

CALIFORNIA Sheriff

CALIFORNIA STATE SHERIFFS' ASSOCIATION

Volume 34 ■ Number 3 ■ July 2019



Sheriff Livingston Being Sworn In

***Monterey County Hosts the
California State Sheriffs' Association
125th Annual Conference***

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California Sheriff is the official publication of California State Sheriffs' Association Foundation (CSSAF). Articles or statements of individual authors do not necessarily reflect the views of California State Sheriffs' Association Foundation (CSSAF). Published quarterly, the magazine is designed to keep sheriffs and members informed and aware regarding the association and California law enforcement.

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Association Mission Statement: To support the role of Sheriff as the Chief Law Enforcement Officer in each county and to speak as a collective statewide voice on matters of public safety.

Foundation Mission Statement: To provide education and training services to the 58 Elected Sheriffs of California, their departmental employees and other members of the California State Sheriffs' Association.

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■ SHERIFF DAVID LIVINGSTON
■ CONTRA COSTA COUNTY

I'm also pleased we now have a full executive board with the addition of Tulare County Sheriff Mike Boudreaux as our new Sergeant-at-Arms. Our California State Sheriffs' Association Officers, Board of Directors, and Presidents' Counsel will all be working closely with all our sheriff members to advance public safety in California through legislative advocacy, professional training, and information sharing statewide. We have a busy year ahead but we are well positioned to meet the law enforcement challenges that await us.

We also held another successful "Legislative Day" event in Sacramento. With record attendance by sheriffs and staff, we

Sheriffs, vendors, and guests all enjoyed this year's California State Sheriffs' Association Annual Conference in Monterey. As always, the training was outstanding, the events successful, and the business meetings productive. Thank you to Monterey County Sheriff Steve Bernal and his staff for hosting this successful event and a special thanks to all the CSSA staff who worked so hard as well – especially our Executive Director, Carmen Green. A job well-done by all involved.

met with legislators, reviewed pending legislation, and spent an hour with Governor Newsom discussing public safety issues. He was receptive to our concerns, honest in his views, and willing to keep our collegial dialogue going. We appreciated his and his staff's time and look forward to a strong working relationship.

Last, as National Police Week concluded in May, I thought it might be helpful to reflect on what this ceremony is all about. National Police Week, and the National Peace Officers Memorial Day, (May 15th each year) was established by President Kennedy in 1962. The Memorial Day itself and other events

throughout the week are intended to formally remember peace officers who have died in the line of duty.

In California, ceremonies are held in Sacramento and we are always well represented there to show support for fallen officers' families and remember the over 1,500 officers who have made the ultimate sacrifice in our state since 1850. At a time when many seem to malign and criticize police and sheriffs – often unjustifiably – it is nice to consider that most Americans and Californians value the work we all do and appreciate our continuing commitment to their safety. ★





▪ M. CARMEN GREEN
▪ EXECUTIVE DIRECTOR

The California State Sheriffs' Association (CSSA) would like to thank you for being a member of the California State Sheriffs' Association Foundation (CSSAF)!

The California State Sheriffs' Association Foundation is the subsidiary of the California State Sheriffs' Association. We are the only nonprofit professional law enforcement organization that represents the 58 elected Sheriffs of California.

The Foundation was formed with the purpose of sharing resources, information, and providing assistance to Sheriffs and departmental personnel, thus enabling them to improve the delivery of law enforcement services to the citizens of California.

Your membership assists us in providing continuous education and training services to Sheriff's personnel at various levels & different divisions such as the Seconds-in-Command, Administrative Assistants, Financial Managers, Information Technology, Civil, Correctional and Court divisions, so that they are provided with all the resources and tools to perform their jobs, fight for public safety, and make a difference. In the January edition we have and will continue to provide you with an overview of the trainings held.

Currently, we are offering the "Refer-A-Friend" program. Every existing member who refers a new individual or business to join our organization receives ONE FREE YEAR OF MEMBERSHIP!

This is a great way to save money and it's also a fantastic way to help CSSAF continue its success and growth. **Lifetime Members** who participate will receive a free merchandise item of their choosing (see page 26).

MEMBERSHIP LEVELS

- **STUDENT/RECENT GRAD MEMBERSHIP \$20** - for college students majoring in Criminal Justice and recent college grads.
- **INDIVIDUAL MEMBERSHIP \$35/JOINT MEMBERSHIP \$55** - includes one year membership to CSSAF, membership card, two bumper stickers, and a one-year subscription to this quarterly publication *California Sheriff*.
- **LIFETIME MEMBERSHIP \$325/LIFETIME JOINT MEMBERSHIP \$345** - includes lifetime membership to CSSAF, lifetime member metal license plate holder, membership card, two bumper stickers, name recognition in *California Sheriff* as a lifetime member, and a lifetime subscription to this publication.

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- **GOLD \$250** - This plaque is approximately 9" x 12". Member receives membership credentials including window decals and bumper sticker, quarterly subscription to *California Sheriff*, and privilege of "linking" your web site to calsheriffs.org.
- **PLATINUM \$500** - This plaque is approximately 10" x 14". Member receives membership credentials including window decals and bumper sticker, quarterly subscription to *California Sheriff*; and "partner-link" of your web site to calsheriffs.org.

Each plaque has custom year tabs provided upon annual renewal of your membership.

If you would like to participate, please contact Member Services Coordinator Chelsea Weathers at cweathers@calsheriffs.org or at 800-761-2772.

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▪ **CORY SALZILLO**
▪ **LEGISLATIVE DIRECTOR**

In 2018, Assembly Member Shirley Weber (D – San Diego) introduced AB 931, which would have dramatically changed the situations under which peace officers could lawfully use deadly force. While AB 931 ultimately stalled, it was clear this issue would return to the Legislature. It did so earlier this year in the form of Assembly Member Weber’s AB 392, which limited the circumstances under which a peace officer could use deadly force to situations in which an objectively reasonable peace officer in the same situation would conclude that there was no reasonable alternative to the use of deadly force that would prevent death or serious bodily injury to the peace officer or to another person. This strict definition of necessity contained in early versions of AB 392 would have opened the split-second decisions of peace officers to after-the-fact second-guessing and increased criminal and civil liability.

