



# CALIFORNIA POLICE CHIEF

*Serving as the voice of and resource of choice for California's municipal Police Chiefs*

WINTER 2017



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# CALIFORNIA POLICE CHIEF

Serving as the voice of and resource of choice for California's municipal Police Chiefs

WINTER 2017



## About The California Police Chief

The biannual *California Police Chief* is the only magazine that reaches all of California's municipal chiefs of police with information regarding our members and their agencies. The magazine is designed to inform and inspire our members with articles about their personal and professional successes as well as offer updates and information about the association.

The *California Police Chief* is part of our mission of serving as the voice of and resource of choice for California's municipal Police Chiefs. We appreciate and encourage our members and their agencies to submit articles to be used in future issues of *California Police Chief*, submissions can be sent to Sara Edmonds at [sedmonds@californiapolicechiefs.org](mailto:sedmonds@californiapolicechiefs.org).

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Unity • Resilience • Valor



*As President of the California Police Chiefs Association, I'd like to welcome you to the Winter 2017 Edition of the California Police Chief Magazine.*

Since our last edition, a lot has taken place, but before I get to those updates, I just want to take an opportunity to highlight our incredible staff at the California Police Chiefs Association. Our staff, led by Executive Director Leslie McGill, continues to put the necessary pieces together to ensure that CPCA lives up to our mission statement of *Serving as the Voice of and Resource of Choice for California's Municipal Police Chiefs*. Leslie, Meagan, Sara, Shannon and Jonathan all deserve our appreciation for everything they do for our Association.

This year we had some successes and some defeats relative to legislation. Of course, one of the big topics since the last edition was the issue of immigration. CPCA went neutral on Senate Bill 54 after we were successful in getting the majority of our amendments adopted into the bill. In the end, SB 54 represented more of the status quo than a major change to standard procedures. Also, we fought off pretrial release legislation that would have drastically reformed our bail system and will try to ensure any reforms next year must meet the approval of public safety advocates. However, the tide of political pressure to continue reforming our criminal justice system carried on, with numerous bills being signed into law that further reduces penalties and makes it easier for inmates to be paroled. Looking ahead to an election year, CPCA issued a legislative scorecard to track key votes by members of the Assembly and Senate and intends to make public safety a major issue during the campaign season.

An exciting grassroots initiative, Taking Back Our Community, which started in the San Gabriel Valley area of Los Angeles, is continuing to build support throughout the state. This initiative is providing education to our communities about the impacts of criminal justice reform, such as AB109, Prop 47 and Prop 57. The goal is to prevent further criminal justice reforms that will negatively impact community safety, and to roll-back some of the current reforms that are negatively impacting our communities.

In closing, I would like to take an opportunity to recognize our first responders, not only in the State of California but throughout our nation. We have witnessed amazing acts of bravery, whether it be natural disasters or horrific criminal acts. Time and time again, we have seen our police officers and firefighters put their lives on the line to save members of the community and bring order from chaos. We should all be in awe of these amazing men and woman and the great work and self-sacrifice they demonstrated. It is a constant reminder to all of us how important our first responders are to the safety and security of our communities. I hope you enjoy this edition and I look forward to seeing you all in Long Beach in March for our Annual Training Symposium.

It is an honor and a pleasure to serve the members of the California Police Chiefs Association and I want to thank all of you for your leadership and commitment to public safety for our respective communities.

Sincerely,

A handwritten signature in black ink that reads "Edward Medrano". The signature is written in a cursive, flowing style.

Edward Medrano, President  
*California Police Chiefs Association*

# Membership Update

*Since the last membership update we have had the pleasure of welcoming 32 new chiefs and 45 new associate members. The names and agencies are listed below. Please help us welcome them all!*

## CONGRATULATIONS NEW CHIEFS!

05/14/2017	Tammany Brooks Antioch PD	07/24/2017	Mark Koller Hayward PD	09/24/2017	Roger Moore Redding PD
05/15/2017	Dan Dailey Rio Vista PD	07/28/2017	Randy Fenn Fairfield PD	09/26/2017	Steve Watson Eureka PD
06/01/2017	Stephen Walpole Jr. Scotts Valley PD	08/01/2017	Rudy Alcaraz Fowler PD	09/29/2017	Jeffrey Hoyne Del Rey Oaks PD
06/02/2017	Gregory Allen Morro Bay PD	08/01/2017	Scot Smithee Gilroy PD	10/04/2017	Keith Wise Gonzalez PD
06/02/2017	Kevin Childe Fountain Valley PD	08/01/2017	Andrew Mills Santa Cruz PD	10/09/2017	Marc Taylor West Covina PD
06/12/2017	Luis Soler Woodland PD	08/07/2017	David Hendricks Fullerton PD	10/11/2017	Perry Monita Westmorland PD
06/19/2017	Anthony Miranda Vernon PD	08/11/2017	Daniel Hahn Sacramento PD	11/03/2017	Travis Walker Cathedral City PD
06/20/2017	Ty Henshaw Irwindale PD	08/14/2017	Ron Raman San Pablo PD	11/07/2017	James Conner Sebastopol PD
07/01/2017	Mike Carroll Newark PD	08/15/2017	James Maccoun Roseville PD	11/07/2017	Milt Medeiros Gustine PD
07/03/2017	Bill Whalen El Segundo PD	09/11/2017	Tina Nieto Marina PD	11/07/2017	Alan Sanvictores Monrovia PD
07/15/2017	Phillip Hansen Santa Maria PD	09/13/2017	Jose Garza Parlier PD		

# CONGRATULATIONS NEW ASSOCIATES!

**Olan Armstrong**

Lieutenant, Arvin PD

**Joseph Wade**

Commander, Atherton PD

**Michael Garlock**

Lieutenant, Auburn PD

**James Laughter,**

Lieutenant, Benicia PD

**Marc Coopwood**

Assistant Police Chief, Beverly Hills PD

**Joshua Coe**

Lieutenant, Blythe PD

**Aaron Fate**

Captain, Claremont PD

**James Patton**

Captain, Corona PD

**Johnny Mathis**

Lieutenant, Dos Palos PD

**Stephen Watson**

Captain, Eureka PD

**Daniel Marshall**

Lieutenant, Fairfield PD

**Robert Lenke**

Lieutenant, Fairfield PD

**Jausiah Jacobsen**

Lieutenant, Fairfield PD

**Kevin Carella**

Captain, Fairfield PD

**Charles Gilchrist**

Lieutenant, Fort Bragg PD

**John Siko**

Captain, Fullerton PD

**Thomas DaRe**

Captain, Garden Grove PD

**Mark Fried**

Captain, Inglewood PD

**Sam Gonzalez**

Lieutenant, La Verne PD

**Jeffrey Calvert**

Captain, Laguna Beach PD

**Sean Connolly**

Captain, Los Alamitos PD

**Roberto Filice**

Commander, Marina PD

**Dan Frohlich**

Lieutenant, Mountain View PD

**Chase Haag**

Lieutenant, Napa PD

**Jim Correa**

Captain, Novato PD

**Tony Best**

Captain, Palos Verde Estates

**Eric Reinbold**

Lieutenant, Paradise PD

**Ed Calatayud, III**

Commander, Pasadena PD

**Kelly Evans**

Commander, Pasadena PD

**Cheryl Moody**

Commander, Pasadena PD

**Chris Monahan**

Captain, Piedmont PD

**Steve Albanese**

Captain, Pittsburg PD

**James McElhinney**

Lieutenant, Placentia PD

**Gary Kirby**

Deputy Chief, Redwood City PD

**Larry Gonzalez**

Deputy Chief, Riverside PD

**Chuck Kaye**

Assistant Police Chief, San Diego PD

**Jeff Smith**

Captain, San Luis Obispo PD

**Douglas McGeachy**

Deputy Chief, Santa Ana PD

**Mike Dean**

Lieutenant, Scotts Valley PD

**Phil Gonshak**

Commander, Seal Beach PD

**Steve Bowles**

Commander, Seal Beach PD

**Miguel Pacheco**

Captain, Turlock PD

**Robert Sousa**

Captain, Vernon PD

**William "Jay" Hill**

Captain, Walnut Creek PD

**Derrek Kaff**

Captain, Woodland PD

## In Remembrance



*We would like to take a moment to remember those chiefs who are no longer with us.*

**Robert Bradshaw**  
Concord Police Department

**Robert Chalk**  
Clearlake Police Department

**Robert Feemster**  
Blythe Police Department

**Ray Johnson**  
Inglewood Police Department

**Byron Nelson**  
Azusa Police Department

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**Eugene Harris**  
Chief of Police in San Gabriel, Calif.

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# Recent Ninth Circuit Case Raises Serious Risk Management Concerns Related to Secondary Employment for Law Enforcement Officers

..... By: James Touchstone, General Counsel for California Police Chiefs Association .....

**F**requently, law enforcement executives do not give the issue of secondary employment of agency officers the attention that it deserves. However, secondary employment by agency officers raises significant risk management concerns that should not be ignored. A recent decision by the Ninth Circuit Court of Appeals highlights these concerns.

Specifically, on August 23, 2017, the Court ruled, in *Bracken v. Okura*, that an “off duty” Honolulu Police Department Officer working as a hotel security guard was “acting under color of law” for purposes of 42 U.S.C. section 1983 liability. In conjunction with this holding, the Court determined that the officer was not entitled to qualified immunity for failure to intervene to prevent an assault because he was not working on behalf of the government at the time of the incident.

## **FACTS OF BRACKEN V. OKURA** .....

On New Year’s Eve in 2009, Kyo-ya Hotel and the Resort’s Rumfire Restaurant (“Kyo-ya”) hired Honolulu Police Department (“HPD”) Officer Chung as a special duty officer to provide security for a party that was held at Kyo-ya that night. Officer Chung wore his police uniform for the assignment, but Kyo-ya, not HPD, paid Officer Chung directly for his employment. HPD approved his employment at Kyo-ya. However, HPD’s website made it clear that “HPD officers hired for special duty assignments are off-duty.”

Dillon Bracken (“Bracken”) attended the party at Kyo-ya. While there, Bracken entered the party without the required wrist band. Officer Chung and hotel personnel confronted Bracken. Bracken began video recording them using his cell phone. Hotel personnel had decided to issue a trespass warning to Bracken because he had trespassed pursuant to the hotel’s internal policies. Shortly thereafter, other Kyo-ya security guards allegedly tackled Bracken and assaulted him. Officer Chung was not involved physically in the alleged assault, the phone audio and video show that he was present the entire time.

