

## Why it is Critically Important to Have a Separate General Manger and Chief of Police and Contract Out Police Services

Kensington has a single employee with responsibilities for oversight of the police and community affairs. This arrangement has resulted in inadequate oversight of the police and financial mismanagement which have in turn resulted in increased expenses for taxpayers. Taxpayers are also facing significant unfunded liabilities for police pensions and benefits. We need a General Manager who can focus on taxpayer needs and contract out police services with improved level of service to a nearby agency for more competent oversight. At present, fire services in Kensington have been successfully contracted to El Cerrito for more than twenty years.

The five directors of the Kensington Police Protection and Community Services District (KPPCSD) have oversight of the GM/COP but they are volunteers. A dedicated full time person is needed to better focus on community needs. See page 73 <http://kensingtoncalifornia.org/download/ad-hoc-governance-committee/ad-hoc-governance-committee-documents/June-2016-Public-Forum-Presentation-.pdf>.

1. The skill set for a General Manager (GM) is fundamentally different from a Chief of Police (COP).
  - a. A GM needs to prepare the budget, develop long term plans, manage budgets, enhance revenue, negotiate contracts for the district, and develop public policy. A COP is focused on public safety and administration of officers.
  - b. Many of our streets are in poor condition and in need of repair. Contra Costa County Public Works has not been responsive to the needs of Kensington.
  - c. There are several intersections and raceways that pose a significant risk to pedestrians yet Public Works will not take action.
  - d. As a result of misunderstanding the fundamentals of the garbage contract, Kensington residents are paying significantly more for garbage services and paid in legal fees. See [http://www.eastbaytimes.com/ci\\_23495252/kensington-must-fund-study-garbage-fees-arbitrator-rules?source=rss](http://www.eastbaytimes.com/ci_23495252/kensington-must-fund-study-garbage-fees-arbitrator-rules?source=rss) emailed.
  - e. The KPPCSD had not been providing sufficient financial oversight of the police. See [http://kensingtoncalifornia.org/download/misc-kppcsd-documents/2013\\_GRAND\\_JURY\\_REPORT\\_1311.pdf](http://kensingtoncalifornia.org/download/misc-kppcsd-documents/2013_GRAND_JURY_REPORT_1311.pdf).
2. The combined position of General Manager (GM) and Chief of Police (COP) creates an inherent conflict of interest resulting in the failure of a General Manager to oversee the actions of the Chief of Police.
  - a. Kensington has provided overly generous medical retirement benefits to employees and all their dependents compared to other jurisdictions, leaving Kensington residents with significant potential liabilities. See [http://www.kensingtonoutlook.com/issues/outlook\\_apr\\_16.pdf](http://www.kensingtonoutlook.com/issues/outlook_apr_16.pdf).
  - b. In 2014, Kensington Police Sergeant Keith Barrow lost his service pistol, ammunition, badge, and handcuffs in a visit to a prostitute in Reno, Nevada; prostitution is illegal in Reno. See <http://www.sfgate.com/crime/article/Kensington-cop-suspended-after-theft-of-gun-by-6070198.php>. The then General Manager/Chief of Police (GM/COP) Greg Harmon failed to report the sergeant's behavior for several months until residents became aware of Barrow's illegal and improper acts. See <http://www.times-standard.com/article/ZZ/20150209/NEWS/150206746>. Even then, the only discipline

was a short suspension. See [http://www.eastbaytimes.com/breaking-news/ci\\_27517732/kensington-police-officer-scandal-draws-crowd-at-town](http://www.eastbaytimes.com/breaking-news/ci_27517732/kensington-police-officer-scandal-draws-crowd-at-town).

- c. Several residents have expressed concern for selective and harassing enforcement by the police such as ticketing for failure to have a front license plate or alleged failure to have current license tags. Complaints to the current Interim GM/COP have not been handled satisfactorily. See <http://kensingtoncalifornia.org/latest-news/april-14-2016-kppcsd-board-meeting-video/> @~ 40-45 minutes.
  - d. Residents have expressed concern that the police have been improperly accessing personal records and may have entered residential property without notice or a warrant. At present, there is a criminal investigation concerning these allegations. See <http://kensingtoncalifornia.org/latest-news/may-12-2016-kppcsd-board-meeting-video/> at 9 and 1 hour 9 minutes.
  - e. Residents who have critiqued the governance in Kensington have been later intimidated by the police. See [http://www.eastbaytimes.com/breaking-news/ci\\_29457056/kensington-residents-critical-local-police-board-say-cops](http://www.eastbaytimes.com/breaking-news/ci_29457056/kensington-residents-critical-local-police-board-say-cops).
3. Kensington taxpayers would receive better service at lower cost by contracting police services.
- a. Kensington taxpayers would save administrative costs by contracting for police services to a nearby agency as our fire department does with the El Cerrito Fire Department.
  - b. The costs for detective, narcotic, traffic, and domestic violence services would be lowered if shared with another agency.
  - c. Kensington employees would be administered by human resource professionals. Several former employees have filed employment discrimination suits against Kensington resulting in settlements costs paid by Kensington taxpayers. here have been a number of lawsuits By contracting police services, Kensington could bring these costs more in line with other jurisdictions. As a result of its small size, Kensington taxpayers are paying more for overtime when an officer calls in sick than it would if its police services were contracted out to a larger organization that has officers already on duty.
4. Four nearby police departments (Albany, El Cerrito, Richmond, and UC Berkeley) are open to providing police services to Kensington. By contracting, Kensington would have proper staffing levels regardless of injury, sickness or termination but without the continued expensive overtime currently paid by Kensington residents. See <http://kensingtoncalifornia.org/download/ad-hoc-governance-committee/ad-hoc-governance-committee-documents/June-2016-Public-Forum-Presentation-.pdf> <http://kensingtoncalifornia.org/download/ad-hoc-governance-committee/ad-hoc-governance-committee-documents/June-2016-Public-Forum-Presentation-.pdf>.