Though discussions among law enforcement, the Governor, and legislators had been taking place since last fall, stark disagreement about the way to approach the debate remained. After months of law enforcement organizations informing stakeholders about the danger of approving AB 392 as introduced, and prior to a vote on the Assembly Floor, Assembly Member Weber agreed to amendments to AB 392 that deleted the definition of “necessary” when it comes to the use of deadly force, such that the bill would no longer require an officer to conclude that there was no reasonable alternative to the use of deadly force. The amended language modernizes statute while maintaining fidelity to the “objectively reasonable officer” standard enshrined in case law. With new language in place, CSSA, along with nearly all other law enforcement groups, removed its opposition and is now neutral on AB 392, which overwhelmingly passed out of the Assembly. As this bill continues to move through Senate, a companion bill, SB 230, is simultaneously moving forward in the Assembly.

Senate Bill 230, supported by CSSA and most other law enforcement organizations, bolsters law enforcement training and sets specific and comprehensive guidelines for use of force policies. This bill reflects best practices and effective training methods from around the state and

country to give peace officers the tools they need to do their jobs with community and officer safety in mind.

Providing specific and comprehensive direction for agency policies on use of force will guide officer actions toward appropriate de-escalation and minimizing the use of deadly force when possible. Updating California statute will provide clear guidance in conjunction with state and federal case law as to a peace officer’s proper use of force.

Relatedly, CSSA appreciates the Governor’s commitment to law enforcement and supports the Governor’s proposal to increase funding that supports vital peace officer training. Specifically, we support the Administration’s plan to provide \$14.9 million to restore peace officer training funding to historic levels and make ongoing \$20 million in one-time funding provided in the 2018-19 state budget to fund de-escalation, use of force, and mental health crisis training.

Sheriffs believe that ensuring that peace officers are well-trained and ready to face the myriad challenges they encounter on a daily basis contributes to their safety, protects the public, and enhances accountability and community trust. Other public safety related items in the budget approved on June 15 include:

Law enforcement funding like COPS and Rural Sheriffs are fully funded and constitutionally protected and there is more than \$355 million predicted to be available for realignment growth funding for law enforcement services for the budget year.

SUBSTANCE USE DISORDER TREATMENT

To address alcohol and opioid addiction-related issues within the state's incarcerated population, the budget includes \$71.3 million in 2019-20 and \$161.9 million ongoing to implement "an integrated substance use disorder treatment program throughout all 35 CDCR institutions. The proposal includes three main components: (1) the use of medication-assisted treatment (MAT) to treat inmates with opioid and alcohol use disorders; (2) a redesign of the current cognitive behavioral treatment curriculum; and (3) the development and management of inmate treatment plans and substance use disorder-specific pre-release transition planning."

DEPARTMENT OF STATE HOSPITALS - COMPETENCY RESTORATION

Over the past several years, the Department of State Hospitals (DSH) has activated hundreds of new inpatient beds and authorized more than 200 jail-based competency restoration beds to address the backlog of defendants found incompetent to stand trial (IST). The budget includes \$18 million for 74 more beds in jail-based competency treatment programs and \$17 million to complete the expansion of 236 secured forensic beds at Metropolitan State Hospital.

MENTAL HEALTH WORKFORCE INVESTMENT

To help address the increasing need for public mental health practitioners, the budget includes \$50 million to increase training opportunities for workforce programs, to increase the number of providers focused on quality mental health care.

PUBLIC SAFETY POWER SHUTDOWN

The budget includes a one-time investment of \$75 million to "improve resiliency of the state's critical infrastructure in response to investor-owned utility-led Public Safety Power Shutdown (PSPS) actions, and to provide assistance to communities, where appropriate, as specific urgent needs are identified. Investor-owned utilities (IOUs) have signaled their intent to significantly increase the use of PSPS on their energized power lines to prevent wildfires during high wind or other severe weather events. As a result, affected areas may be without power for several hours, days, and in some cases, over a week. Given

the configuration of power grids and limited weather-monitoring capacities, at times, IOUs may be unable to implement PSPS in targeted areas, which could result in larger regional areas being impacted. This item will provide a flexible source of funding to facilitate immediate response to utility initiated power shutdowns. In addition, planning grants to improve local preparedness for IOU-driven PSPS events would be available to the state's Operational Areas' (Counties) Offices of Emergency Management to convene regional stakeholders to discuss PSPS preparedness efforts, update emergency plans for PSPS events, and hold trainings, discussions, and exercises to reinforce planning assumptions."

911 SYSTEM MODERNIZATION

The budget includes \$60 million combined over 2018-19 and 2019-20 to continue implementing improvements to the state's 911 system. Additionally, trailer bill legislation to modernize the 911 SETNA fee structure to provide for a fairer and sustainable source of funding was still pending at the time of this writing. This funding, if approved, will protect the legacy 911 system while providing much-needed, ongoing funding for NextGen 911.

DISASTER PREPAREDNESS PUBLIC EDUCATION CAMPAIGN

The budget includes \$50 million in the current year to begin a "comprehensive, statewide education campaign on disaster preparedness and safety" that will focus on community engagement and public education in high-risk areas with an emphasis on public health and safety and will make local grants available to address local and regional needs.

INTERNET CRIMES AGAINST CHILDREN

Provides \$5 million annually for the next three years to the Internet Crimes Against Children Taskforce.

HUMAN TRAFFICKING AND DOMESTIC VIOLENCE

The budget provides \$10 million ongoing for the Human Trafficking Victim Assistance Program and \$5 million to fund grants for prevention efforts regarding sexual and domestic violence.

In addition to the above, there remain several legislative proposals the CSSA legislative team is engaged with due to their impact on law enforcement and the public's safety. When the Legislature reconvenes from summer recess on August 12, it has five weeks to maneuver hundreds of bills through the fiscal committees of their second house, then on to the floor, and back to their house of origin by September 13.

All bills that are to be considered by the Governor in 2019 must be approved by the legislature by Friday, September 13. The Governor has until Sunday, October 13 to sign or veto the measures that made it to his desk. All bills signed into law by the Governor take effect January 1, 2020 unless otherwise specified by the bill. ☆

Cory Salzillo, CSSA's Legislative Director, is a partner of the firm Warner, Pank, Salzillo & Sanchez, a pre-eminent team of advisors on matters involving state and local government. The firm effectively influences public policy in a broad spectrum of public sector issues.



▪ JIM TOUCHSTONE
▪ GENERAL COUNSEL

ASSEMBLY BILL 748

Disclosure Just Around the Corner

On September 30, 2018 Governor Brown signed into law Assembly Bill 748 (“AB 748”). AB 748 goes into effect on July 1, 2019 and adds language to the California Public Records Act. Specifically, AB 748 adds subdivision (f)(4) to Section 6254 of the California Government Code.