Bracken subsequently filed suit against the hotel, the hotel security guards and Officer Chung. He brought

claims under state law, as well as Section 1983 claims under the Fourth and Fourteenth Amendments for unlawful seizure, excessive force and failure to intercede against Officer Chung. In response, Officer Chung asserted that he was acting under color of law and that he was entitled to qualified immunity. The District Court agreed, and granted Officer Chung summary judgment on all claims, both on the merits and based on qualified immunity. Bracken thereafter appealed the ruling to the Ninth Circuit.

## **THE NINTH CIRCUIT’S OPINION** .....

The Ninth Circuit vacated the District Court’s judgment. The Court held that a reasonable jury could find that Officer Chung exposed Bracken to harm that he would not otherwise have faced, that this harm was foreseeable and that Officer Chung acted with deliberate indifference in the presence of a known danger that was created, in part, by his conduct.

## **IS QUALIFIED IMMUNITY AVAILABLE TO AN OFF-DUTY OFFICER?** .....

Officer Chung stated that he acted under color of law when he detained Bracken. He also argued that he was entitled to qualified immunity for his actions. The Court initially observed that “state action” or acting under color of law, for Section 1983 purposes is not necessarily co-extensive with state action for which qualified immunity is available. The Court agreed with Officer Chung that he acted under color of state law, for Section 1983 purposes, in preventing Bracken from leaving by invocation of the authority conveyed by his official police uniform and badge. The Court disagreed, however, that this automatically entitled him to qualified immunity. The Court determined that because he used his badge of authority in service of a private, non-governmental goal, qualified immunity was unavailable in this instance.

In making this ruling, the Court indicated that neither the Ninth Circuit nor the Supreme Court had addressed whether the defense of qualified immunity is available to off-duty police officers acting as private security guards.



Moreover, the Court stated, a historical inquiry did not support a finding that the defense was available to off-duty or special duty officers acting as private security guards because immunity was traditionally granted to “public servants and private individuals engaged in public service” when they were “carrying out government responsibilities.”

Additionally, the Court explained that Officer Chung did not show that the policies underpinning qualified immunity warranted invocation of the doctrine. Namely, Officer Chung was not attempting to stop a crime during his encounter with Bracken. Instead, the Court stated, he acted on behalf of the hotel while being paid by the hotel. Thus, the Court concluded that shielding Officer Chung from suit would not advance the policies underlying qualified immunity.

#### **RISK MANAGEMENT CONCERNS ASSOCIATED WITH SECONDARY EMPLOYMENT** .....

The Ninth Circuit has now ruled that law enforcement officers acting as security guards for private entities may be acting under color of law for purposes of federal Section 1983 liability and generally may not be entitled to the potential defense of qualified immunity. This ruling represents the “worst of all worlds,” to use a modification of a popular saying.

California law on this issue is governed, in part, by Penal Code section 70. Section 70, in pertinent part, provides:

“(d)(1) Nothing in this section precludes a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, from engaging in, or being employed in, casual or part-time employment as a private security guard or patrolman by a private employer while off duty from his or her principal employment and outside his or her regular employment as a peace officer, and exercising the powers of a peace officer concurrently with that employment, provided that all of the following are true:

- (A) The peace officer is in his or her police uniform.
- (B) The casual or part-time employment as a private security guard or patrolman is approved by . . . the city council with jurisdiction over the principal employer or by the council’s designee.
- (C) The wearing of uniforms and equipment is approved by the principal employer.

(D) The peace officer is subject to reasonable rules and regulations of the agency for which he or she is a peace officer.

(2) Notwithstanding the above provisions, . . . **Any and all civil and criminal liability arising out of the secondary employment of any peace officer pursuant to this subdivision shall be borne by the officer’s principal employer. The principal employer shall require the secondary employer to enter into an indemnity agreement as a condition of approving casual or part-time employment pursuant to this subdivision.**”

In *Melendez v. City of Los Angeles*, 63 Cal.App.4th 1 (1998), a California Court of Appeal held that the City was not liable for the actions of two off-duty LAPD officers when one of the officers shot a partygoer rendering him a paraplegic. Critical to the Court’s analysis in determining that the City was not liable for the off-duty officers’ actions in *Melendez* was the fact that the requirements of Penal Code section 70, subdivision (d), were not met. Specifically, the off-duty officers were not in uniform and had not received permission from their employer to work as private security guards.

In light of the holding in *Bracken*, pursuant to federal law, and the potential for liability under state law, as enunciated in Penal Code section 70 and its case law progeny, it is critical that law enforcement agencies review their secondary employment policies and engage in prudent risk management assessments to limit liability exposure derivative of secondary employment. These risk management concerns have long been relegated as an afterthought in evaluation of whether or not to permit an agency’s officers to participate in secondary employment. Law enforcement executives are encouraged to consult with their legal advisors to address this area of their policies and procedures to ensure that decisions are made with the best interests of the agency in mind.

.....  
*Information contained in this article is for general use and does not constitute legal advice. This article is not intended to create, and receipt and review of it does not constitute, an attorney-client-relationship with the author. ■*

# Inside Look at CPCA LEGISLATIVE DECISION-MAKING

By Chief Jennifer Tejada,  
Chair of the Law and  
Legislative Committee



At some point, you may have asked yourself, “why the heck did Cal Chiefs take a position on that bill?” Most of our positions make sense; other times it might not be so clear. Last year, CPCA tracked 360 of the 2,980 measures introduced by the state Legislature. Of those we tracked, CPCA directly engaged in supporting, opposing, or amending dozens of bills. The decisions made throughout the year are almost entirely up to the over 30 members of our Law and Legislative Committee, who evaluate policy and track the political movements in the Capitol.

To better help understand how those decisions are made, here’s a little insight into our process.

After the deadline to introduce bills for the year has passed (usually sometime in mid-February), CPCA holds an in-person meeting made up of volunteers from the Legislative Committee that are willing to spend an entire day going over hundreds of flagged bills. At that meeting, there are three outcomes for each bill we discuss: *no-brainer for support, of-course-we’d-oppose-that, or let’s discuss further*. A lot of the time, we just shake our heads at the failed logic behind these proposed laws. Bills that need deeper analysis and full review are added to an agenda for the entire Legislative Committee to discuss during one of our bi-monthly conference calls.

Every 2nd and 4th Thursday at 2:00 pm, the Legislative Committee has a conference call. The agenda is set prior to each call, and background information is sent out for each committee member to review. The format of the call is always the same: we get an overview of what’s happening in Sacramento, then review each measure. For the bills, we focus on identifying public safety concerns, being sure not to let personal feelings influence our decisions. Over the years, this approach has cemented our reputation as the leading voice on issues of public safety.

Every vote we take on a position is made by a quorum of committee members, with a majority in favor. Our

Legislative Committee is chaired by myself, with the help of two vice chairs; Chief Eric Nuñez (Los Alamitos) and Chief Dan DeSmidt (Belmont). The current roster of the committee represents the breadth of CPCA’s membership – retired, small agency, large agency, rural, urban, northern, southern, coastal, inland, and even some Seconds-in-Command. Needless to say, our conversations can get lively from time to time, but in the end, we always work to find consensus. More often than not, our decisions are unanimous.

After drafting letters of support/opposition to each measure the committee has voted to weigh in on, CPCA goes to work delivering those throughout the Capitol. As a sign of decency, every oppose letter is dropped off in person. There’s usually a little bemoaning from some offices, but most will have seen it coming. Once a letter is submitted for public circulation, our opposition become formal.

Up and until this point, most positions we’ve taken would make sense, reflecting what’s best for public safety. However, politics has a funny way of ruining things that make sense. As the legislative process begins, priorities emerge and policy shifts. Coalitions are formed and leverage begins to shift the playing field.

The legislative process itself sets a series of hurdles for each measure. First hurdle is a committee hearing to decide if the policy makes sense, then an appropriations hearing to decide if it's worth funding, then a group vote – after that, the bill switches Houses and the process happens again. At each step, there's an opportunity to push for amendments or outright kill the bill. Deciding if and when to negotiate is arguably a more important discussion than taking the initial position. As such, a tremendous amount of calculation goes into these decisions.

There are two main reasons we decide to negotiate on a bill: 1) we agree there's a problem to be addressed, or 2) we realize we can't stop a bill from becoming law. The latter of those two always leads to a tougher decision. Discussions about negotiating a bad bill typically center on whether to take a philosophical stance regardless of the consequences, or try and salvage the best possible outcome to protect the public and make our jobs a little easier.

A perfect example was SB 54, the "Sanctuary State" bill from this year. After gathering intel from every possible source – Governor's office, law enforcement groups, Senate and Assembly, etc. – and evaluating the political context, vote records and draft amendments, it became abundantly clear the potential for the bill to be signed was too high for us not to engage. In this case, since SB 54 was such a high-profile issue, the final decision involved our Executive Committee and entire Board of Directors. Ultimately, we were successful in getting our amendments adopted, and agreed to take a neutral position (despite political pressure on CPCA to support the bill). Without knowledge of that back story, most on the outside couldn't see why CPCA would remove our opposition; but knowing it was a deliberate action taken after hours of conversations, negotiations, and successful compromise that considered all factors involved, sheds light on that decision.

Throughout the year, CPCA sends updates to keep our members informed of our legislative positions, but it's often hard to convey, in short, all the details regarding any specific issue. I hope that by providing insight into our process, you'll at least rest assured that every legislative decision CPCA makes is a thoughtful and calculated effort to do what's best for our members and the communities we are all sworn to protect. To that end, I would be remiss to not acknowledge and thank my vice chairs, committee members, and CPCA staff for their countless hours of work and dedication – it truly makes a difference in the outcomes we face every day. ■



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# MARIJUANA LEGALIZATION Means More, *Not Less*, Training Needed for Officers

By: Leischen Stelter, editor of In Public Safety

*For decades, California has been at the forefront of marijuana legalization. In 1996, it was the first state to legalize medical marijuana. Then, in November 2016, California voters legalized adult recreational use of marijuana by approving Proposition 64, which allows individuals over 21 years of age to possess, cultivate and sell marijuana. There are now eight states, plus the District of Columbia, where recreational marijuana is legal.*

Marijuana remains a Schedule I drug under federal law; however, California lawmakers are aiming to change that too. In September 2017, lawmakers submitted a proposal to the federal government requesting a reclassification of cannabis, which would further lessen the penalties for possession. Proposed legislation on the federal level also calls for removing marijuana from the Controlled Substances Act.

## HOW LEGALIZATION HAS CHANGED MARIJUANA LAW ENFORCEMENT

The legalization of marijuana has put law enforcement in a conflicted position said Keith Graves, who has a master's degree in criminal justice from American Military University and recently retired after 29 years as an officer in the San Francisco Bay area. Graves was the 2016 California Narcotics Officer of the Year and has been a Drug Recognition Expert (DRE) instructor for 25 years.

