adopted, pg. 101	23,549	~\$505
KPPCSD	\$2,474,163 ²⁾ Budgeted: pg. 2 of Item4	5077	~\$487

Note: Essentially average payment burden placed on each resident for police services

[Director's additional comparison]

Fund Expenditures Per Police Department Personnel

City	Sworn Officers + COP	Non-Sworn Personnel	Per Sworn Personnel	Per Each Personnel
EC	44+1 ¹⁾ FY18-19, pg. 96	13*	~\$264,490	~\$205,208
KPPCSD	9+1	0.4**	~\$247,416	~\$237,900

Note: Essentially cost burden each personnel is on average placing on the departmental budget, either in terms of only sworn officers (with implicit support staff costs/time baked into each officer cost) OR each police staff as an individual

Personnel Composition

City	Sworn:Non-sworn (excluding CSOs/cadets)
EC	45:9 = "5:1"
KPPCSD	10:0.4 = "25:1"

Note: Essentially looking at how much of department is sworn officers versus support staff

1) Adopted Biennial Budget FY 18-19 & 19-20 – <https://www.el-cerrito.org/232/Budget-Financial-Information>

2) KPPCSD Feb 12th Finance Committee – <https://www.kppcsd.org/2019-02-12-finance-committee-meeting>

* Includes: non-sworn CSOs (2.4), police cadets (1.6), management analyst (1), executive assistant (1), various layers of police specialists (7)

**Generalist Police Specialist is not full time, and also aids KPPCSD civilian-side operations

Kensington & El Cerrito

LAFCO 2009 (Fire) MSR Clipping – pg. 79

<http://contracostalafco.org/agencies/municipal-service-reviews/>

ANNEXATION

[El Cerrito]

A governance option is for the City to annex unincorporated areas within its fire service area. Kensington and the southern portion of East Richmond Heights are within the City's existing SOI. The existing SOI does not include the northern portion of East Richmond Heights, although this area is within the City's fire service area. LAFCO's past actions prioritize the City's SOI over fire district SOIs, meaning that the City's existing SOI would allow for annexation of territory in its SOI and detachment of that territory from the respective fire district.⁴³

The likelihood of annexation of East Richmond Heights would depend on the community's preferences and the fiscal impact on the City of El Cerrito.

Annexation of Kensington may not be likely. Although the Kensington FPD contracts with the City of El Cerrito for services, the Kensington CSD relies on its own paid staff for delivery of law enforcement services to the community. If the area were annexed to the City of El Cerrito, it would rely on the City for services presently provided by the Kensington CSD. It appears that the community may prefer the local control afforded by its special districts. Kensington FPD staff reported that the community "guards its local autonomy," "KFPD has tailored its services to the community," and that "Kensington residents demand local control in their community and benefit from their own local police force [and] recreation program."⁴⁴

⁴³ Contra Costa LAFCO resolution, adopted Dec. 12, 1984, states "SOIs of the cities of El Cerrito, Pinole and Richmond shall take precedence over fire protection district SOIs. Proposals that include annexation to one of these cities consistent with that city's SOI, and concurrent detachment from a fire protection district, shall be construed as consistent with these fire protection district SOIs."

⁴⁴ Correspondence from Kensington FPD Administrator Brenda Nevallier to LAFCO consultant Beverly Burr, Dec. 3, 2008.

This should be a serious part of any deliberations if contracting with El Cerrito is explored; this is especially pertinent given LAFCO's growing authority to regulate the existence of special districts.*

*See: CSDA Magazine [Vol. 14, Iss. 1, Jan/Feb 2019, pg. 36-38]: "LAFCOs & Involuntary Dissolutions and Consolidations – Strategies for Responding and Staying Engaged"

Kensington & El Cerrito

Stege Sanitary District History E-Book:

“Where the Sewage Meets the Sea”

(100th year anniversary edition, Chapter 18, pg. 71)

<https://www.stegesan.org/who-we-are/ebook>

El Cerrito had a harder time adding to its borders another area that had gotten away back in 1917—Kensington.

The Keep Kensington Committee fought it out with the pro-annexation Kensington Citizens Committee in a sometimes dirty battle in 1956 involving stolen campaign signs and lively block parties.

Keep Kensington won, with 1,554 voters opposing joining El Cerrito, and only 829 favoring the move—far fewer than the 1,300 who had signed the petition that brought the matter before the voters in the first place. Still, a proposal to marry El Cerrito returned again in 1966, again to be rebuffed by voters.

(In 1982, folks in Kensington who favored more hands-on governance than provided by the county or the town’s service districts, tried again—this time seeking, not annexation to El Cerrito, but incorporation as the city of Kensington. Proponents argued that forming a city would prevent any other city—meaning El Cerrito—from annexing them. They also argued it would stabilize finances, in the wake of 1978’s Proposition 13.

But, as Natalie Salsig, vice president of the Kensington Improvement Club, put it, “Everybody likes the way it is now. They don’t want it to change.”

Incorporation died by a vote of 1,686 nays, 904 yeas, 65 versus 35 percent.)¹⁴⁵

In erratum: Stege’s book misattributes the Police District formation date with the Gov. code driven designation change date (see current KPPCSD P&P Manual):

- “Kensington Police Protection” District formed in 1946
- *Renamed* to “KCSD” in 1953 – Under Government code §§ 61600-61749, since revised
- *Renamed* to “KPPCSD” in 1993 – Changed by Board of Directors; recognized in the Government code § 53060.7

(Other dates correct based on cross-referencing research)

Miscellaneous

PRA-ed email: [refers to March 14th meeting]

> On Mar 18, 2019, at 8:15 PM, Paul A. Keith <PKeith@ci.el-cerrito.ca.us> wrote:
>
> Ms. (past resident)
>
> I would be happy to discuss your concerns about my attendance at the KPPCSD meeting last week. I was present and did not hear Mr. Hart make any statements about the El Cerrito Police Department. He did speak about a Kensington investigation from several years ago. I will defer to the audio/video recording of the event for the details of his statement. I did not make any public statements at the meeting. I made private statements regarding my presence at the meeting being born of a desire to learn more about Kensington governance.
>
> I was not at the meeting based on an invitation from any party. I have had a number of meetings with Kensington residents over the past three years on the topic of police contracting. I feel that understanding the public meeting process in Kensington is a necessary part of considering how a police contract might be administered.
>
> I attempted to contact you at the number you left, [REDACTED], but was met with an unusual dial tone and a message in a language other than English. I am generally available between 8:00 am and 5:00 pm on Monday through Thursday at the telephone number listed below. I look forward to discussing this matter with you, should you so desire.
>
> Regards,
>
> Paul Keith
> Chief of Police
> El Cerrito Police Department
> (510) 215-4425
>
>
>
> This email communication may contain CONFIDENTIAL INFORMATION WHICH ALSO MAY BE LEGALLY PRIVILEGED and is intended only for the use of the intended recipients identified above. If you are not the intended recipient of this communication, you are hereby notified that any unauthorized review, use, dissemination, distribution, downloading, or copying of this communication is strictly prohibited. If you are not the intended recipient and have received this communication in error, please immediately notify us by reply email, delete the communication and destroy all copies.

Historical Note: Ad Hoc Committee disbanded in Oct. 1st 2016, and was not active after that date.