Generally, AB 748 requires that audio or video recordings of “critical incidents” must be disclosed to the public, unless certain exceptions apply. AB 748 defines critical incidents as either “[a]n incident involving the discharge of a firearm at a person by a peace officer or custodial officer” or “[a]n incident in which the use of force by a peace officer or custodial officer against a person resulted in death or in great bodily injury.” As with SB 1421, the term “great bodily injury” is not defined in AB 748.

California Penal Code section 12022.7 states, “[a]s used in this section, ‘great bodily injury’ means a significant or substantial physical injury.” As you have probably concluded, this definition does little to provide guidance to those who are required to comply with the disclosure mandates set forth in AB 748. Case law on the issue provides that “great bodily injury” and “serious bodily injury” are roughly the equivalent of each other.¹ California Criminal Jury Instruction 925 defines as follows: “‘Serious Bodily Injury’- A serious bodily injury means a serious impairment of physical condition. Such an injury may include, but is not limited to: loss of consciousness/ concussion/ bone fracture/ protracted loss or impairment of function of any bodily member or organ/ a wound requiring extensive suturing/ and serious disfigurement.” In short, there are a myriad of sources to draw upon to attempt to determine the scope of your disclosure obligations pursuant to AB 748. Case law will ultimately determine which source is the correct standard.

The exceptions to disclosure set forth in AB 748 provide that a municipality may withhold audio or video files relating to critical incidents for specified periods if disclosure would undermine an active criminal or administrative investigation. Specifically, subdivision (f)(4) (A)(i) states that a recording may be withheld if, “based on the facts and circumstances depicted in the recording, disclosure would substantially

interfere with the investigation, such as by endangering the safety of a witness or a confidential source.” AB 748 additionally requires that an agency must provide, in writing, to the requestor the specific basis for the agency’s determination that disclosure would substantially interfere with the investigation and the estimated date for disclosure. If an agency relies upon this basis for withholding, they can do so for up to one year.

If an agency seeks to withhold disclosure of a recording for longer than one year, the agency must demonstrate by clear and convincing evidence that disclosure would substantially interfere with an investigation. This language begs the question, to whom must the agency demonstrate by clear and convincing evidence that disclosure would substantially interfere with an investigation? Typically, a court would be the only party in a position to make such a determination. This presupposes the filing of a Public Records Act writ proceeding.

AB 748 also provides that an agency may redact a recording if disclosure would violate the reasonable expectation of privacy of the subject depicted in the recording. As provided in the new Government Code section 6254(f)(4)(B)(ii), if an agency determines that redaction will not adequately protect the privacy interests of the subject depicted, the agency may withhold the recording from the public. Notwithstanding this language, AB 748 also states that an agency is required to release to recording, if being withheld on privacy grounds, to the following: the subject of the recording whose privacy is to be protected; the parent or legal guardian of the subject depicted, if the subject is a minor; and to an heir, beneficiary, designated immediate family member, or authorized legal representative, if the subject depicted is deceased.

Ironically, in what appears to be a drafting error in the legislation, AB 748 states in the new Government Code section 6254, subdivision (f)(4)(B)(iii), that if disclosure pursuant to subdivision (f)(4)(B)(ii), as set forth above, would substantially interfere with an active criminal

or administrative investigation, an agency is required to provide, in writing, the specific basis for the determination, “and provide the video or audio recording.” This verbiage obviously makes no sense in context.

AB 748 also states that an agency may provide greater access to video or audio recordings that the “minimum standards” set forth in the bill.

In sum, agencies will shortly be required to release audio and video recordings of critical incidents pursuant to AB 748, in addition to the already existing disclosure requirements set forth SB 1421, which went into effect on January 1, 2019. These two bills have conflicting language concerning time requirements for release of recordings, as

well as conflicting requirements concerning the bases for nondisclosure of such recordings. It is incumbent upon municipalities to seek legal advice and guidance on the release or withholding of such materials. In addition, a municipality may wish to consider providing context for any recording that it determines must be disclosed pursuant to AB 748 or SB 1421, through release of facts and details not necessarily contained in the recording of the underlying critical incident. Such context may be of great assistance to the public in ascertaining the totality of the circumstances surrounding the events depicted in the recording and potentially allay concerns that law enforcement somehow acted inappropriately. ★

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.

James R. Touchstone is a partner with the public sector law firm of Jones & Mayer. He serves as General Counsel to CSSA. Information on www.jones-mayer.com and in this article is for general use and does not constitute legal advice. This information is not intended to create, and receipt of it does not constitute, an attorney-client relationship.

¹ *People v. Hawkins* (1993) 15 Cal. App. 4th 1373.



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27TH ANNUAL LAW ENFORCEMENT LEGISLATIVE SUMMIT – MARCH 12-13, 2019

Alameda County Sheriff's
DEPUTY ANTHONY (TONY) MUNOZ
Receives Bud Hawkins Award



California law enforcement organizations throughout the state attended this year's Annual Law Enforcement Legislative Summit held March 12-13, 2019, in Sacramento. This annual event provides law enforcement from across the state an opportunity to meet and discuss important legislative issues facing public safety, hear from key state leaders and learn how the legislative process works, and continue the effort to move public safety forward in California.

This event is organized by the California Peace Officers' Association, California State Sheriffs' Association, California Police Chiefs Association, California District Attorneys Association, California Narcotic Officers' Association, and the California Highway Patrol.

One of the highlights of the event each year is announcing the recipient of the Bud Hawkins Memorial Law Enforcement Professional Award. Bud Hawkins served a distinguished law enforcement career in California. Beginning in 1936, with the Los Angeles County Department of Forestry, he then worked

for the U.S. Border Patrol and the U. S. Coast Guard Intelligence Unit. He then served nearly 60 years of exceptional service with the California Department of Justice (DOJ), and served as the Special Law Enforcement Liaison to the Attorney General.

Bud founded the California Law Enforcement Telecommunications System (CLETS) Advisory Committee. Under his leadership, CLETS became a national model for the collection and instantaneous dissemination of vital law enforcement information that sworn peace officers rely on each and every day to do their jobs and protect public safety.

It was a very proud moment when the name of Sheriff Deputy Tony Munoz was announced as this year's recipient of the Bud Hawkins award. Tony, who currently works for the Alameda County Sheriff's Office, served for many years with the City of Alameda Police Department, and has been a longtime supporter of Law Enforcement Legislative Day.