Another deterrent for drug enforcement is that many district attorneys (DA) aren't prosecuting marijuana

intoxication cases because there's a lack of consensus throughout the state on how to go about it. For example, in cases of driving under the influence (DUI), many DAs want a concrete number. "The per se limit is .08 for an alcohol DUI charge, but for marijuana there's not a per se limit," said Graves. "The case depends on what an officer sees combined with field sobriety tests, but DAs are often scared to prosecute without clear numbers."

Technology doesn't seem to be providing the answers yet, either. While there are some oral swab test kits, they can be unreliable for testing the presence of THC, or more

specifically, impairment from recent use. For example, if someone consumes a THC product without smoking it, they may test negative even though they have taken the drug. In addition, marijuana metabolizes in a way that stays in the system for a long time, so even if someone tests positive, it's difficult to determine if it was used recently or days ago.

Therefore, the justice system must rely on officers' observations for assessments of intoxication. That's why it's critical, more than ever, for agencies to have highly trained, drug-recognition experts who have the skills and credentials to verify drug intoxication.

## AMENDED DRUG RECOGNITION TRAINING

Agencies have been retooling their drug training programs to certify as many officers as possible. Ideally, all officers would be certified as drug recognition experts (DRE), but that's just not practical, said Graves. DRE



training requires two weeks of training and a recertification every two years. So many agencies are turning to drug abuse recognition (DAR) programs. "DAR training is only three days—it's like DRE-lite," he said.

The intensive DRE program teaches officers a 12-step process to determine when someone is under the influence of a controlled substance (as well as what drug they might be using). This includes gauging pupil size, checking reaction to light, and other standard field sobriety tests. Its scope includes checking pulse, blood pressure, temperature, and other biometrics to help officers investigate whether a person is under the influence.

The shorter DAR training teaches seven steps instead of 12 to identify when someone is under the influence. The DAR program does not include the in-depth evaluations like blood pressure, but rather relies on the standard field sobriety tests in addition to the DAR exam to determine intoxication.

Does the DAR training provide enough information for officers to determine intoxication? Graves believes officers

trained in DAR are highly competent at identifying and determining intoxication, especially when it comes to marijuana. For one thing, the marijuana being consumed these days is so potent that it's easier than ever for officers to spot someone under the influence. "When I first started in 1988, the THC in marijuana was about 1.3 percent. Now you can find marijuana bud that's 30 percent and extracts, like hash oil, that's more like 50 or 90 percent THC," he said. "If you're smoking weed that powerful, the signs and symptoms of intoxication are exponentially more pronounced."

As legalization leads to increased drug use in public spaces, officers are encountering intoxicated individuals on a regular basis and gaining more experience identifying signs of impairment. "During my 29-year career, I've never seen as much marijuana on the streets as I've seen in the last few years," Graves said. "Now, more than ever, we need to train officers in drug influence recognition so we can try to get drug prosecutions." ■

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# California Data Sharing: *What's Next?*

California is trailing behind other states with advancement into a more efficient and cost-effective method of data sharing. It is time to take a step back and regroup with our collective goal to reduce the dependency on private vendors with their associated high costs and annual fees.

The California Statewide Data Sharing Task Force, led by co-chairs Chief John Carli of the Vacaville Police Department and Stanislaus County Sheriff Adam Christianson, has formed a subcommittee to create recommendations to assist all California agencies with an effective statewide plan to share our records, incidents, jail and other law enforcement data, with the goal of reducing the high cost of relying solely on the private industry. The Department of Justice (DOJ) is participating on the subcommittee and has shared that they maintain 16 disparate databases. In the past five or so years, many regions in California have implemented Coplink as part of the original Cal OES Coplink user license purchase, to assist with extracting and interfacing data to their data sharing solution. At inception and with the help of funding from the State, this solution worked well. However, we now find a number of early adopting agencies dropping off of their regional Coplink systems due to the change or updates to computerized databases, and the associated “reconnection” fees that have been quoted by the private vendors.

The Data Sharing Task Force subcommittee believes the most cost effective model to transition toward is for each data sharing region to implement processes and a system that allows participating agencies to become vendor agnostic and own their data. The data warehouse sharing model amongst cities, counties or regions can combine data into one centralized server location and significantly reduce the need for multiple data interfaces into a vendor’s solution. As well, the DOJ is reviewing what opportunities they have to combine their 16 databases into a data warehouse solution to share with us.

## ■ *Upcoming Data Sharing Requirements*

In the next three years, California law enforcement agencies will be required to meet new reporting requirements to include the recent Use of Force Reporting (URSUS), RIPA AB953, and the move from California Uniform Crime Reporting (UCR) to NIBRS (National Incident- Based Reporting System) reporting. Manual data entry and tracking, or computer interfaces become cost prohibitive if each of us are required to extract data and submit individually to the Department of Justice (DOJ) via separate interfaces. The move to a regional data warehouse solution can provide economies of scale and data standardization that will reduce the costs of sharing data to DOJ and other systems.

## ■ *Data Warehouse Model*

Currently in California, the following regions are utilizing the data warehouse model, allowing them to interface with companies like Coplink using one interfaced data point:

- ➔ ARJIS (San Diego with 10 contributing data sources)
- ➔ ARIES (Contra Costa County with 93 data sources combined)
- ➔ Sonoma County (joint powers contract solution)
- ➔ Los Angeles (?? NCRIC is Bay Area)
- ➔ Orange County (ILJAO)
- ➔ San Bernardino County

## ■ *Funding Sources and Cost Sharing*

Stop! If you are currently working on or planning to move forward with sharing data in your region, take a moment to pause and ensure you are thinking about adopting a regional data warehouse methodology. Contact your regional partners to discuss this option. Decide if a data warehouse could provide your stakeholders with savings and flexibility moving forward. SHSGP, COPS and JAG funds are available annually. Begin now to apply for those funds in support of your project.

## ■ *How Can We Help?*

By the end of the year, the subcommittee is working to share with California Law Enforcement agencies generic copies of MOUs or JPAs, and their associated cost sharing models that are currently in use. The use of these documents can be introduced to your region and provide a simple starting point. The subcommittee is also working to distribute a sample data warehouse data schema standard to work toward ensuring our data is as compatible as possible across the state.

For agencies who may utilize a vendor to assist with developing a regional data warehouse, the subcommittee is also drafting a white paper to share best practices for entering into a contract with a vendor. The goal with this document is for California Law Enforcement agencies to hold the same contract standards for all vendors, enabling us to have a stronger negotiation position on what we will and will not accept during the negotiation phase. We are the customer, and it is important for vendors to recognize what California expects when signing up to become a business partner.

## ■ *What's Next?*

Agencies must first select the right people to be at the table for your regional data sharing

committees and sub-committees. Sending staff members who do not understand or do not have the same goals will be counterproductive and only interfere with your implementation goals and timeframe. Assign staff who are your "can-do" progressive and positive employees and can meet timelines to make things happen. For successful implementation you must include IT experts, Support Staff members and Managers from your agencies. Let's work toward a goal of agencies joining a regional data sharing warehouse by the year 2020.

*For additional information, contact one of the above data warehouse groups for technical questions,*

*or*

*Sub-Committee Chair Representative Sandy Maraviov, Support Services Manager for the Citrus Heights Police Department at 916-727-5557, smaraviov@citrusheights.net,*

*or*

*Greg Park, City of Livermore IT Manager 925-371-4913, gpark@cityoflivermore.net ■*

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**- John Maxwell**

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## To give our first responders the network and the tools they need, it's important that states opt-in to **FirstNet.**

**T**wenty-one states and two territories have already opted-in to FirstNet, the first nationwide communications network for first responders. As the number of opt-in states continues to grow, it is imperative that states continue to opt-in to FirstNet so first responders across the nation will all have access to an advanced, interoperable communications network that will help them to better protect themselves and our communities.

During the attacks on September 11, 2001, first responders experienced communications issues that hindered their ability to coordinate a response. The flood of traffic on wireless networks, networks that both the general public and public safety workers share, made it difficult for first responders to communicate with each other and with those in need. Following these

devastating attacks, the 9/11 Commission Report noted the need for an interoperable communications network for first responders. Congress worked to address this need by laying the foundation for FirstNet.

Since the attacks on 9/11, these communications issues have persisted and these issues have become a hot topic of conversation among police officers and other first responders, especially when large-scale emergencies strike. Now, FirstNet is ready to provide a solution to this critical issue facing the public safety community.

Public communication networks can often become overworked and overcrowded with a high volume of calls, texts and data from people across the area attempting to contact loved ones or emergency services. With a significant increase in wireless traffic, wireless networks can quickly become overwhelmed during times of crisis, times when these networks are needed most. This can lead to disruptions in communication between first responders when they are working to save lives, and could potentially lead to a delay in first responders receiving important information in a time of need.





FirstNet will give first responders access to a dedicated, high-speed network that will allow them to send and receive crucial voice, text, data and video information when it is needed, without interruptions from the overwhelming increase in wireless traffic from the general public.

The FirstNet network will be a reliable, interoperable network that will allow for better coordination and communication between multiple agencies and jurisdictions at the local, state and even national level. Additionally, first responder subscribers will have the ability to more efficiently provide needed information to dispatchers during an emergency event.

As a member of law enforcement for 35 years, I have seen firsthand the needs of our first responders. Serving as Police Commissioner of the City of Boston from 2006 to 2013, I experienced the chaos that occurs when a major crisis strikes, as happened during the Boston Marathon bombing.

Following one of Boston's most tragic events, I was tasked with leading my department's response to an event that required immediate and wide-scale action. In

times of need such as that, communication among first responders is crucial to protect as many lives as possible. Unfortunately, cell phone systems in Boston experienced failures during the critical two hours after the attack. That is one of the reasons why I'm so passionate about the FirstNet solution. The FirstNet network is vital to the work of first responders and opting-in is the best choice a state can make for first responders and citizens across the nation.

I know the importance of having the best communication tools available for our first responders to protect and serve our communities. A communications network created specifically with first responders in mind has been needed for many years. The nationwide implementation of FirstNet is a clear path towards fulfilling that need. By opting-in, a state will give its police officers and first responder subscribers access to an advanced communications network that will help them protect and serve more effectively than ever.

Whether to opt-in is a critical decision that several states still face. Opting-in will give first responders a tool that will truly transform public safety communication across the nation. As members of the law enforcement community, we must always work in the best interest of our fellow first responders and those we work to protect and serve. FirstNet will give first responders the extra advantage they need while working to communicate and coordinate with one another during times of crisis. My hope is that states continue to opt-in to the FirstNet network to help first responders save lives and work to better protect themselves and communities across the nation.

