

# San Rafael Police Department

WINTER 2010 COMMUNITY NEWSLETTER  
VOLUME IV, ISSUE I

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Neighborhood.  
Photo by Officer Graham



"PROTECTING THE MISSION CITY"  
Matthew C. Odetto, Chief of Police . 1400 Fifth Avenue . San Rafael, California . 94901 . 415.485.3000





## REPORTING A MISSING PERSON AND WHAT YOU SHOULD KNOW

By Detective Blair Auld

Some of us have experienced that terrible sinking feeling of having to report to the police that a loved one may be missing. Not only is it stressful but not knowing what the police do with the report or how the case is investigated can be equally stressful. Here are some of the criteria that are used by the police that qualify as a missing persons report and what efforts are made by the police to find a missing person.

To start it might be helpful to understand what the definition of a missing person is. The penal code defines a missing person as any person whose whereabouts is unknown to the reporting party including, but not limited to, a child taken, detained, concealed, enticed away or retained by a parent. Missing persons also includes any child who is missing voluntarily, involuntarily or under circumstances not conforming to his or her ordinary habits or behavior and who may be in need of assistance. Here is an overview of what is done after a missing persons report is taken.

At-Risk Missing Person. Includes but is not limited to, evidence or indications of any of the following.

1. The person is the victim of a crime or foul play.
2. The person missing is in need of medical attention
3. The person missing has no pattern of running away or disappearing
4. The missing person may be the victim of a parental abduction
5. The person missing is mentally impaired

You might want to know that the law mandates that a report of a missing person or runaway shall be taken immediately by law enforcement, whether in person or over the telephone and regardless of the jurisdiction the caller is reporting the missing persons from. In the past a forty eight hour “window” had to have passed before a missing persons report would be taken by law enforcement. That is no longer the case.

The initial report is taken by asking several questions regarding the subject. Many of the questions include his/her physical description, address, history regarding any prior contacts with the police, employment, and a photograph of the subject obtained by the reporting party (preferable). All these “probing” questions and requests is an effort to give the police a better understanding of who the person is and the subjects patterns of behavior so that the police might be able to expedite the process and find the subject in a timelier manner.

Once the report is taken the officer will construct what is called a Critical Reach Flyer. The flyer briefly explains the circumstances of the initial report, a photograph of the missing person and a physical description of the subject. The flyer is then sent out to all neighboring law enforcement agencies. By doing this, if the subject is contacted by a different law enforcement agency other than the one taking the report and his/her name is run through the computer the officer will be advised that the subject has been reported as a missing person. If this happens the subject will be evaluated by the officer to determine that he/she is at risk. If the person is at risk the officer will evaluate the subject and make all the necessary arrangements to bring the subject to an appropriate facility and the family will then be notified by the agency. If the person is an adult and not at risk the subject shall be evaluated and taken out of the system after it is determined that nothing more needs to be done. The original reporting party will be notified that the subject has been contacted and is safe.

When a report is taken outside the jurisdiction of where the person lives the police dispatcher for that jurisdiction promptly forwards the report to the agency having jurisdiction over the missing person’s residence and where the person was last seen. When the person is under the age of 21 the San Rafael Police Dept. will send a teletype to the Department of Justice and the National Crime Information Center (A nationwide system).

Many other requirements are also mandated after a certain period of time has passed and unfortunately the subject has not been found. For instance, if the subject is still missing and is under the age of 18 and at risk or under 12 years old and missing for more than 14 days, the detective handling the report must submit to the dentist, physician/surgeon or medical facility a signed request for the subjects dental or skeletal x-rays or both. If the missing person is still missing after 45 days the detective must check with the appropriate coroners or medical examiners and send the Department of Justice both the necessary forms and dental records along with a photograph of the subject.

There are of course other aspects of a missing person’s investigation but hopefully the above information gives you a core understanding of what efforts are taken to make sure your loved one is returned home to you safely.

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### JESSICA'S LAW AND NEIGHBORHOODS

By Detective Lisa Holton

According to the Megan's Law Database, California was the first state in the United States to require sex offenders to register with the police department having jurisdiction over their residency. The law requiring offenders to register took affect in 1947. There are more than 85,000 registered sex offenders living in California today.

On November 7, 2006 California voters passed Proposition 83, also known as Jessica's Law. Voters not only passed the legislation; they overwhelmingly passed it by a margin of 70.5 % for and 29.5 % opposed according to the California League of Women Voters (2006). The initiative was supported by most law enforcement organizations. The law prohibits registered sex offenders from living within 2000 feet of a school or a park. It also provides that individual jurisdictions may include additional areas of restriction if it deemed necessary. The law proposed that sex offenders would be subject to lifetime monitoring by Global Positioning System (GPS). The authors of the initiative did not differentiate between newly convicted offenders and people who were convicted in the past but are required to register per Penal Code Section 290.

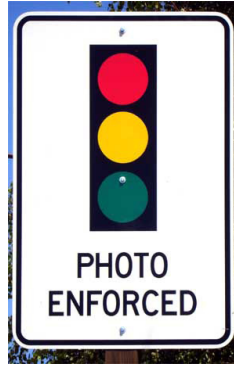
Within hours of the passage of Proposition 83 challenges were filed in Federal Court. The primary challenge was that Proposition 83 punished those who had already served their time and had been released from probation or parole. In February 2007, United States District Court Judge Lawrence Karlton agreed. In the decision Judge Karlton wrote, "The court finds that the law does not apply to individuals who were convicted and who were paroled, given probation or released from incarceration prior to [the law's] effective date." However, in a brief by then Attorney General Bill Lockyer, Lockyer states the residency restriction does apply to registered sex offenders who move from one residence to another. There is still pending litigation on the matter.

