

Port Safety: Ventura Port District

Summary

The 2006-2007 Ventura County Grand Jury (Grand Jury) received an agency briefing on operations of the Ventura Port District (District), with a specific focus on law enforcement aspects of the District Harbor Patrol.

As a result of the briefing, the Grand Jury became concerned that the safety and security of Ventura Harbor is not optimal. The Grand Jury opened an investigation into the level of law enforcement services provided to the public who reside on District property by the Harbor Patrol, as well as by the Ventura Police Department (VPD).

The Grand Jury finds that law enforcement services provided to the District by the Harbor Patrol as well as VPD are very basic. Furthermore, the Harbor Patrol is frequently filling the role as a first responder to public safety incidents.

The Grand Jury concluded that for the Harbor Patrol to accomplish its public safety mission more effectively, more public information about its mission, goals, and services needs to be forthcoming. This information should include publication of the actual number of crimes and incidents occurring on properties owned by the District.

The Grand Jury recommends that the District should allocate more resources to the Harbor Patrol so that those residents living on District owned properties have adequate law enforcement service.

Background

The District was founded as an independent special district in 1952 and is governed by a five-member Board of Port Commissioners. The Commissioners are appointed to serve a four-year term by the Ventura City Council. The District's legal boundaries are within the City of Ventura, except a very small portion of unincorporated County territory. The District's current property holdings include 152 acres of land and 122 acres of water area. Ventura Harbor, which is owned and operated by the District, was opened in 1963. Although considered a recreational harbor, it houses the largest commercial fishing fleet in Ventura County, including one of the largest squid fisheries in California.

The Ventura Harbor Patrol began operating as a separate department within the District in 1976. Harbor Patrol Officers are duly designated peace officers in the State of California pursuant to California Penal Code §830.33(b). The mission of the Harbor Patrol, as defined by the District Operations Manual, is "...to provide a safe Harbor environment through education, enforcement and service."

The Harbor Patrol Officers are uniformed and carry handcuffs and pepper spray. They do not carry firearms or personal impact weapons. They accomplish their patrol duties via patrol boats, patrol vehicles, and on foot.

Methodology

Following an agency briefing by District management, the Grand Jury decided that further inquiries were warranted relative to the District's overall handling of the safety and security in the port. The Grand Jury visited District facilities for further assessment.

The Grand Jury also visited the Ventura City Hall and received a briefing from City management, during which the City's relationship to the District was briefly discussed. It was later determined that additional information was needed regarding the City's public safety relationship with the District. A follow-up interview with City management was conducted.

Finally, inquiries were made with VPD and the Ventura County Sheriff's Department (VCSD) relative to their interactions with the District Harbor Patrol.

Findings

- F-01.** Ventura Port District Ordinance No. 44 [Ref-01] regulates the use of the Ventura Harbor and properties owned by the District.
- F-02.** Primary responsibility for enforcement of Ordinance No. 44, as defined in Article 1, §105 of the ordinance, is the Harbor Patrol.
- F-03.** Harbor Patrol Officers are on patrol every day from 6:00 a.m. to 2:00 a.m. There is a designated on-call officer during the intervening hours. (Note: The Harbor Patrol discontinued 24-hour staffing in 1991 due to budgetary constraints.)
- F-04.** From 2:00 a.m. to 6:00 a.m., calls to the Harbor Patrol are answered by a recorded message which directs the caller to the on-call Harbor Patrol Officer.
- F-05.** The Harbor Patrol is staffed with eight full-time positions (including the Harbormaster) and one part-time position. Additional staff is utilized on a per diem basis as needed.
- F-06.** Harbor Patrol Officers receive hundreds of hours of specialized training as required by the California State Commission on Peace Officers Standards and Training (POST), as well training by the California State Department of Boating and Waterways.
- F-07.** All full time Harbor Patrol Officers must successfully complete a 20-week training course after which they are certified as Level One Emergency Medical Technicians.
- F-08.** Harbor Patrol Officers frequently respond to and handle potential high-risk situations where a detention may result, including alarm calls, suspicious

persons, persons under the influence of drugs or alcohol, and suspicious vehicles or vessels.