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*Ed Davis is the former Police Commissioner of the City of Boston. Davis is a paid adviser to AT&T. ■*

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# GETTING STARTED:

## THE CRITICAL FIRST STEP FOR IMPLEMENTING AN INTELLIGENCE-LED POLICING MODEL

By: Daniel (D.J.) Seals



Compiling many different information sources is key to making intelligence-led policing work. So many times police departments are satisfied and content with the information they currently have. We tend to live in an informational world contained within the four walls of our departments, ignoring outside informational sources. Obviously the most immediate source of information will be your in house records management system which should be used in conjunction with those notebooks your officers keep with them on the road. Those little notebooks very rarely get included in your department's intelligence data, but are very often the most accurate source of direct intelligence involving the daily workings of your community.

Unfortunately, there still seems to be a divide between county Sheriff's departments and municipal Police Departments, floating an ideal of "us and them". This must be broken down in order to compile the next most important data set; that of your neighboring agencies. The criminal element within your jurisdiction does not stop committing crimes because they come to your city/county limits. We all understand that our criminals are also our neighboring agencies criminals. Criminals are irrespective of jurisdictional lines and do not care what color uniform you wear. As a matter of fact, it is in the criminal's best interest to move their criminal escapades around. They know we do not share information as freely as we should. We must combat this by breaking down the informational barriers between departments. By sharing local intelligence, we can finally act as one law enforcement body and not individual agencies.

After you have a grasp and have taken full advantage of all of your local intelligence sources, it is time to... yes

I am going to say it... reach out to your state and federal sources. If we thought the perceived divide between local agencies was wide, then the perceived divide between local agencies and state and federal agencies must be the Grand Canyon. However, since 9/11, state and federal agencies have begun to understand the great impact local intelligence has on national security. Case in point; it was discovered, after the fact, that the terrorists involved in 9/11 drove through the state of Georgia. Not only did they drive through, they were traffic-stopped a number of times. Even though some of the terrorists were already on a national watch list, they were never flagged because so many of our smaller local systems were not directly linked with the national system. Reach out to your state and local agencies, join their intelligence sharing meetings/e-mail servers, and don't just read what they send out - contribute!

Would 9/11 have happened as it was planned had one of those traffic stops flagged the terrorists? Have we really moved on toward sharing intelligence? What steps are you taking? Are they really forward steps, or just "going through the motions"? It is up to you to reach out to all possible intelligence sources, compile them, make that information accessible to your stakeholders and put intelligence-led policing into action! ■

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Read more from this six part series at: [www.motorolasolutions.com/freshideas](http://www.motorolasolutions.com/freshideas) where Daniel Seals will continue to discuss the value of intelligence-led policing and how to get your agency started down the path of more data-driven policing.





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# NEW POLICE TRAINING *incorporates* YOUTH, COMMUNITY CONNECTION

**T**raining programs often conjure images of beige conference rooms, stale coffee and lengthy lectures. But a new interactive program provides an opportunity for law enforcement officers to engage directly with the communities they serve.

A multi-year initiative of Fight Crime: Invest in Kids' new Police Training Institute (PTI), "CYCLE: Connecting Youth & Communities with Law Enforcement," is a sixteen-hour training program covering many contemporary issues facing law enforcement today.

What makes the CYCLE curriculum unique is that it was created by law enforcement professionals who also lead the training session. It strategically engages community members, specifically youth, in the process. Doing so helps everyday people understand the challenges that law enforcement officers face on the job and the lengths that they have to go to protect public safety.

"Involving the youth in the process up front allows us to shape the next few days of conversation around what is actually happening in the community. It's also an opportunity for law enforcement and the community to brainstorm solutions and ways to make their city a better place to live,"

said John Shanks, Director of the Police Training Institute. Shanks worked in law enforcement for over 35 years and knows firsthand the benefits of bringing community and law enforcement together.

CYCLE strives to give academy recruits, patrol officers and deputies a fresh perspective on the issues residents are facing while offering a variety of strategies appropriate for managing stressful situations.

The conversation has been honest and emotional. In one session, after a youth participant declared that he "knew how to roll a blunt but never learned how to tie a necktie." Several officers stayed late that night to conduct an impromptu necktie training for the young man and his friends.

At another session, students claimed they were often targeting for "standing around" but if the officers took the time to get to know them, they would realize that the youth have nowhere else to go. Officers on that panel listened thoughtfully and one asked the audience to consider both sides of the story:

*"I'm often responding to a crime in progress with very little information as to what has happened or who I am seeking. If the*



*dispatcher tells me the perp is wearing jeans and a black t-shirt, well, lots of people wear jeans and black tees. I have to proceed with caution because my life — and yours — may be on the line.”*

Another officer shared his personal struggles balancing kindness with doing his job to keep schools safe. He said, “We give youth clothes, food . . . because we want to help them succeed. But one time when I broke up a fight, I was on the ground wrestling one of the students off the other, another student came and kicked me in the eye, fracturing my eye socket, almost ending my career.”

The CYCLE curriculum incorporates group activities, interactive exercises with facilitated discussion on important topics such as adolescent brain development, de-escalation skills, implicit bias and trauma-informed response.

While still quite new, there have been early indicators of success. When surveyed, youth participants reported that the dialogue did change the way they viewed law enforcement in their communities. Officers from all agencies indicated that the experience will be helpful in their daily interactions with youth in the communities they serve.

“In the end, we hope to encourage more positive interactions between officers and young people, and opening up the channels of communications is a good first step in that process,” said Shanks. “The ability to de-escalate personal conflicts and foster positive relationships with the public is perhaps one of the best crime-fighting tools around.”

PTI has presented the CYCLE curriculum in communities across the United States, including four sites in California and is currently wrapping up the second cohort of training. After this round, PTI will conduct an extensive evaluation process to measure both immediate and

long-term outcomes of the program. If you would like to bring the CYCLE training to your department, contact John Shanks at 202-253-4516. ■



# EXECUTIVE LEADERSHIP INSTITUTE HELPS SHAPE FUTURES

*Chief Rob Handy had a vision—Could Cal Chiefs develop an exceptional Executive Leadership Program on the West Coast that would rival East Coast programs? And, what would it take to make it successful?*

Forming a partnership with the Drucker School of Management on the Claremont Graduate University Campus was the key, which the Huntington Beach Police Chief was able to accomplish after two years of informal, then formal, discussions with Claremont Trustees, Drucker deans, CPCA leadership and staff. Combining Drucker professors and law enforcement subject matter experts as instructors, the framework for the course was built. Adding Community stakeholder panels and bringing in an experienced program manager and facilitator—Retired Chief Jackie Gomez-Whiteley—now known fondly as “Mother Drucker,” helped complete the vision.

The result? The California Police Chiefs Executive Leadership Institute (ELI) at Drucker was held July 21-August 4th on the Claremont Graduate University Campus. Thirty students were able to experience a successful, inno-

vative, rigorous, academic and unique executive leadership development program that shared the principles of Peter F. Drucker using a law enforcement perspective. ELI Class 1 participants, from lieutenants to police chiefs, spent 14 successive days together expanding their visions of leadership and developing a leadership project to implement when they returned to their agencies.

Learning topics ranged from Exemplary Policing and Decision-Making Science to Risk Management and Evidence Based Decision making and much more—all designed to expand each student’s leadership abilities and vision. The course evaluations were outstanding, and Class 2 is scheduled for July 14-28, 2018. The \$9,800 tuition covers all instruction, room and board, meals, off-site trips and course materials. Applications are due no later than May 1st and the course is expected to fill early. More information is available on the Cal Chiefs website. ■



*"ELI was outstanding. From the pre-course work, the Life-Line Exercise, to finishing with Leadership Project presentations, I was energized and inspired by academic experts and by the law enforcement leaders sharing the experience with me. ELI courses created an environment where the focus was on personal passion and purpose, and how that defined leadership. My personal ELI takeaways included policing/leading for the best possible result, leadership is what you are doing to change the world to make it better, leadership is strengthening public trust with every contact, every task, every day, and an emphasis on a quote by Dr. Maya Angelou "I've learned that people will forget what you said, people will forget what you did, but people will never forget how you made them feel." ELI made a lasting impression on me and I cannot imagine forgetting how the experience made me feel."*

**— Chief Amy Christey, Pacific Grove**

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*"ELI gave me a unique perspective into leadership, management, and organizational change through business, private sector, and academia lenses. The experience has given me a new-found excitement about making positive changes in myself, my organization, and my community. It was an honor to be a member of the inaugural class of ELI and I highly recommend the program to any law enforcement executive who wants to broaden their perspectives on our noble profession and learn from some of the brightest minds I had the honor of working with."*

**— Lieutenant Jennifer Uyeda, Torrance Police Department**

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*"This course is taught by well-respected members of academia who bring new concepts and innovation to Peter F. Drucker's theories of management and leadership. "*

**— Deputy Chief Matt Madden, Chico Police Department**

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*"In 24 years of law enforcement, I have never attended a more engaging, impactful course. From the instructors and content, to the facilities and design of the course, all aspects of this class were impactful and beneficial for me in my executive, leadership role. I would recommend anyone interested in growing your leadership skills in ways you thought not possible to attend his course. "*

**— Commander David Dickey, Ventura Police Department**

# San Diego Regional Law Enforcement Teddy Bear Drive to Benefit Rady Children's Hospital

By: Chief Jon Froomin, Coronado Police Department



One of the annual charitable events that has mushroomed in size and scope, is the San Diego Regional Law Enforcement Teddy Bear Drive. Nearly 20 law enforcement agencies, at the local, state and federal levels, will participate in the 2017 edition of the drive. Last year 60,000 stuffed animals were delivered to Rady Children's Hospital. The Teddy Bear drive has an Executive Committee comprised of law enforcement and Hospital representatives. This group oversees the major expenses and overall direction of the program. An Operations Committee is comprised of representatives of all involved agencies. The Chairmanship of the Operations Committee rotates annually among the involved departments. The Operations Committee plans and carries out the annual event, while brainstorming new ideas to further serve the children at the regional children's hospital.

The event was founded in 1990 by now-retired Coronado Police Officer Brian Hardy. During an interview with Hardy in 2015, which celebrated his retirement from the Coronado Police Department after a 29-year career, he provided an outline of the origins of the drive. After witnessing a nearly empty toy donation bin at Rady Children's Hospital, Hardy decided to take action. Taking advantage of a 50 percent off sale on teddy bears at a local store, Hardy purchased 12 bears and with the permission of then-Coronado Police Chief Jack Drown, he placed the bears in a police car and delivered them to the hospital, all on Hardy's personal time.