What is particularly noteworthy about Tony, however, is the significant role he played in making a major change to California law. In 2012, Gerald Youngberg, the murderer of San Bernardino Sheriff's Lieutenant Al Stewart, CHP Officer Larry Wetterling, and private citizen Robert Jenkins was granted "medical parole" from state prison. Medical parole provides a path to release certain inmates determined to be permanently medically incapacitated. Because medical parole limits what information is available and can be considered, and the severity of Youngberg's crimes, this grant of medical parole resulted in an overwhelming public outcry. Ultimately, CDCR withdrew the medical parole grant.

Tony Munoz took note of the notion that cop killers could get medical parole and determined that it was an ever present prospect. He developed a bill to prohibit cop-killers from being granted medical parole or compassionate release.

The bill was first introduced in 2013, then again in 2014 and 2015, getting a little further in the legislative process each year. Finally, in 2016, the bill reached Governor Brown's desk and was signed into law. The credit for securing adoption of this important legislation is due largely to Tony Munoz. Not only did he see the need for the bill, he testified before virtually every committee on each version of the bill. He also, on his own time, came to the Capitol to speak directly to legislators about the importance of the legislation and, ultimately, Senate Bill 6, was the bill signed into law.

Today, California stands alone in the nation in specifically prohibiting cop-killers from being granted medical parole or compassionate release. The fact that this law is now on the books is certainly attributable to the work of Tony Munoz. CSSA joins with all of our law enforcement partners to commend and congratulate Tony Munoz on this well-deserved award! ✨

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125TH ANNUAL CONFERENCE

MONTEREY 2019



Monterey County Hosts the **California State Sheriffs' Association 125th Annual Conference**

The California State Sheriffs' Association (CSSA) 125th Annual Conference in Monterey County lived up to the expectations of being a fantastic event. Continuing the CSSA's legacy of providing outstanding events and trainings, this Conference offered renowned guest speakers and presenters. Monterey County Sheriff Steve Bernal and staff hosted the Conference at the Monterey Marriott in beautiful Monterey, California.



The Monterey County Sheriff's Office is a three-time host for the CSSA Conference. Guests from all over California were taken on adventures throughout Monterey County that showcased the diversity and magnificence that makes Monterey County a tourist destination, as well as the nation's leader in agriculture. Within the county's 3,281 square miles, guests could find world class restaurants, picturesque foothills and stunning coastlines from Moss Landing to Big Sur.

Pre-Conference activities took place on Monday, April 29th. Attendees were offered Crisis Intervention training by Dr. Shonna Hill and a sheriffs board of directors meeting in the afternoon. The pre-Conference concluded with a Welcome Reception in the Exhibit Hall that served as a great venue and opportunity for all attendees and vendors to network. The many vendors in attendance also helped make the conference possible.

The conference officially began on Tuesday, April 30th, when CSSA President, Contra Costa County Sheriff David Livingston, called Opening Ceremonies to order. Monterey County Sheriff's Office Honor

Guard conducted the presentation of the Colors. Immediately following was a beautiful rendition of the National Anthem sang by the Carmel High School Chamber Singers. Monterey County Sheriff's Chaplain Ben Sobels gave a moving and inspirational invocation. Secretary Leon Panetta was our Keynote Speaker for the event. Secretary Panetta is a former CIA Director, former Secretary of State and former Chief of Staff to President William Jefferson Clinton. Secretary Panetta expressed his respect for law enforcement and gave a fascinating review of the mission to get Osama Bin Laden. Following the Opening Ceremonies, attendees were invited to the Exhibit Hall Grand Opening & Ribbon Cutting.

The Sheriffs, Seconds-in-Command, and their spouses were all then taken to their respective lunches. The Sheriffs and spouses were taken to different locations on the famous 22-acre Mission Ranch Hotel and Restaurant while the Seconds-in-Command enjoyed their lunch on the 10th Floor Bay View Room of the Marriott overlooking the Monterey Peninsula. While at Mission Ranch, the Sheriffs and their spouses were fortunate to be able to meet, former Carmel Mayor and legendary actor/director, Clint Eastwood.





Day One concluded with a strolling dinner through the Monterey Bay Aquarium where guests experienced a dive show and views of the mysterious underwater world of the aquarium.

On Day Two all attendees were given the option to either golf, participate in a pistol shoot, or go on an excursion (guided or not) in Carmel. The golfers enjoyed their day on the course and taking in the beautiful coastal scenery of Monterey. There was also a pistol shooting competition for those to test their skills against one another, the local Swiss Rifle Club hosted the event. Other attendees opted for going on an excursion through Carmel. Several local shops and restaurants were gracious enough to offer discounts and deals throughout the afternoon to help make the trip even more enjoyable for the attendees. Later that evening, it was time to grab your favorite hat and cowboy boots to head

over to The Barns at Cooper Molera for a BBQ and some great music to end the day.

The final day, started with a breakfast for current Sheriffs, retired Sheriffs, and Seconds-in-Command. Following the breakfast, there was a General Business Meeting and a POST Training for the Sheriffs to attend. The training was provided by Lt. Fred Haas from the Southern Nevada Counter-Terrorism Center. Lt. Haas delivered a captivating review of the 2017 mass shooting at the Mandalay Bay in Las Vegas. The presentation included radio traffic, body-camera footage, and hotel camera footage taken during the event, and valuable lessons learned.

Once entering the grand ballroom on the last night of the conference, attendees heard Monterey County Sheriff's Chaplain Ben Sobels give the closing invocation. All in attendance gave a moment





of silence in honor and remembrance for those peace officers lost in the line of duty since the last conference. Closing ceremonies were completed with a delightful rendition of the National Anthem by 16-year old Mackenzie Brea Brazier, followed by the removal of the colors by the Contra Costa County Sheriff's Office Honor Guard.

CSSA President David Livingston was honored to be sworn in by Chief Justice of California Tani Cantil-Sakauye, who gave a supportive speech of law enforcement. After CSSA President David Livingston was sworn in, Chief Justice Cantil-Sakauye moved on to the swearing in of the 2019-2020 CSSA Officers.

Sheriff Steve Bernal, the men and women of the Monterey County Sheriff's Office, and the members of the CSSA were pleased to host the 125th Annual Conference. ☆



Everyday Heroes of Law Enforcement

Amador County Sheriff's Office

Deputy Casey Wilson

On the evening of February 16, 2019, the Amador County Sheriff's Office received a call from a concerned citizen who was unable to get in contact with her 93 year old neighbor, Joan Almstrom. Deputy Casey Wilson was dispatched to the home in Pioneer to conduct a welfare check.

