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contents







In every issue

- **4** President's Message Sheriff Dean F. Growdon, Lassen County
- **7** Executive Director's Perspective M. Carmen Green, Executive Director
- 8 Legislative Update Cory Salzillo, Legislative Director
- **10** Legal Update

 James R. Touchstone, General Counsel

Media Update

- 12 Laura Cole, Transparency Engagement Advisor Joe Vasquez, Transparency Engagement Advisor
- 25 CSSAF Membership Program
- **26** CSSA Merchandise

Features

- **14** Remembering The Venerable Al Cooper
- 18 The Jail That Almost Wasn't
- 22 CSSA Welcomes Our Newest Sheriffs
- **24** Recently Retired Sheriffs

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.

President's Message



- SHERIFF DEAN F. GROWDON
- LASSEN COUNTY

supporting each other.

Dear Friends,

I welcome all of you to this edition of the *California Sheriff*. As I write this letter, I reflect on my 27-year career in law enforcement and I am humbled to have been part of such a great profession as well as a member of the California State Sheriffs' Association. This June I had the honor of being sworn in as the President of CSSA, and I look forward to supporting this Organization, and working closely with all of the Sheriffs in this great and diverse state.

he California State Sheriffs' Association normally meets multiple times a year, including an Annual Conference. Unfortunately, due to the COVID-19 pandemic, it was necessary to cancel most meetings, as well as our Annual Conference in 2020.

Fortunately, based on the current state of the pandemic, Butte County Sheriff Kory Honea, and his wife Jennifer were able to host our 127th Annual Conference in Butte County this past June. The Conference theme was "California Sheriffs Standing Together to Protect Our Communities". This theme was fitting based on the large-scale natural disasters experienced in Butte County, and around the State of California in the last few years. Whenever these unfortunate events occur, Sheriffs and their deputies, from around the state, step forward to help their counterparts. In support of this theme, honor guards from the Butte County Sheriff's Office, Kings County Sheriff's Office, and Lassen County Sheriff's Office came together to honor our flag at conference events. The partnership and professionalism of these deputies was a joy to watch, and was an example of how deputies from around the state enjoy working together and

The Conference was one to remember, as it highlighted the culture of Butte County, and rural California. The people of Butte County showed tremendous support for the event, and Sheriff Honea and the men and women of the Butte County Sheriff's Office did an outstanding job in planning and coordinating Conference-related events. Everyone enjoyed being able to meet in person to conduct CSSA business, discuss important legal and legislative matters, and visit with state and federal law enforcement partners.

When I began my public safety/law enforcement career on January 4th of 1994, I

had no idea what an adventure I would be embarking on.

I started my career as a Correctional Deputy in the Lassen County Jail, where I learned the important and challenging role of our custody operations. I would return to the Custody Division later in my career as a Sergeant, and again as a Lieutenant. This time taught me to appreciate the difficulties in operating a local detention facility, and the challenges our personnel face. I admire and appreciate the great work these professionals do in a very challenging environment.

I have served in a wide range of Patrol/Operations assignments during my career, but it all started when I was assigned as a Resident Deputy in the most remote area of Lassen County. I was responsible for patrolling around 2,500 square miles with very little assistance or backup available. When backup was available it came in the form of deputies from neighboring counties, as well as officers from the California Highway Patrol, the United States Forest Service, and Rangers from the Bureau of Land Management. This experience of working cooperatively with a wide range of agencies was invaluable, as was the experience of serving in such a remote and rural area. I





learned the value of establishing and maintaining positive professional working relationships with partner agencies, as well as building a strong relationship with the community. I have continued to make these things a priority in my service as Lassen County Sheriff, and look forward to keeping these a priority as the President of CSSA.

I would not be where I am today without two important groups of people. First, I want to mention the outstanding professionals at the Lassen County Sheriff's Office, who make the well-being of our community their top priority. I appreciate their efforts and I am honored to stand by them on a daily basis. Second, my wife, Carol, has been by my side through the good and the bad that came along with being part of the law enforcement profession. She understands the important role we play in our communities, and has been the glue that holds our family together. Carol and I are blessed to have two sons, Neil and Logan. I was elected as Sheriff when the boys were eight and ten years old. They have sacrificed much over the years, but have grown into fine young men who make us very proud. My parents and in-laws have also been a tremendous support over the years. Without family,

this job can consume someone, so I thank them for being there for me throughout this journey.

I am honored to be the second Lassen County Sheriff to become the President of the California State Sheriffs' Association. The first was Sheriff Ron Jarrell (1996).

The role of the Sheriff is unique, in that we are elected by the people and truly work directly for the people. It doesn't matter how big or small your county is (population and/or geography), we all have the same responsibility to keep our communities safe. The best way to do that is in partnership with one another, our public safety partners, as well as our communities.

It is an honor to represent all California Sheriffs at the highest level. I am committed to ensuring I do everything I can to continue to uphold the Office of the Sheriff in serving as President of the California State Sheriffs' Association.

Sincerely,

Sheriff Dean F. Growdon, Lassen County

CSSA President







Past President's Message



- SHERIFF DAVID ROBINSON
- KINGS COUNTY

ow that my year as California State Sheriffs' Association President has come and gone, I'd like to thank all those how helped make it a great year, even

under the circumstances of the Pandemic. It had been 70 years since a Sheriff from Kings County was the president of this great Association, Sheriff Orvie Clyde (1950). Ironically the first President of the California Sheriff's Association who was the "Sheriff" was also from Kings County, Sheriff William V. Buckner (1933). I started off my term being sworn in by Congressman Devin Nunes in front of a small group of friends, family and colleges at the local Hanford Elks lodge 1259. While it wasn't the large traditional banquet, I will be forever grateful for the event and have great memories of it. It became a very special and intimate moment to be able to have a scaled back event, hosted by the Elks lodge, which I have been a member for almost 20 years.

Throughout this past year there have been many challenges, however working with a great team in Sacramento led by Carmen Green and Cory Salzillo, we were able to get work done. Back home in Kings County, I was supported by my amazing staff and my Secretary to the Sheriff, Amy Kemp Van Ee. I want to give a special thanks to Amy for juggling all the

different things that popped up not only this past year, but since the beginning of my tenure as Sheriff. You are a rock star and I appreciate all you do! It has been a pleasure to serve this great association and hold the different Officer's positions. This will be a time in my career that has never been busier, but also never so rewarding. We have many challenges ahead facing law enforcement and our state and nation. Together we can and will work hard for a better tomorrow. In my capacity I have had the honor of working with great leaders in our local government, state government and federal government. The vast majority of these men and women are just trying to do the right thing, just like we are in law enforcement. Finally, to my wife Melonie and our children. Thank you for being there as always to lift and support my work life. Your support and love has gotten stronger every day and I love you deeply for everything you do for me.