It was a great idea of Brian's after finding a need, to fill the void. The Teddy Bear Drive started small and developed into a regional effort. It now is much more than just stuffed animals for the youthful patients at Rady Children's Hospital. In September 2017, remote controlled, electric ride-on cars for kids were unveiled. The idea is to transport kids from pre-op to surgery, a trip that is stressful







even to adults, in a way the children will see as fun. By using the cars instead of gurneys, the hope is to ease the stress on the kids before they endure the stress of a surgical procedure. In 2016, coloring books that are branded for the Teddy Bear Drive began to be distributed to kids. Gaming carts equipped with electronic gaming consoles for use by the kids have also been funded through the efforts of law enforcement and the Teddy Bear Drive. Also provided are Night-Night carts that are pushed through a couple of the floors with Chapstick, ear plugs, coffee and tea for the families, some books to read and coloring books. To support families whose child passed away at the hospital, bereavement memory boxes are supplied and weighted bears, similar in weight to that of a child are also available to assist in the grieving process. The Teddy Bear Drive funds these supplies that are managed by bereavement counselors at the hospital.

The annual drive to collect new stuffed animals for the patients involves officers engaging local businesses to display collection bins. Local radio and television stations provide advertising for collection events and collect donations from within their organization. In some communities, competitions are organized in local schools and the winning class get a free meal from a sponsoring restaurant. In San Diego County, Chick-Fil-A supplies those class parties.

Although there are a couple of corporate tie-ins with the Teddy Bear Drive, they are low-key. Chick-fil-A Restaurant locations throughout San Diego Country assist by accepting donated bears and rewarding donors with a free meal.

The Teddy Bear Drive has developed a relationship with the San Diego Gulls Hockey Team, which has an interesting component to it. During a home game, fans can participate in a Teddy Bear Toss. Typically, this occurs after the home team scores their first goal. Fans are then encouraged to throw their stuffed animals (in plastics bags) on to the ice. The players, staff and law enforcement collect the bears for delivery to patients.

This and other community outreach events are of importance to law enforcement as a profession and to

the individual departments that participate. While our profession is struggling with its public image, delivering bears to sick and injured children and providing other resources helps to humanizes law enforcement officers. We are human beings; members of the community and we do more than write citations and arrest people. We are also involved in our communities in a variety of ways. These types of programs generate great public interest and collaboration. Officer Brian Hardy's (ret.) long term vision continues to be the expansion of the Teddy Bear Drive concept to other regions that have hospitals that cater primarily to children, especially children with long term medical struggles.

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*For more information about the San Diego Regional Teddy Bear Drive, please contact Chief Jon Froomin 619-522-7355 or [jfroomin@coronado.ca.us](mailto:jfroomin@coronado.ca.us). ■*

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# Hawthorne Police Department Pioneers Successful Community Programs

When was the last time you took a serious look at the value your agency brings to your constituency? Meaningful value. To start, are you meeting “community needs” based upon your ideals or theirs? If funding became scarce, would they fight to keep you as their policing entity? Does your staff apply any focus to this and look to generate “good-will” deposits as they engage the public? These are the foundational questions that Robert Fager posed within his Organization and its then-mission as he entered the Chief’s Office in 2010. As a career-long Hawthorne PD veteran, he already knew these answers. And he feared that the community’s report card would not be a favorable one in some very key value-areas.

Hawthorne, a suburban municipality within Los Angeles County, population of over 90,000, has had its own police department since 1922. Annually running just less than 100 sworn yet shouldering service calls of over 30,000, the Hawthorne Police Department checks every box in the categories of police agencies “trying to do more with less”. With an exceptionally strong policing culture and close-knit internal environment, it was easy for Hawthorne officers to

take routine pride in unheralded police work. The mission ahead was to initiate a paradigm change that would now ask staff to dramatically focus more toward nurturing community-police relationships *while* doing that police work.

So, in 2011, Chief Fager and his command staff embarked upon a retooling of internal structures, leadership roles and most importantly, value-building programs. Officers and supervisors alike were empowered to de-



velop means for civic engagement. They were allowed to take ownership of them. Build inroads with our residents, youth, business owners, before we meet around negative circumstances. Make community deposits.

Chief Fager relates that the products from this unleashing have been nothing short of amazing. “We have reinvented not only our value basis but our work culture. We ask that professional interactions be as important as the high-speed police work that is easily gravitated to. Our employees have constructed phenomenal programs and partnerships with some of the most influential governmental and corporate entities, with people who influence policy, and people who define philanthropy. Possibly as important as anything, we have rekindled the passion and awareness in many as to what this profession actually provides and means to the community.”

The Hawthorne Police Department has paved a new way in developing programs not only benefiting the ‘Haw-

thorne’ mission, but ones that agencies across the country are replicating equally. Make that, across the world! The most prominent, ‘Coffee with a Cop’, highlighted in the White House 2015 Final Report of the President’s Task Force on 21st Century Policing, now has international presence in 16 countries. But it doesn’t end there; here are a few of their highlighted programs:

#### ■ BUILDING TRUST AND COMMUNITY ENGAGEMENT THROUGH ‘COFFEE WITH A COP’

The Hawthorne Police Department launched ‘Coffee with a Cop’ in 2011 after an extensive brainstorming session. They realized that a more personal and engaging way to communicate with the residents of the city was needed. Tired of the traditional “Q & A” Town Hall meeting concepts, Chief Fager tasked the newly created ‘Community Affairs Unit’ with coming up with a way to do it, and a way for cops to make it work. Pioneers, Sergeant Chris



Cognac and Officer John Dixon, took the reins, and *Coffee with a Cop* was born at a local McDonald's. The program focused on creating a neutral space where officers could engage in one-on-one conversations with "no agenda and no speeches." Things usually associated with one-sided police-community meetings.

Early on, the Department program received a substantial grant from the US DOJ C.O.P.S., allowing Hawthorne staff to create and travel around the country teaching the day-long curriculum. The program grew rapidly with measurable successes seen nationally, particularly in communities seeking healing and reestablishing trust post high-profile use of force incidents. *Coffee with a Cop* is now in 16 countries, conducted in four different languages, and is the largest community policing program in the world. This past October 4th, the second annual '*Coffee with a Cop*' National Day was held, with approximately 1,500 events occurring nationally and in four countries.

Community Affairs Unit Lieutenant Robbie Williams captured the importance of trust between law enforcement officers and communities in a recent discussion. "A police officer should be able to ask a community member for a

glass of water and trust the person enough to come back with untainted water," he said. This level of trust can be developed through programs such as *Coffee with a Cop*. <http://coffeewithacop.com/>

#### ■ ENHANCING REAL WORLD MOTORCYCLE DRIVING SKILLS THROUGH 'RIDE TO LIVE'

The Hawthorne Police Department has taken the initiative in providing real world riding skills to their motorcycling communities through their innovative '*Ride to Live*' program. This riding program came about after the department's tragic loss of two of their own – Motor Officer Andrew Garton in 2011, and Motor Sergeant Leonard Luna in 2013, killed in line-of-duty motorcycle crashes.

These losses galvanized the department to re-focus on motorcycle safety, not only for their own but also for the civilian riding community at-large. With motorcycle deaths and injuries on the rise, the department took an approach to help alleviate the problem at a fundamental level, the skill level of the average rider. Short on lecture but long on actual hands-on riding, '*Ride to Live*' markedly improves the basic rider skills of participants.





Utilizing Motor Officers and the fundamentals taught in Motor School, they began with their first class in 2015. Staff provides riders with demonstrations followed by hands on instruction of the skill sets that will keep them out of trouble on the streets. Heavy emphasis is given to learning to master control of their bikes through utilization of "cone patterns." Riders participate in drills that emphasize critical skills such as emergency braking, obstacle avoidance and negotiating curves. The 8-hour course is intense, with almost every rider demonstrating marked improvement by the end of the day. The demand is ever-growing, now being sought by riders and clubs from all over the southern California region. The department just completed its 19th 'Ride to Live' class this past November, with additional free classes already slated for 2018.

<https://ridetolive.com/>

#### ■ EASING TENSION AND INCREASING COMMUNICATION WITH SCOTTIE, THE FACILITY DOG

According to Sergeant Chris Cognac, the Hawthorne Police Department has also started taking up non-traditional police roles with the help of Scottie, the department's

facility dog. Scottie is a police canine, but unlike traditional ones, his job is to increase communication within segments of the community, and ease tensions for victims and family members. One of the first of his kind in the country, and led by handler Police Service Officer Lameka Bell, Scottie and Lameka have developed interactive in-roads never seen before in human-centric efforts.

Scottie was trained for three years with *Canine Companions for Independence*® to provide companionship services. He has been trained to empathize with people, providing calm support at times of crisis or need. As a result, Scottie has helped the Hawthorne Police Department to connect with the community, and crime victims, on a more personal level.

Scottie's services came notably into play during an incident's aftermath in 2012. 33-year-old Inglewood resident Filimon Lamas was killed in front of family as he protected them during a home invasion attack. Scottie was brought in at different junctures and at the press conference, comforting family and attendees. Handler Lameka also made home visits with Scottie to aid in the week's following. Today, the department sends Scottie and Lameka out on a





daily basis, meeting with school kids, providing comfort to people experiencing difficulties or recovering from illness, and branding good-will in a completely different, but successful way. <https://hawthornepolice.com/facility-dog>

#### ■ **SAVING MORE LIVES THROUGH THE TACTICAL MEDICINE PROGRAM**

Another inspiring effort of the Hawthorne Police Department is the creation of their tactical medicine program, but with a broader focus. All police officers in California receive rudimentary medical training in the police academy and are able to provide some basic medical care. This training is limited and doesn't lend itself to being emphasized in many departments as year's progress. This leads to officers often losing confidence in providing life-saving care when most needed, surrendering that skill to fire departments.

Command staff, understanding public safety expectations and realizing the need to improve upon officer capabilities, authorized the creation of the HPD TacMed program that could help address such. Chief Fager relates: "Our goal was to bring more medical specialties and emphasis, routinely reserved for tactical team elements, down to the patrol officer in the field. Those officers are really the ones with the greatest likelihood to intervene via CPR or tourniquets, saving a partner or citizen's life."

To accomplish such, Dr. Joe Nakagawa, an Emergency Medicine physician at an area hospital, was approached and commissioned to develop this mission into reality. After experiencing the positive difference he could make in the lives of officers and those they protect, Dr. Joe decided to deepen his involvement in law enforcement. He joined the department, attending and graduating from a Level I police academy. He is now a Police Reserve Officer and a full-time member of the department's SWAT team. Yes, in addition to being a full-time doctor.

Partnered by Lieutenant Eric Lane, the department's Special Operations Bureau and SWAT Commander, they have created a law enforcement curriculum modeled after the military's 'Tactical Combat Causality Care (T-CCC)' course in order to teach staff fast and easy lifesaving skills that can be utilized immediately, with minimal skills required. The Chief of Police additionally authorized ten Hawthorne officers to be trained and serve as both E.M.T.'s and as Pre-Hospital Trauma Life Support initiators, in order to assist with the course instruction. In support, the department's patrol vehicles are equipped with essential medical kits plus defibrillators that officers can deploy to save lives. Through this program, officers gain confidence in providing care. Agency "cultures" change. Officers no longer need to wait for EMS to arrive. Officers now respond to medical emergency service calls with the security of proper training and equipment to make an immediate difference in someone's life.

