

# COSTA MESA POLICE DEPARTMENT

## MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: John D. Hensley, Chief of Police

SUBJECT: Response to Request #: R 060704-2  
By Joshua Boyle  
278 E. 16<sup>th</sup> St., Costa Mesa

DATE: June 15, 2004

At a recent City Council meeting, Mr. Joshua Boyle reported that he believed that the Costa Mesa Police Department acting in concert with allied law enforcement agencies, harassed and intimidated peaceful activists. Therefore, the following information is provided for your information and consideration.

On May 16, 2004, an allied law enforcement agency called our attention to a blue Isuzu Trooper, indicating that the vehicle occupants were suspected of involvement in suspicious and or criminal activity. The responding officer spotted the vehicle near Bristol and Baker and noticed that the driver was not wearing a seatbelt and stopped the vehicle to issue a citation. Another officer and a sergeant assisted on the traffic stop. There were eight individuals in the vehicle, which only had seating for five. Six individuals were not wearing seatbelts.

The female driver was confrontational and all of the occupants appeared to be unusually nervous and uncooperative with officers. The driver was unable or unwilling to locate her driver's license, vehicle registration or proof of insurance. For the safety of all concerned, the officers had all of the occupants exit the vehicle and sit in the shade nearby. The two unidentified males, who were wearing their seatbelts, were allowed to leave the scene on their own. The driver was issued a citation and released. The five individuals who were also in violation of the seat belt law, claimed to be juveniles and did not have identification. These individuals were transported to the police department for processing per department policy. Once their identities were confirmed, they were released to their parents. This process took approximately two and a half hours.

The occupants of the vehicle and arriving acquaintances caused a delay in the investigation because of their uncooperative and confrontational behavior. The driver encouraged the other passengers not to cooperate with the officers. Another delay was caused by the arrival of a second carload of individuals, one of them claiming to be their attorney. These individuals were challenging officers

while they were attempting to identify the vehicle occupants and caused unnecessary delays. This resulted in the need for additional officers to respond to prevent the group from interfering with the officer's duties.

During the traffic stop, the sergeant observed a folded cardboard sign, clearly visible from outside the vehicle with the letters "E.L.F." noted. He recognized this as possibly being the name of a group that is suspected of eco-terrorism through arson and other destructive means.

The Costa Mesa officers involved in this incident did not have knowledge of this group's activity in the City until directed attention was provided by the allied law enforcement agency. From the prospective of the officers involved, they observed California Vehicle Code violations and took appropriate enforcement action.

Finally an unidentified woman, who had not been detained at the traffic stop location, came into the police department and requested a blank citizen complaint form as a result of the aforementioned vehicle stop. She was provided with the necessary paperwork, but has never returned the citizen complaint form as of this date.

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**JOHN D. HENSLEY**  
Chief of Police