Respectfully,

Sheriff David Robinson, Kings County
CSSA Immediate Past President



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Executive Director's Perspective



M. CARMEN GREEN

EXECUTIVE DIRECTOR

Welcome to this edition of the California State Sheriffs' Association Magazine. The California State Sheriffs' Association would like to pay a tribute to the fallen officers who made the ultimate sacrifice last year.



Detective Marylou Hernandez Armer Santa Rosa Police Department EOW: Mar 31, 2020



Deputy Terrell D. Young Riverside County Sheriff's Department EOW: Apr 02, 2020



Sergeant Damon Christopher Gutzwiller Santa Cruz County Sheriff's Office EOW: Jun 06, 2020



Detective Jose Cruz Mora Fresno County Sheriff's Office EOW: Sep 07, 2020



Sergeant Harry Cohen Riverside County Sheriff's Department EOW: Oct 18, 2020



Officer Andy Ornelas CHP - Antelope Valley EOW: Dec 02, 2020



Officer Angel DeLaFuente Fresno Police Department EOW: Dec 28, 2020

We feel great sympathy for the families who have lost their loved ones in these tragic incidents and we offer our sincere condolences. *

Legislative Update



- CORY SALZILLO
- LEGISLATIVE DIRECTOR

Assembly and Senate approved the negotiated legislative version of the 2021-22 State Budget, without a deal with the Governor. While both houses of the Legislature adopted the main budget bill, a global agreement between the Legislature and the Governor has not been secured as of this writing and more action will be required in June and July, if not August, before a final budget is adopted.

In most years, both houses of the Legislature review various budget proposals through a months-long budget subcommittee process, adopt their own versions of the state budget, and reconcile their differences through a conference committee while negotiating a final deal with the Governor. Because of the modified legislative schedule utilized due to COVID-19, many normal processes and timelines were altered (most notably, Assembly and Senate budget action differences were resolved without a conference committee), and the Legislature and Governor remain divided on how to finalize California's budget.

While much of the Governor's May Revision is incorporated into the legislative version of the budget, the Legislature's budget proposal largely differs from the Governor's May Revision in how it addresses the amount of actual revenues that will be available (the Legislature thinks there will be more money to spend) and some major expenditure categories (e.g., public health, homelessness, and higher education).

Discussions between the Legislature and the Administration are ongoing, and a final budget deal is expected to be agreed upon soon.

While the budget deliberations continue, Senate and Assembly Policy Committees continue legislative hearings on hundreds of bills sent to their respective houses. While we were successful in stopping or shelving a few legislative proposals harmful to public's safety and the law enforcement profession, there are still a handful of bills that we continue to oppose and are working with legislators and staff to stop or improve those bills.

One measure, a priority oppose for CSSA, was Senate Bill 271 by Senator Scott Wiener (D – San Francisco), which seeks to repeal current

law that requires a candidate for sheriff to have an advanced POST certificate or specified law enforcement and education qualifications. This change would effectively allow any registered voter to run for Sheriff, even if that person had no law enforcement experience. We were successful in stopping the bill for this year but are cognizant this two-year bill could remerge in January 2022.

Other legislation we successfully stopped:

AB 679 by Assemblymember Friedman (D – LA), which would have conflicted with the California Constitution's Truth in Evidence provision and hindered Sheriffs' investigatory authority, was not taken up for a vote. This bill would provide, in a prosecution for any crime, testimony by, or information obtained by, an in-custody informant regarding a statement made by the defendant, while the defendant was in custody, is inadmissible as evidence against the defendant.

AB 1509 by Assemblymember Alex Lee, (D – San Jose), which was held in Assembly Appropriations Committee, would have repealed and restricted specified firearm sentencing enhancements.

5B 210 by Senator Wiener (D – San Francisco) would severely limit the utility of automated license plate recognition (ALPR) data to law enforcement by requiring the destruction of all ALPR information by a public entity ALPR operator or end-user that does not match information on a hot list in 24 hours or less. This bill, which has been introduced in past years, and subsequently failed, did not receive the necessary votes in the Senate fiscal committee and is dead for this legislative year.

With these problematic bills shelved, we still have much work to do to ensure the following bills do not make it to the Governor's desk:

AB 333 by Senator Kamlager (D – LA) would make it significantly more difficult to prosecute gang crimes by limiting crimes that can be used as predicate offenses and altering other elements of an offense that must be proved. The provisions of AB 333 will restrict the utility of the gang enhancements, make them more difficult to prove, and strain court resources.

5B 81 by Senator Skinner (D – Berkeley) would create several conditions under which otherwise appropriate sentence enhancements that would be imposed based on the nature of the offense and the actions taken by the offender are negated. Instead, a court would be permitted to decline to dismiss a charged sentencing enhancement upon a showing by clear and convincing evidence that dismissal of an enhancement would endanger public safety. This showing would be in addition to existing law that not only requires a defendant to be found guilty beyond a reasonable doubt but also requires enhancements to generally be pled and proved.

SB 262 by Senator Hertzberg (D – Van Nuys) would set bail at zero dollars (\$0) for most misdemeanor and felony offenses, with some exceptions. CSSA is opposed to the bill given the risk to public safety and the far too

many examples of offenders who have been released on \$0 bail only to reoffend.

While we share examples of some problematic legislative proposals, we are also pleased to work in a bipartisan fashion on legislation that assists us in our efforts to protect our communities. One example is our support of AB 110 by Assemblymember Cottie Petrie-Norris (D – Laguna Beach), and SB 39 by Senator Shannon Grove (R – Bakersfield), which will help prevent payments on fraudulent unemployment insurance claims.

We also support legislation by Senator Brian Jones (R – Santee) that would expand the crime of mail theft to also apply to theft from a private mail carrier's shipping or delivery route.

As we continue to advocate on behalf of CSSA to advance policies beneficial to the safety of our communities, and stop damaging policies, we will continue our work on bills sponsored by the Association.

Cory Salzillo, CSSA's Legislative Director, is a partner of the firm WPSS Group, 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.