Since the inception of the course, the Hawthorne Police Department has trained over 1000 police officers statewide, representing over 50 agencies. Numerous agencies have then reported back, expounding the newfound confidence and training put to use, saving real lives. The most recent success stories arose in the aftermath of the "Harvest Music Festival" tragedy in Las Vegas, many attendees made up of a Los Angeles and California-based off-duty police staff. Equal successes have been enjoyed within Hawthorne Police operations. Just over the last four years, 11 Hawthorne officers have received the South Bay Medal of Valor 'Life Saving Award' commendation, not counting the dozens of internal recognition recipients, for their lifesaving field interventions. <https://www.tacmedhpd.org/>



## ■ INSPIRING AND ENGAGING THE COMMUNITY'S YOUTH

Realizing the value of inspiration and positive interactions for children and teenagers, the Hawthorne Police Department has also taken the initiative to engage with the community's youth. The Chief provides full support to his staff in creating safe spaces for the youth to interact with law enforcement officers.

Community Affairs Unit staff has converted unused tennis courts into 'Futsal' fields. They started an ice hockey and mentoring program for young girls of color called the 'Power Project', as well as a boys program called the 'Hawthorne Force'. One of the most successful community programs newly created by the department is the police-youth Futsal games, held every Thursday. Police officers and teens team up to play, and establish trust and communication, and build friendships.

These program draws in 40-50 teenagers every week. As a result of the relationships formed through the initiative, many kids have expressed their desire to become police explorers themselves. Community Affairs Unit staff has partnered with Chevrolet FC and the MLS Soccer Team *Los Angeles Galaxy*, each providing unique branding and support to further boost the impact of the youth engagement program.

It's important to note that all of these programs require proper financial backup, which the department can regularly struggle with. Despite such, they have been able to pull through due to the adoption by grant-funding sources, as well as the generosity of key corporate partners and private donors. The futsal program, for instance, runs on corporate sponsorships. The *Ride to Live* program is partially sup-

ported through the California Office of Traffic Safety, and the *Power Project* and *Hawthorne Force* hockey programs are sustained via private donations, fund-raising, and equipment grants through the National Hockey League Players Association (NHLPA), NHL *Los Angeles Kings Care Foundation*, and the Gretzky Foundation. Chief Fager emphasizes that these unique relationships can only be built and maintained by trusted staff members who undertake their missions absent of ego, but with organizational and civic betterment forefront. <https://hawthornepolice.com/community-engagement-through-nontraditional-sports>

## ■ CLOSING

These community programs and initiatives are possible and successful due to the dedicated and enthusiastic efforts of the department's staff. Supported by Captains Michael Ishii and Julian Catano, the Chief and his staff work to maintain a unified mission and personal care for the men and women of their agency. The Chief's trust in his staff and support for their initiatives play a major role as to the successes and the investment-return gained by the Hawthorne community. As he relates, "Few things will give a leader a stronger sense of pride than seeing staff achievements created by their own hands, their own drive, and not by anyone's own demand. Equally, it refuels everyone's reasons as to why they got into this profession, and it betters your public safety product the community expects."

<https://hawthornepolice.com/> ■

# NALOXONE-FROM CONCEPT TO DELIVERY-POSITIVE COMMUNITY POLICING PARTNERSHIP

By: Commander Rory Lakind, Pacific Grove PD

Pacific Grove is a small oceanside community located in Central California, and is well known for its amazing views and for being known as the “last hometown”. Earlier this year, April or May, the Pacific Grove Police Department was notified that a business owner and some local residents were interested in implementing a needle exchange program at a local pharmacy located in the business district in the heart of the city.

Members from the police department, including the Police Chief, immediately reached out to stakeholders to learn more about the probable implementation of a needle exchange program. Department members met with pharmacy staff, the business owner, and a local physician, who are all committed to public health. During their discussions, a myriad of challenges were vetted and probable solutions were vetted as well. Pharmacy staff, and the local physician, conveyed that the rise in intravenous transmitted diseases, attributed to multiple uses of intravenous needles, as well as, discarded needles left in public places caused their interest for a program where a one-for-one needle exchange would occur.

Unlike other programs on the Central Coast which are situated in industrial settings, the proposed facility is located across from a neighborhood park, near churches, homes, and schools. After a robust and thorough discussion with County Health Officials, it was determined that this may not be an ideal setting for a needle exchange program.

A partnership of understanding and respect was built up between the Police Chief, members of the command team, and the physician who spearheaded the movement. The community/police partnership contributed to continued dialogue regarding a holistic approach to public health and the safety of department members related to the use of Opioids. Monterey County had previously been working on a protocol for approving police departments to carry Naloxone; commonly known as Narcan, but only one city, Carmel-by-the-Sea, had implemented and was approved to carry the opioid reversal nasal spray.

A shift in the original proposal, a needle exchange program, to officers carrying Naloxone occurred because it expanded the possibilities of improving public safety and public health in Pacific Grove. The Police Department’s Command staff and the physician worked closely together to deliver training for all of the department’s team members, including professional staff. Ultimately physician provided department-wide training regarding the use of Naloxone, and staff fully embraced the implementation of the new program.

Opioid overdose is not as common in Pacific Grove as other parts of the country, and the department already works collaboratively with the fire department and Ambulance Company, both located adjacent to the police department.

Immediately following the training sessions, the physician wrote a prescription and within four days, a box of two doses was stored in every police car. The primary objective was based on Naloxone as an officer safety tool to reverse the symptoms of an accidental opioid exposure, where an officer who accidentally touched or inhaled an opioid compound, would need immediate life-saving intervention.

What happened next? On July 31, 2017, just two days after implementing the program, officers were dispatched to an overdose. Officers arrived quickly and recognized the victim, someone known to them as a frequent opioid user, was unconscious. After speaking briefly with his companion, the officers immediately retrieved the Naloxone and administered the first intranasal dose. That did not reverse the overdose and a second dose was subsequently administered according to training. As soon as the second dose was administered, the victim woke up and within a minute was alert and aware of his surroundings. Just about the time the victim was medically revived, the ambulance squad arrived and took over care of the victim who went to the hospital for continued care. The physician at the emergency room, who had been the catalyst for the implementation of the program, stated that the officers saved this person’s life through their quick and decisive action. That use of Naloxone on July 31, 2017, was the first documented save by a law enforcement agency in Monterey County since the program was enacted.

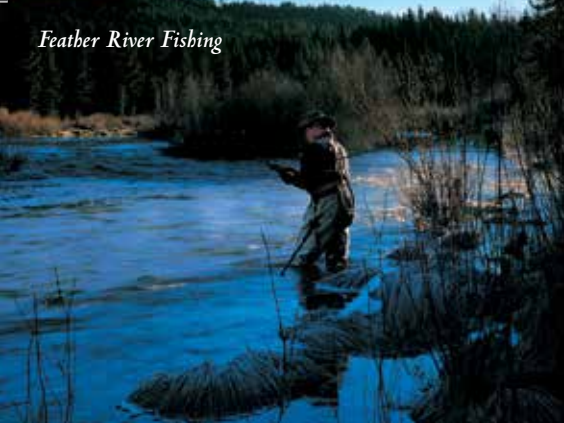
Shortly after, the department leadership team collaborated with Monterey County Emergency Medical Services and secured permission to carry the opioid reversal spray specifically for saving opioid overdose victims. The department hosted continued training that resulted with County EMS funding the lifesaving program for Naloxone to be used by first responders.

On September 6, 2017, the Pacific Grove Police Department honored the two officers that administered the first doses of Naloxone. Both officers received an **Award of Merit** for outstanding performance of duty under unusual or difficult conditions. During the presentation, the department also acknowledged Dr. Casey Grover of the Community Hospital of the Monterey Peninsula, for his leadership and dedication to public health as well as the safety of Monterey County public safety and PGPD team members.

This story was written to exemplify the successful implementation of a lifesaving program through innovative community policing partnerships that provided an opportunity for community stakeholders to achieve a similar goal. The author of this article believes the health and safety of public safety officers and community members have been improved by the strengthening of relationships in and around Pacific Grove, and we look forward to continuing a myriad of partnership in other ways. ■



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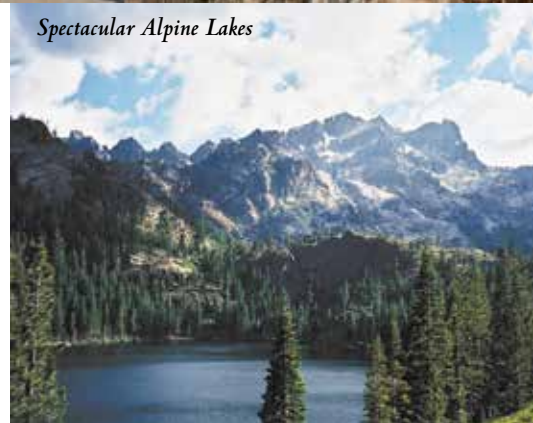
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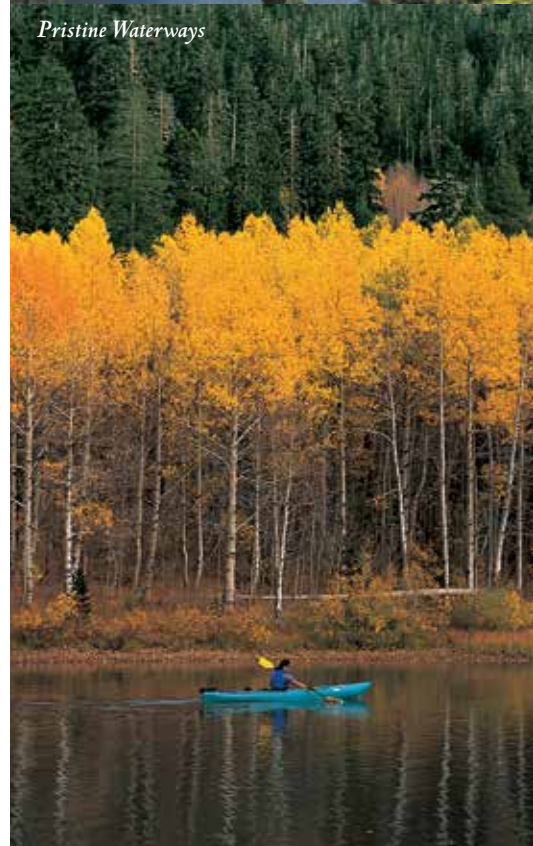
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# A SUMMER OF PROTESTS

By: Captain Jason Kravetz and Police Chief Laura Farinella of the Laguna Beach Police Department



Many reading this article are members of smaller to mid-size Police agencies which serve communities who have their own “busy” times of year. These are times when you find yourselves maximizing resources and calling everyone into action. Sometimes these take the form of local parades, festivals or hometown events.