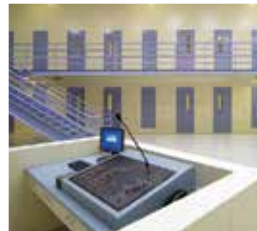


Deputy Wilson responded and located Joan inside the residence, freezing cold under some blankets. Joan told him that she had been without power, heat, and phone service because of the snow storm. Deputy Wilson was able to make contact with both of Joan's sons, but neither were able to assist this specific evening. Deputy Wilson then took it upon himself to find Joan a hotel room, which he located at the Jackson Rancheria. He was able to shovel knee high snow from the roadway to Joan's front porch and then assisted her to his patrol car, due to the fact she was in a wheelchair. After arriving at the Jackson Rancheria, he learned that the hotel room was going to cost Joan \$159.00 for the evening. Joan was unable to afford the room and without hesitation, Deputy Wilson pulled out his debit card and handed it to the hotel employee. Seeing this, the Jackson Rancheria employee asked Deputy Wilson if he knew Joan, to which he replied he did not. Jackson Rancheria then discounted the rate for the room and Deputy Wilson paid for Joan's stay.

A week or so later, Joan showed up at the Sheriff's Office and dropped off some money to pay back Deputy Wilson for taking care of her hotel room a couple of weeks ago. Unbeknownst to Joan, The Jackson Rancheria had already refunded Deputy Wilson's money and made sure her room and meals were taken care of. Once he returned to work, Deputy Wilson made his way back to Joan's house, where they spent some time together and he was able to return her money. Joan's power and heat are back on and she's happy to be home.

After hearing about Deputy Wilson's actions, Sergeant Jeffrey Bellotti was very proud of the level of service he provided and felt compelled to recognize him with a Letter of Commendation. Sergeant Bellotti, recognized "this type of behavior is consistent from Deputy Wilson and wanted to commend him for a job well done. The way Deputy Wilson handled this call from start to finish is the very definition of Service. Integrity. Teamwork. Excellence. (S.I.T.E.)" ★

It is the mission of the Amador County Sheriff's Office to provide the finest in law enforcement protection and security to the citizens of our community and those that visit here, by dedicating ourselves to our organizational values of service, integrity, teamwork and excellence.



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WHEN MAGIC HAPPENS

▪ LIANA WHISLER, CORRECTIONAL LIEUTENANT
▪ WENDY HOFFMAN, EXECUTIVE ASSISTANT



"He is my other eyes that can see above the clouds/my other ears that hear above the winds. He is the part of me that can reach out into the sea. His head on my knee can heal my human hurts. His presence by my side is protection against my fears of dark and unknown things. He has promised to wait for me . . . whenever . . . wherever . . . in case I need him. And I expect I will - as I always have. He is my dog." – Partial quote by Gene Hill

In 2011, California legislature enacted AB 109 which changed the amount of time an inmate could remain in custody in county jail. In response to this, the Sonoma County Sheriff's Office Detention Division Programs Unit began looking at long term programming. The goal was for these inmates to be productively engaged during the longer incarceration period and prepare them for successful re-entry into the community upon release.

The Sheriff's Office and Bergin College of Canine Studies worked collaboratively to create an extended Service Dog Training Program; something that had never been attempted in our detention facilities. The program would have future service dogs live and train in the jail

full time while under the care and instruction of inmate handlers who receive guidance and training from Bergin.

Puppies are taught commands that will assist people with physical disabilities, PTSD, seizure disorder, mobility impairment, and diabetes. Inmate handlers are responsible for 100% of the puppies' care, including daily training sessions, as well as weekly classes with Bergin. Inmates have homework and must keep a detailed activity log.

The program began in 2015 with 2 puppies, but has now doubled to 4 puppies every 3 to 6 months. To date, 37 dogs have graduated. We recently said goodbye to Boscoe, Billie, Bradley, and Nation who went on to their next level of service dog training.

"It is amazing how much love and laughter they bring into our lives and even how much closer we become with each other because of them." – John Grogan

Inmates must apply for the program and go through a rigorous screening process. In essence, they must want this responsibility. A total of 46 inmates have acted as handlers. Of that number, 36 have been released and only 10 have been re-arrested. We believe the challenge given these inmates has greatly affected their outlook on their future. One inmate reflected on the impact this new role has made on his life, "to have trust back in my life, where it has been missing for awhile." The connection between the inmates and the young dogs is truly

heartwarming to see. As the bonds of trust are built, inmates find themselves growing personally and thinking beyond themselves. They are especially proud to know they are impacting the community in a positive way. Another inmate said, "I joined it for the experience of how to train a dog and later, I found out that it's more than that, it's how you would treat a human being." Inmates who are successful in the program become eligible for milestone credits and extra incentives while in custody.



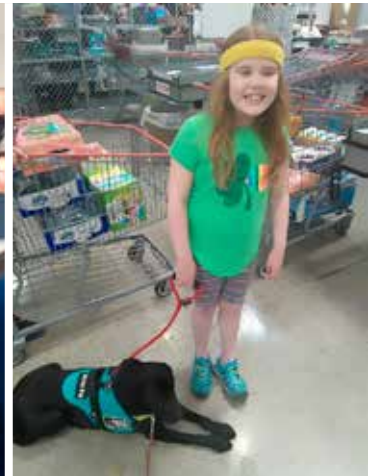
Evelyn and Naboo



Inmates with the puppies



Some of our puppies!



One inmate who had an extensive history of incarceration and bad behavior, wanted to be a part of this program so much, he worked long months at changing his attitude. Once a handler, he blossomed. He has not returned to custody and now attends program graduations to serve as an inspiration to current inmates and handlers. Nothing sums up the handler experience quite as well as when an inmate reflected on what he has learned from the program, "...patience and listening and how to synchronize with your environment and the people around you."

Staff sees the positive effect the program and puppies have on not only the handlers, but other inmates. There is a noticeable change in inmate behavior when the new puppies arrive. The puppies reach extends to staff as well. Nothing perks up a Correctional Deputy working long hours than a small bundle of fur running across the grass!

Once the dogs successfully complete all training, they are matched with their human. A veteran in the East Bay, a therapist, and an individual who is mobility impaired have all received their companions.

The effect these dogs have on their human is life-changing. It is why this program means so much to all involved.