CSSA 2021 SPONSORED LEGISLATION

MEASURE	TOPIC	STATUS	SUMMARY			
AB 216 Ramos Democrat	Peace officers: firearms: establishment serving the public.	Held in Assembly Public Safety Committee.	Would preclude off-duty peace officers from being prohibited from carrying a concealed firearm into establishments open to the public.			
AB 228 Rodriguez Democrat	Theft: receiving stolen Held in Assembly Public Safety property: firearms. Committee.		Restores the wobbler for receiving a stolen firearm valued at less than \$950.			
AB 253 Patterson Republican	Animal welfare.	Held in Senate Public Safety Committee.	Updates the publication notice requirements of the seizure and destruction of roosters used for cockfighting.			
AB 591 Villapudua Democrat	Vessels: arrests.	On the Senate Floor.	Allows certain Harbors and Navigation Code violations to be dismissed with proof of correcti			
AB 785 Rivas, Robert Democrat	Mental health.	Pursue through the Budget Process.	Establishes the Mental Health Response and Treatment Challenge Grant pilot program			
AB 1193 Rubio, Blanca Democrat	Solicitation of prostitution from a minor.	Held in Assembly Public Safety Committee.	Increases the penalty for soliciting a minor under the age of 18 for prostitution to a wobbler.			

Policy committees will end their hearings in mid-July, while fiscal committees will resume their hearings through August. The first year of the legislative session is scheduled to end on Friday, September 10, which is the last day for each house to pass bills. Bills not passed by midnight on this day will be considered two-year bills.

Legal Update



JIM TOUCHSTONEGENERAL COUNSEL

"The Less Talked About Side of Qualified Immunity...."

aw enforcement agencies must be able to act without excessive threat of litigation in order to intervene at times of highest community need. For this reason, as noted in several prior articles discussing the topic of qualified immunity, the defense is critical to effective operation of law enforcement agencies, both fiscally and tactically, in today's litigious environment. Critics of the defense always espouse a similar mantra – "law enforcement officers engaged in unconstitutional activities are constantly permitted to escape civil liability for their actions." However, the defense of qualified immunity requires a comprehensive analysis of the facts and the law applicable to a given situation and only then protects an officer from civil liability. The United States Supreme Court's recent decision in the case entitled in Lombardo v. City of St. Louis¹ illustrates this principle. In the Lombardo decision, the SCOTUS concluded that the Court of Appeals did not properly evaluate important details in granting summary judgment to police officers in an excessive force case and vacated the lower court's judgment. The Supreme Court remanded the case so that Court of Appeals could engage in a context-specific analysis before issuing its ultimate ruling on the issue of qualified immunity.

FACTS OF THE CASE

In December 2015, St. Louis Metropolitan Police Department officers arrested Nicholas Gilbert, took him to the Department's central station and placed him in a holding cell. Thereafter, an officer saw Gilbert tie a piece of clothing around the bars of his cell and put it around his neck, in an apparent attempt to hang himself. Officers responded and entered Gilbert's cell. Although Gilbert was slight of build, he struggled against the officers. He was handcuffed with his arms behind his back. As Gilbert kicked the officers, he hit his head on a concrete bench. After Gilbert kicked one of the officers in the groin, two officers secured his legs together as he continued to struggle. Emergency medical services personnel were phoned for assistance.

Additional officers responded, resulting in a total of six officers in the cell with Gilbert. The officers moved Gilbert, handcuffed and in leg restraints, into a prone position, face down on the floor. Three officers held Gilbert's limbs down at the shoulders, biceps, and legs. One officer placed pressure on Gilbert's back and torso. Gilbert tried to raise his chest, saying, "It hurts. Stop."

After 15 minutes of struggling in this position, Gilbert's breathing became abnormal, and he stopped moving. The officers were unsuccessful in their attempts to resuscitate him. An ambulance eventually transported Gilbert to the hospital, where he was pronounced dead.

Gilbert's parents sued, alleging that the officers had used excessive force. The District Court granted summary judgment in favor of the officers, concluding that they were entitled to qualified immunity because they did not violate a constitutional right that was clearly established at the time of the incident. The Eighth Circuit Court of Appeals affirmed on different grounds, holding that the officers did not apply unconstitutionally excessive force against Gilbert.

DISCUSSION

The United States Supreme Court granted certiorari. The Court explained that in assessing a claim of excessive force, courts ask "whether the officers' actions are 'objectively reasonable' in light of the facts and circumstances confronting them." *Graham v. Connor*, 490 U. S. 386, 397 (1989). However, this standard may not be applied "mechanically," *Kingsley v. Hendrickson*, 576 U. S. 389, 397 (2015), because the inquiry "requires careful attention to the facts and circumstances of each particular case." *Graham*, 490 U. S., at 396. Those circumstances include "the relationship between the need for the use of force and the amount of force used; the extent of the plaintiff's injury; any effort made by the officer to temper or to limit the amount of force; the severity of the security problem at issue; the threat reasonably perceived by the officer; and whether the plaintiff was actively resisting." *Kingsley*, 576 U. S., at 397.

Although the Eighth Circuit cited the *Kingsley* factors, the Supreme Court stated that it was "unclear whether the [Court of Appeals] thought the use of a prone restraint—no matter the kind, intensity, duration, or surrounding circumstances — was *per se* constitutional so long as an individual appears to resist officers' efforts to subdue him." The Supreme Court noted that the Court of Appeals had cited Circuit precedent for the proposition that "the use of prone restraint is not objectively unreasonable when a detainee actively resists officer directives and efforts to subdue the detainee." The Supreme Court also observed that the Eighth Circuit could distinguish prior precedent upon assessment of the facts, including that Gilbert was already handcuffed and his legs were restrained when officers moved him to the prone position and the fact that the officers kept him in that position for 15 minutes.

The Supreme Court stated that such details could be significant when deciding whether to grant summary judgment on an excessive force claim. The Court explained that the evidence in the record demonstrated that officers placed pressure on Gilbert's back, even though St. Louis instructs its officers that pressing down on the back of a prone subject can cause suffocation. Moreover, the evidentiary record also included common police guidance recommending that officers get a subject off his stomach as soon as he is handcuffed because of the risk of suffocation. The Court observed that law enforcement guidance in such situations also indicated that the struggles of a prone suspect may be due to oxygen deficiency, rather than an intent to disobey officers' commands.