While our community of 24,000 residents, already entertains 6 million visitors each year, we hunker down during the summer months to maximize resources and serve the needs of everyone. This summer was much different because of a group of protestors calling themselves, “America First” and “Onward America.” Their primary organizer selected Laguna Beach as his First Amendment protest platform because we were the site of the Orange County Democratic Headquarters and Hillary Clinton did a fundraiser here.

Their monthly protests gained attention from the alt-right groups and white supremacists. What originally attracted 50 people ended up with a crowd of 3,000 on Sunday August 20th.

## THE BEGINNING:

The first protest in May almost went unnoticed. The Watch Commander happened to be driving down the street and noticed a small group of white supremacist looking people marching with American Flags. They were coming from Main Beach and appeared to be holding signs supporting various causes (“build the wall,” “illegal immigration,” “support the President”).

We spoke to some of the participants and discovered they had an active Facebook, Instagram and Twitter feed with future events planned in Huntington Beach and Laguna Beach. (One of these events ended violently at Huntington State Beach and made its rounds on social media.)

Each time the group came to town, we noticed they were attracting more participants. Their largest protest attracted nearly 100 people and was staffed by 15 Laguna Beach Officers. Fortunately, there were no counter-protestors except for the random person walking by to express their displeasure.

## AUGUST 20TH PROTEST:

The America’s First people had a protest scheduled on Main Beach for Sunday August 27, 2017. Since we knew in advance, we began writing our Incident Action Plan and notified all 52 Laguna Beach Officers that they would be working.

After the violence in Charlottesville on August 12th, and the Barcelona terrorist car attack on August 17th, the protest organizers moved up their protest date to August 20th in order to capitalize on the negative energy.

We immediately contacted all our local law enforcement partners in the region and ensured that we had at least 150 officers available to us. Unfortunately, it wasn’t enough! Within 30 minutes of arriving and deploying, we called in reinforcements and received another 100 officers. We were outnumbered by the amount of counter-protestors who showed up from several other counties and states.

In total, three hundred officers and several horses held the protest line for many hours until the sun set and it became time to call an unlawful assembly and clear the beaches, boardwalk, sidewalks and streets.

When the evening ended, we were pleased that no property was damaged and there were only a few protestor related injuries. Altogether, four people were arrested.

### PRE AND POST PLANNING:

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Here is a list of things we did to get ready for the planned protest, followed by a list of our lessons learned and things we would do differently.

- Extensive research into the America First and their protest organizer.
- Monitored counter-protest groups and learned about their tactics (Antifa, Democratic Socialists).
- Reached out to both sides and had meetings with their "leadership" prior to the event. We went through our laws and explained what we would, and would not, tolerate.
- Contacted all Orange County law enforcement agencies and initiated a mutual aid request.
- Had bomb dogs sweep the area. We located several hidden weapons prior to the event.
- Held mobile field force training the morning of the protest.
- Briefed, educated and fed everyone.
- Used horses as a tool to separate the groups.
- Made sure the squad leaders were aware that WE directed time, place and manner. While the protest was legal, the Police Department dictated where the groups would express their First Amendment Rights.
- Several other law enforcement representatives wanted to come and watch because of upcoming protests in their area. We made sure that all officers came in full uniform regardless of rank. (We felt these people would be put to work if needed.)

About six hours into the protest, we had 3,000 people on our beach. Some had swastikas tattooed on their foreheads and some were tourists walking through the area with their kids.

The scene became tense when the sun set and it became dark. The news media began doing their evening live shots and the crowd was jockeying for position. They began pushing on the officers and horses. This caused us to call an unlawful assembly and we cleared the beaches while also doing our best to keep the groups apart.

### LEARNING LESSONS:

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- Our resources were immediately drained. We deployed for the 6pm protest three hours early and were already outnumbered. We should have had people on scene much earlier.
- Too many hovering news helicopters made it hard



for the two police helicopters to do their work. We should have cleared the airspace earlier.

- The groups got too close. While we deployed K-Rail in advance to help keep them off the streets, we should have also used it between the two groups.
- Most of the Laguna Officers were already tired from a protest the day before where several hundred residents rallied against the white supremacists groups.
- We opened our Department Operations Center which also has the ability to monitor all of our fixed cameras around the community. (We also deployed other cameras to focus on the event.) In hindsight, the event was large enough that we should have moved to the Emergency Operations Center.
- Too many weapons appeared on the beach that day (chains, flags attached to steel poles, etc.). Shortly afterwards, we went to the City Council and passed an emergency ordinance making it illegal to bring anything which could reasonably be construed as a weapon to a rally or protest.

These alt-left and alt-right protests are becoming the new norm in America. While we hope you don't have to plan for something like this, know that you cannot successfully get the job done without having good intelligence and partnerships with the neighboring law enforcement agencies in your area. ■



# Meet Your Neighbors Initiative

By Captain Wendell Shirley, Santa Monica Police Department



The City of Santa Monica, an 8.3 square mile beachfront city of 94,000 residents, is bordered on three sides by the city of Los Angeles. In the effort to increase community safety, the Santa Monica Police Department continues to recognize the importance and value in simply knowing one's neighbors. In today's busy digital world of Facebook, Twitter and a host of other online social media platforms, the likelihood that the average resident knows their neighbor continues to dwindle. At times, the more digitally connected, the more disconnected from the real world we become.

In October of 2016, the Santa Monica Police Department (SMPD) participated in National Coffee with a Cop Day. The event provided an opportunity for officers to interact with the community in a common space over a cup of coffee. This practice promoted a positive environment in which community members had an opportunity to not only ask questions,

but to also get to know the men and women who work for their local law enforcement agency. After a series of events, the Department looked to take this idea one step further and in January of 2017, SMPD challenged our Santa Monica community to host their own community based events – in essence their own 'Coffee with a Neighbor' event.



Getting to know the men and women sworn to protect the community is very beneficial, but getting to know your neighbors that live on the same block as you is just as important. To maintain the quality of life that we enjoy in Santa Monica, we must all work together and do our part in keeping our communities safe. As an example, Mr. Johnson next door helps his neighbors and the police department by acting as the eyes and ears for any suspicious activity in and around the neighborhood. However, what happens when someone reports a suspicious person casing their neighbor's house – and it turns out to be the actual homeowner inspecting their windows for loose screens? Through the Police Department's daily interactions with the community, officers came to the realization that many residents do not know many of their neighbors that live in the area. A few incidents over the last few years highlighted this issue and prompted the Department to take action.

In December of 2016, SMPD's 9-1-1 Communications Center received a call of a burglary in progress. Officers immediately responded to the location ready to protect life and property. Unfortunately, it was later determined that, in fact, there was no foul play, but the suspected intruder was the person who actually lived in the home. In addition to the horde of resources diverted to the call, the homeowner was subjected to the stress and fear of officers showing up in force at their front door! This unfortunate incident could have been avoided if the two neighbors had met prior.

From calls reporting break-ins that pan out to be the homeowner returning from vacation or other cases of mistaken identity, calls such as this can be avoided with a simple hello! SMPD encouraged the Santa Monica community to help strengthen our sense of community, by simply taking the time to introduce themselves to their neighbors. The contest/challenge was posted online. SMPD developed an "engagement kit" with a note from former Chief Jacqueline A. Seabrooks, encouraging residents to host a small get-together on their block. Building on potential commonalities amongst residents, suggestions for events

included, but was not limited to:

- The Magic School Bus – For families with school-age children, accompanying them on their morning stroll and inviting other families to join along could potentially lead to weekend bounce house fun and after-school playdates.
- (Wo) Man's Best Friend – Everyone with a pet knows that sometimes they are the friendliest members of the family. Letting these four-legged companions break the ice seemed simple enough. Meeting community members along an evening walk- cleaning up any messes along the way, was a fun and engaging way to meet others in the area. These suggestions were just a few of the ideas included in the Community Engagement Kit.

Block party invitation designs were also provided to make it easier to take the leap and invite others to join along. To further incentivize participation, all registered events would be eligible for a drawing to win a free block party hosted by the Chief and the men and women of the Santa Monica Police Department!

In July, a random registration was pulled from a hat. Our lucky winner was a resident in the Mid-City area. While the winner took the time to meet the family across the street and the neighbors next door, she was unfamiliar with those that lived in a multi-family complex at the end of the block. SMPD aimed to change that and bring the single-family owners and the multifamily residents together. On a warm Thursday evening in September, SMPD hosted a block party with music, food, and fun to highlight the program and award the entire block for taking the time to get to know each other.

The intent of the Meet Your Neighbor Program is also to help revitalize the SMPD Neighborhood Watch Program – with the ultimate goal of making our communities an even safer place to live. These types of small events, can lead to long lasting friendships.

SMPD intends to offer the contest/challenge twice a year! ■

# California Pension Convention



★ ★ ★ ★ NOW IS THE TIME FOR ★ ★ ★ ★

## *A Great Pension Convention*

By: Captain Steven Gorski, Walnut Creek Police Department

Our country's Constitutional Convention began on May 25th, 1787 in Philadelphia. The Convention had the rather simple goal: to revise the imperfect Articles of Confederation. In truth, many of the attendees wanted to exceed that mandate and create an entirely new government. For almost four months, those with competing interests argued back and forth until they created the most remarkable governing document in history - the United States Constitution. The key to the Convention's success was compromise and the inclusion of dissenting voices.

Most of you reading this will receive a pension from the California Public Employees' Retirement System (CalPERS) when you retire. Most of you are also Chiefs or command level officers in your organization. These are not necessarily competing interests, but they do allow you to view

the pension debate from varying perspectives. This makes you uniquely qualified to explore remedies to the current sad state of affairs. The battle lines go something like this; public sector unions and Democrat legislators on one side; and pension critics, mainly Republican legislators, and



taxpayer groups on the other. Both sides have engaged in some Machiavellian behavior since things starting getting ugly toward the latter part of the recession. The one attempt at compromise, if it can be called that, was the California Public Employees' Pension Reform Act (PEPRA). Unfortunately, significant reductions to the benefits of some employees, and the absence of immediate savings, left both sides unsatisfied. It is time for a better path forward, one that embodies what our founders finally saw as necessary – constructive compromise.