- F-09.** Harbor Patrol Officers are authorized as California peace officers to carry firearms; however, this authorization is contingent upon a secondary authorization from the District. The District has not authorized its Harbor Patrol Officers to carry firearms, nor do they carry defensive devices such as personal impact weapons or tasers.
- 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.
- F-11.** Federal funding for port security upgrades may be available to the District under the Safe Port Act of 2006 (H.R. 4954). The District has not applied for this funding.
- F-12.** The VPD is the primary law enforcement agency responsible for providing police services to District-owned properties that lie within city boundaries.
- F-13.** Reduced staffing levels of the VPD have negatively impacted the delivery of certain services throughout the City, including the District, such as response to alarms and non-injury traffic accident investigation.
- F-14.** Response time to District-owned properties by VPD may often take 20-25 minutes because of the unique geographic location of the properties within the City.
- F-15.** There is no VPD sub-station serving the properties owned by the District. There is also no designated beat officer from VPD serving as a waterfront beat liaison to the Harbor Patrol.
- F-16.** The VPD does not have a patrol boat to patrol or respond to waterfront residents, whether they reside in or out of properties owned of the District. The VPD frequently relies on the Harbor Patrol to provide this service.
- F-17.** VCSD is the primary law enforcement agency responsible for police services on the ten acres of unincorporated territory that the District owns.
- F-18.** Maritime law enforcement or rescue assistance is available to the Harbor Patrol from the U.S. Coast Guard station in Channel Islands Harbor, which is over six miles away.
- F-19.** According to data provided by VPD, property crimes, vehicle traffic accidents, and calls regarding homeless persons loitering on District-owned property have gradually increased during the past three years.
- F-20.** As an independent special district, the District fully manages its property, facilities, and services with no financial support from the City of Ventura.
- F-21.** The District has in place major development plans that will greatly increase commercial, residential, and docking facilities within the properties owned by the District.

Conclusions

- C-01.** The District does not adequately inform the general public of the mission, duties, responsibilities, and enforcement authority of the Harbor Patrol. (F-02 through F-08)
- C-02.** The District does not compile data or adequately inform the public of crimes and incidents occurring on its property. A more complete compilation and public dissemination of crime data could better identify trends and identify “hot spots” and assist with the deployment and staffing of Harbor Patrol personnel within District-owned properties. (F-03 through F-05, F-10, F-19)
- C-03.** The Harbor Patrol is not sufficiently staffed to carry out its patrol duties on a 24-hour, seven-day-a-week basis, thus leaving the residents, properties, and facilities within the District vulnerable to criminal acts. (F-02 through F-05, F-08, F-19)
- C-04.** The VPD is not contractually obligated to provide the District with additional patrol and services to its properties. (F-12 through F-16, F-20)
- C-05.** Inadequate staffing levels of the VPD have affected delivery of some basic services to the residents of Ventura. Responses throughout the City, including those to District properties, are often delayed. (F-13 through F-16)
- C-06.** The Harbor Patrol usually acts as first responders to public safety incidents occurring on District properties. Harbor Patrol Officers occasionally act as first responders for incidents nearby but outside of District properties. (F-08, F-16 through F-18)
- C-07.** Harbor Patrol Officers currently respond to and handle many potentially dangerous situations with limited defensive weaponry (pepper spray). These responses will potentially increase as the commercial and residential future expansion plans for District-owned properties are fully implemented. (F-08, F-09, F-18, F-19, F-21)

Recommendations

- R-01.** The District should consider the feasibility of reinstating 24-hour patrol coverage of its property and facilities. This may be accomplished by either increasing the number of Harbor Patrol Officers or by obtaining additional police services from the VPD. (C-03 through C-07)
- R-02.** The District should execute formal agreements with VPD and the VCSD defining the operational and jurisdictional interface between the Harbor Patrol and those agencies. (C-04 through C-07)
- R-03.** The District should revise its official Web site to describe fully the mission, responsibilities, and enforcement duties of the Harbor Patrol. (C-01)

- R-04.** The District needs to publish in its annual report a section that lists all crimes and incidents occurring on District owned properties. This report should be made available for public review. (C-02)
- R-05.** 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 also be available to officers. The District should provide funding for the purchase of these defensive weapons, and for additional training. (C-06, C-07)
- R-06.** The District should review and make application to receive federal grant monies for which it may qualify under the Safe Port Act. Some or all of these monies could be used for purchasing equipment and providing training to the Harbor Patrol. (C-01)

Responses

Responses Required:

Board of Port Commissioners, Ventura Port District (R-01 through R-06)

City Council, City of Ventura (R-02)

Sheriff, County of Ventura (R-02)

Responses Requested:

City of Ventura Police Department (R-02)

References

- Ref-01.** Ordinance Regulating the Use of Ventura Harbor and Setting Penalties for Violations of any of the Provisions Hereof (on the Web at <<http://venturaharbor.com/pdfs/ord44.pdf>>).

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