The Supreme Court stated that "[s]uch evidence, when considered alongside the duration of the restraint and the fact that Gilbert was handcuffed and leg shackled at the time, may be pertinent to the relationship between the need for the use of force and the amount of force used, the security problem at issue, and the threat—to both Gilbert and others—reasonably perceived by the officers." Without analysis of such evidence, the Supreme Court stated that the Eighth Circuit's opinion could be understood to treat Gilbert's "ongoing resistance" as

controlling as a matter of law. The high court stated that "[s]uch a *per se* rule would contravene the careful, context-specific analysis required by this Court's excessive force precedent." Accordingly, the Supreme Court granted the petition for certiorari, vacated the Eighth Circuit's judgment, and remanded the case "to give the court the opportunity to employ an inquiry that clearly attends to the facts and circumstances in answering those questions in the first instance."

Accordingly, rather than the proverbial "rubber stamp" of granting officers qualified immunity for their actions in nearly all circumstances, as asserted by opponents of the defense, the Court remained true to its prior decisions on the issue. Namely, lower courts must analyze the individual facts and circumstances presented in each case to determine whether granting qualified immunity is appropriate.

The *Lombardo* decision also again affirms the need we all recognize for consistent training for law enforcement officers regarding use of force in general, and in specific, commonly encountered situations where the level of necessary force may change through the duration of the incident. Proper methods of restraint of combative individuals, the necessity of carefully monitoring restrained individuals for physical signs requiring medical intervention and placement of restrained individuals in positions to facilitate breathing are examples of important curriculum in this type of training.

One of the key aspects of training illustrated by this decision has to do with the Court relying on intensity and duration of restraint as determining situational factors. These circumstances bring up the importance of being able to demonstrate continuous weighing of the purpose of an application of a use of force, the level of resistance it is intended to overcome, and the proportionality of force to that objective. Defending deputies and officers by being able to illustrate that the decision-making process they exercised was consistent with training and policy is the pathway to affording them the basic fairness that qualified immunity preserves.

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.

SOURCES

1. Lombardo v. City of St. Louis, 2021 U.S. LEXIS 3547 (June 28, 2021).

Media Update

- LAURA COLE, TRANSPARENCY ENGAGEMENT ADVISOR
- JOE VASQUEZ, TRANSPARENCY ENGAGEMENT ADVISOR

Sheriff deputies race toward danger to save lives. Every day. That is heroic. Whether it is a mass causality incident, a natural disaster, or a routine 911 call for help, they are willing to make the ultimate sacrifice. So much of what law enforcement faces on a daily basis is unknown to the public, but now more than ever it is vital for their story to be told.

n 2021, following a year of intense scrutiny, law enforcement agencies recognize the importance of being more careful, open, honest and transparent about how they communicate with the public, especially about critical incidents.

That same level of urgency also needs to be applied to telling the public about everyday events. At a moment when the public is repeatedly hearing questions about the value of law enforcement, sheriff departments and all of their law enforcement colleagues are increasingly realizing they need to answer those question themselves.

More than ever, the public needs to know the human side of law enforcement: that time a deputy helped a family in need, deescalated a volatile situation, or saved the life

of someone in a car crash. Moments like those should be documented by other deputies and officers, photos or videos captured on smart phones, and posted consistently on social media for the public to see, while always protecting the identity of those involved.

Telling those stories helps the community get a more accurate view of the role of law enforcement in keeping law and order.

The public needs to have full confidence in law enforcement. That's why it is incumbent on law enforcement agencies to round out their stories and inform the public of the everyday heroism before someone else tells the story for them.

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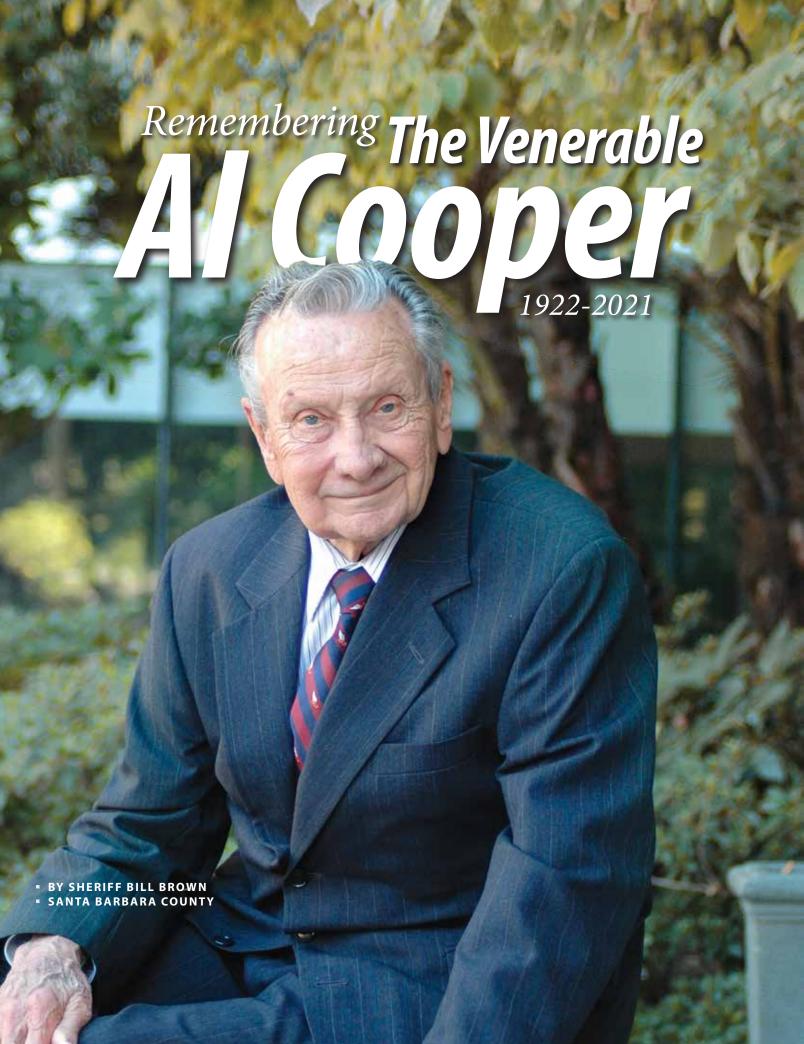
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nterprise Holdings	Nacht & Lewis Architects	Wellpath
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For more information, please contact Executive Director M. Carmen Green at cgreen@calsheriffs.org or at 916-375-8000.