Cal Chief's and our allied law enforcement partners have an opportunity to lead the way toward a more sustainable and attractive pension system. Justifying such action is easy. If you are a Chief, chances are you were summoned to at least one meeting within the past year that went something like this: a Finance Director convened department heads to explain the devastating impacts increased CalPERS contributions were going to have on your city's finances. A menu of unpleasant choices followed. Given contribution rates are set to continue increasing for years to come, anyone ignoring these conversations does so at their peril. CalPERS report titled 2016 Annual Review of Funding Levels and Risks provided the basis for this unsurprising surprise—CalPERS Public Employees' Retirement Fund remains woefully underfunded at only 68% and it's time to pay up (the current bull market should propel this figure solidly into the 70's by 2018). Fiscally sound cities have a few options, like using surplus funds to pay down a portion of the PERS liability or setting up irrevocable trusts to pay down liability in future years as needed. Municipalities without surpluses are facing more immediate cuts to services as increased contribution rates eat into general funds.

For the past decade, pension critics have made some outrageous doom and gloom claims. Most never came to pass but their underlying arguments have been proven correct. Many benefits (like spiking) were overly generous, and assumed return rates have been too optimistic. Two additional underreported factors are also at play. The first is the maturing nature of pension funds like CalPERS. Not unlike Social Security, our pension systems have fewer young workers to pay for the benefits of a larger and longer-living, retiree pool.

The second factor involves legislation that compels CalPERS fund managers to divest from various industries and causes. The bills that make it to law have had a significant impact on revenue for CalPERS - to the tune of eight billion dollars by some estimates. In a news release

last year, CalPERS Board Vice President and Investment Committee Chair Henry Jones said "Divestment as an investment strategy presents a challenging conflict for CalPERS, as it often pits social responsibility against our fiduciary duty as outlined in the California Constitution". Cal Chief's, labor groups and taxpayer organizations have been skeptical of these often well intentioned efforts.

So why shouldn't the status quo continue? For starters, recruiting is more challenging than ever. Anecdotal evidence points to waning interest in law enforcement as a career choice. For many agencies, the short term fix is hiring lateral officers. After PEPRA, officers are less likely to apply to new departments if the retirement formula is disadvantageous. This has dried up pools of lateral "classic formula" officers. We now compete against agencies with identical or inferior retirement formulas for a shrinking pool of lateral applicants.

Second, we have a different entry-level employee today. Without resorting to the overused cliché of millennials lacking loyalty, let's simply say we can no longer count on new officers to remain at one organization for 30 years. Defined benefit pensions remain attractive but the number of factors at play for new officers has become a game changer. A multitude of pension formulas, the financial health of individual cities, case law, legislation, and changing public attitudes have created a level of uncertainly unheard of until now. Vastly underfunded pension systems in places like Illinois are viewed as dying canaries in the coalmine by younger workers. Put yourself in the shoes of a new PEPRA officer. Can you, or any financial advisor, tell them what the pension system is going to look like in 2047? The attraction of a portable 401k type plan is understandable. Being highly mobile appeals to younger officers, and they may want a retirement fund they can take with them if they switch careers.

A set of reforms and legislation leading to a hybrid pension system could have many benefits. Three retirement options should be considered for new, and possibly existing, employees. They are:

1. The current defined benefit pension system such as CalPERS formulas 3@50, 3@55 or 2.7@57
2. A risk managed defined contribution plan where employers contribute to employee accounts managed by CalPERS
3. A hybrid plan of both defined contributions by the employer and a lower defined benefit

This is not the first time a defined benefit / defined contribution hybrid plan has been proposed in California.



In 2009, Orange County supervisors and labor groups developed a hybrid plan option for employees but were stymied by IRS hurdles. In 2011, Governor Brown proposed a hybrid plan for newly hired state employees not in a “safety” classification. His plan, however, was left out of the final PEPPA reforms. Currently, California Senate Bill 32 proposes a hybrid system amongst other pension reform measures.

Senator John Moorlach, a Republican from Orange County and author of SB 32, has been a vocal critic of defined benefit pension plans. During a phone interview, he told me about discussions he had with CalPERS CEO Marcie Frost, telling her, “You’re in the pension business, not the defined benefit business”. Senator Moorlach is withholding SB 32 until the California Supreme Court decides the fate of the “California Rule” (earned benefits can’t be reduced) in 2018. He has also introduced Senate Constitutional Amendment 8, which would allow future benefit formulas of existing employees to be lowered. Despite introducing a litany of reforms in SB 32, also known as PEPPA II, the Senator seems to realize a more collaborative approach may be the best way forward on complex issues like a hybrid system.

Stabilizing finances is the primary motivator for city leaders and chiefs when the potential for significant cuts loom. Reform could also benefit chiefs by increasing employee satisfaction and making it easier to recruit. Those in a defined contribution plan may also be less likely to retire for financial reasons if their contributions continue compounding past age 50, 55 or 57.

Labor, which must recognize the changing needs and desires of younger workers, would need assurances existing employees could opt out of any changes. Future employees should have the option to choose a defined benefit plan, a defined contribution plan or a hybrid of the two. Deciding to opt in or not and specifics on contributions should still be negotiated at the bargaining table.

For the taxpayer, any move away from defined benefits would be a win. The shift of longevity risk and investment risk from employer to employee is the primary benefit. The stabilization and long-term savings would help compensate taxpayers for the potential of increased contributions to employee plans in the early years of any defined contribution or hybrid programs.

With competing interests at play, any path forward would require representation from the following groups:

- CalPERS
- League of California Cities
- California Association of Public Retirement Systems
- PORAC
- CPOA
- Labor representing a 1937 Act county
- Cal Chief’s
- California Taxpayers Association
- Chair of the Senate’s Public Employment and Retirement Committee
- Governor Brown’s Office
- The offices of Senators Harris and Feinstein

There would be many challenges to any such reform. By design, CalPERS is a big ship with a small rudder and change does not come quickly. Interpreting the 1276 pages of *California Public Employees’ Retirement Law* will assuredly lead to disagreements. Narrowing the scope of initial talks to CalPERS safety employees would help keep the discussions focused. Follow-up deliberations regarding 1937 Act systems and non-safety bargaining groups could follow if initial discussions bear fruit. Critically, the issue of IRS rules, specifically IRS revenue ruling 2006-43, pertaining to opt-outs of current pension systems in favor of a less expensive hybrid plan, must be addressed. Forcing changes on existing employees or adding too many untenable goals would be understandable poison pills in any reform discussions.

Rising pension contribution rates and the *Marin Association of Public Employees v. Marin County Employees’ Retirement Association*, 2 Cal. App. 5th 674 appeal will keep this issue in the headlines for years to come. The status quo of one-sided legislation, lawsuits, ballot initiatives and counter-initiatives is costly and divisive. Now is the time to lay a more robust foundation for those who will lead the police departments of tomorrow. Perhaps a great California pension convention, focusing on compromise and interest-based bargaining, is the first step toward achieving this goal. Following the example of the Founding Fathers, we should encourage all parties to put old animosities aside and work toward the common good. California’s Police Chiefs are well positioned to advocate for this better path forward. ■

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*Steve Gorski is a Captain with the Walnut Creek Police Department. He is a member of the Law and Legislative Committee.*



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## WOMEN LEADERS IN LAW ENFORCEMENT:

Unity ★ Resilience ★ Valor

Over eight hundred women and men, of all rank and level, gathered in Monterey November 5-7, 2017 for the Women Leaders in Law Enforcement Training Symposium (WLLE). The attendees came to learn, be inspired and to network. This year's symposium theme, *Unity, Resilience and Valor*, was reemphasized by speakers such as Retired Naval Captain Charlie Plumb, Detective Kim Bogucki, Retired Officer Julie Werhnyak and Chief Deanna Cantrell. The high-level training this year featured presentations on leadership, critical incident survival, and promotional opportunities for law enforcement, as well as many other exciting topics. *"This conference was outstanding; the workshops and panels were inspiring. Thank you CPCA for hosting what some are saying was the best training they've ever attended."* Chief Amy Christey, Pacific Grove Police Department.

The idea of bringing women together to exchange ideas, training, struggles and triumphs began in 1987. Two women, Los Gatos Police Captain Alana Forrest and Menlo Park Police Commander Lacey Burt, met in a restaurant with 20 other female law enforcement professionals to discuss how to help each other in their profession. In 2006, the California Police Chiefs Association took the event statewide. WLLE is much more than a "conference for women", it has grown over the years and hosts over 800 men and women each year. *"The WLLE conference is a wonderful event for both men and women in law enforcement. It's a great opportunity to learn new leadership skills and network with exceptional leaders within our profession. It was an honor and privilege to support our fellow female leaders at the event. I also enjoyed conversing with new and old friends, and learning how they plan on making their departments' more dynamic and progressive in the future."* Lieutenant Chris Wagner, Riverside Police Department.

Lieutenant Maria Munayer from the Pleasanton Police Department was the recipient of this year's Trail Blazer award which is presented annually to a woman working in law enforcement (sworn or professional) who has made outstanding contributions to her profession and/or professional organization. *"We place extraordinary value on the critical contributions of women in our profession. The conference also has an energy, cohesiveness, and level of candor that is valuable for all of us in public service. I am glad for an opportunity to be part of what the conference represents."* Chief Richard Lucero, Fremont Police Department.

The Women Leaders in Law Enforcement Training Symposium would not be possible if not for our generous sponsors; American Military University, CAHP Credit Union, U.S. Armor, Union University, Jones & Mayer, Liebert Cassidy Whitmore, Cambridge Financial, Sun Ridge Systems, University of San Diego, Atkinson, Andelson, Loya, Rudd and Romo, Saint Mary's College, CNOA, Bay Area Regional Rapid Transit, ScholarShare 529, San Jose Police Department, Carmel Police Officers Association, Contra Costa County Police Chiefs Association, Los Angeles County Police Chiefs Association, Marin County Police Chiefs Association, Monterey Police Officers Association, Orange County Chiefs of Police and Sheriff Association, San Bernardino Police Chiefs and Sheriff Association, San Diego County Chief's and Sheriff's Association, San Mateo County Police Chiefs and Sheriff Association, Santa Clara County Police Chiefs' Association, and the Seaside Police Officers Association.

A huge thank you to the Region 9 police department's and Monterey County sheriff for hosting this year's WLLE. The 2018 Women Leaders in Law Enforcement Training Symposium planning is already underway! We hope you will join us in Palm Springs October 21-23, 2018. ■



# PINK PATCH PROJECT



Thank you to all of the public safety agencies that participated in the 2017 campaign. We appreciate your support.

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## Cal Chiefs Highlights Strategic Partner and Corporate Circle Members

The Strategic Partner Program was designed to create partnerships with leading organizations whose objectives include the support of the profession and the broader law enforcement community.

Corporate Circle members are listed on THE Corporate Circle link on the website and members are encouraged to visit the link as a reference when they are in the market for police products and services. The link will serve as a centralized resource for agencies that are looking for cutting edge products and services in the law enforcement sector.

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