



August 8, 2007

Ventura County Grand Jury  
800 S. Victoria Ave., L#3751  
Ventura, CA 93009

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VENTURA COUNTY  
GRAND JURY

To the Grand Jury:

The Ventura Port District is pleased that the 2006 – 2007 Grand Jury chose to conduct an independent evaluation of the level of law enforcement services provided to the public on District property by the Harbor Patrol and the Ventura Police Department. The May 14, 2007 report, "Port Safety: Ventura Port District" reveals that the Grand Jury's methodology was sound, their findings generally accurate, and their recommendations thoughtful. The District welcomes the opportunity to respond to the report.

Initially, it should be noted that the District is satisfied with the level of safety and security within the Harbor. There are four levels of security in the Harbor. The highest level is the Ventura Police Department, which provides the Harbor residents, tenants and visitors with the same service offered throughout the City.

The next level is the Harbor Patrol. They are peace officers trained and authorized to enforce boating law and the local ordinance. Although not trained to enforce laws and procedures relative to other crimes, their presence is nonetheless an important deterrent. Security Officers, provided by three marinas and the hotel, are the third level of enforcement. And finally, the Harbor tenants themselves offer a high level of security. The residents of the Mobile Home Park are an active Neighborhood Watch, and people living on their boats in the various marinas form a closely knit group that is cognizant of strangers passing through the marinas' locked gates. If not optimal; the level of law enforcement is more than adequate.

We acknowledge that we can improve our operations by following some of the Grand Jury's recommendations by:

- revising our website to better communicate the mission and enforcement duties of the Harbor Patrol;
- reformatting the statistics we currently release on a monthly basis to include crime data gathered internally and from the Ventura Police Department;
- reviewing and making application to receive federal or state grant monies for which we may qualify;

**Ventura Port District**

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- exploring ways to further improve our relationship with the Ventura Police Department either through formal agreements, or possibly less formalized lines of communications.

The Grand Jury is recommending that we consider the feasibility of reinstating 24-hour patrol coverage. This work coverage concept has been considered on numerous prior occasions; however, the District feels that the public safety needs are adequately met by the current system. The District is committed to providing two-person coverage during the twenty hours that the Harbor Patrol is on-duty. We utilize an “on call system” during the remaining hours, which are statistically the slowest hours of the night. The 4-10 schedule that the Harbor Patrol Officers work to cover the 20-hour days contributes greatly to the Harbor Patrol’s low turnover rate, providing the public well-experienced officers.

The final Grand Jury recommendation is that the District consider authorizing the Harbor Patrol to carry firearms and making less lethal weapons, such as tasers, available to them. After much consideration, the District will not authorize its officers to carry firearms. However, it will explore the feasibility of providing tasers as a defensive weapon.

The Board of Port Commissioners is grateful for this opportunity to examine operations of the Harbor Patrol. We are pleased with the existing make up and function of the Harbor Patrol. The Department will be even better after implementing four of the six recommendations from the Grand Jury. The Port District’s Board wishes to thank members of the Ventura County Grand Jury for the time and effort they expended toward enhancing the Harbor Patrol functions.

The specific responses required by Penal Code section 933.05(f) follow.

### **Response to Findings**

Except where noted, the District concurs with the Grand Jury’s Findings

**F-05** *The Harbor Patrol is staffed with eight full-time positions (including the Harbormaster) and one part-time position...*

**Concur, but updated:** This finding was accurate at the time of the report. However, with the new fiscal year, the Board approved funding to replace the part-time position with a full-time position. Staffing will increase to nine full-time officers (including the Harbormaster). Additional staff will continue to be utilized on a per diem basis as needed.

**F-08** *Harbor Patrol Officers frequently respond to and handle potential high-risk situations where a detention may result, including alarm calls, suspicious persons, person under the influence of drugs or alcohol and suspicious vehicles or vessels.*

**Concur in part:** The word “frequently” overstates the number of times the Harbor Patrol responds to potential high-risk situations. District policies also are aimed at limiting the number of times the Harbor Patrol encounters high-risk situations. Officers encountering illegal activities outside of the scope of their authority or training are required to contact the appropriate law enforcement agency under the District’s “observe and report” policy. The Officers are

specifically directed to contact the Ventura Police Department when they observe criminal or dangerous situations.