War Hero, **Salar** California's Senior Statesman of Law Enforcement Legislative Advocacy

any of you may have met an affable man by the name of Al Cooper whose association with the California State Sheriffs Association spans many years. What you probably don't know about Al, due to his humility, is the story of his remarkable life.

Alva "Al" Cooper was born in South Dakota in 1922. His family owned a small ranch which was ravaged by drought and the Great Depression. As a result, the family migrated to California in 1936 and settled in Burbank. Five years later, the United States entered World War II, a turn of history that would have a profound impact on Al's life.

After completing high school, Al worked on the graveyard shift at the Lockheed aircraft factory in Burbank while attending Glendale Community College. Following his graduation in 1942, he enlisted into the Army Air Corps Cadet training program. After completing flight training in 1943 in North Dakota, Arizona, and finally in Texas and Nevada as a four-engine pilot, Al was assigned to the 726th Bombardment Squadron, 451st Bomb Group (Heavy), a component of the 15th Air Force. After further training he was sent to the European Theater and deployed for combat duty in 1944.

Al's squadron was based in Foggia, Italy, and flew B-24 Liberator bombers. He served as a pilot and completed 22 bombing missions, primarily against oil-related targets in Bulgaria, Rumania and southern Poland, and against railroad marshalling yards in northern Italy and southern Germany. On his 23rd mission, October 1, 1944, the squadron was assigned to attack a tank factory in Vienna, Austria. Al was flying this particular mission in the lead aircraft, as copilot to the mission's command pilot. The target was heavily defended, and shortly after deploying its bombs, Al's aircraft was struck by simul-

taneous flak bursts (anti-aircraft fire) to the right and left sides of the airplane. Al was wounded by shrapnel, and two of the airplane's engines were knocked out. Another engine was damaged, but still operable. The aircraft was flying at an altitude of about 27,000 feet, and after being struck it went into a steep dive and almost instantly

lost 10,000 feet. Nevertheless, Al and his pilot managed to regain control of the airplane and continue flying it at a reduced speed. About 30 minutes later the damaged engine failed and the aircraft could no longer remain airborne. The crew was ordered to bail out, and did so over about a twenty mile area. When Al exited the aircraft he was "scared to death," praying that his parachute would open, and that if it did, he would not be shot while floating down to earth. Al landed without further harm in a corn field, not knowing at the time that all ten crew members had parachuted safely into Germanoccupied territory near Lake Balaton, Hungary.

After about ten minutes on the ground, Al was approached by a couple of Hungarian civilians who had seen him parachuting to earth. Not knowing if they were friend or foe, Al was relieved to learn that one of them spoke fluent English. He had lived in the U.S.A. before the War, worked for United States Steel, and then retired on pension to Hungary, where he lived like a king! Al was hidden by his new-found friends in barns for a few days as German soldiers feverously searched the area for the American airmen. Al was eventually reunited with his entire crew, and they were moved by night via a horse-drawn wagon to the Drava River. They crossed the river on a raft into Yugoslavia, where they joined up with an army of Yugosla-



Al Cooper Official Photo as Deputy Commissioner California Highway Patrol

vian partisans under the command of Marshal Josip Broz Tito.

Al and his crew stayed with the partisans from October of 1944 to January 1945. During that time Marshal Tito visited their camp and met Al and his crew. In his conversation with the future Yugoslavian head of state, Al - through an interpreter - told Tito that his father was a carpenter, just as Tito's was. Tito was mystified, however, when he learned that Al's family had rugs in their home, owned a car, and even sent their children to college - all of which were unimaginable to most Yugoslavians. Al asked Tito whether, after the War, he would run a republic or a dictatorship. Tito's reply was that since so many Yugoslavians were illiterate, the form of government would have to be a dictatorship.

Eventually the partisans took Al, the other members of his team, and an American P-38 fighter pilot who had also been shot down, back to the Drava River. In broad daylight, the men crossed the river into Hungary by means of a raft pulled by ropes from either shore. Al was about half way across the river and in the open



Al and Crew: Al & his crew, alongside their B24 Bomber "Bad Penny." This is the aircraft that was shot down on the mission to Vienna on October 1, 1944

Medals and insignia awarded to Al Cooper: Army Air Corps Pilot Wings, Air Medal with Oak Leaf Cluster, Purple Heart, American Campaign Medal, European-African-Middle Eastern Campaign Medal, World War 2 Victory Medal, Presidential Unit Citation.

Barbara and Al: Governor and Mrs. Earl Warren congratulate Al and Barbara Cooper on their wedding day.



unauthorized passenger off of the moving train! Al and his fellow Americans finally arrived in Bucharest, made their way to the American Legation, and reported that they had survived.

Life with the partisans had been hard. The cold from living outside was bone-chilling, and none of the Americans had been able to bathe or shave in months. Food had been scarce and sub-standard. When he was shot down Al weighed 165 lbs, but on his arrival in Bucharest he weighed 130.

Al and his men were put up in a nice hotel and slowly brought back onto a diet of good food. After several days a B-24 with four P-38 escorts flew in to pick them up, and the men were safely returned to their base in Italy. After two days of celebration the men were sent back to the USA on a troop transport ship. Al was debriefed in Washington, D.C., given a new uniform, and taken out to dinner by Hiram Johnson, a Senator from California. He was then sent by train back to California. It was determined that he had picked up some type of dysentery bug during his time with the partisans, so to his great delight he was sent to recuperate for several weeks at a temporary Army

Air Force facility that had been established in an elegant beach-front home that newspaper mogul Randolph Hearst had built for his mistress, actress Marion Davies, in Malibu, California. (This is now the Malibu Beach Club.)

Al was transferred to a reserve status in September, 1945, with the rank of Captain. For his meritorious service during aerial flight he received the Air Medal with oak leaf cluster (signifying a second award), and his unit was awarded the Presidential Unit Citation for their collective extraordinary heroism. For being wounded, Al was decorated with the Purple Heart. (He still has the jagged piece of metal that the partisans removed from his right buttock. He used to carry it around in his pocket on a keychain, but stopped because it kept wearing holes in his pants.) Al was discharged from the Army Reserve in 1960 with the rank of Captain.