So, to whom DOES the law apply? The residency restrictions outlined in Jessica's Law apply to individual's who were convicted of sex offenses after the passage of Proposition 83, November 7, 2006. It also applies to people who have been paroled from the California Department of Corrections and Rehabilitation (CDC-R) for a sex offense. County probation offices can impose additional restrictions and residency requirements upon people who are under their supervision.

If you have any information, questions or concerns about offenders living in The City of San Rafael feel free to call the San Rafael Police Department and ask to speak to one of the registration detectives. You may search the official California Department of Justice Sex Offender Database free of charge. The website is: [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov)

### RED LIGHT CAMERA ENFORCEMENT: 60 DAYS

By Officer Jill Cingolani



San Rafael's Red Light Photo Enforcement program is well into its second month and the heavily traveled Third and Irwin Street intersection shows that on average 25 drivers run the red light every single day.

The enforcement program went live on November 1st and Third and Irwin is the first of several proposed intersections. In the first sixty days there were a total of 1,384 red light activations. Of those activations, SRPD issued a total of 930 notices of violation. The Third Street at

Irwin Street approach had a total of 524 violations and the Irwin Street at Third Street approach had a total of 406 violations.

Last month, Redflex, the City's camera system provider, completed several additional roadway surveys in order to help identify possible future locations. Currently under consideration are westbound Third Street at A Street and southbound Hetherton Street at Fifth Avenue.

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### The Parent Project, Sr. ® RETURNS TO SAN RAFAEL

Parent Project, Sr. ® is an award winning program designed to meet the specific needs of parents raising strong-willed or out-of-control adolescents. SRPD, through the Youth Services Bureau, will once again offer this program to parents and classes start Monday, February 22, 2010!

Parents will learn how they can best influence their child's choices through behavioral interventions that begin at home. Parents will meet once a week for ten (10) weeks.

Don't ever give up on yourself or your child! There is always hope for parents who are struggling to keep their children safe, strong and successful!

Classes begin February 22, 2010 and will be held at the "B" Street Community Center, 618 B Street, San Rafael from 6:00 – 9:00 p.m. The program is for parents of kids ages 11 – 18. The cost for the 10-week series is \$100 and tuition includes a workbook. For more information or to register, call Rebecca Kuga, MFT and Program Supervisor of the Youth Services Bureau at 415-485-3025. Space is limited so call now!





### POLICE PARTNER WITH CRIMEREPORTS TO LAUNCH NEW IPHONE APP

*"Residents can now take their neighborhood crime map with them wherever they go."*

San Rafael Police Department is pleased to announce the availability of a new iPhone app, in partnership with CrimeReports that will provide citizens with local crime mapping and national sex offender data. SRPD already publishes their crime data on the National Crime Map at [www.crimereports.com](http://www.crimereports.com) and are now making that data even easier to access through the CrimeReports iPhone app, available at the iTunes App Store. The CrimeReports iPhone app is free.

"This information is vital to our citizens' safety," says Chief Matthew Odetto. "Providing it to the general public through a mobile device allows citizens even easier access to it than before. We're pleased to be offering the most advanced tools available to foster communication and engagement with community members to prevent and reduce crime."

"San Rafael PD has already been a leader in citizen communication by sharing their crime data online at [CrimeReports.com](http://CrimeReports.com)," says Greg Whisenant, founder and CEO of CrimeReports. "Now they are equipped with another avenue through which to engage San Rafael's citizens to build a safer community."

In addition to local crime, the CrimeReports iPhone app also features crime data for more than 600 other law enforcement agencies across North America, and includes registered sex offender data for all 50 states. The CrimeReports team is also currently planning similar apps for other mobile platforms. You can find out more about the new CrimeReports iPhone app by visiting [www.CrimeReports.com/iphone](http://www.CrimeReports.com/iphone).



### 2010 CITIZENS' POLICE ACADEMY

The 23rd class of the Citizen Police Academy begins on February 17, 2010. The class will run every Wednesday night for 10 weeks from 6 p.m. to 9 p.m. The Academy offers community members an inside look at local law enforcement and provides an overview of the department's function and operational procedures. In addition to weekly presentations by department personnel, students will also have an opportunity to ride in a marked patrol car, ride on the patrol boat, and fire guns at the indoor shooting range. CPA is free and open to all San Rafael residents or business owners over the age of 18. Applications are available on the web at [www.srpd.org](http://www.srpd.org). Please download the form and return it either as an email attachment or by mail. Applications are also available at the police department. The application deadline for the next class is January 29th, 2010. Class size is limited to 25 and a waiting list will be established. Priority will be given to first time attendees but Academy alumni are welcome to apply.

SRPD's first CPA was held in 1995 and ran successfully for eight years with over 900 graduates. Each class cost the department about \$15,000 and in 2003 the Academy had to be discontinued as a cost saving measure. This year the Police Department has received a grant from the Federal American Recovery and Reinvestment Act. The Byrne JAG Public Safety grant of \$109,195 will provide the funding for eight academies over the next four years. The first class from this grant graduated on November 18, 2009.

For questions or more information contact Lt. Dan Fink at 485.3148/ [dan.fink@srpd.org](mailto:dan.fink@srpd.org); or Peggy Ruge at 485.3114/ [peggy.ruge@srpd.org](mailto:peggy.ruge@srpd.org).





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