Case in point: Naboo and Evelyn. Naboo, a cheery black lab, was matched with a local family. Evelyn, a sweet 9 year old with severe autism, found even the most mundane of tasks such as visiting the dentist, going on walks, or engaging with others difficult. Enter Naboo. After just one year, the impossible is no more. The two are a powerful team, says Beth, Evelyn's mother, and she cites instances where "magic happens." Naboo helped calm Evelyn at recent dentist visit, so much so the doctor was able to look in Evelyn's mouth without causing fear in the little girl. Now when out in public, Evelyn is met with kindness and smiles, gone are the stares and impatience. As Beth put it so eloquently, "Before Naboo, she was locked in her own little world paying little mind to anyone else. Now she interacts with the people around her and has a smile for everyone. Naboo has helped us unlock our beautiful little girl!"

"Happiness is a warm puppy." – Charles M. Schulz

In addition to the Service Dog Program, the Sheriff's Office and Bergin developed a social therapy program, K9 Intervention Therapy. Every week Program Correctional Deputies and a team of volunteers (humans and dogs) from Bergin visit inmates in various housing units. While the original program design was specific to the Mental Health population, we quickly realized that it would be beneficial for the dogs to visit other housing units. Our goal is simple: to provide a positive interaction which we hope will improve behavior, reduce anxiety, and give the incarcerated something to look forward to. We believe this is

just the beginning of new, effective, and innovative collaborations that benefit our community.

Our partnership with Bergin College of Canine Studies has been invaluable and continues to grow beyond our imagination. Knowing that we are changing lives for the better is humbling and deeply gratifying. Inmates have dedicated themselves to the Service Dog Program and by giving back to the community, they have given themselves hope. And it starts with one puppy. ✨

For more information on Bergin College of Canine Studies, please visit: www.berginu.edu
To view a video on our Service Dog Program, please visit: www.sonomasheriff.org/inmate-service-dog-program



BEAM INTERACTIVE *in Corrections Setting*

The San Mateo County Sheriff's Office is undergoing transformation. As many other law enforcement organizations have a constant changing demographic of staff members, this year we had a large number of retirements, and people moving out of the area. In addition, there have been changes within the San Mateo County Sheriff's Office Executive Team. The Executive Team has reviewed issues from the past in an effort to come up with creative solutions for the future.



As a result of the new classification of inmates, leadership is facing issues concerning the amount of time, money, and effort impacting staff on a daily basis. Most of law enforcement personnel are aware that Proposition 47 and AB109 resulted in a shift of inmates from State prison to local facilities, and are causing a need for new strategies to be adopted. This change, in addition to having an influx of inmates with diagnosed mental illnesses, has resulted in many challenges for staff. San Mateo County has a large number of inmates who are housed in Administrative Segregation because they portray an inability to associate with other inmates, staff members, and professional staff.

In 2018, the San Mateo County Sheriff's Office reviewed their Administrative Segregation pod and found there were a large number of service calls made for cleaning. Inmates were damaging their cells with bodily fluids, and continuing to destroy furniture or plumbing as a result of boredom. The many service calls the Sheriff's Office received resulted in costs of over \$90,000.00 during the 2017-2018 fiscal years.

Sheriff Carlos Bolanos, Undersheriff Mark Robbins, and Assistant Sheriff John Munsey began brainstorming possible solutions to aid in the prevention of this reoccurring issue. They suggested looking into an interactive device which could be broadcast via projector on to the walls and floors of the pod in an effort to engage inmates.

BEAM Interactive had a basic device with fifteen interactive games available. However, they had no prior experience with installation, or application of the device in a corrections setting. Additionally, they would not provide a warranty for destruction or damage incurred by the inmates. The device itself has been installed in public areas but always at a location that did not provide the possibility of destruction due to behavior and boredom.

The Sheriff's Office command staff challenged their construction partners at CML Security to develop a solution to aid in the use of the interactive projector in a correctional setting. The project manager worked with his team and Sheriff's Office staff to develop possible solutions.

Together there were many meetings which led to several creative solutions to the many concerns including; use, possibility of damage, how to broadcast, and how to keep the inmates engaged. After several months, a plan was implemented, and solutions created to overcome the organizations concerns.

Earlier this year, the San Mateo County Sheriff's Office installed the BEAM Interactive device, and successfully began keeping inmates engaged. This resulted in a significant decrease in costs associated with the previously destructive behavior. A large percentage of staff believed the device would be destroyed shortly after installation. However, because of the creative ideas and design the device has withstood attacks by inmates, and will continue to be housed in a protective case custom made to prevent damage. Most inmates have enjoyed using the device and interacting in front of others. There are still a few inmates who do not show any interest but, they are not actively engaged in the destruction of the device.

The device itself cycles through different games and constantly changes to ensure a challenge for inmates. The BEAM Interactive after installation, cost approximately \$8,000.00, which is a substantial reduction from the previous year's cost of \$90,000.00 for cleaning services. We continue to use the device daily and inmates continue to be engaged.

We are happy to partner with CML Security on all of our construction needs but, especially working with them to discover solutions to problems by thinking creatively. It has resulted in a decrease in costs, and safety for the facility.

If you would like more information about this project, please feel free to contact sheriffs_projects@smcgov.org or Lt. William Fogarty at wfogarty@smcgov.org. ☆



JAIL BASED MEDICAL ASSISTED TREATMENT and RECIDIVISM REDUCTION • LIEUTENANT BRAD ROSE



Drug and alcohol dependence has historically been a strain on the criminal justice system. Despite reforms in the State of California as a result of AB109 Public Safety Realignment (2011), Proposition 47 (2014) and Proposition 57 (2016) to reduce the severity and punishment of many drug offenses, offenders suffering from drug and alcohol dependence continue to be a cumbersome burden on the criminal justice system. Recognizing this, criminal justice system stakeholders have begun evaluating how to reduce prison population

numbers, relying on a variety of relevant studies. Among these studies, "What Works in Reducing Recidivism and How Does it Relate to Drug Courts?" by Dr. Edward Latessa of the University of Cincinnati, revealed incarceration for the sole purpose of punishing offenders with substance abuse disorders has been ineffective in changing behaviors and incarceration rates.

Before 2008, recidivism data from the California Department of Corrections and Rehabilitation (CDCR) included recidivism rates as high as 67.5%. Over two-thirds of offenders sentenced to state prison returned to prison with new convictions within three years. After 2008, recidivism data for offenders returning to prison began to fall. This decrease was a result of the diversion of offenders, who traditionally would have returned to state prison upon reoffending, from state prison to the newly designated County Jail Prison. It's important to note that CDCR recidivism rates do not include parole and probation violations. These violations frequently involve drug possession charges which over-burdened courts often defer to supervised release programs rather than process as new criminal convictions.