After the war Al worked for the Telephone Company for several years as a management trainee before joining the California Highway Patrol in 1948. For the first four years he served as a Traffic Officer in Los Angeles, where he had the privilege of protecting and driving Governor Earl Warren and his family whenever they would visit the L.A. area. In fact, Al had a ring-side seat to history in 1953 when he answered his car's radio phone one day. It was President Eisenhower on the line, asking Governor Warren to be the next Chief

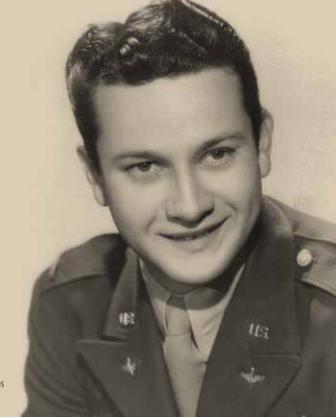
when suddenly a lone Stuka dive bomber appeared on the scene. The plane made two strafing passes, shooting its machine guns at Al and his raft, but fortunately the German pilot missed both times. The Americans scrambled ashore, re-joined their Hungarian partisan friends and went back into hiding.

The group was constantly moved, and eventually they ended up near the German – Russian lines where they met up with elements of the Russian Red Army. The Americans accompanied the Russians via a horse-drawn caravan destined for Bucharest, Rumania. On one occasion, a German pilot in an ME-109 fighter plane spotted the convoy and began strafing it with machine-gun fire. Al ran to the side of the road and hid under a bush while the pilot made four passes, killing many horses and some of the Russian soldiers. Afterwards the Russians butchered the horses and plenty of meat was on hand for days afterwards.

The group eventually arrived at position on the front lines and the Americans were able to board a train headed to Bucharest. During the trip to the Rumanian capital Al saw one of the Russians challenge a stowaway, then throw the

The Sheriffs of California—and indeed all members of California's **law enforcement community**—owe Al a great debt of gratitude for some of his significant legislative accomplishments.





Justice of the United States Supreme Court. Al heard Governor Warren say, "Thank you, Mr. President. I will accept the position." Al greatly admired Earl Warren. Despite being the only man ever elected Governor of California three times, and perhaps being the most important American jurist of the 20th Century, Al found him to be a down-to-earth man who always treated him with respect and kindness.

During this period of his career Al had a blind date with a beauty named Barbara, fell in love, and in 1951 they were married. Governor Warren and his family attended the wedding. Al went on to assignments in Fresno, Monterey, Madera, back to Fresno, and finally to Sacramento. He served for thirty years, promoting through the ranks to the position of Deputy Commissioner. During his time with the CHP Al and Barbara moved nine times, and had son Robert and daughter Jill. Sadly, Robert - who worked as an engineer in Arizona – passed away from cancer. Jill is married and lives in Tampa, Florida with her husband. Al's granddaughter, Kaitlin, graduated Phi Beta Kappa from Rutgers University, and is an All-American rowing champion who makes Al immensely proud.

Since his retirement from the Highway Patrol in 1978, Al Cooper has continuously worked as a legislative advocate, first for four years representing the California Trucking Association, and since that time for a further 16 years representing California's top law enforce-

ment organizations: the California Peace Officers Association, California Police Chiefs Association, and finally, the California State Sheriffs' Associations. Al retired from that position in 1998, but since that date he has represented—and is still representing—the Sacramento County Sheriffs' Department.

The Sheriffs of California—and indeed all members of California's law enforcement community—owe Al a great debt of gratitude for some of his significant legislative accomplishments. It was Al who sponsored legislation requiring that anyone running for sheriff be a professional peace officer in possession of an Advanced P.O.S.T. certification. California is still the only state in the nation with this requirement. Other important legislation that Al was instrumental in developing and passing included the State's wiretap law, the requirement that all sentenced county prisoners be housed in jails under the supervision of the sheriff, the law requiring that prisoners pay a minimal sum when going on sick call (if they have the means), the designation of sheriffs as being responsible for inmate welfare funds, the C.O.P.S. Program and many, many others.

Perhaps the greatest compliments that can be paid to Al are those which come from his peers. Nick Warner, who worked for the California State Association of Counties prior to being selected to succeed Al as the Sheriff's legislative advocate, tells how Al Cooper walked into his office in 1997 and said, "Kid, it's time for me to retire from CSSA and I want you to interview for the job." Nick says that Al taught him three great lessons in life:

- 1. If you've done all you can do, put your head back down on the pillow and go to sleep. If you haven't, get up and keep working.
- 2. People are going to try to use you and the sheriffs, so make sure if you're getting used it's for the benefit of the sheriffs.
- 3. Surround yourself with very good people.

Nick says that as he goes about his work he constantly asks himself the question, "Would Al be proud of me?" Another of Al's colleagues, California Police Chiefs Association legislative advocate John Lovell, had this to say: "Al is an American hero who has committed his life to public safety and the service of others. I am very proud to have had the privilege of working with him over the last 26 years. Put simply, he is one of my favorite people in life."

Al Cooper was indeed a hero, a true gentleman, and a member of the "Greatest Generation" and someone who the Sheriffs of California will always hold in highest esteem. Thank you, Al Cooper, for your extraordinary service to our nation, to our state, and to our Association. We are very proud to be associated with you.

THE JAIL That Almost Wasn't

CURTIS J. HILL CENTER FOR REHABILITATION

- **DON BRADLEY, CAPTAIN SPECIAL PROJECTS**
- SAN BENITO COUNTY SHERIFF'S OFFICE
- SHERIFF-CORONER, ERIC TAYLOR

The 14th Sheriff of San Benito County, Curtis J. Hill, knows that money only comes around for jail construction once every 20 or 30 years. He said, "you better be ready when the opportunity strikes or forever hold your peace." San Benito County first applied for an AB900 grant in approximately 2007 under the leadership of Sheriff Hill. The County could not come up with the hard match required for this grant and relinquished funds awarded.





n 2011, Public Safety Realignment was passed, also known as AB109. This resulted in certain categories of state prison inmates being housed in county jails. AB900 offered a phase II funding opportunity to interested participating counties. In March of 2012 San Benito County was again awarded a construction grant for a facility reduced in size and classification. At this point, all the hard work born by the Sheriff Curtis Hill regime was coming to fruition in the Sheriff Darren Thompson regime.

In 2013 Sheriff Darren Thompson nudged former Chief Deputy Don Bradley out of retirement. Bradley came from the Santa Cruz Sheriff's Office with 29 years of law enforcement experience to include experience in corrections. He participated in the final design process with tenured San Benito County Corrections Jail Commander Edward Escamilla.

