



## ***FORT BRAGG POLICE DEPARTMENT***

250 Cypress Street  
Fort Bragg, CA 95437-5437

**FABIAN E. LIZARRAGA**  
*Chief of Police*

(707) 961-2800  
Fax: (707) 961-2806

**From:** Officer Thomas N. O'Neal

**To:** Mendocino Coast Hospitality Center (MCHC) Ad Hoc Committee

**CC:** Anna Shaw, Marie Jones, Chief Fabian Lizarraga

**RE:** Law Enforcement Report and Recommendations for Ad Hoc Committee

**Date:** 02/12/2018

The below report and recommendations are based on my observations over the last several months and during my participation in the MCHC Ad Hoc Committee.

In an attempt to identify whether the MCHC Ad Hoc Committee is having success in addressing the nuisance issues related to the Hospitality House, I started by reviewing calls for service from the same time period for the last two years. Please note these numbers are approximate and are based on reviewing Computer Aided Dispatch (CAD) logs and subtracting any calls which were not complaint related (i.e. investigative follow-up, subpoena service etc.)

From August 01 2016 – February 12 2017, there were **40** calls for service.

From August 01 2017 – February 12, 2018, there were **51** calls for service. It should be noted that of those 51 calls for service, 11 of them were related to trespassing meaning they were likely the result of Hospitality House staff enforcing the banning of nuisance clients.

Based on the above statistics, there appears to have been little to no change in calls for service from prior to the initial code enforcement hearing in August to now.

Since December 01, 2017, I have made 14 documented visits to the Hospitality House according to CAD reports. This number is likely closer to 30 when you consider that CAD reports may not capture me responding to assist another officer, or walking through the Hospitality House while on foot patrol. During those approximately 30 visits, I have only contacted Jill Millsbaugh approximately three times. During the first month

after her hire I frequently asked on-site staff to speak with her and I typically was told that she was at the Hospitality Center. I was working a day shift on both sides of the week during that time period meaning that I would have made visits randomly throughout the week during business hours.

The lack of Jill Millspaugh being on site was made more troubling by an incident which occurred on 02/04/2018. During this incident a client and a staff member were engaged in a physical altercation which was serious enough to warrant another client to attempt to stop the fight by spraying both parties with a garden hose. When I responded to investigate the call and asked a female staff member whether the client who attacked the staff member would be banned, the female staff member advised me that she was unsure whether the individual would be banned, and then solicited my input as to how long I thought the ban should exist. This concerned me since I would have assumed that Hospitality House administration would have been notified and an immediate decision would have been made.

The following section of this report addresses issues brought forth during a recent citizen complaint regarding the Hospitality House. This section addresses certain issues put forth during that complaint and provides suggestions as to how to address them.

### **Physical altercations or fighting at the Hospitality House (Special Condition #7)**

#### **- Issue**

- Physical altercations or fights which occur in or around the Hospitality House are obviously disturbing to the neighbors and decrease the level of trust that neighbors have in the Hospitality House. While not all fights are preventable, enacting basic guidelines related to how staff address physical altercations allow law enforcement and the Hospitality House to demonstrate to the public that such behavior by clients or staff is unacceptable.

#### **- Solution**

- Staff should be instructed to pursue a citizen's arrest for 415(1) PC for any individuals participating in a physical altercation on Hospitality House property.
- Individuals engaged in physical violence or threats of physical violence should be banned from Hospitality House and Hospitality Center property for no less than six months.
  - Individuals banned under the above guidelines should be afforded the right to petition the removal of the ban based on presented

evidence that they were not the dominant aggressor in the altercation and that they had made reasonable attempts to avoid the physical altercation.

- Individuals who engage in acts of physical violence or threats of physical violence against staff members should be banned for no less than one year.
  - Individuals banned under the above guidelines should be afforded the right to petition the removal of the ban based on presented evidence that they were not the dominant aggressor in the altercation and that they had made reasonable attempts to avoid the physical altercation.
- Staff members who are determined to be the dominant aggressor in any physical altercation should face similar ban guidelines as those applied to non-staff.
- Staff members who are assaulted or are physically threatened by Hospitality House clients should be strongly encouraged to pursue criminal charges against the suspect.

### **Lack of cameras on the exterior of the building (Special Condition #8)**

#### **- Issue**

- There are no cameras installed on the exterior of the Hospitality House. With the courtyard often being the most populated area of the Hospitality House, lack of cameras overlooking this hinders law enforcement in completing investigations.

#### **- Solution**

- Ideally three additional cameras would be installed at the Hospitality House. One of those cameras should encompass the front of the house including the sidewalk, another of those cameras should be positioned on the northwest corner of the house capturing the courtyard, and the third camera should be positioned on the northeast corner of the house facing west to capture the north walkway along both buildings. This will allow the Hospitality House to identify all individuals entering and leaving their property, while also ensuring adequate surveillance of the use areas.

**Clients loitering at or near the bus stop benches located at the northwest corner of the intersections of E Redwood Avenue and N McPherson Street, and the private parking lot on the southwest corner of the same intersection (Special Condition #7)**

○ Issue

- Multiple reports and complaints related to clients of the Hospitality House loitering at the above identified areas prior to and following dinner service. Citizens report alcohol consumption, controlled substance consumption, and general public disturbances related to said loitering.
- The bus stops identified service multiple passengers requiring seating due to disabilities including servicing the nearby non-profit, Parents and Friends. This prevents the reasonable removal of the benches.
- Officers are unable to identify any municipal or penal code which prevents general loitering at bus stops and are instead forced to look for secondary crimes prior to requesting that individuals vacate the area.
- I was unable to locate any city which has published a municipal code specifically directed towards the issues of loitering at bus stops.

○ Solution

- The Hospitality House should accept names of individuals reported as loitering at the above areas from law enforcement and take appropriate action to counsel and ban repeat offenders. It is typically the same six to eight individuals who loiter at those locations. Ideally, the first time a client is reported to the Hospitality House they would be counseled, with subsequent reports resulting in short-term and later long-term bans. This solution was discussed previously however there has been no suggestion put forth by either law enforcement or MCHC as to how to accept and track client names.
- The issue of individuals loitering in the private parking lot on the southwest corner of the parking lot has been successfully

addressed by law enforcement obtaining a trespassing letter from the property owner and enforcing that letter.

The above report does not necessarily reflect the views of the Fort Bragg Police Department or the City of Fort Bragg. I am open to any questions or feedback.

Respectfully,

A handwritten signature in black ink, appearing to read "Tom O'Neal", followed by the number "#56". The signature is written in a cursive style.

Officer Thomas N. O'Neal