The passing of AB109 changed traditional state prison sentencing by realigning non-violent offense sentences to County Jail Prisons. The most common diverted or realigned sentences included most personal use drug possession sentences. As a result, more offenders with substance use disorders are serving sentences in county jails. Faced with housing an increase in offenders with substance use disorders in county jails, Sheriff's throughout the state have been given the opportunity to provide evidence-based treatment programs as a vehicle to change criminogenic behavior. The traditional reliance on incarceration alone as a means of reducing addiction related crime

has begun evolving into a model of treatment and rehabilitation.

In 2007, and again in 2013, the Office of National Drug Control Policy, Executive Office of the President of the United States conducted surveys in numerous jurisdictions to collect data related to offender drug use at the time of jail booking. These surveys are a part of the Arrestee Drug Abuse Monitoring (ADAM) program which includes toxicology testing and interviews of arrestees. The most recent ADAM Program survey occurred in 2013. Titled ADAM II, this survey includes data from Atlanta, Chicago, Denver, New York and Sacramento.

From the ADAM II, Sacramento criminal justice agencies learned Sacramento County led all other sites in arrestees testing positive for at least one drug at a rate of 83%. The ADAM II also revealed the number of Sacramento arrestees testing positive for opiates in had increased over 200% from 2012 to 2013. The problem of drug dependence on the system was clearly visible.

In 2012, The Sacramento Sheriff's Office called upon me to design and implement a Medical Assisted Treatment (MAT) program for the purpose of reducing recidivism in Sacramento County and addressing the financial burden caused by the returns-to-custody. With prior experience as a narcotics investigator ranging from street level drug sales in an undercover capacity to the manufacturing and large scale distribution of drugs as a Task Force Officer with the Drug Enforcement Administration, I had a unique understanding of how rapidly the opioid problem was becoming an epidemic and understood the urgent need to build a collaborative program focused on addressing criminogenic behavior and addiction of offenders. To address these needs, the Sacramento Sheriff's Office collaborated with its County's Correctional Health Services, Probation Department and a local community based treatment provider to design a program that focused on providing in-custody treatment and post-release treatment and rehabilitation.

Case management services beginning in-custody and continuing post-release with the goal of achieving participant abstinence from substance use was identified as a necessary treatment component in the fight to reduce recidivism and treat offender substance use disorders. Case management services are customized to fit each participant's unique needs and are based on the results of the risk/needs assessments that each participant is administered upon entry into the program. In addition, medical treatment options to provide program participants additional assistance in overcoming addiction were evaluated. From research, conversations with individuals in the MAT field, and collaborative evaluation of options by the team, the Sacramento Sheriff's Office chose Naltrexone, an antagonist medication used to treat opioid and alcohol dependency, as its primary MAT offering.

Naltrexone in the suspended release injectable form began being given to offenders who met the following eligibility criteria: detoxed from last use, participated in case management services with a certified drug and alcohol counselor (commonly referred to in the program as Reentry Specialists), completed at least one evidence-based substance abuse curriculum while in-custody, and voluntarily received the injection. The MAT component in conjunction with the in-custody and post-release counseling services, as well as the program's other rehabilitation offering such as vocational training and education courses, proved to help support offenders in meeting program goals of reducing recidivism and promoting a clean, sober lifestyle.

Through data collection and analysis, the Sacramento Sheriff's Office's MAT program has proven successful in reducing recidivism and providing successful treatment of substance use disorders involving opiates and alcohol. Recidivism rates using the California Board of State and Community Corrections' standard recidivism definition reflect the benefits of providing comprehensive MAT services to the justice involved population. Since the program began, recidivism of offenders in the first year after release from custody is 29%, whereas recidivism during the second year post-release drops to 21% and falls to 12% during the third year following release from custody. This data reinforces how in-custody evidence based curriculums, medical assisted treatment and case management services combined with other reentry services, positively affect recidivism rates. As expected, an increase in the duration that an individual receives treatment support after being released from custody yields more successful outcomes. Moreover, additional benefits from reentry support services include increased numbers of former offenders entering the workforce and enrolling in education programs post-release.

The Sacramento Sheriff's Office is committed to continual improvement and, therefore, is constantly evaluating the services it provides. From experience, learning oppor-

tunities, and collaboration with community providers, the Sheriff's Office has recognized that offering only one form of MAT excludes those who have not detoxed, are not physically or mentally prepared, or are not eligible to receive suspended release injectable Naltrexone for various other reasons. The program acknowledges the benefits this population may experience from continued agonist treatments during custody, and, because of this, MAT options are being expanded to include one form of agonist medication to the population who cannot be administered antagonist medication. ☆

NOTES:

Our justice involved MAT program was one of the three invited to present at the White House to the Office of National Drug Control Policy, Executive Office of the President of the United States (2016)

The program has been recognized nationally for its structure and success in recidivism reduction.



FOR IMMEDIATE RELEASE
NOVEMBER 13, 2014

CONTACT: Tracie Cone , 916.322.1054
Tracie.Cone@bscc.ca.gov

BSCC Committee Releases Recidivism Definition

SACRAMENTO, Nov. 13, 2014 – The Board of State and Community Corrections has made final its definition of "recidivism," a first step toward promoting consistency statewide in local data collection.

The approval comes after 11 months of work by a committee of public safety officials and subject-matter experts to craft the definition mandated by AB 1050. The statute calls for the definition to be used to help counties evaluate and implement evidence-based practices and programs in local corrections systems.

The definition reads as follows:

Adult Recidivism Definition

Recidivism is defined as conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.¹

Supplemental Measures

This definition does not preclude other measures of offender outcomes. Such measures may include new arrest, return to custody, criminal filing, violation of supervision, and level of offense (felony or misdemeanor).

Recidivism Rates

While the definition adopts a three-year standard measurement period, rates may also be measured over other time intervals such as one, two, or five years.

¹ "Committed" refers to the date of offense, not the date of conviction.

The committee continues to work on other definitions as required by the legislation. AB 1050 amended Section 6027 of the Penal Code to require the Board to: "Develop definitions of key terms, including, but not limited to, 'recidivism,' 'average daily population,' 'treatment program completion rates,' and any other terms deemed relevant in order to facilitate consistency in local data collection, evaluation, and implementation of evidence-based practices, promising evidence-based practices, and evidence-based programs."