In September of 2017, construction began by the general contractor Sletten Construction Inc. Coming out of a recession, commercial construction companies were becoming busy. Costs started increasing. When tariffs came in March of 2018, steel and glazing costs increased dramatically. The next winter we experienced a torrential winter which slowed construction. The following fire season California burned, and local labor migrated to the burn scars. The last hurdle occurred in March 2020 when a worldwide pandemic was declared. This slowed the delivery of specialty radio bidirectional antennas for one year.

On June 15, 2021, opening ceremonies occurred at the Curtis J. Hill Center for Rehabilitation. Sheriff Thompson who inherited the

construction portion of this project was insistent that this facility be named and dedicated to the sheriff whose foresight and tenacity created the opportunity to build this jail. As Sheriff Thompson so ably summed this up, the 14th sheriff of San Benito County made sure the county got the opportunity and state funding to part take in this opportunity. Sheriff 15, (Sheriff Thompson) built the jail by encouraging the county to fund the increased cost and staff the new facility. Sheriff 15 had the charisma to keep Captain Don Bradley working on this project for 7 years, despite the initial assessment of 2 years. Bradley managed the project management portion of the sheriff's participation while being restricted to working 960 hours annually.



This project consists of the design and construction of an approximately 26,000 square foot multi-level medium security jail facility on approximately 2.6 acres of a greater approximately 21 acres of county-owned property located in the city of Hollister. This facility provides approximately 70 beds and includes housing, program, medical, custody, and administrative space. The new building is dependent on the existing detention facility for several core operational components, including food and laundry services.

The housing space is 2 two-story, approximately 12,400 square feet, 6 dorm-style rooms with approximately 12 beds per room, dayroom, and program space, 2 multipurpose classrooms, 2 interview rooms, office space, a central control room, support services

space, 2 enclosed, secure outdoor exercise areas that is approximately 700 square feet each, attached to each new housing unit.

The single-story construction includes the major components of healthcare services space, intake and release space, interview rooms, a multipurpose room, public reception, video visitation and administrative space.

The healthcare services space is approximately 1,600 square feet and includes office space, an inmate waiting area with restrooms and showers, an examination room, a dental suite, a medical supply/records room, a medical cell (which has respiratory isolation capability), a



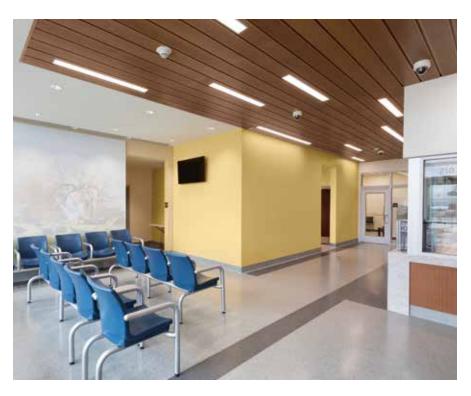
medical treatment ward, a nurse's station, a clean room, a biohazard room, and storage space.

The intake and release space is approximately 5,500 square feet and includes office space, and restrooms; a pre-booking multi-purpose room screening and inventory area; officer report writing and interview room; booking processing space; a medical exam/interview room; holding and safety cells; two court transfer cells; dress-out stations with showers; inmate property storage area and support services space. This area includes a secure exterior vehicle sally port parking area and vehicular drive through driveway.

The co-located public reception administrative space is approximately 4,600 square feet and includes an enclosed reception cubicle, office space, briefing and training rooms, a conference room, a staff break room, support services space, and a public lobby with video visitation space.

Final construction costs are \$26,000,000. The state contributed \$15,000,000 of that. The project spanned 15 years and is now entering the third sheriff's administration.

The newest sheriff of San Benito County, Sheriff 16, is Eric Taylor. Eric is a member of the local community that he calls home. He is married and father of 3 daughters. He participates in the local high school as a sports announcer and is the coach of the boy's water polo and swim teams. He has over 20 years' experience in law enforcement, 15 of which were at the Watsonville Police Department. Most recently Eric served as the Captain of Operations for San Benito County. Sheriff 16 inherits the new jail and its operation which will be dedicated to the rehabilitation of inmates who desire change in their life in the form of education, and job skills. 🥸





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CSSA WELCOMES OUR NEWEST SHERIFFS



SHERIFF GARY REDMAN, Amador County

Sheriff Gary Redman started his law enforcement career while enlisted in the United States Air Force as a Security Police Officer from 1988 to 1992. Upon being honorably discharged, Gary transitioned his law enforcement career from Military Police to local law enforcement when he joined the Los Angeles Police Department in 1996. While serving the citizens of Los Angeles, Gary was assigned to Southeast Division and Central Traffic. In 1998, Gary left the Los Angeles Police Department to become a Deputy Sheriff in Amador County.

Gary has since served the community of Amador County for over 23 years. During his tenure he has held every rank in the Sheriff's Office including being the Undersheriff for the last three years. In 2016, while serving as Captain of Operations, Gary was also assigned as the interim Chief of Police for the City of Sutter Creek, CA. Upon completion of his assignment, Gary assisted the City of Sutter Creek in updating their department and with the hiring of their current Chief of Police. Gary is also a graduate of the FBI National Academy, which he attended in 2006, class #224.

Gary is active in the community as a member of the Italian Benevolent Society, Native Sons of the Golden West, American Legion Post #108 and a committee member of the non-profit organization "Top Cop", which raises money for wounded and disabled veterans as well as first responders. The annual Top Cop event is a shooting competition for law enforcement professionals designed to test speed, accuracy and stamina. As the head range master for Top Cop, Gary designs the course each year, always adding a new twist, to determine the "Top Cop" winner.

Gary has been married to his wife Kris for 30 years, who is also a veteran of the United States Air Force. Gary and Kris met in the Air Force when they were both stationed in Germany in 1990. Gary and Kris have two daughters with the oldest daughter currently serving in the United States Air Force.

Gary has dedicated his personal and professional life in the pursuit of service and commitment to his country, community and family. As the 26th Sheriff of Amador County, Gary's motto of "Proud to serve, Ready to protect" will be his commitment to the citizens of Amador County.



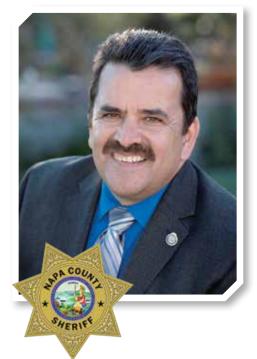
SHERIFF ERIC TAYLOR, San Benito County

Eric Taylor has a distinguished law enforcement career that spans nearly three decades. Eric was born and raised in Watsonville, California. After graduating from Watsonville High, he went to San Diego State University and then joined the San Diego Police Department as a Police Cadet in 1994.