- F-10** *The District does not publish an annual or monthly report of all crimes and incidents occurring on properties owned by the District that the public can readily access and review.*

**Concur in part:** The Harbormaster completes a staff report each month which includes a summary of significant activity in the Harbor and statistics gathered from Incident Reports. This report is included monthly in the Board Meeting packet and is available on the District's Web site. It does not include a complete summary of crimes.

- F-17** *VCSD is the primary law enforcement agency responsible for police services on the ten acres of unincorporated territory that the District owns.*

**Disagree:** All District-owned land is within the City limits.

### **Response to Recommendations**

- R-01** *The District should consider the feasibility of reinstating 24-hour patrol coverage of its property and facilities...*

#### **Already Implemented**

The District has considered and will periodically consider the feasibility of reinstating 24-hour patrol coverage of its property and facilities. The following programs have been considered in the past two years:

- Changing the Harbor Patrol from a 4/10 schedule to a 5/8 schedule and increasing staffing
- Hiring a private security company to provide patrolling responsibilities
- Changing the Harbor Patrol to a 24-hour shift, which, because of "sleep hours", would reduce the number of patrolling hours?

Thus far, the Board is pleased with current coverage. Although 24-hour staffing was originally discontinued for budgetary constraints, the current system offers the following benefits to the public and the District's employees.

1. The District provides a minimum of two Harbor Patrol Officers on duty for the hours that the Operations Center is staffed and up to four officers on weekends;
2. Turn over in the Harbor Patrol is low. This is in no small part attributable to the 4/10 schedule and the fact that the officers do not have to work graveyard shifts
3. Staff is better utilized during busier hours instead of being underutilized during the early morning hours. Calls for service have been analyzed several times in the past. Each analysis indicated that 0.5% of calls for service occurred from 2:00 a.m. to 6:00 a.m.

The District is currently negotiating with the S.E.I.U. to provide a means of designating a second On Call Officer as an enhancement to our 20-hour/7-day program. Specifically, the second on call officer would respond in the rare

occasions when a second officer would be needed to handle an after-hours emergency.

- R-02** *The District should execute formal agreements with VPD and VCSD defining operational and jurisdictional interface between the Harbor Patrol and those agencies.*

**Ventura Police Department: Will Be Implemented—Estimated Completion: October 30, 2007**

District and Police Staff have already met to discuss implementing these policies. The foundation for these policies is available in each Department's past procedure manuals. This information will be reviewed and updated as necessary with the intent of implementing it into usable policies and procedures.

**Ventura Sheriff's Department: Will Not Be Implemented**

Section 510 of the Harbors and Navigation Code provides the framework for the necessary working relationship between the Harbor Patrol and the Sheriff's Department. An independent policy is unnecessary.

- R-03** *The District should revise its official Web site to describe fully the mission, responsibilities, and enforcement duties of the Harbor Patrol.*

**Implemented on: To be announced. Need to work with Web designer, but this should be in place before we send this report.**

- R-04** *The District should consider authorizing Harbor Patrol Officers to carry firearms while on duty. Less lethal devices, such as personal impact weapons or tasers, should be available to officers...*

**Consideration of Carrying Firearms: Already Implemented**

In 1999 to 2000, the District considered providing firearms to its officers or looking for alternatives to providing an armed presence within the Harbor. The primary deterrents to arming the Harbor Patrol is the nature of the job, the size of the Department, the availability and ability to provide initial and continuing training or drills. The Harbor Patrol is not a police force. It is primarily a rescue agency that has limited law enforcement authority, primarily focused on enforcement of the Ventura Harbor Ordinance and boating laws. The District does not feel it is necessary or prudent to provide the officers with deadly force capability in order to provide those primary services. The officers were issued batons at one time. That practice was discontinued about a year ago, specifically because of our inability to provide continuing training or drills.

Over the years, the District has considered several options to providing an armed force within the Harbor.

The District fully funded a Storefront and a 40-hour Storefront Officer at Ventura Harbor Village. That program did have some positive effects in the Harbor and provided an excellent liaison between the Port District and the Police Department. However, in 1996, in order to meet budgetary constraints, the District dismissed one full-time administrative employee, and the Storefront funding was also stopped in lieu of terminating any additional District employees.