It is hoped that counties and law enforcement agencies will use the standard definitions for these key terms once all are developed and approved by the BSCC.

Since Public Safety Realignment launched in 2011 California has been investing hundreds of millions of dollars at the local level so that low-level, non-violent offenders and parole violators would serve their terms in county jails, closer to support systems and the rehabilitative programming that officials of the 58 counties determine work best for their communities. A central goal of Realignment is reducing recidivism.

The BSCC is mandated by AB 109 to collect and maintain data about state and community correction policies, practices and needs. Having standard definitions will promote consistent statewide reporting.

In the coming weeks the BSCC will publish the definition on its website and alert counties that a definition has been adopted. The agency also will offer technical assistance to counties seeking to use the definition in local data-collection efforts.

###

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For more information, please contact
Member Services Coordinator Chelsea
Weathers at cweathers@calsheriffs.org
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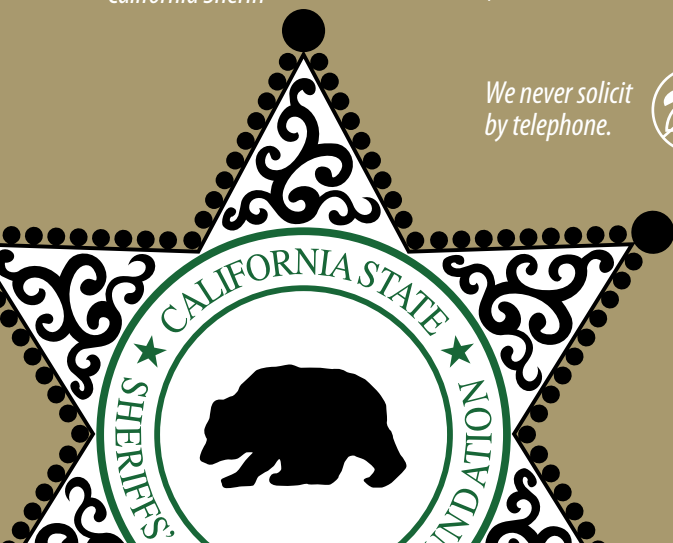
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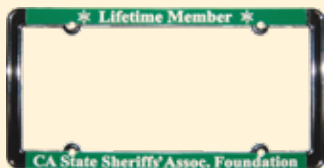
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G	Lifetime Member Metal License Plate Frame	Car	\$15	
H	Thin Blue Line Performance T-shirt	Black M • L • XL • 2XL • 3XL (CIRCLE ONE)	\$25	
I	Men's Cotton Polo Shirt—Short Sleeve**	White S • M • L • XL • 2XL (CIRCLE ONE) Black S • M • L • XL • 2XL • 3XL (CIRCLE ONE)	\$25	
J	Men's Long Sleeve Shirt	Black S • M • L • XL • 2XL • 3XL (CIRCLE ONE)	\$60	
K	Tow Hitch Cover	High quality chrome plated solid brass emblem with stainless steel post with 2" receiver opening and 3.5" post length	\$45	
L	Star Lapel Pin	Size is 1" wide	\$5	
M	Sweatshirt** SALE	Charcoal Gray 1/4 Zip S • M • 2XL (CIRCLE ONE) **Charcoal Gray Full Zip S (CIRCLE ONE)	\$35 \$25	
N	Men's Camp Shirts** SALE	Ivory Silk Blend L • 2XL • 3XL (CIRCLE ONE) Black Silk Blend S • M • L • XL • 3XL (CIRCLE ONE)	\$55 \$40	
O	Business Card Holder SALE	Pewter with embossed logo	\$20 \$10	
P	Women's Pebble Beach Shirt—Short Sleeve** SALE	White L • XL • 2XL (CIRCLE ONE)	\$25 \$20	
Q	Wireless NFC Bluetooth Speaker SALE	Black (2.75" H x 3.25" W x 3.25" L) Stream audio from your Bluetooth enabled devices with this speaker anywhere.	\$40 \$35	
R	LEO (CSSA Mascot)	Teddy Bear Stuffed Animal	\$14	
S	Performance T-shirt** SALE	Gray S • 2XL (CIRCLE ONE)	\$25 \$15	
T	Mesh Shorts SALE	Black S • L • XL • 2XL (CIRCLE ONE)	\$20 \$15	
U	Jacket SALE	Steel Gray S • L • 2XL • 3XL (CIRCLE ONE)	\$55 \$40	
V	16 oz. Clear Tumbler Cup** SALE	Honeycomb Textured Pattern	\$8 \$5	
W	Black Sweatshirts**	1/4 Zip XL • 2XL (CIRCLE ONE) Full Zip 2XL (CIRCLE ONE)	\$40	
X	20 oz. Graphite Tumbler NEW	Dual-wall acrylic layers offer extra insulation and help prevent condensation from your ice cold refreshments.	\$10	
Y	Red Ribbon Lapel Pin**	Show your support of "Saying No to Drugs"	\$5	
Z	RFID Blocker	Radio Frequency Identification blockers attach to the back of your cell phone to help protect your credit card information from being scanned by scammers	\$6	
AA	Challenge Coin SALE	120th CSSA Commemorative Challenge Coin	\$10 \$5	

PRICES GOOD FOR JULY, AUGUST, SEPTEMBER 2019

** Limited Quantities Available

CHECK ENCLOSED: Please make all checks payable to **California State Sheriffs' Association Foundation (CSSAF)**.

Send order form to the address found on bottom right of page.

CREDIT CARD: If you wish to pay by credit card, please log on to our website www.calsheriffs.org, or pay by phone by calling the toll-free member line. MC, Visa, AmEx and Discover cards are accepted.

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TOTAL FOR MERCHANDISE:

PLUS 8.75% TAX:

SHIPPING & HANDLING:
(SEE S&H CHART BELOW)

CONTRIBUTION:

ORDER TOTAL:

Credit Card Number _____ Expiration Date _____

Name on Card _____

Authorized Signature _____ Security Code _____

SHIPPING & HANDLING CHART	Under \$20	\$4.99	\$40.01—\$60.00	\$8.99	\$80.01—\$100.00	\$11.99
	\$20.01—\$40.00	\$6.99	\$60.01—\$80.00	\$10.99	Over \$100.00	\$12.99

SALE PRICES GOOD THROUGH TO SEPTEMBER 30, 2019

California State Sheriffs' Association
1231 I Street, Suite 200,
Sacramento, CA 95814
1-800-761-CSSA (2772)
www.calsheriffs.org
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3

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