In 1997, Eric became the Stadium Operations Manager for the Oakland Athletics of Major League Baseball. In 2000, he went to work at the Watsonville Police Department, where he started off as a patrol officer and then joined the direct-action response team that investigated gangs and narcotics. Eric took on increasing responsibilities, becoming a field training officer, then a corporal, and then the first dedicated gang crimes detective where he secured over 75 gang convictions in under two years. He was promoted to Sergeant in 2009 and held the positions of Patrol Sergeant and later the Detective Sergeant.

In 2014, Eric joined the San Benito County Sheriff's Office, where he has served as the Captain of Operations and of Administration. Eric has truly made San Benito County his home. When he isn't working to keep our community safe through the Sheriff's Office, he is giving his free time to many worthy causes.

He is the co-chair of the Child Abuse Prevention Council, is a Director for the Saddle Horse Show and Rodeo, is a member of Rotary, a member of LULAC, sits on the LULAC Farmworker Task Force, is a founding member of the First-5 Family Impact Center and is also on the San Benito Opioid Task-Force. Eric volunteers his time as the PA Announcer for San Benito High School's Basketball, Football and Baseball games. He is also the coach for Boys Water Polo and Boys Swimming.



SHERIFF OSCAR ORTIZ, Napa County

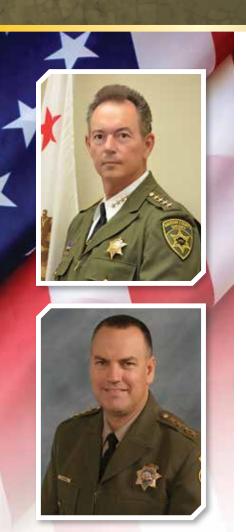
Recently taking over at the Napa County Sheriff's Office, Oscar Ortiz will be the 29th Sheriff to serve Napa County. Sheriff Ortiz has a long tenure in Napa law enforcement, and started full time with Napa County as a Correctional Officer in 1992, before being hired as a Deputy Sheriff in 1996.

Sheriff Ortiz has over 25 years in experience working for the Napa County Sheriff's Office, serving through roles as a Detective, Narcotics Officer, Field Training Officer, and patrol. Through his various assignments, he was promoted through the ranks to Captain in 2017, and served in contract city of American Canyon as their "Police Chief" for 3.5 years before being appointed as Sheriff to fill the remaining term of retired Sheriff John Robertson effective June 26, 2021.

Sheriff Ortiz earned his Bachelor of Science degree in Criminal Justice Management, a POST Management Certificate, and is a graduate of the FBI National Academy (Class 273).

Sheriff Ortiz is a Native of Napa County since he was 4 years old. He is married to his wife Oralia and has 2 adult sons and 1 high school aged son.

RECENTLY RETIRED Sheriffs



SHERIFF MARTIN RYAN

Amador County

On April 3, 2021, Sheriff Martin Ryan retired from the Amador County Sheriff's Office after a 46-year career in law enforcement, serving the last 15 years as Sheriff.

In addition to serving as CSSA's first President from Amador County, Sheriff Ryan was also a longstanding active member of CSSA's Board of Directors as the Sergeant-At-Arms, Treasurer, Secretary, 2nd Vice President, and 1st Vice President. Sheriff Ryan served as Chair of the Tribal Issues Committee, Vice Chair of the Political Action Committee, and Vice Chair of the 2nds in Command Committee.

SHERIFF DARREN THOMPSON San Benito County

On June 25, 2021, Sheriff Darren Thompson retired from the San Benito County Sheriff's Office after 33-year career at the Sheriff's Office, serving 10 of those years as Sheriff.

Sheriff Thompson was an active member of CSSA's Board of Directors, served as the Sergeant-At-Arms, Treasurer, and Secretary, as well as served as the chair of CSSA's Sheriff-Coroner Committee.



SHERIFF JOHN ROBERTSON Napa County

On June 26, 2021, Sheriff John Robertson retired from the Napa County Sheriff's Office after a 40-year career in law enforcement, serving 9 years as Sheriff.

Sheriff Robertson was an active member of CSSA's Board of Directors, as well as served as the Chair of CSSA's Financial Managers and Training Committees.

Congratulations on your well-deserved retirements. We sincerely thank you for your contributions to CSSA and wish you all the best! *

California State Sheriffs' Association Foundation

Membership Program

Individuals and Businesses who want to take a proactive approach to support public safety in their communities may join the California State Sheriffs' Association Foundation (CSSAF).

CSSAF is entirely funded by the generous contributions and support from our members. We are a qualified, non-profit organization under 501(c)(3) of the Internal Revenue Service Code, which means that your donations qualify as tax deductions. The sheriffs of California have full control and direction of all association operations and activities.

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- ★ Two Bumper stickers
- ★ One-year subscription to California Sheriff

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- ★ Two Bumper stickers
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- ★ Lifetime subscription to California Sheriff

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- ★ Two Bumper sticker/ window decals
- ★ One-year subscription to California Sheriff
- ★ Partner listing on our website, calsheriffs.org (Gold Members Only)
- ★ Partner listing with your website link on our website, calsheriffs.org (Platinum Members Only)

We never solicit by telephone.



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J	Men's Long Sleeve Shirt					XL (CIRCLE ONE)			\$60	
К	Tow Hitch Cover			High quality opening and			stainless steel post with 2" receiver		\$45	
L	Star Lapel Pin			Size is 1"wide	2				\$5	
М	Sweatshirt**					• 2XL (CIRCLE ONE) (CIRCLE ONE)			\$35	
N	Men's Camp Shirts**			'		XL (CIRCLE ONE) XL• 3XL (CIRCLE ONE)			\$45	
0	Business Card Holder**			Pewter with	embossed log	10			\$15	
P	Women's Cotton Polo Shi	rt**		Black S • M • I	L • 2XL (CIRCL	E ONE)			\$25	
Q	Wireless NFC Bluetooth S	peaker		1 '	H x 3.25"W x 3 aker anywher		your Bluetooth enabled devices		\$40	
R	Black Full Zip Sweatshirt back by popular demand!			Black hooded sweatshirt with CSSA logo Black S • M • L • XL• 2XL • 3XL (CIRCLE ONE)				\$40		
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T	Mesh Shorts			Black S • XL •					\$20	
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